



*Friday, 17 December 1954,
at 9.30 a.m.*

New York

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discussion in the plenary meeting, and unless I hear any objection, I shall consider that the draft resolution has been adopted by the Assembly.

It was so decided.

AGENDA ITEMS 29, 28, 30 AND 59

Question of organizing an international professional conference to prepare the final text of an International Code of Ethics for the use of information personnel

REPORT OF THE THIRD COMMITTEE (A/2872)

Freedom of information

REPORT OF THE THIRD COMMITTEE (A/2877)

Forced Labour

REPORT OF THE THIRD COMMITTEE (A/2878)

Status of women in private law: customs, ancient laws and practices affecting the human dignity of women

REPORT OF THE THIRD COMMITTEE (A/2879)

Mrs. Tsaldaris (Greece), Rapporteur of the Third Committee, presented the reports of that Committee.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Third Committee.

2. The PRESIDENT: We shall now deal with the Third Committee items in the order in which they appear on the agenda of the meeting.

3. We have first the draft resolution contained in the report of the Third Committee concerning agenda item 29 [A/2872]. Since no representative wishes to explain his vote I shall put to the vote that draft resolution.

The draft resolution was adopted by 43 votes to none, with 1 abstention.

4. The PRESIDENT: The Assembly now has before it draft resolutions I to III contained in the Third Committee's report on agenda item 28 [A/2877], and also two amendments submitted by the United Kingdom and Turkey [A/L.191] to draft resolution III. I shall call now on those representatives who wish to explain their votes.

5. Mr. MEADE (United Kingdom): The amendments to draft resolution III which my delegation, together with the delegation of Turkey, has put forward are of a purely drafting nature, and I hope, therefore, that they will not arouse any discussion. I should like, nevertheless, to explain briefly the reason for these amendments.

6. The phrase "including a new article" which appears in paragraph 2 *b* of the draft resolution was embodied

President: Mr. Eelco N. VAN KLEFFENS
(Netherlands).

AGENDA ITEM 3

Appointment of a Credentials Committee
(concluded)

SECOND REPORT OF THE CREDENTIALS COMMITTEE
(A/2880)

1. The PRESIDENT: I believe that the draft resolution which has been submitted by the Credentials Committee in its report [A/2880] does not call for any

in an amendment which originally referred to a possible new article based on one aspect of General Assembly resolution 424 (V) providing that each high contracting party should not interfere with the reception within its territory of foreign radio broadcasts. This amendment was subsequently incorporated in the draft resolution originally submitted by the Soviet delegation, but with an addition which suggested that the new article should also be based on another part of resolution 424 (V), namely, paragraph 4 which "invites all governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples . . .". It seems to the sponsors of the amendment now before the Assembly that it would be very difficult to have one article which would cover both this concept and the concept of non-interference with foreign radio broadcasts. We suggest that more than one article will be necessary, and we therefore propose the substitution of the words "including new articles" for the words "including a new article".

7. The second amendment is also of a drafting nature. The phrase "to invite all Governments to refrain . . ." which appears in paragraph 2 *b* is taken directly from paragraph 4 of General Assembly resolution 424 (V). This language is very proper in a General Assembly resolution which takes the form of recommendations to Governments, but it is not appropriate when we are thinking in terms of an article of a convention which, if adopted, would be binding on the parties to that convention. The sponsors of the amendment propose, therefore, to replace the words in question with the phrase "to provide that each High Contracting Party shall refrain". This would be in line with the phrase employed in the same paragraph of draft resolution III, which provides "that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts".

8. I hope that these purely drafting changes will not cause any difficulty to the Assembly.

9. Mr. SAKSIN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation will limit its remarks to draft resolution III submitted by the Third Committee on the International Convention Concerning the Use of Broadcasting in the Cause of Peace.

10. The question of concluding such a United Nations protocol on the use of broadcasting in the cause of peace was discussed in the Third Committee at the initiative of the Soviet Union delegation.

11. We know the very important part played by information media, and by broadcasting in particular, in promoting peace and friendly relations between nations, especially at the present time, when some tangible results have been achieved in lessening existing tension in international relations.

12. We all know too that hitherto information media, and broadcasting in particular, have been used by several countries for propaganda in favour of a new war and for spreading mendacious and distorted information about other countries.

13. The delegation of the Union of Soviet Socialist Republics, which wants to promote in every possible way the adoption by United Nations organs of effective measures to combat the use of information media, especially broadcasting, for purposes prejudicial to international peace and security, had submitted to the Third Committee a draft resolution to that effect. Under

the terms of this draft, the General Assembly would have to take certain measures for the transfer to the United Nations of the functions which were performed by the League of Nations under the terms of the very important instrument known as the International Convention concerning the Use of Broadcasting in the Cause of Peace.

14. In submitting its draft resolution the Soviet delegation took into consideration the way in which various protocols relating to similar international conventions and agreements had already been adopted by the Assembly. In the USSR draft resolution, it was proposed to instruct the Secretary-General to prepare a protocol concerning the transfer to the United Nations of the functions assigned to the League of Nations under the International Convention concerning the Use of Broadcasting in the Cause of Peace. The USSR draft resolution also provided that, in accordance with the precedents of previously adopted protocols, the Secretary-General of the United Nations should include in the new draft protocol only such accessory legal adjustments as, for example, the replacement of the words "League of Nations" by the words "United Nations". The draft resolution further provided that the draft protocol thus prepared by the Secretary-General of the United Nations should first be considered at the forthcoming nineteenth session of the Economic and Social Council and then at the tenth session of the General Assembly.

15. Nevertheless, this simple and clear draft resolution proposed by the USSR delegation met with an unfavourable response from certain delegations in the Third Committee.

16. The delegations of the Netherlands, Turkey and the United Kingdom submitted in the Third Committee some amendments to the USSR delegation's draft resolution, the real purpose of which was to change the substance of the draft resolution and also of the proposed text of the International Convention concerning the Use of Broadcasting in the Cause of Peace.

17. Bearing in mind the desirability of adopting an agreed decision, acceptable to the majority of the Members of the Assembly, the Soviet delegation stated in the Third Committee that it was prepared to accept all the three-Power amendments without exception, if the three delegations, in their turn, would give favourable consideration to the USSR delegation's proposal to change the text of one paragraph which those delegations proposed to include at the end of operative paragraph 2 *b* of the USSR draft resolution.

18. The substance of the USSR delegation's proposal was briefly as follows: the delegations of the Netherlands, Turkey and the United Kingdom proposed to insert after paragraph 2 *b* of our draft resolution a provision that the Secretary-General should include in the draft protocol a new article of the Convention, based on General Assembly resolution 424 (V). The three delegations drafted their amendment so that it included only one provision of that General Assembly resolution, namely, the provision that each High Contracting Party—I quote the three-Power amendment—"shall not interfere, with the reception, within its territory, of foreign radio broadcasts".

19. The Soviet delegation agreed to accept that amendment and to include it in its draft resolution, but at the same time proposed to add to it another provision of the same General Assembly resolution 424 (V),

on which the three-Power amendment was based, namely, the provision that the proposed new article should also state that all Governments—I quote from the General Assembly resolution 424 (V)

20. The PRESIDENT: May I request the representative of the Soviet Union to make his remarks a little briefer. The seven minutes usually set aside for explanation of vote have more than run out. I am prepared to give three minutes' tolerance, but no more. The Assembly has a very long agenda and it should be possible to explain these matters a little more succinctly. Will the representative of the Soviet Union please be good enough to proceed.

21. Mr. SAKSIN (Union of Soviet Socialist Republics) (*translated from Russian*): Mr. President, I have only one and a half minutes left. Of course, so complicated a question requires some explanation.

22. I shall first quote the pertinent paragraph of General Assembly resolution 424 (V), that is, paragraph 4:

"Invites all Governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively."

Those are the words of the General Assembly resolution which the USSR delegation recommended for inclusion in the proposed article in the Convention.

23. Furthermore, the USSR delegation quite justifiably proposed that the new article should state that the contents of broadcasts which should not be interfered with must not violate the provisions of articles 1 and 3 of the Convention concerning the Use of Broadcasting in the Cause of Peace. This may also be found in the text of the Convention annexed to the USSR draft resolution, in articles 1 and 3, which lay down the obligation of Governments not to permit broadcasts which may be prejudicial to the cause of international peace and security.

24. But this proposal of the USSR delegation was rejected and paragraph 2 *b* of the draft resolution which was adopted does not contain the aforesaid reference to articles 1 and 3 of the International Convention concerning the Use of Broadcasting in the Cause of Peace.

25. As the result of the adoption of certain other amendments, other paragraphs of the USSR draft resolution were likewise weakened; thus, the provision that the United Nations protocol prepared by the Secretary-General should be considered by the Economic and Social Council and then by the General Assembly was omitted. The final text of the draft resolution does not make it clear what further procedure will be followed when the protocol has been prepared. There are also other shortcomings.

26. For these reasons, the delegation of the Soviet Union in the Third Committee abstained from voting on the draft resolution as a whole. The Soviet delegation will do likewise at the plenary meeting of the General Assembly.

27. As regards the amendments of the delegations of Turkey and the United Kingdom [*A/L.191*], the Soviet delegation, in accordance with its general attitude towards these amendments, will vote against the first amendment and will abstain in the vote on the second.

28. Mr. RODRIGUEZ FABREGAT (Uruguay) (*translated from Spanish*): I would request the President to allow me to explain my delegation's vote on the draft resolutions submitted to the Assembly by the Third Committee.

29. In order to comply fully with the President's recommendations, I shall therefore not repeat all the views and arguments on these questions which we advanced during the debates in the Third Committee. I shall now merely add that my delegation will vote for the draft resolutions.

30. As for draft resolution II submitted by the Third Committee, my delegation will vote exactly as it did in the Committee and for the reasons expressed there. We maintain that it is necessary for an international convention to lay down at least universally applicable minimum obligations to keep this right of freedom of information at the level it warrants, by means of which we must now devise new methods of improving knowledge of each other and mutual good relations among the nations and peoples of the world.

31. My own country is—and I think that on this point there is no room for doubt—a true bulwark of freedom of information as well as of other inherent human rights and we maintain that in a convention of this sort there should be among its principles a clear statement of the international right of correction so that peoples, States and Governments may be protected against every sort of falsified or distorted news which may cast aspersions upon or affect the prestige of a people or an institution.

32. I may say that my own country has suffered as the result of some distortions of freedom of information. It has just held general elections. We preferred that these elections should take place, not only in accordance with constitutional provisions, but also while the United Nations Educational, Scientific and Cultural Organization (UNESCO), consisting of more than seventy nations, was holding a session in my country, indeed in the capital of my country, at the very height of the whole electoral process. All the representatives of those nations were present, followed step by step and witnessed the functioning of a genuine democracy, which has based and continues to base the very lines of its democratic future on the clear requirements of the sovereignty of the people.

33. But what a whole people saw and experienced, what has become the practice of a nation, what constitutes, as so many have indeed generously said, an exemplary instance of the expression of American democracy, what was seen and observed and applauded by more than seventy UNESCO delegations at Montevideo was distorted in organs of alleged free information and has been the subject of articles which do not so much reflect anxiety for my people or criticisms of my Government, or even cause us displeasure because they may adversely affect our future, but rather show the lack of respect evinced by certain correspondents and certain agencies, who have so little faith in the mental and moral standards of the very people for whom they are writing.

34. I may say that when these organs of information found in my country no interference from abroad nor disturbances at home and when they found that an electoral procedure was the living and active form of a people's participation in modern history and present-day democracy, all that they gathered for the

sake of the profession itself as they practise it was an eagerness to foster, for the usual pay, criticisms more likely to cause scandal than to arouse justifiable admiration for a true democracy functioning where it did on the soil of America.

35. We therefore believe that this principle of the right of correction, which was discussed and dealt with in the Third Committee—it already exists in the law and customs of my own country—should be maintained intact.

36. As for draft resolution III, we would have preferred the substance of the Convention itself to be discussed when the Convention was dealt with, but since principles involving basic modes of thought are embodied in the draft resolution, and since my people and country adhere to them with all the confidence which we have in the development of the democratic process, my delegation will also vote in favour of this draft resolution.

37. The PRESIDENT: Since no other representative wishes to explain his vote, the Assembly will proceed to the vote on draft resolutions I and II contained in the report of the Third Committee [A/2877].

Draft resolution I was adopted by 53 votes to none, with 2 abstentions.

Draft resolution II was adopted by 37 votes to 11, with 7 abstentions.

38. The PRESIDENT: Turkey and the United Kingdom have submitted two amendments [A/L.191] to draft resolution III submitted by the Third Committee. In accordance with rule 92 of the rules of procedure, I shall put them to the vote before the draft resolution itself.

39. The Assembly will now vote on the first amendment, which would substitute the words "including new articles" for the words "including a new article" in paragraph 2 b.

The amendment was adopted by 40 votes to 5, with 7 abstentions.

