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*Chairman: Mr. Károly CSATORDAY (Hungary).*

AGENDA ITEM 107

The inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty (concluded) (A/5977, A/C.1/L.364 and Add.1)

CONSIDERATION OF DRAFT RESOLUTIONS (concluded) (A/C.1/L.364 AND ADD.1)

1. Mr. LEBRON PUMAROL (Dominican Republic) said that the Dominican Republic had voted in favour of the fifty-seven-Power draft resolution (A/C.1/L.364 and Add.1) because it rejected all forms of intervention and supported all principles which contributed to the application and observance of the principle of non-intervention. Without prejudice to the right of self-determination, which was the privilege of all States, his delegation had accepted paragraph 5 of the draft resolution on the understanding that it in no way affected the commitments entered into and agreements concluded by the Dominican Republic within the regional system. The fact that the text had been submitted by a large number of delegations and had secured the favourable votes of countries representing all continents testified to the importance and historic value of the draft which the Committee had just adopted. It was to be hoped that in practice it would help to free nations from the threat of direct or indirect intervention.

2. Mr. ALARCON QUESADA (Cuba) said that he had voted in favour of the fifty-seven-Power draft resolution because it embodied principles and rules which Cuba had constantly supported and which had acquired special importance for his country in recent years. Since January 1959 Cuba had been the victim of all the forms of aggression and intervention denounced in the draft resolution. His delegation was grateful to the sponsors for the efforts they had

made to work out a single text. However, the reaffirmation of principles and the adoption of texts proclaiming them was not enough to ensure effective compliance with them; the United Nations should by now have taken more forceful and more direct measures to defend the interests of peoples. There should have been an express and unequivocal condemnation of the policy of aggression, intervention, subversion, blackmail and warfare currently pursued by the imperialists, and particularly by the United States imperialists, in such countries as Viet-Nam and the Dominican Republic. It was to be feared, therefore, that the adoption of the declaration would have only limited results; in the last analysis the best means of defending the principles and rules reiterated therein was resolute action by the peoples who were struggling for their independence and sovereignty.

3. Mr. FEDORENKO (Union of Soviet Socialist Republics) said he was glad that the consideration of the item on the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty had culminated in the adoption, by a vast majority, of a draft resolution which would be important in preventing both direct and indirect intervention by the imperialist States. His delegation took the opportunity to thank the representatives of the Asian, African and Latin American countries and other representatives who had supported the Soviet Union initiative and who had made a useful contribution to the discussion. At the same time, he emphasized that the provisions of the draft resolution could not be used to justify the aggressive foreign policy of the imperialist Powers.

4. Mr. MATSUI (Japan) said that, although his delegation had not taken part in the general discussion, Japan attached great importance to the principle of non-intervention, which was one of the pillars of its foreign policy. His delegation had welcomed the Soviet initiative and had voted in favour of the draft resolution, regarding it as a well balanced text that covered all aspects of intervention, direct and indirect. His delegation fully endorsed most of the provisions and agreed with the spirit of some others, although they were somewhat vague. The adoption of the draft resolution by the General Assembly would amount to a statement of political intention by the United Nations. However, its wording would create some legal problems and it was essential that the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States, of which Japan was a member, should study the text carefully at its next session.

5. Mr. RAMANI (Malaysia) said he was glad the fifty-seven-Power draft resolution, which reaffirmed

the principle of the inadmissibility of intervention in the domestic affairs of States, had been adopted by a large majority. Malaysia, which since 1963 had been the victim of every possible form of intervention, had voted in favour of the text although it was somewhat too obviously the result of a compromise; however, when Member States were being