40. The PRESIDENT: We shall now vote on the second amendment, which would substitute for the words "to invite all Governments to refrain" in paragraph 2 b the words "to provide that each High Contracting Party shall refrain".

The amendment was adopted by 42 votes to none, with 12 abstentions.

41. The PRESIDENT: We now turn to resolution III, as it has been amended. A roll-vote has been requested on the operative paragraphs. I shall, first of all, put these operative paragraphs to the vote.

42. Mr. SOBOLEV (Union of Soviet Socialist Republics) (*translated from Russian*): As I understood the President, he wishes to put to the vote separately the operative part of the draft resolution. In that case, I would ask him to have a separate vote on each paragraph of the operative part. I am not asking for a roll-call vote.

43. The PRESIDENT: A difficulty has arisen, because the representative of the Soviet Union has signified his desire that each paragraph of the operative part be put separately to the vote, but the Soviet representative has not asked for the votes to be taken by roll-call. However, a vote by roll-call has been requested

for the whole of the operative part of the draft resolution. Is that vote by roll-call insisted upon, since each operative paragraph will now be put to the vote separately?

44. Mr. TUNCEL (Turkey) (*translated from French*): The Turkish delegation asks for a roll-call vote on paragraph 2 b only.

45. The PRESIDENT: That would facilitate our work, and I thank the representative of Turkey. We shall, then, first vote on the preamble of draft resolution III, and then on each paragraph of the operative part, on the understanding that operative paragraph 2 b will be put to a roll-call vote.

The preamble was adopted by 41 votes to none, with 14 abstentions.

Paragraph 1 was adopted by 43 votes to none, with 9 abstentions.

Paragraph 2 a was adopted by 43 votes to none, with 11 abstentions.

A vote was taken by roll-call on paragraph 2 b.

The Byelorussian Soviet Socialist Republic, having been drawn by lot by the President, was called upon to vote first.

In favour: Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Egypt, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Indonesia, Iran, Iraq, Israel, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen, Afghanistan, Argentina, Australia, Belgium, Bolivia.

Abstaining: Byelorussian Soviet Socialist Republic, China, Czechoslovakia, Dominican Republic, Ecuador, India, Liberia, Mexico, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Venezuela, Yugoslavia, Brazil, Burma.

Paragraph 2 b was adopted by 42 votes to none, with 16 abstentions.

Paragraph 2 c was adopted by 44 votes to none, with 15 abstentions.

46. The PRESIDENT: I shall put to the vote the draft resolution as a whole, as amended.

The draft resolution was adopted by 38 votes to none, with 17 abstentions.

47. The PRESIDENT: The Assembly now has before it a draft resolution contained in the report of the Third Committee on agenda item 30 [A/2878].

48. I shall give the floor to any representatives who wish to explain their votes.

49. Mr. YU (China): The fundamental difference between free labour and forced labour is but a part of the fundamental difference between the free world and the totalitarian or Communist world. For this reason, my delegation emphasizes the underlying import of this problem, and may I submit that the free world itself should give it its utmost attention. What is more, even the totalitarian States should be invited to examine and re-examine the problem and see its true perspectives so that they themselves might, through enlightened self-

realization, change their sophistry and their course of action.

50. In the course of the debate in the Third Committee, I submitted on behalf of my delegation, a detailed account regarding the practice of forced labour by the Peiping Communist regime on China's mainland. It is not necessary for me to repeat the facts and figures from this rostrum this morning, but it is important to note that the Peiping Communist régime, far from relaxing the system of forced labour which the Communists call "Reform through labour", has recently undertaken to adopt a comprehensive law on it. This law is entitled "Regulations Concerning Labour Service for Reform", adopted by the Peiping Communist régime on 7 September 1954. My delegation furnished the Third Committee with the full text of the law, accompanied by a statement by Lo Jui-ching, so-called Minister of Public Security of the Peiping Communist régime, and pointed out that, in article 19 of the draft constitution promulgated by the Peiping Communist régime on 14 June 1954, the system of forced labour has been made into a permanent system by the Communists in China. Millions and millions of Chinese people who are considered politically undesirable by the Communists are condemned to years and decades of slavery under conditions the barbarity of which defies human imagination.

51. In my statement before the Third Committee, I also commented on the summaries of two books in Chinese written by men who had escaped from forced labour camps on the Chinese mainland. One of the authors tells us how the victims of forced labour had to work from twelve to fourteen hours a day, and to live under the most unbearable conditions. The other tells us of a secret construction work on the Western Hills Tunnel in Northern Shensi, upon the completion of which the workers—820 of them—were quietly put to death. Both authors tell of the indoctrination meetings lasting for hours, during which the labourers were compelled to make confessions of crimes which they had never committed.

52. What has been going on on the mainland of my country, now occupied by a régime which is operated by a small number of fanatical dictators and controlled by a foreign Power, is a very sad phenomenon. It is sad for those true Chinese on the mainland as well as those in the four corners of the earth, because by nature and tradition they love their homeland and hate to see that it has become an experimental station of an alien ideology based on force. In a larger measure, it is sad for the free world to see that the 4 million square miles of Chinese soil have in fact been turned into a huge slave labour camp. The sum total of atrocities, crimes, and violations of precious Chinese traditions, committed by brutal force ever since the Communist occupation of the mainland, exceeds all the acts of . . .

53. The PRESIDENT: May I suggest to the representative of China that we are discussing forced labour in general and not any specific case.

54. Mr. YU (China): For these reasons, my delegation will support the draft resolution submitted by the Third Committee and hopes that it will be adopted by an overwhelming majority of the General Assembly, as an expression that the system of forced labour practised in Communist countries is condemned by the collective conscience of the civilized world.

55. Mr. SAKSIN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet Union delegation does not intend to become involved in any altercation and considers that it is below its dignity to reply to the base insinuations and slander directed against the great Chinese people by this speaker, who represents nobody except himself and the reactionary Chiang Kai-shek group.

56. The Soviet delegation considers that the dissemination in the United Nations of such insinuations against the great Chinese people is inadmissible, particularly in the absence of the rightful representatives of the Central People's Government of the People's Republic of China.

57. Reverend NUÑEZ (Costa Rica) (*translated from Spanish*): My delegation wishes to announce its intention to vote in favour of the draft resolution submitted to the Assembly by the Third Committee.

58. This intention springs primarily from the conviction which we share with the entire free world that any system of forced labour which is employed as a means of political coercion or punishment for holding or expressing political views, and which is applied on such a scale as to constitute an important element in the economy of a given country, should be repudiated. Our adherence to the principles of the worker's human dignity and of man's essential freedom prompts us to proclaim to the world from this rostrum our most emphatic repudiation of any disregard for these principles, which constitute a keystone in the structure of the free world.

59. Our position on this draft resolution springs, in the second place, from the well-merited esteem in which we hold two of the organizations that have denounced the existence of systems of forced labour, namely the American Federation of Labor and the International Confederation of Free Trade Unions. My delegation recognizes that both organizations satisfy the requirements that qualify them as genuine representatives of the world's workers, not only by virtue of the number and variety of nationalities of workers included in their membership, but also, and more particularly, by virtue of the principles of freedom and the demands for justice which both organizations proclaim with great energy and absolute loyalty to the working class.

60. Far from being instruments of any Government or of any unjust economic system, these trade union organizations represent the most genuine demand of the world's democratic workers for a world of freedom and justice, and they therefore fight with the same determination against economic injustice and political tyranny.

61. The PRESIDENT: As there are no other speakers, the Assembly will proceed to the vote on the draft resolution submitted by the Third Committee in its report [A/2878].

The draft resolution was adopted by 41 votes to 5, with 10 abstentions.

62. The PRESIDENT: The Assembly now has before it the draft resolution contained in the report of the Third Committee on agenda item 59 [A/2879].

63. As no Member wishes to explain his vote, the Assembly will proceed to the vote on this draft resolution.

The draft resolution was adopted by 48 votes to none, with 5 abstentions.

AGENDA ITEMS 70 AND 71

Complaint of acts of aggression against the People's Republic of China and responsibility of the United States Navy for those actsREPORT OF THE *Ad Hoc* POLITICAL COMMITTEE
(A/2871)**Complaint of violation of the freedom of navigation in the area of the China seas**REPORT OF THE *Ad Hoc* POLITICAL COMMITTEE
(A/2882)

64. The PRESIDENT: I regret to inform the Assembly that Mr. Derinsu (Turkey), Rapporteur of the *Ad Hoc* Political Committee, is indisposed and therefore unable to present the reports of that Committee. We send him our best wishes. I think that, in this case, the Assembly could dispense with the presentation of the reports by the Rapporteur.

It was so decided.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Ad Hoc Political Committee.

65. The PRESIDENT: We turn to the consideration of the recommendation of the *Ad Hoc* Political Committee on agenda item 70. In addition to the report of the *Ad Hoc* Political Committee [A/2871], the Assembly has before it a draft resolution proposed by the Soviet Union [A/L.190]. It is the practice of the Assembly to vote first on the recommendations of its Main Committees with respect to their consideration of agenda items. But, in this special case, the *Ad Hoc* Political Committee has not recommended the adoption of any draft resolution. I presume, therefore, that the Assembly will wish to take note of the Committee's report before it votes on the draft resolution submitted by the Soviet Union.

It was so decided.

66. The PRESIDENT: We shall now turn to the draft resolution submitted by the Soviet Union [A/L.190].

67. Mr. SOBOLEV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation submitted the item concerning acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts for consideration by the General Assembly at its ninth session in the hope of promoting the rapid and peaceful solution of a problem which is important to the maintenance of peace in the Far East.

68. The Soviet delegation considers that, under present conditions, when as a result of the efforts of peace-loving States a relaxation of international tension has taken place, the United Nations should explore all possibilities for the settlement of outstanding international problems, and in the present case put an end to the aggressive acts which seriously threaten the cause of peace and international security. We are concerned with the activities of the United States of America directed against the vital interests and sovereign rights of the People's Republic of China, activities which arouse the legitimate indignation of the great Chinese people and of all peace-loving peoples throughout the world.

69. United States armed forces, in violation of the sovereign rights of China and of the relevant interna-

tional agreements, have seized Chinese territory, namely, the island of Taiwan and the Pescadores, have interfered directly in the domestic affairs of China and have threatened to use force against the territorial integrity of the People's Republic of China thereby violating one of the fundamental principles of the United Nations Charter.

70. Taiwan and the adjacent area have been under the military control of the United States of America for over four years. Furthermore, under the so-called mutual defence treaty, which the United States Government concluded with the Chiang Kai-shek régime on 2 December 1954, the island of Taiwan is now being openly converted into a permanent naval supply base for United States armed forces in the Far East, and the United States is threatening to extend the applicability of this agreement far beyond the Taiwan area.

71. This action of the United States Government can be regarded only as a serious military provocation directed against the People's Republic of China and is fraught with grave consequences for the cause of peace.

72. Of late the situation in the area of Taiwan and the China seas has become increasingly acute as a result of the growing number of aggressive acts committed against the People's Republic of China by armed forces under the control of the United States Seventh Fleet.

73. The Soviet delegation gave many specific examples of such aggressive activities when this question was considered in the *Ad Hoc* Political Committee. It was proved that Chiang Kai-shek naval vessels and aircraft carry out systematic attacks on Chinese towns and coastal islands and that United States naval and air forces participate directly in these attacks. United States warships stage challenging military demonstrations off the Chinese coast and provide cover for Chiang Kai-shek vessels and aircraft in their provocative activities against the People's Republic of China. Chiang Kai-shek forces carry out piratical attacks on the high seas on the merchant vessels of various countries, seize these vessels and subject their crews to brutal maltreatment. None of these acts, which are the individual links in the long chain of aggressive activity against the People's Republic of China, has been or can be refuted. They are well known to the whole world.

74. The aggressive acts of the United States armed forces in the area of Taiwan and the China seas create a grave situation, direct responsibility for which is borne by the aggressive circles in the United States of America, which, following the cessation of hostilities in Korea and the restoration of peace in Indo-China, are converting the Taiwan area into a new breeding-ground of war, creating a serious threat to peace and aggravating the international situation.

75. Accordingly, the Soviet delegation considers that the United Nations cannot ignore this situation and should take the necessary steps to bring the situation in the Far East back to normal, put an end to these aggressive acts and defend the legitimate rights of the People's Republic of China. Such are the aims of the draft resolution proposed by the Soviet delegation.

76. The United States delegation in the *Ad Hoc* Political Committee did everything in its power to prevent the adoption of a decision on this important question and to retain the possibility of undertaking aggressive acts against the People's Republic of China in the

future. The General Assembly should recognize that the Government of the United States of America is responsible for the situation which has arisen in that area; the Assembly to take the necessary steps to put an end to the acts of aggression against the People's Republic of China. Such a decision of the General Assembly would help to eliminate the threat to peace in the area of Taiwan and the China seas and would contribute to a further relaxation of international tension.

77. Mr. TSIANG (China): Under this item the Soviet Union accuses the United States of aggression against China. Four particular accusations have been mentioned in the speech which we just heard, as well as in the Soviet draft resolution.

78. The first particular and specific act of so-called aggression is the seizure of the island of Taiwan. Everybody knows that the island of Taiwan has not been seized by anybody or occupied by anyone. Taiwan is as free today as any other island or region of the world. That particular accusation is entirely groundless.

79. The second particular accusation is the recently signed treaty of mutual defence. That treaty was signed with the purposes of the United Nations and the obligations of its Members clearly in mind: It has been specifically stated that the limits and conditions of that treaty are inconsistent with the obligations of both signatories. I submit that a mutual defence pact can in no way be considered an act of aggression by anybody against anybody else.

80. The third particular accusation concerns the so-called aggressive acts along the coast. As a matter of fact, the recent fighting along the coast was started by the Communists on 3 September. My Government has been engaged in self-defence and in retaliation. Self-defence does not need any encouragement or instigation by any third party and I cannot conceive of the United Nations pronouncing acts of self-defence to be acts of aggression.

81. The final accusation concerns interference with navigation in the China seas. That subject was thoroughly discussed in the *Ad Hoc* Political Committee. Again, in that respect, my Government is engaged in self-defence. In so far as *bona fide* neutral shipping has been affected at all, my Government stands ready to negotiate and settle such differences as may have arisen. But my Government will not relax its efforts to prevent the Chinese Communists from acquiring strategic materials. Again, in this matter of shipping it is a simple matter of defence, and defence does not need encouragement or instigation. Defence measures cannot possibly be considered as acts of aggression.

82. My delegation is particularly grieved that such an item should have been submitted by the Soviet Union. We are of the opinion that the Soviet Union is the least qualified to accuse anybody of aggression.

83. In the second place, my delegation also deplores the fact that this accusation of aggression is directed against the Government of the United States, because according to the facts and the historical record, the United States has never committed an act of aggression against my country. The Chinese people recognize the people of the United States as their good friends.

84. The Soviet draft resolution was rejected by the Committee and it deserves to be rejected again by the General Assembly.

85. Mr. JACKSON (United States of America): The United States delegation hopes that the Assembly can dispose quickly of the present item, and it should be easy to do so since the only draft resolution before us was overwhelmingly rejected by the *Ad Hoc* Political Committee.

86. The Soviet draft resolution, as we have said several times before, has only one purpose, to serve as a platform for hostile and inflammatory propaganda, principally against my country, as evidenced by the Soviet speech we have just heard this morning. In the course of the debate in the Committee we demonstrated the falsity of the charges on which the draft resolution was based and reviewed briefly a few facts which showed clearly who are the aggressors in Asia.

87. I should like to summarize very briefly what I feel are the pertinent points, first, as to the charges which were levelled against the United States by the Soviet Union representative and his friends.

88. We were charged with forcible seizure and occupation of Formosa by United States armed forces. We pointed out that the American military personnel on Formosa numbered some eight or nine hundred, and that these men, and in fact all our aid to the Chinese Government on that island, were sent at the request of that Government in its hour of danger.

89. Secondly, the United States was charged with perpetrating and abetting aggressive acts in the area of Formosa. We pointed out that the measures taken by the Republic of China against war vessels and artillery emplacements along the mainland coast were provoked by a sudden highly publicized series of Chinese Communist attacks and were in self-defence. We pointed out also that the presence of the United States Seventh Fleet in the Formosa area, and the recent signing of a mutual defence treaty with the Republic of China, were both designed to promote stability in that area in the face of a new campaign by Peiping and Moscow to stir up tension. Events prove that this firm response to Communist provocation has served its peaceful purpose.

90. In order to put the Soviet charge of aggression in the context of history, we pointed out further that every act of defence against real or potential Communist aggression in Asia since 1950 has been painted in the upside-down language of Communist propaganda as an act of aggression. This was the Communist line about the United Nations defence of Korea, as well as about every treaty of mutual defence in which the United States has joined in the past four years.

91. Finally, we pointed out that all the acts of conquest and aggression in Asia since the Second World War have been acts of Soviet and Chinese Communist conquest and aggression. This was true in China itself; it was true when the Soviet Union triggered the aggression in Korea; it was true when Communist China sent a million men to prolong that aggression. The spirit of aggression has expressed itself in a series of frenzied hate-propaganda campaigns launched by the Chinese Communists involving imaginary germ warfare and, most recently, the trumped-up melodrama about espionage in Red China.

92. This is the factual background against which the *Ad Hoc* Political Committee considered and rejected the Soviet resolution. As I said in that Committee, to adopt the Soviet draft resolution would have been to

adopt the principle that self-defence against Communist attack is an international crime.

93. The *Ad Hoc* Political Committee, as its report shows, rejected the Soviet draft resolution overwhelmingly. The United States delegation hopes that the General Assembly will do the same.

94. Mr. PALAMARCHUK (Ukrainian Soviet Socialist Republic) (*translated from Russian*): The draft resolution of the Soviet Union, which has been submitted to the General Assembly and which deals with the complaint of acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts, deserves the most careful attention of the United Nations.

95. During the discussion of this question in the *Ad Hoc* Political Committee, the representatives of the Soviet Union, Poland, Czechoslovakia, the Byelorussian SSR and other countries mentioned in their statements numerous facts showing that the armed forces controlled by the United States have committed and are committing acts of aggression against the peace-loving Chinese people which is wholly absorbed in building a new life.

96. I should like to recall that, in the period from July 1950 to February 1954 alone, United States aircraft violated the air space of China 7,632 times, while United States naval vessels violated China's territorial waters 336 times.

97. Thus the United States of America, violating the principles of the Charter and flouting international agreements and the rules of international law, has used its armed forces not only to occupy the Chinese island of Taiwan, but to take a direct part in acts of aggression against the People's Republic of China. In that connexion it is worth recalling that under Article 2, paragraph 4 of the Charter "all Members of the United Nations, naturally including the United States of America, must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations".

98. The United States representative, both in the *Ad Hoc* Political Committee and here, without refuting a single accusation—since truth is irrefutable—merely tried to "justify", on the ground that it is necessary to maintain so-called stability, the presence of United States armed forces on the island of Taiwan and the acts of provocation which armed forces controlled by the United States have been committing against the People's Republic of China.

99. The question arises why men from California or Oklahoma should, ostensibly for "security" purposes or to maintain "stability", journey so many thousands of miles away from their native land to foreign parts, such as the island of Taiwan. What would the United States representative say if, for example, Chinese were to come to the shores of the United States for purposes of "security" or "stability"?

100. We must set aside this entirely unwarranted talk of "security" and say outright that when the United States endeavours to preserve at all costs Chiang Kai-shek's utterly corrupt and doomed régime and to commit a breach of the peace in the Far East by concluding with him an aggressive so-called mutual defence agreement and by resorting to direct aggression against the Chinese people, its action is as reprehensible as

it is unsuccessful. In our day no one may commit a breach of the peace with impunity anywhere, and that includes Asia.

101. The Ukrainian delegation emphatically condemns the aggressive acts of the armed forces controlled by the United States as constituting a threat to peace and security in the Far East. Our delegation fully supports the USSR draft resolution recommending that the Government of the United States of America, which is responsible for the situation which has arisen in that area, should take the necessary steps to put an end to the said acts of aggression.

102. Mr. NOSEK (Czechoslovakia) (*translated from French*): The General Assembly of the United Nations has on several occasions in the past had to deal with persistent acts of aggression committed against the People's Republic of China.

103. The base from which these acts of aggression against the People's Republic of China are carried out is the island of Taiwan and the surrounding area. It is known that in June 1950 United States armed forces, when unleashing their war of aggressive intervention in Korea, invaded the island of Taiwan, which is an integral part of the territory of the People's Republic of China. In doing so, the United States flagrantly violated undertakings which it had solemnly assumed and which, embodied in the Cairo Declaration and the Potsdam Agreement, had been reaffirmed by the United States Government after the Second World War and again in 1950, shortly before the seizure of the island of Taiwan.

104. The efforts of the United States to represent this occupation of the island of Taiwan as alleged neutralization cannot alter this fact in any way. Indeed, it soon became obvious that the purpose of this alleged neutralization was merely to turn the island into a United States military base to be used for the preparation of war against the People's Republic of China.

105. The island of Taiwan has thus become a hotbed of war which constitutes a serious threat to peace and security in the Far East. Preparations for an attack against the People's Republic of China are being planned and carried out under the direction of United States armed forces. A staff of United States military experts is training, regrouping and equipping the land, sea and air forces of Chiang Kai-shek. Special attention is given to offensive training. The area between the Chinese continent and the island of Taiwan is becoming the scene of increasingly frequent acts of aggression by the Chiang Kai-shek armed forces.

106. A direct invitation to attack the metropolitan territory of China was issued to the Chiang Kai-shek clique in February by the alleged neutralization of Taiwan. That measure was a signal for the Chiang Kai-shek troops to intensify their provocative acts of aggression in Chinese territorial waters against the coastal regions of metropolitan China.

107. At the initiative and with the support of United States military circles, the Chiang Kai-shek clique has for years been making furtive attacks on the coastal areas of China and on the neighbouring islands; it bombs Chinese towns and villages, murders peaceful Chinese citizens and, with the assistance of the United States Air Force, it sends its agents into the metropolitan territory of the People's Republic of China, to commit acts of espionage and sabotage and to carry out other subversive activities.

108. In order to maintain the illegal blockade of the People's Republic of China and thus to prevent it from trading with other countries, the United States Navy and Air Force are helping Chiang Kai-shek's vessels in their acts of piracy against foreign vessels on the high seas.

109. The so-called mutual defence pact recently concluded between the United States and Chiang Kai-shek strengthens the United States occupation of the island of Taiwan and constitutes yet another act of aggression against the People's Republic of China. This is a further violation of the undertakings assumed by the Government of the United States under the Cairo and Potsdam agreements. This pact, concluded with a group of traitors, behind the backs and against the interests of the Chinese people, is in reality nothing but a unilateral declaration by the United States Government for the purpose of legalizing the arbitrary occupation of Taiwan and the interference in the internal affairs of China. As Mr. Chou En-lai, the Minister of Foreign Affairs of the People's Republic of China, rightly said, this is a pact of aggression and war.

110. During the consideration of agenda item 70 in the *Ad Hoc* Political Committee, the United States delegation was unable to deny, still less to refute, innumerable facts which bore witness to the persistent acts of aggression carried out by the Chiang Kai-shek armed forces under the protection of, and often even with the active co-operation of, the United States Navy and Air Force. That is why the United States delegation tried to depict the United States occupation of the island of Taiwan and United States policy in the Far East as protection against aggression and strengthening of stability in that area. Such pretexts could mislead no one. The legitimate Government of the People's Republic of China has an inalienable right to extend its sovereignty over the whole territory of the Chinese State, of which the Island of Taiwan forms an indivisible part. To prevent the liberation of Taiwan and of the remainder of the occupied Chinese territory from the domination of a group of rebels does not constitute protection against aggression or strengthening of stability, but simply the perpetration of manifest and serious acts of interference in the domestic affairs of China and the violation of the territorial integrity of a sovereign State.

111. The transformation of the island of Taiwan into a hotbed of war and the increasingly frequent acts of aggression arouse anxiety and censure not only among the Chinese people and the other Asian nations but also among all other peace-loving nations in the world.

112. The situation now prevailing in the Taiwan region constitutes a threat to peace and security in the Far East. It is the duty of the United Nations to take effective steps for the removal of this threat.

113. For these reasons, the Czechoslovak delegation wholeheartedly supports the draft resolution submitted by the Soviet Union delegation, under which the General Assembly would condemn the acts of aggression committed against the People's Republic of China and would recommend to the Government of the United States, which is responsible for the situation thus created, to take the necessary steps to put an end to these acts of aggression and to the acts of piracy against peaceful vessels. By adopting this draft resolution, the General Assembly would make a valuable contribution to the performance of the tasks which are incumbent

on the United Nations in connexion with the maintenance of peace and peaceful co-operation among peoples.

114. Mr. KATZ-SUCHY (Poland): In connexion with the report of the *Ad Hoc* Political Committee and the draft resolution submitted by the delegation of the USSR, the delegation of Poland wishes to explain its position as follows.

115. The problem of aggressive acts directed against the Chinese People's Republic now under consideration is, for the United Nations, no new problem. This question was on the agenda of the fifth session of the General Assembly, and in 1950 it was also considered by the Security Council. At that time the representative of the People's Republic of China, as well as the representatives of the USSR and Poland, submitted before the United Nations that the aggressive acts against the Chinese People's Republic constituted a serious threat to the peace of Asia and of the world. The United States, however, using its special position in the United Nations, stifled the discussion and prevented the adoption of proper decisions.

116. Immediately after the conclusion of the armistice in Korea, and particularly after the cessation of hostilities in Indo-China, we witnessed an increase in those aggressive acts aimed against the security and integral entity of the People's Republic of China. As a result of those acts, a new and dangerous war centre has begun to grow up in the Far East. The debates in the *Ad Hoc* Political Committee have shown beyond any doubt the existence of various acts of aggression aimed against the Chinese People's Republic and have confirmed the contention that during the past few months these actions have increased. This contention has not been weakened by the repetition of all the inventions, recriminations and slander drawn from the shelves of the psychological warfare board, and the repetition here today has added neither power nor truth to the denials.

117. In spite of this discussion, the report of the *Ad Hoc* Political Committee sums up the situation in the following words [*A/2871, para. 7*]:

"Consequently no draft resolution is proposed by the *Ad Hoc* Political Committee under this item".

One could ask, in consequence of what?—since it has been proved that acts of aggression exist and their danger is understood. Such an approach by a United Nations Committee to a problem of so serious a nature is, in our opinion, unjust and improper. The United Nations, according to its aims and purposes, cannot remain indifferent to the fact that aggressive activities are being carried out against the People's Republic of China, which find expression in the occupation of the island of Taiwan, in provocative raids by United States naval and air forces, as well as raids by Chiang Kai-shek units upon the territory of China, Chinese territorial waters, and the sovereign air space of the People's Republic of China.

118. The occupation of the island of Taiwan by the Seventh Fleet in June of 1950, by order of the President of the United States, constitutes an aggressive act against the People's Republic of China, from whatever point of view it is approached. Taiwan is an integral part of China, its population is Chinese, it uses the Chinese language and, economically and culturally, it is attached to the Chinese mainland.

119. The unity and integrality of Taiwan and China derive also from international obligations arrived at

during the Second World War and, in particular, from the Cairo Declaration of 1943, confirmed by the Potsdam Agreement. The United States was bound to respect those obligations. Even as late as January and February 1950, the United States did not question the fact that Taiwan was an integral part of China. At that time, what is more, the United States, speaking through its President, undertook an obligation not to interfere with the situation in China. In spite of these obligations, during the whole period of the civil war and up to the present moment, the United States has been arming Chiang Kai-shek, supplying him with modern weapons, aircraft and warships in order to equip him the better for a war against the Chinese people. At the same time, United States armed forces undertook the task of defending the remnants of the Chiang Kai-shek group, thus supporting the war against the Chinese people.

120. The claim that this is being done at the request of the Chinese people, or is being done in self-defence, is so childish that it is not even worth discussing. The action of the United States with regard to the island of Taiwan is a hostile act towards the People's Republic of China. It is an act which, in the interests of international peace and strict adherence to international obligations, must be castigated. Poland maintains the position that the island of Taiwan is an integral part of sovereign Chinese territory, and that only the transfer of the island to the authority of the Central People's Government of the People's Republic of China could be considered as fulfilment of existing international obligations. The people of Poland fully support the national aspirations of the great Chinese people and consider that the liberation of the island of Taiwan is an important question, not only from the point of view of the needs of the Chinese nation, but also from the point of view of the needs of peace and security in the world.

121. The American occupation of the island of Taiwan has become a threat to the peace of Asia. Taiwan has been changed into a centre of unceasing bloody war which threatens the security of all Asian nations and undermines world peace. From the island of Taiwan operates an air force which violates the sovereignty of Chinese territory and carries out provocative raids upon peaceful towns and villages of China. From the island of Taiwan raids are organized upon the islands off the coast of China for the purpose of pestering the people. From the ports of Taiwan operate the pirates who interfere with peaceful navigation in this region. On the island of Taiwan, at the same time, the United States is preparing, training and arming troops for future war against the People's Republic of China.

122. The United Nations cannot, as I have said, remain indifferent towards information regarding the existence of such acts. The United Nations cannot refuse to undertake proper steps in a case which constitutes a serious violation of the recognized principles of international co-operation and a serious element of tension in the Far East.

123. That is why the Polish delegation welcomes the reintroduction of the USSR draft resolution, which proves that there exists a possibility of settling this problem through mutual understanding, by the peaceful means provided in the Charter. The situation which exists in the Far East in connexion with aggressive activities directed against the People's Republic of China requires a speedy settlement.

124. For these reasons the delegation of Poland fully supports the draft resolution submitted by the delegation of the USSR, which calls upon the United States to take proper steps towards putting an end to acts of aggression against the People's Republic of China. The adoption of such a draft resolution will constitute a serious step towards stabilizing and securing peace in Asia, will bring a further lessening of existing tensions, and will facilitate the development of friendly relations among nations.

125. Mr. KISELYOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): The Byelorussian SSR delegation, also, would like to explain how it will vote on the item under discussion. My delegation has already had an opportunity of expressing its views on this item in the *Ad Hoc* Political Committee and I shall therefore be brief.

126. In their statements in that Committee a number of representatives expressed justified concern at the fact that aggressive activities are occurring in the region of the China seas and of the island of Taiwan in the form of unprovoked armed attacks on the towns and coastal areas of the People's Republic of China, activities which are converting that area into a new breeding-ground of war and represent a serious threat to peace.

127. There can be no doubt that these acts of aggression represent a real threat to the maintenance of peace and security in the Far East. Naval forces of the United States Seventh Fleet and the United States Air Force are taking a direct part in these acts of provocation against the People's Republic of China. Everyone is familiar with the fact that United States naval craft are carrying out provocative military demonstrations off the shores of the People's Republic of China and are protecting Kuomintang naval vessels and aircraft. The situation resulting from such activities on the part of the United States and the Kuomintang group is fraught with dire possibilities, for they may well turn this region into a hotbed of war in the Far East. The General Assembly cannot and should not be indifferent to these aggressive activities of the Kuomintang group and the United States Navy.

128. The Kuomintang group, entrenched on the island of Taiwan, is doing all in its power to increase international tension, to disrupt the peaceful work of construction going on in the People's Republic of China and to put a match to the tinder of a new war in that area. Just recently we have witnessed a sharp deterioration in the situation in this part of Asia. Flights over inhabited areas of China have become increasingly frequent, seizures of foreign merchant ships have become more numerous as have bombardments of the coastal areas of the People's Republic of China. These are facts which are known to all.

129. By assisting the Chiang Kai-shek clique, the United States armed forces are taking an active part in these acts of aggression against the People's Republic of China. The United States Seventh Fleet is occupying the ports of Kaohsiung and Keelung on Taiwan and also the port of Makung in the Pescadores islands as naval bases and the United States Command is using Tainan, Taoyuan, Hsinchu, Chiai, Songshan and Taichung on Taiwan and the port of Makung in the Pescadores islands as air bases. Thus, the United States Command has not only occupied Taiwan, which is Chinese territory, but has turned it into a base for the

preparation of further aggressive activities against the People's Republic of China.

130. The aggressive activities of the Chiang Kai-shek clique, which has entrenched itself on Taiwan, are supported and encouraged by United States ruling circles. Fresh evidence of this is the so-called mutual defence treaty concluded between the United States of America and the Kuomintang group on 2 December 1954, which is, in fact, an agreement to commit aggression and make war.

131. This treaty is a new and serious act of provocation and a source of increased tension in the Far East. The United States is trying to use it to "legalize" its seizure of the island of Taiwan, which is Chinese territory, to save the anti-popular Chiang Kai-shek régime for the sake of the implementation of its aggressive plans and to loose a war against the People's Republic of China. Under the terms of article 7 of this treaty, the United States obtains the right to station land, air and naval forces in greater numbers on and around Taiwan and on the Pescadores.

132. This latest manifestation of the United States' aggressive policy towards the People's Republic of China has roused the indignation of the whole Chinese people and of other peace-loving peoples throughout the world. In a statement on the conclusion of the so-called mutual defence treaty between the United States and the Chiang Kai-shek régime, Mr. Chou En-lai, Minister of Foreign Affairs of the People's Republic of China, said that the United States Government's goal in concluding this treaty was not peace but war. In his statement he also said that the persistent aim of the United States Government in this area was the perpetual creation of tension.

133. The General Assembly cannot ignore these actions of the United States and the Chiang Kai-shek clique which constitute a threat to peace and security, and must call for their cessation. The General Assembly must, in fact, condemn the aggressive activities of the Kuomintang group and their protectors, as constituting a threat to the maintenance of peace and security in the Far East. The General Assembly must take the essential steps proposed in the USSR draft resolution, and recommend that the Government of the United States of America, which is responsible for the situation which has arisen in that area, should take the necessary steps to put an end to the said acts of aggression and to the piratical attacks on the merchant vessels of various countries.

134. The delegation of the Byelorussian SSR fully supports the Soviet Union draft resolution and urges other delegations to do likewise.

135. The PRESIDENT: Since no other representative has requested permission to explain his vote, I shall now put to the vote the draft resolution submitted by the Union of Soviet Socialist Republics [A/L.190].

The draft resolution was rejected by 44 votes to 5, with 8 abstentions.

136. The PRESIDENT: The Assembly now has before it the draft resolution contained in the report of the *Ad Hoc* Political Committee concerning item 71 [A/2882].

137. I shall first call on those representatives who wish to explain their votes.

138. Mr. SOBOLEV (Union of Soviet Socialist Republics) (*translated from Russian*): During the dis-

cussion in the *Ad Hoc* Political Committee of the item introduced by the Soviet delegation concerning violation of the freedom of navigation in the area of the China seas, many incontrovertible facts were cited to show that in the area of the China seas, which is under the control of the United States Seventh Fleet, systematic attacks are being made on foreign merchant vessels and that this causes grave prejudice to the shipping of many States in that area and increases international tension in the Far East.

139. It is well known that between 1949 and 1954, piratical attacks were made on Polish, Soviet Union, British, Danish and other merchant vessels. In addition, the cargoes of many merchant vessels have been plundered and in some cases the members of their crews have been subjected to flagrant coercion, even resulting in injury and death. In a number of cases, the seized ships and crews are still held by the pirates in the ports of the island of Taiwan. For instance, the Soviet tanker *Tuapse* and the members of its crew have been illegally held on Taiwan since June 1954. The followers of Chiang Kai-shek are also holding the Polish merchant vessels *Praca* and *Prezydent Gottwald*, which were seized in October 1953 and May 1954 respectively.

140. The discussion of this question in the *Ad Hoc* Political Committee therefore established that this was a matter not of one or two isolated cases of the seizure of foreign merchant vessels, but of systematic piracy carried out over a long period by the Chiang Kai-shek group, who have been attacking foreign merchant vessels on the high seas. These acts are a gross violation of the universally recognized principle of freedom of navigation on the high seas, a principle which is the basis of all international treaties relating to questions of navigation.

141. When we brought the infamies committed by the Chiang Kai-shek group to the attention of the United Nations, therefore, we believed that those who not merely paid lip service to the principles of international law but really upheld them would condemn this piracy and take steps to ensure freedom of navigation in the area of the China seas.

142. It should be noted that the facts which the Soviet, Polish and a number of other delegations cited in the Committee were refuted by no one; they are too well known to world public opinion.

143. It was also established on the basis of specific factual evidence and documents that the direct responsibility for the dangerous situation which is being created in the area of the China seas lies with the United States authorities; for these piratical attacks on the merchant vessels of various countries in the area of the China seas were in fact committed by naval vessels based on the island of Taiwan and operating in waters under the control of the United States Navy.

144. By establishing illegal control over Taiwan and the adjacent seas, in accordance with President Truman's well-known order, the United States in fact seized this portion of Chinese territory. In August 1954, President Eisenhower stated that the orders to the Seventh Fleet were still in force. The Seventh Fleet continues to control the area round Taiwan, and the Chiang Kai-shek group can do nothing without the knowledge and consent of the United States authorities.

145. It is obvious therefore that the discontinuance of these criminal piratical attacks on foreign merchant vessels depends entirely on the United States authori-

ties. Apparently, however, the latter are not interested in preserving peace and order in that area. Certain circles in the United States are disturbed at the fact that their policy of isolating the People's Republic of China has failed and that the People's Republic of China, having finally taken its rightful place among the great Powers, is successfully developing its political and economic relations with other States. At the instigation of these circles, everything possible is being done to reduce the growing strength and influence of the People's Republic of China, to undermine the peaceful development in which the Chinese people are engaged and to prevent the strengthening of the links between the People's Republic of China and other States. This is the purpose of the systematic attacks on foreign merchant vessels which are being carried out in the area controlled by the United States armed forces.

146. Although the United States representative in the *Ad Hoc* Political Committee made every effort to disclaim United States responsibility for these acts, the whole world knows who is allowing this illegal and arbitrary treatment of merchant vessels in the area of the China seas.

147. In view of the threatening situation resulting from the Chiang Kai-shek group's attacks on foreign merchant vessels on the high seas, it is the General Assembly's duty to call for strict adherence to the universally recognized principle of freedom of navigation on the high seas. Such a decision by the General Assembly would help to reduce tension in the Far East and strengthen peace.

148. The Soviet delegation considers that a resolution along the lines of the draft resolution which the Syrian delegation proposed in the *Ad Hoc* Political Committee would be suitable. As you know, the Syrian proposal was supported by a number of delegations in the Committee, but, faced with the impossibility of refuting the charges of piracy on the high seas by the Chiang Kai-shek group, the United States delegation resorted to a manoeuvre aimed at burying the question, saving the faces of those guilty of these attacks on merchant vessels and preventing the States affected from protecting their legitimate interests.

149. On the initiative of the United States delegation, the Committee adopted a draft resolution which evaded the substance of the problem and provided that the Assembly should transmit the records and documents relating to the consideration of the item to the International Law Commission, a body which has nothing to do with this item.

150. The Soviet delegation strongly condemns all attempts to excuse piracy and will vote against the draft resolution submitted by the *Ad Hoc* Political Committee.

151. Mr. SKRZESZEWSKI (Poland) (*translated from French*): The situation that has arisen in the area of the China seas through the acts of piracy committed by Kuomintang gangs against merchant vessels of various nationalities is a serious problem. That problem affects not only the interests of the States that have sustained losses through these attacks; it also affects the United Nations as a whole, for these acts of piracy have become an additional source of tension in the Far East.

152. During the three-day debate in the *Ad Hoc* Political Committee a number of delegations called

attention—and they substantiated their allegations by a recital of facts—to the danger of this piracy, which in the last few years has assumed such dimensions as to constitute a threat to peaceful shipping in the Far East. It was also pointed out that the acts of piracy and the seizure of vessels could not have been carried out without the assistance of the United States authorities that exercise full political, military and economic control over the Kuomintang group which has usurped power on the island of Taiwan. In these circumstances, then, it is obvious that the United States bears the responsibility for all military operations carried out by Kuomintang units.

153. It was pointed out, in addition, that some attacks were carried out with the assistance of United States Air Force units. The attacks, the boarding of vessels by military units, the use of force to compel vessels to change their course, the looting of cargoes and the imprisonment of crews constitute not only acts of piracy, but also a violation of the principles of freedom of navigation and an attempt to prevent the utilization of all practicable sea routes. Such acts are condemned and punished under international law.

154. Moreover, these acts, the object of which is to try to prevent the normal process of international economic relations between the Asian States and those of other continents, and more particularly between European States and the People's Republic of China, hinder the development of friendly relations between the peoples and constitute a threat to peace.

155. Despite the importance of this matter, the *Ad Hoc* Political Committee confined itself to adopting a draft resolution under the terms of which the General Assembly would transmit the matter to the International Law Commission. My delegation voted against that draft resolution because it holds that such a problem is not within the direct jurisdiction of the International Law Commission.

156. The question of piracy in the China seas is not an abstract legal problem, but a specific situation arising from a violation of existing principles of international law. For that reason it falls within the jurisdiction of the General Assembly, whose duty it is to take a decision. My delegation, which has special grounds for concerning itself with this question, gave the Committee a detailed description of the attacks carried out against the Polish vessels *Praca* and *Prezydent Gottwald* and called upon the Committee to support its just demand for the restoration of these vessels and of looted property.

157. The Polish delegation also gave an account of the sad plight of the crews that had been imprisoned and terrorized, and requested the Committee's assistance in securing the release of these seamen, whose futures and very lives are in danger and who are being detained and subjected to pressure, blackmail and morale-destroying treatment the purpose of which is to incite them to betray their own country. We stressed the humanitarian aspect of this matter, by which I mean the fate of these human beings and the painful position of their unfortunate families.

158. There were also Chinese seamen on the Polish vessels. Their fate has been particularly tragic. They were led in chains to Chiang Kai-shek's prisons, where their lives are in danger. The Polish Government, in demanding the release of the Polish crew, at the same time calls for the release of the Chinese crew members

who, through their work in my country's vessels, have made their contribution to the development of international trade.

159. Not only some delegations of Member States of the United Nations, but also many international social, political and professional organizations have appealed to the United Nations to concern itself with the problem of piracy and to lend its aid in securing the release of the victims of these acts of violence. The families of the imprisoned seamen, distressed about the fate of their kinsfolk, have also approached us. Yesterday, the Council of the World Federation of Trade Unions also launched an appeal to all the world's workers and to all international trade-union organizations to redouble their efforts to secure the release of the seamen of the Polish vessel *Prezydent Gottwald* and of the Soviet tanker *Tuapse*.

160. Our attitude during the discussions in the *Ad Hoc* Political Committee and the action taken by the Polish Government well before these discussions prove our desire to settle this problem by negotiation. After the seizure of the ship, my Government, acting in obedience to the principle recognized by it that all international disputes should be settled by direct negotiation, tried to obtain a settlement of the matter and to secure the release of the crew and the return of the vessels and their cargoes through direct conversations with the United States Government. Owing to the stubborn attitude of that Government, however, the negotiations were unsuccessful.

161. Guided by that same principle, the Government of the People's Democratic Republic of Poland has endeavoured—albeit, unfortunately in vain—to settle all these matters through the good offices of a third party.

162. During the debate in the *Ad Hoc* Political Committee we also tried to reach agreement when the possibility was perceived of reaching a unanimous decision on the basis of the draft resolution proposed by the Syrian delegation, which confined itself to the necessity of respecting the essential principles of freedom of navigation. Although there was no reference in that draft resolution either to the release of the crew or to the return of the vessels, we were willing to support it.

163. As things turned out, however, even that simple confirmation of universally recognized principles met with opposition from the United States. As the United States could not openly vote against such generally acknowledged principles as those embodied in the Syrian draft resolution, it resorted to a stratagem and submitted a draft resolution, the purpose of which was to bury the matter for a long time and to prevent the United Nations from taking effective steps to remove the dangerous occurrence of piracy from international life.

164. My delegation will vote against this draft resolution now submitted by the Committee, for it holds that it does not seriously meet the situation and cannot make an adequate contribution towards ensuring respect for the freedom of navigation in the China seas. The Polish Government will, however, pursue its efforts to secure the release of the crew members and the return of the vessels and their cargoes. The People's Republic of Poland will not waive its right to defend Polish nationals who, although innocent, have been arrested and subjected to physical and moral pressure. The Polish Government will not allow itself to be intimidated by terror and will exercise its right to free-

dom of navigation on the high seas. My Government will continue to maintain friendly economic relations with the Asian countries, and more particularly with the People's Republic of China. It holds the United States Government responsible for all damage that has ensued or may ensue from such acts of piracy. The Government of the People's Republic of Poland reserves the right to bring this matter up again in the United Nations.

165. Mr. ORTEGA (Chile) (*translated from Spanish*): My delegation, which represents a country traditionally attached to the principle of the freedom of the seas, subject to necessary and natural limitations, feels called upon to explain its vote in favour of the draft resolution which the *Ad Hoc* Political Committee adopted by a substantial majority.

166. As we all know, under resolution 899 (IX), adopted by the General Assembly on 14 December 1954, the International Law Commission was requested to devote the necessary time to its study of the régime of the high seas, the régime of territorial waters and all related problems in order to complete its work on these topics and submit its final report in time for them to be considered together, in accordance with resolution 798 (VIII).

167. The draft resolution under discussion reaffirms in its preamble the point of view to which I have referred—it respects the principles of unity and indivisibility which must be taken into consideration in the study of the régime of law applicable to the high seas. It is therefore consistent with the position which the United Nations has adopted on these matters.

168. There is another feature of the draft resolution that prompts us to vote in its favour; it is embodied in paragraph 2 of the operative part. Under this paragraph, Governments will be afforded the opportunity "to transmit to the International Law Commission their views concerning the principle of freedom of navigation on the high seas". We feel that the early transmittal of these views will enable the International Law Commission to take this valuable evidence into account when drafting rules on this topic—rules which must be drawn up in accordance with the needs of our times if the positive anarchy that prevails in the régime applicable to ocean areas is to be ended.

169. This principle of the freedom of the high seas is of lively concern to my country, because in view of its topography and its lack of inland space the very life of Chile, perhaps more than in the case of any other nation, is linked to the sea and to all the wealth it contains.

170. While my Government is unswerving in its loyalty and attachment to this principle, it feels that the principle should be brought into harmony with the new conditions and new facts that regulate international life. The rules generally recognized in existing law already acknowledge that the principle of freedom of navigation is subject to fundamental exceptions or limitations in favour of the territorial or political integrity of a littoral State, in such matters as due compliance with its fiscal, customs, security, police or fishing laws. To these belong the rights of search and inspection and the right to verify nationality which those doctrines enunciate and which are confirmed and recognized in the practices of States in favour of their neighbours.

171. Of no less fundamental importance are economic integrity and security, especially for countries which, on account of their geographical position and the highly peculiar configuration of their coastlines, have an obvious preferential right to the wealth and resources that exist in the seas washing their shores.

172. In conformity with the doctrines and precedents which are embodied in modern international law, Chile unequivocally and categorically defined its international maritime policy in declarations made in 1947 and 1952, under which the peaceful passage of vessels of any nationality engaged in ordinary international traffic was safeguarded.

173. Mr. NOSEK (Czechoslovakia) (*translated from French*): At the eighth session of the General Assembly the delegations of some Member States drew the attention of the United Nations to the systematic violations of the freedom of navigation in the area of the China seas by the armed forces of the Chiang Kai-shek clique, acting under the protection and with the assistance of the armed forces of the United States of America. These attacks are acts of piracy committed on the high seas; they create international tension and are a threat to peace and security in the Far East, as also a most flagrant violation of the principle of freedom of navigation and a crime against international law.

174. Similarly, any support or assistance given to acts of piracy constitutes a crime. The United Nations cannot therefore remain inactive in the face of so grave a threat to peace and security and so flagrant a threat to international law as are these acts of piracy practised in the China seas.

175. We have seen, however, the efforts made by the United States and other delegations which support it to prevent the United Nations from taking any steps which might bring this piracy to an end and ensure freedom of navigation on the high seas.

176. Any amount of evidence of the acts of piracy committed by Chiang Kai-shek's armed forces against merchant vessels of various nationalities was placed before the *Ad Hoc* Political Committee. Particulars were given of the boarding and seizure of the Polish vessels *Pracda* and *Prezydent Gottwald* and of the Soviet tanker *Tuapse*, the looting of their cargo and the arrest of their crew, as well as the ill treatment and pressure to which those crews were subjected.

177. The Czechoslovak delegation furnished details of the looting of a Czech cargo carried by the Italian vessel *Marila*. The base used by the Kuomintang clique for its aggressive activities is the island of Taiwan. This island is under the control of the United States armed forces, who are thus responsible for the acts of piracy committed against peaceful vessels. The air and naval forces of the United States of America do not confine themselves to giving assistance and protection to the Chiang Kai-shek pirates. As is clear from the data submitted to the *Ad Hoc* Political Committee, they often take an active part in the attacks on merchant vessels. One of the significant and undeniable facts which have emerged from the hostile discussions in the *Ad Hoc* Political Committee is that not one of the facts mentioned has been refuted and that not a single delegation has denied, or for that matter has been able to deny, that acts of piracy have been committed against many merchant vessels in the China seas. No one has denied or has been able to deny that Polish and Soviet

seamen have been held prisoners on Taiwan for months on end. The delegation of the United States and the delegations which support it have not even attempted to deny this fact.

178. Another undeniable conclusion that may be drawn from the debates which took place in the *Ad Hoc* Political Committee is the fact that no delegation has directly opposed the principle of the freedom of navigation on the high seas. On the contrary, many delegations have solemnly recognized this fundamental principle of international law. When, however, it became a matter of confirming that principle and asking the States to observe it, the delegation of the United States, supported by some other delegations, resorted to a whole series of procedural moves in order to prevent the adoption of any resolution on the subject.

179. The draft resolution submitted to the *Ad Hoc* Political Committee by the Syrian delegation emphasizes the importance of freedom of navigation and requests Member States to respect it scrupulously, to refrain from any acts contrary to this principle and to settle their differences by the appropriate peaceful means.

180. It might have been expected that all the delegations which recognized the principle of freedom of navigation would support such a draft resolution. We have seen, however, that to recognize a principle verbally is one thing and to vote in favour of a resolution which entails the obligation to respect that principle is quite another. The draft resolution, and consequently the principle of the freedom of navigation, could not, of course, be opposed openly and that is why the delegations of Cuba, the Philippines and the United States of America submitted to the *Ad Hoc* Political Committee a draft resolution, which the Committee adopted and submitted to the Assembly in its report.

181. The sole purpose of that draft resolution is to prevent any objective study of the complaint of violation of the freedom of navigation in the area of the China seas, which is supported by considerable and irrefutable evidence, and to prevent the adoption of any measures calculated to frustrate the piratical acts of the Chiang Kai-shek clique.

182. The draft resolution in question refers the problem to the International Law Commission. The International Law Commission has obviously nothing to do with this problem. Its function is the codification of international law relating to the régime of the high seas and the régime of territorial waters. Under its statute the Commission does not and cannot deal with individual specific cases of violation of international law. It stands to reason that it cannot take any steps against such violations. The principle of the freedom of navigation is a principle of international law which is generally recognized and to which there are no exceptions. Its respect, its application and the consequences of its violation do not call for any codification.

183. Consequently, the work of codification carried out by the International Law Commission has not, and cannot have, any effect on or any significance for the question before us. The United States delegation and the delegations which support it are well aware of this. But that is precisely their object, to see that nothing is done in the matter.

184. The draft resolution adopted by a majority of the *Ad Hoc* Political Committee is tantamount to a refusal to carry out the basic work of the United

Nations, namely to help to eliminate threats to peace and to international security. It is tantamount to a refusal to come to the aid of the victims of criminal acts of piracy and of violations of international law and fundamental human rights.

185. For these reasons, the Czechoslovak delegation will resolutely oppose this draft resolution.

186. Mr. JACKSON (United States of America): When the Soviet Union delegation submitted its original draft resolution on the question of piracy on the high seas by the United States Navy, we labelled that question a propaganda item. We tied it in with a previous one, the item on aggression, which was also a propaganda item; and we tied these two items in with an earlier one concerning the Czechoslovak draft resolution on war propaganda—correctly named. Immediately an anguished howl went up from the Soviet bloc. What do you mean, they said, by calling this propaganda? This is substantive; this is serious; this is peace; this is freedom; this is all the great big words. And we listened, through three days of debate, to a degree of vilification and violence, intemperance and inflammatory language from them that is well-nigh indescribable. This included a statement of such coarseness and vulgarity from one of the Soviet-bloc members that he had to be rebuked by the Chairman.

187. In an effort to get things going and to smooth matters over, the Syrian delegation introduced a substitute draft resolution. The following day, the Soviet Union delegation announced to an astounded *Ad Hoc* Political Committee that it was withdrawing, or rather, that it was not pressing for a vote on its draft resolution; instead it would back the Syrian draft resolution. In other words, the Soviet Union was not even firmly enough convinced about its draft resolution to go down fighting for it.

188. That is what I meant when I said originally that this was a propaganda item, and today it is still a propaganda item. The representative of the Soviet Union proved this fact the day before yesterday when he said he would not press for a vote on his draft resolution.

189. Three Soviet-bloc representatives have spoken here this morning on this item as though their original draft resolution was before the Assembly and they played the same victrola record all over again. They played it three times, and we will probably hear it twice more. Have they forgotten that on the day before yesterday they said they were not going to press for a vote on their draft resolution? They have not reintroduced it; they said they were going to back the Syrian draft resolution. What kind of performance is this? Should we not keep to the text before us, namely, the draft resolution originally submitted by Cuba, the Philippines and the United States and adopted by a substantial majority by the *Ad Hoc* Political Committee?

190. Since the *Ad Hoc* Political Committee discussed, for the most part, incidents involving certain ships in the China seas it could not deal adequately with these general principles of international law which govern the actions of States with respect to the régime of the high seas. Nor did we believe that the *Ad Hoc* Political Committee was actually the proper forum for such a debate. The International Law Commission is already engaged in a study of the régime of the high seas and related questions, and has already been re-

quested by the General Assembly to be ready with its final report for consideration of them at the Assembly's eleventh session. It therefore seemed appropriate to transmit to the International Law Commission the records of the debate in the *Ad Hoc* Political Committee on the present agenda item, together with relevant documents. High among the relevant documents is the draft resolution introduced by Syria for the Commission's information, in conjunction with the work now in progress on the régime of the high seas.

191. As I said earlier, it should be noted that the Soviet Union has in effect withdrawn its draft resolution, conceded that its propaganda charges against the free world were hollow and unsubstantiated, and has confirmed our claim that this item was *per se* a propaganda item.

192. It is not my intention to weary the General Assembly with another point-by-point refutation such as we have been listening to this morning. However, I would remind the General Assembly that most of the Soviet charges made in the *Ad Hoc* Political Committee revolve around the alleged aggressive activities of the United States Navy in the area of Formosa. The Soviet draft resolution and the statements of the Soviet bloc are clear evidence that the purpose of this item and draft resolution was to make cold war propaganda.

193. The mission of the United States Seventh Fleet in the Formosa area has nothing to do with controlling commercial traffic in these waters. It does not interfere with freedom of the seas. Its mission is to defend Formosa against hostile attack. There cannot be the slightest doubt that such a hostile attack is being threatened from the mainland particularly in the light of the fact that the Chinese Communist authorities have repeatedly gone on record as to their hostile intentions.

194. I would like to underscore the reasonable and practical approach taken by the Chinese representative with respect to the questions discussed by the *Ad Hoc* Political Committee. He reminded us that in the past the substantial majority of differences arising from the incidents of the type referred to in the explanatory memorandum of the Soviet Union [A/2741] have been solved on the basis of negotiations, taking into account the individual circumstances surrounding each case. My Government believes that this stand is sound and gives hope for the settlement by means of negotiation or any other peaceful procedure of differences which may have arisen in connexion with the activities of the Chinese naval vessels in the waters surrounding Formosa.

195. Sir Pierson DIXON (United Kingdom): The freedom of navigation is a principle of international law to which the United Kingdom attaches the highest importance, but freedom of navigation should mean freedom from interference with ships going about their lawful business on the seas in any quarter of the globe.

196. So far as the China seas are concerned, there have been many cases during the last few years of interference with ships of various nations, both by the Chinese Nationalists and by the People's Government of China.

197. In the debate in the *Ad Hoc* Political Committee, the speakers for the Soviet Union and their associates sought to show that the Chinese Nationalists alone were to blame for these incidents, but the facts were

made quite clear by the Parliamentary Under-Secretary of State for Foreign Affairs in his statement in the House of Commons on 22 November. The People's Government of China was responsible for a considerable number of the incidents involving British ships—twenty-seven to be exact—including the most serious case when a Royal Navy launch was fired upon, seven members of the crew being killed and four wounded.

198. We deplore such interference with the freedom of navigation by either party, and in supporting the principle, what we have in mind is freedom from unlawful interference by any Government in any sea. We are not prepared to fasten the blame for these incidents on one offender and whitewash the actions of the other.

199. The way in which the speakers of the Soviet Union and their associates handled this item in the *Ad Hoc* Political Committee showed that, however much they sought to convey that they were inspired by humanitarian motives and were concerned for the welfare of the crews of three of their ships, their real aim was to secure the adoption of a draft resolution which would name the United States as responsible for all incidents in the China seas. The absurdity of this claim was made clear during the debate, so much so that, as the representative of the United States has pointed out, in its later stages the Soviet Union lost interest in its own draft resolution and changed its support to a draft resolution put forward by the delegation of Syria.

200. Had a draft on those lines been put forward at the beginning of the debate by the Soviet Union representative, and had he attempted to deal with the problem objectively, the United Kingdom delegation would have been able to support a draft on those lines with certain amendments. But as it was, the intemperate nature of the speeches made by the spokesmen of the Soviet Union and its associates, and their evident intention to treat the matter as part of the cold war, entirely changed the nature of the debate. This was why we agreed with the proposal put forward by Cuba, the Philippines and the United States to refer the record of the discussion in the Committee to the International Law Commission, together with the Syrian draft resolution. The Commission will then have before it the views expressed in the Assembly on this item when it is preparing its reports on the régime of the high seas and the régime of territorial waters.

201. Since neither the Soviet Union draft resolution nor the Syrian draft resolution were pressed to a vote, the only proposal now before the plenary session is the draft resolution submitted by Cuba, the Philippines and the United States, and it is our view that this draft resolution should be adopted.

202. Mr. TSIANG (China): In the course of the long debate on this item in the *Ad Hoc* Political Committee, the five delegations of the Soviet bloc in fact brought before the Committee only three concrete cases—the *Praca*, the *Prezydent Gottwald* and the *Tuapse*. They tried to mention some other cases such as the so-called Dutch ship *Lily*. The Netherlands delegation told the Committee that the Dutch Merchant Marine had no ship by that name and that no ship whatsoever had been detained. Thus there are three concrete cases and, without repeating everything I said in the Committee, I should like to say a few words about these three concrete cases. The two so-called Polish ships, the *Praca* and the *Prezydent Gottwald*,

are in fact not Polish ships. They are the property of the Chinese Communists. This statement of mine is confirmed by the papers found on these ships, and it is further confirmed by the statement of the captain of the *Praca*, a statement which was given to newspapermen in New York on 15 December.

203. Members of the Assembly may read in the *New York Times* or any other paper of 15 December an article concerning the captain of the vessel *Praca*. In a statement concerning the property rights involved in this incident, Captain Wasowski said that money for voyages and other large expenses were supplied by the Bank of China—that is, the Communist Bank of China—through the Bank of Poland. Thus, when his ship needed a major overhaul in Antwerp before its last trip, about \$2,000,000 in United States money was supplied from the Bank of China by way of the Bank of Poland. The captain went on to say that the Nationalists were within their rights in stopping him and that they had treated him and his crew well on Formosa. That is roughly the case with these two so-called Polish ships.

204. The Soviet ship *Tuapse* carried a cargo of over 10,000 tons of jet fuel. My Government could not sit idly by and allow that jet fuel to be taken to Shanghai to be put on the Russian jet planes given to the Chinese Communist mission and then to see these MIG's come back to Taiwan to bombard our cities and ports. We had to exercise our inherent and inalienable right of self-defence.

205. A great deal has been said about the cruel treatment of the crew. Captain Wasowski testified that his crew was well treated. There is a report by the French representative who came to my country and visited the crew of the Soviet ship *Tuapse* on 17 October. That report has been made available both to the Soviet Government and to my Government. In it, the French representative says that he heard no complaint from the crew of the *Tuapse* about harsh treatment or about food or clothing. He only mentioned that, in one instance, eleven men asked for more tea and more sugar. We are very particular about that part of the matter. As a matter of fact, we think that to treat these unfortunate men in a humane way is nothing but an elementary requirement.

206. The crew of the *Praca* have either been sent back to Poland through the medium of the Swedish Red Cross or have been given the right of asylum. The captain and some members of the crew asked my Government for the right of asylum. We gave it. The rest wished to go back to Poland, and the Polish Government agreed to use the Swedish Red Cross as an intermediary, and they have been repatriated to Poland. As to the *Prezydent Gottwald*, I am not so clear about the date. However, the members of the crew who asked for political asylum have been granted political asylum, and those who wished to go back, we have no doubt—we have no interest whatsoever in not sending them back—will be taken back by the Swedish Red Cross. The same procedure that we have adopted in regard to the crew of these ships will be applied to the *Tuapse's* crew.

207. Mr. KISELYOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): The delegation of the Byelorussian SSR also wishes to explain its vote on the question under discussion.

208. We have just heard a statement by Mr. Jackson, representative of the United States of America, who

again attempted to represent as pure propaganda the item entitled "Complaint of the violation of freedom of navigation in the area of the China seas" submitted for the consideration of the General Assembly by the delegation of the Soviet Union. This is not the first time we have heard Mr. Jackson make that allegation. In the opinion of our delegation, it is an allegation which will not stand up to criticism. Can there be any question of propaganda when for over six months scores of people from seized vessels have been subjected to humiliation, torture and violence in the Kuomintang torture chambers? That is a fact.

209. It is not a question of propaganda, Mr. Jackson, but of saving lives of scores of people, liberating seized merchant vessels and observing the principle of freedom of navigation. It is a question of a legitimate demand by a Member State of the United Nations that steps should be taken to put an end to the violation of freedom of navigation in this area, to put an end to the attacks on foreign merchant vessels navigating in those seas.

210. The completely unfounded attacks on the Soviet Union and the People's Republic of China by Mr. Jackson and his outright distortion of the basic facts of the question under discussion show that the United States delegation has no desire to adopt a business-like approach to the solution of this important question with a view to removing the obstacles to a further relaxation of tension in international relations.

211. Mr. Jackson rejects the charges advanced by the Soviet Union and Poland that United States warships and military aircraft are assisting the Chiang Kai-shek pirates to seize merchant vessels in that area. But who can seriously believe these unsubstantiated denials by Mr. Jackson when, as everyone knows, Mr. Jackson himself reaffirmed in his statement in the *Ad Hoc* Political Committee that the area of the China seas is controlled and patrolled by United States naval and air forces? Mr. Jackson actively defended the acts of piracy committed by the Kuomintang forces. That of course is no accident. The facts show that the United States authorities are responsible for the acts of piracy of the Kuomintang forces, because these acts are committed in waters controlled by United States naval and air forces.

212. There is no need to prove that the acts of piracy committed by the Kuomintang forces are a flagrant violation of international law, a violation of the principle of freedom of navigation on the high seas. These acts of piracy are inflicting serious damage on the merchant shipping of many countries in the area of the China seas. They are hindering the extension and strengthening of international economic collaboration and thereby impeding the realization of the lofty principles enshrined in the Charter of the United Nations. The purpose of the acts of piracy committed against merchant vessels on the high seas is to make the situation in the Far East still more complicated and prevent any further relaxation of tension in international relations.

213. We have just heard a statement by Sir Pierson Dixon, the representative of the United Kingdom. In discussing the item "Complaint of violation of the freedom of navigation in the area of the China seas", some reference must be made to the attitude the United Kingdom delegation has adopted on this question. It is a well known fact that British vessels have also been the victims of piratical attacks by the Kuomintang

forces. One would have thought the United Kingdom representative would have been bound to make a statement censuring the piratical acts committed by the Kuomintang forces and unequivocally advocating the adoption of measures to put a stop to such acts. Unfortunately, that did not happen, either in the *Ad Hoc* Political Committee or in the plenary meeting of the General Assembly. A different attitude towards the question under discussion might have been expected of the United Kingdom representative, as the representative of a country which has for centuries upheld the principle of the freedom of the seas, especially since British shipping itself has sustained no small amount of damage at the hands of the Chiang Kai-shek pirates.

214. The United Kingdom representative found no better course than to come to the defence of the United States naval and air forces, which, as has already been proved on the basis of concrete facts, are also taking part in the piratical attacks. He stated that United States aircraft had not taken part in the pursuit and detention of British merchant vessels in the area of the China seas. He attempted to maintain that in the numerous instances in which such vessels had been stopped the purpose had been a harmless check, or, as he put it, identification. But the facts speak otherwise.

215. I should like also to draw attention to something else: all these facts go to show that as a result of the aggressive acts of the Chiang Kai-shek and United States armed forces, a very dangerous situation has been created in the Far East in the area of the island of Taiwan. These aggressive acts are creating a threat to peace and security in the Far East, and are turning that area into a potential source of the danger of war. The General Assembly of the United Nations cannot ignore the serious situation that has been created.

216. The delegation of the Byelorussian SSR strongly objects to the draft resolution of the *Ad Hoc* Political Committee, submitted originally by the delegations of the United States of America, Cuba and the Philippines, recommending that the records and documents, including the Syrian draft resolution, of the meetings of the *Ad Hoc* Political Committee at which this question was considered should be transmitted to the International Law Commission.

217. The submission of this draft resolution was dictated by a desire on the part of the United States delegation that this question should be removed from view by discussion in the International Law Commission. The draft shows that the United States delegation has no desire to adopt a business-like approach to the settlement of this important question with a view to removing the obstacles to a further relaxation of tension in international relations.

218. The PRESIDENT: I would ask the representative of the Byelorussian Soviet Socialist Republic to conclude his remarks.

219. Mr. KISELYOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): For the reasons set forth above, the delegation of the Byelorussian Soviet Socialist Republic will vote against this draft resolution.

220. The PRESIDENT: Since there are no more speakers on my list, I propose, with your authorization, to put the draft resolution contained in the report of the *Ad Hoc* Political Committee [A/2882] to the vote.

The draft resolution was adopted by 39 votes to 5, with 14 abstentions.

AGENDA ITEMS 56, 57 AND 62

The Morocco question

REPORT OF THE FIRST COMMITTEE (A/2876)

The Tunisia question

REPORT OF THE FIRST COMMITTEE (A/2887)

Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the Island of Cyprus

REPORT OF THE FIRST COMMITTEE (A/2881)

221. Mr. THORSING (Sweden) (Rapporteur of the First Committee): In order to save the representatives valuable time, I should like, with the President's permission, to present together the reports of the First Committee on the questions of Morocco [A/2876], Tunisia [A/2887] and Cyprus [A/2881].

222. I am happy to state that this trinity, in the opinion of the First Committee, is a good omen. All three reports refer to contentious matters, but in spite of that it has been possible, thanks to the spirit of co-operation prevailing in the First Committee, to reach a great measure of agreement. Therefore, my hope is—and I am certain that it meets with the wishes of a majority of the members of the First Committee—that the Assembly will find it possible to adopt the draft resolutions without opposition.

223. For me, listening as a humble Rapporteur, it has been a rare experience to have found confirmed in the First Committee the great thought of a world-famous Danish author who said about the human mind that it was as a drop of rain in the ocean, but in it was reflected the universe. I think I am expressing the views of all the members of the First Committee when I say that we hope that this mirror, which is our own selves, will not reflect the tears of human sufferings and despair, but instead the graceful wings of the bird which traditionally carries the message of peace and goodwill, a message constituting the very essence of the Christian holidays now before us.

224. May I conclude by saying that the work of the First Committee has been productive of remarkable results, which is proof of the fact that the representatives of so many peoples from all quarters of the world find that mankind has come to a point where the spirit of co-operation has to dominate over the conflicting interests of nations.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the First Committee.

225. The PRESIDENT: The General Assembly has before it first the draft resolution contained in the report of the First Committee on agenda item 56 [A/2876].

226. Do any delegations wish to explain their vote on this draft resolution?

227. Mr. FRANCO Y FRANCO (Dominican Republic) (*translated from Spanish*): It will be recalled that my delegation's position during the discussions on the Morocco and Tunisia questions in the First Committee was at all times consistent with that which it had taken up at previous sessions of the Assembly. It has been my delegation's concern to abide by what it

felt to be the sense of the provisions of the United Nations Charter in respect of competence and at the same time to meet the essential requirements of timeliness and of the spirit of conciliation and co-operation on which international relations must be based. It was on account of this last consideration that my delegation proposed in the First Committee when a vote was about to be taken on the draft resolution on the Morocco question which, with slight amendments, is the text reproduced in the Rapporteur's report, an amendment which, although it secured a large number of votes failed to achieve the necessary majority.

228. Actuated solely by the highest motives of conciliation and co-operation, my delegation is, however, persisting in its endeavours and now proposes another amendment, based on the third paragraph on the preamble to the draft resolution which the First Committee adopted yesterday in connexion with the Tunisia question. The amendment calls for the insertion, in the draft resolution contained in the report of the First Committee [A/2876], of a third preambular paragraph, reading as follows:

"Expressing confidence that a satisfactory solution will be achieved,".

In introducing this amendment, my delegation fervently hopes that it will be approved unanimously by the General Assembly.

229. We therefore request all our fellow members to agree to vote, without further amendment and without voting paragraph by paragraph, on the draft as a whole adopted by the First Committee, as now amended by the Dominican Republic.

230. In conclusion, we take this opportunity of repeating what we have said in the First Committee at previous sessions of the General Assembly: France, that great, noble and glorious nation that we love so dearly and to which mankind owes so much, will always be worthy of the confidence that is placed in it. We place that same confidence with equal fervour in the spirit of international conciliation, co-operation and solidarity that imbues the Arab nations, which are so closely linked to us and to our hearts by bonds of history and race.

231. Mr. LOUTFI (Egypt) (*translated from French*): I am speaking only to inform the General Assembly that the fourteen States which proposed in Committee the draft resolution submitted by the First Committee accept the amendment the Dominican representative has just proposed. The purpose of the amendment is merely to add a paragraph expressing the General Assembly's confidence that a satisfactory solution will be found.

232. We submitted our draft resolution in a spirit of compromise and in an effort to maintain international peace and co-operation and we accept the Dominican representative's amendment in the same spirit.

233. We hope that the draft resolution, amended by the Dominican Republic and moderate and realistic as it is, will be adopted unanimously. We hope that the stand we took during the discussion on the Morocco question will bear fruit and that it will help to improve the political atmosphere in Morocco and to bring about a satisfactory solution of the question, which we all desire.

234. The PRESIDENT: As there are no further speakers, we shall proceed to the vote on the draft resolution submitted by the First Committee in its

report [A/2876], beginning with the amendment proposed by the Dominican Republic and supported by the sponsors of the original draft resolution.

235. I want to remind the Assembly that, in accordance with practice, we shall have to vote here on the basis of a two-thirds majority. By virtue of rule 86 of the rules of procedure, this also applies to the amendment. Rule 86 reads as follows:

"Decisions of the General Assembly on amendments to proposals relating to important questions, and on parts of such proposals put to the vote separately, shall be made by a two-thirds majority of the Members present and voting."

236. In accordance with our rules of procedure, I must put to the vote first the amendment proposed by the Dominican Republic and supported by the fourteen sponsors of the original draft resolution.

237. Mr. TARAZI (Syria) (*translated from French*): I wish to raise a point of order regarding the voting.

238. The Egyptian representative, speaking on behalf of all the sponsors of the original draft resolution now before the General Assembly, said that they accepted the Dominican representative's amendment to it.

239. Consequently there seems to me to be no need to put the Dominican amendment to a separate vote, since the Dominican representative himself has said that the draft resolution should be put to the vote as a whole.

240. I therefore ask that the draft resolution submitted by the First Committee and amended by the Dominican Republic should be put to the vote as a whole, inasmuch as the Egyptian representative accepted it, speaking on behalf of all the sponsors of the original draft resolution before the General Assembly.

241. The PRESIDENT: I regret that I cannot share the point of view which has just been expressed by the representative of Syria.

242. The Assembly has before it the report of the First Committee. The amendment proposed by the Dominican Republic does not appear in that report. It is a new aspect of the question altogether, on which the Committee has not expressed an opinion.

243. In a case like this, when a point of order has been raised, I am required to give a ruling. I readily admit that this is a legitimate point of order. My ruling is that a separate vote will be taken on the amendment, because it is moved here for the first time. If there is no contestation, the ruling stands.

It was so agreed.

244. The PRESIDENT: I put to the vote first of all the amendment proposed by the Dominican Republic, calling for the insertion in the draft resolution submitted by the First Committee, of a third preambular paragraph, worded as follows:

"Expressing confidence that a satisfactory solution will be achieved."

The amendment was adopted by 57 votes to none, with 1 abstention.

245. The PRESIDENT: I shall now put to the vote the draft resolution as amended. A roll-call has been requested.

A vote was taken by roll-call.

Iran, having been drawn by lot by the President, was called upon to vote first.

In favour: Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia.

Against: None.

Abstaining: Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium.

The draft resolution was adopted by 55 votes to none, with 4 abstentions.

246. Mr. LODGE (United States of America): The United States delegation commends the various delegations whose conciliatory attitude made possible this overwhelming support of the resolution on the Morocco question. The United States is glad to have been able to join the Arab delegations in this vote of confidence that a satisfactory solution to the Morocco question will be found. May I say that this is also the view of the United States on the draft resolution on the Tunisia question, which is the next item on the agenda of this meeting.

247. The PRESIDENT: The General Assembly has before it now the draft resolution contained in the report of the First Committee on agenda item 57 [A/2887].

248. Do any delegations wish to explain their vote on this draft resolution?

249. Mr. FORSYTH (Australia): The Australian delegation will abstain from voting on the draft resolution on the Tunisia question which is now before the General Assembly. We abstained when this draft resolution was voted upon in the First Committee, and we will maintain this position.

250. Out of courtesy to the General Assembly, and in particular to the delegation of France, we wish to explain briefly the reason for our abstention. Australia has consistently taken the position that the General Assembly is not competent to discuss the subject matter of this item. It is true that it was argued in the First Committee that the draft resolution now before the Assembly is merely procedural and does not involve in any way the question of competence. The Australian delegation can understand the arguments which have led a number of friendly delegations to take this view although, for our part, we do not share it. In particular, we feel that the words of the first recital—"Having considered the Tunisian question"—could be taken as going beyond what is purely procedural and, to some extent at least, as conceding the General Assembly's competence to consider the so-called Tunisia question.

251. Since, therefore, we believe that the draft resolution now before the Assembly might be taken as compromising the position we have adopted on Article 2, paragraph 7, of the Charter, we shall again abstain from voting on the draft resolution now before us.

252. We wish it to be very clear indeed, however, that our abstention should, of course, not be construed

as expressing in any way a lack of confidence on the part of the Australian delegation in the policies being followed by the Government of France in regard to Tunisia. I should like to assure the representative of France, that the Australian Government has complete confidence in the work that France is carrying out in Tunisia with such energy and imagination.

253. I wish to thank the President for this opportunity to explain our vote and I would like to say that the explanation applies also to the vote on the previous item on the agenda of this meeting.

254. The PRESIDENT: I now put to the vote the draft resolution submitted by the First Committee in its report [A/2887].

The draft resolution was adopted by 56 votes to none, with 3 abstentions.

255. Mr. NUTTING (United Kingdom): I wish to explain my delegation's abstention on the vote on the Tunisia and Morocco questions. I shall not repeat what Sir Pierson Dixon said on behalf of the United Kingdom in the First Committee on these items, save to say that our doubts about whether this is not a matter of substance relating to competence have not been resolved. Nevertheless, I was happy to vote in favour of the paragraph expressing confidence in the French Government's intentions in regard to Morocco when that paragraph was put to the vote separately in the First Committee. Since I should not wish to cast any vote which might in any way be misinterpreted as a vote of no confidence in our French ally, my delegation abstained on both draft resolutions.

256. The PRESIDENT: The General Assembly has before it now the draft resolution contained in the report of the First Committee on agenda item 62 [A/2881].

257. Do any delegations wish to explain their vote on this draft resolution?

258. Mr. SARPER (Turkey): My delegation will vote in favour of the draft resolution recommended by the First Committee. However, I would like to emphasize that this affirmative vote should not be construed as implying recognition of the General Assembly's competence to consider the subject-matter of that question or such questions either in Committee or in a plenary meeting. It is for the following reasons—and I shall mention only a few—that I shall cast an affirmative vote with this reservation.

259. In the comprehensive statement which I made in the First Committee when this question was being discussed I explained in some detail and, I hope, with clarity that Cyprus lies at a distance of only forty miles from the Turkish mainland, whereas it is 600 miles from Greece. I also explained that from the viewpoint of physical geography, it is a part of the Turkish mainland and that, historically, this island has never been under Greek rule; whereas it was a part of Turkey for more than three centuries, until 1923 when, by virtue of the Lausanne Treaty, Turkey recognized its transfer to the United Kingdom. Greece was also a signatory to the same treaty and made no reservations whatsoever concerning Cyprus.

260. While Turkey regards the present status of Cyprus as fixed by solemn treaty and contract—to which, I repeat, Greece is equally a signatory of its own free will and without any reservations—yet, I must say that, should any party ever again raise in

any form whatever the so-called question of Cyprus, no settlement can be considered to be based on justice and equity unless the co-operation and consent of Turkey is unequivocally obtained; for otherwise no decision can be lasting.

261. As I said in the First Committee, and wish to re-emphasize on this occasion, the fact that the people and the Government of Turkey attach the greatest importance to the continued harmony and friendship between them and Greece, and sincerely desire that the friendly relations and the ties of alliance between Greece and Turkey, and its partner and ally, Yugoslavia, should be kept uninjured. It is our sincere belief and conviction that it is in the highest interest of these three countries, as well as of the other allies and, indeed, of the whole free world, that these cordial relations of friendship and alliance should remain intact.

262. Mr. URQUIA (El Salvador) (*translated from Spanish*): My delegation wishes to explain its vote on the draft resolution concerning the question of Cyprus.

263. In the First Committee the New Zealand delegation submitted a draft resolution whereby the General Assembly would have decided not to consider the item further, without giving any reason for its decision. My delegation, like a number of others, considered that it would be a very drastic step to adopt a resolution of that kind without giving any reason for doing so.

264. In my intervention in the debate, which was in fact a general debate on the question although theoretically only a procedural debate on the New Zealand draft resolution, I took the liberty of suggesting to the sponsoring delegation and others the addition of a preamble explaining why the General Assembly decided to postpone consideration of the problem. Our proposal was warmly welcomed by a number of delegations, including those of New Zealand, the sponsor of the draft resolution, and of the countries directly concerned, Greece on the one hand and the United Kingdom and Turkey on the other.

265. I therefore decided to submit an amendment forming a preamble to the draft resolution and in fact did so jointly with the delegation of Colombia. According to that amendment the General Assembly considered that for the time being it did not appear appropriate to adopt a resolution on the question of Cyprus. The question is really one of timing. For the present the General Assembly does not consider it opportune to adopt a resolution on the question, and a number of delegations have explained why. In view of the present world situation they feel—and in my delegation's opinion this argument deserves consideration—that we should try to strengthen rather than weaken the spirit of co-operation and understanding between the Member States which form the free world and between those States which belong to the regional organizations. This amendment was accepted by the sponsor of the draft resolution.

266. I want to make it quite clear that it was not my delegation's intention that this amendment should be interpreted as expressing any doubt with regard to competence; quite the contrary. As we see it, under this draft resolution, the General Assembly does not renounce its competence but rather reaffirms it, since the statement that for the time being it does not appear appropriate to adopt a draft resolution implies that if at any future time it considered it necessary and oppor-

tune to do so it could adopt a resolution on the substance of the question of Cyprus.

267. It was in that spirit that my delegation proposed the amendment. It voted for the draft resolution in the First Committee and will vote for it again here in the plenary meeting.

268. The PRESIDENT: Since no other representative has requested permission to speak before the vote, I shall now put to the vote the draft resolution contained in the report of the First Committee [A/2881].

The draft resolution was adopted by 50 votes to none, with 8 abstentions.

269. The PRESIDENT: I shall now call upon representatives who wish to explain their votes.

270. Mr. NUTTING (United Kingdom): I believe that the vote which has just taken place represents a great and important victory for common sense. It shows how much support there is in this Assembly for the view put forward by the United Kingdom from the outset that, legal considerations altogether apart, a full-dress discussion on Cyprus could achieve no useful purpose. It could, indeed, result in immeasurable damage to the stability of the free world, and the First Committee surely acted with great political wisdom when it decided to limit its activities to discussing and voting upon the New Zealand procedural draft resolution. Discussion in the Committee, even on this restricted basis, showed us all too plainly what grave dangers lay in the consideration of this issue in the United Nations.

271. The resolution we have now adopted reflects an awareness of these dangers. The overwhelming majority of the General Assembly, including the delegation of Greece, has recorded its view that the adoption of any substantive resolution is inappropriate, and that consideration of this item should be taken no further. By this resolution the General Assembly has not merely postponed consideration of the Cyprus item; it has taken a decision that, in the present circumstances, it would be unwise to bring this explosive matter into the arena of contentious debate.

272. I must repeat—the more so in view of what the representative of El Salvador has just said—what I said in the Committee, namely, that the support of the United Kingdom for this procedural resolution does not imply acceptance of the Assembly's right to take up the substantive consideration of this matter either now or in the future.

273. I would only say this by way of conclusion. Her Majesty's Government is firmly resolved to continue the task it has set itself of assisting the people of Cyprus to develop their own political institutions and to proceed in an orderly and peaceful manner towards self-government. It shall not be deflected from this resolve. This is a responsibility which we shall not shirk—a trust we shall never betray.

274. I shall be both proud and happy to take back with me to the United Kingdom this overwhelming vote by the United Nations of confidence in our intentions and of trust in our good faith.

275. Mr. MARQUES CASTRO (Uruguay) (*translated from Spanish*): The delegation of Uruguay followed the debate in the First Committee on the question of Cyprus with the greatest interest and attention.

276. Our delegation has on a number of occasions clearly explained its attitude with regard to questions

of this nature, and it would not be appropriate to repeat its arguments now.

277. Nevertheless, the delegation of Uruguay wishes to state that it voted in favour of the resolution in view of the fact that it was of a procedural nature and neither affected nor prejudged the substance of the question and the principles involved, which are the aspects of the matter in which we are chiefly interested. For these reasons my delegation voted for the draft resolution just adopted by the General Assembly.

278. Mr. MUNRO (New Zealand): Since my delegation moved the original draft resolution I feel that I should say a few words about the matter, and I desire to do so more particularly because the representative of El Salvador does appear to regard the resolution as substantive.

279. In the view of my delegation this is a procedural resolution, and the fact that I willingly accepted the amendment in the Committee does not, in our opinion, make it any less procedural.

280. I wish also to repeat what I said during the course of the debate in the First Committee, namely, that debate on this subject—particularly prolonged debate—could only accentuate differences and breed hostilities, and I am gratified that the vote which we have just taken has shown decisively that the very great majority of representatives here are anxious to avert tension in an area whose stability is vital to us all by declining to consider the Cyprus item further.

281. Mr. KYROU (Greece): My delegation voted in favour of the resolution. We voted in favour because of the incorporation into this text of the amendment submitted by Colombia and El Salvador in the First Committee. This amendment, constituting the preamble of the draft resolution, altered altogether the intent and purpose of the original New Zealand proposal. Whereas the aim of that proposal was to have the United Nations wash its hands of the Cyprus issue, the amendment submitted by Colombia and El Salvador, on the contrary, keeps this issue before the United Nations, "considering that, for the time being, it does not appear appropriate to adopt a resolution on the question of Cyprus". In the light of this provision, the resolution adopted purports to postpone—"for the time being", I repeat—the taking of a decision on a question which remains pending before the United Nations.

282. It is a matter of record that a certain number of members of the exclusive club of colonialists in the United Nations abstained from voting in the First Committee on the amendment submitted by Colombia and El Salvador, whereas others—and we were extremely gratified to see that the United Kingdom was among the latter—cast a favourable vote on that amendment. Whatever their attitude to the amendment, they all gave us the same stale, standard reasons drawn from the old colonialist arsenal.

283. It is an elementary principle of law that a legal instrument, whether it is of a contractual or of a legislative nature, has its own intrinsic and objective meaning, which does not vary according to the interpretations which the parties concerned are eager to place upon it. This intrinsic and objective meaning is conditioned by and results primarily from the letter and the spirit of the legal instrument itself—and I submit that a United Nations resolution is, *par excellence*, a legal instrument—and also by the developments which led to the final adoption of the legal instrument in

question. Bearing in mind this fundamental principle, I should like, if I may, to examine, very briefly and in an objective way, the meaning and intent of the text that we have adopted—taking into account, of course, not what suits the interests of the colonialists, but what actually took place in the course of the present session of the General Assembly.

284. By a vote of 30 to 19, with 11 abstentions, the General Assembly decided on 24 September 1954 [477th meeting] to include the Cyprus question in its agenda. As of that date, the United Nations recognized the international character of the question of Cyprus, and the implementation of the right of self-determination of the Cypriot population—of the whole population of the Island, whatever its racial, ethnic, historical or linguistic origin or its religious belief—became a matter of United Nations concern.

285. This, as I said, was achieved by the vote of the General Assembly on 24 September. To reverse the situation thus created would have required not simply the high-sounding profession of faith in Article 2, paragraph 7, of the United Nations Charter that we heard from the mouths of the repetitious colonialists, but a vote upholding the colonialist advocacy of that paragraph. No such vote was taken, however, and no one even dared to propose it.

286. On the contrary, the General Assembly a little while ago decided not to consider the Cyprus issue further at this ninth session, which is to be closed in a few hours, "considering that, for the time being, it does not appear appropriate to adopt a resolution" on this question. The affirmative vote of the representative of the United Kingdom is a formal recognition on the part of his Government of the fact that what the United Kingdom Government has persistently called a domestic issue, and one closed forever, has now become a wide-open international problem. No better proof of that fact could have been offered than the explanation of vote given by the representative of El Salvador just before the vote was taken. I submit that no one can explain the amendment submitted to the First Committee better than one of the representatives who submitted it.

287. The fact that four meetings of the First Committee were devoted to the Cyprus question, and the number of interventions which occurred in the course of these meetings, bear ample witness to the fact that the question of Cyprus is and remains open. These meetings, as well as those which took place in the General Committee on 23 September [93rd meeting] and in the General Assembly on 24 September [477th meeting], gave the United Kingdom Government and other colonialists an opportunity to express their views fully on the question. At the same time, however, those meetings afforded to other States which really believe in the principle of self-determination and prove it by deeds, and not only by words, an occasion to make their voices heard.

288. To all those who have faith, as we have, in the inherent fairness and justice of public opinion, this airing of the Cyprus question has been a most welcome development. Whatever may have been the distortions and misrepresentations made in our debates, the Cypriot people's yearning for freedom has been heard all over the world, retransmitted from the tribune of the United Nations and reinforced by the moral authority of the United Nations. The man in the street everywhere in the world now knows that the item technically entitled "Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the Island of Cyprus" expresses a colonial people's deep craving for freedom. More particularly, the liberal and noble convictions regarding Cyprus held by the British man in the street—to whom Greece, through me, addresses its grateful thanks—are confirmed.

289. In my introductory statement in the First Committee, I endeavoured to prove that our request on behalf of the Cypriot people was just and moderate and in conformity with the Charter of the United Nations; that it did not contain any thrust at the United Kingdom or any other country; and that it was not aimed at satisfying any selfish Greek interest. As I said at that time, those who introduced utterly irrelevant and extraneous issues into the debate—such as territorial claims, frontier revisions, and even geographical arguments smacking very much of Hitler's *Lebensraum* theory—did so in order to obscure the vision of representatives. Their goal was to misrepresent the case of Cyprus as being bristling with difficulties which could harm the interests and aspirations of each and every group of Member States, if the case were used as a precedent. But how can the granting of freedom to a highly civilized and politically mature population harm the interests and aspirations of any Member State that truly loves freedom?

290. The resolution which the Assembly has just adopted grants a moratorium in respect of Cyprus. My Government is not at all opposed to that moratorium. We have always tried to have the Cypriot people's right of self-determination implemented directly from London, and we persist in that course, despite the many disappointments we have had.

291. What, however, if our patience and our renewed confidence—a confidence which is now shared by the United Nations—fails to elicit any response from the United Kingdom? Then, the Cypriot people, the Greek people and the other freedom-loving peoples all over the world will expect not only Greece but also some other Member State or group of Member States to take the initiative in reactivating in the United Nations the case of the Cypriot people's right to freedom; those peoples all over the world will expect that that right will be upheld until it is finally vindicated.

The meeting rose at 1.30 p.m.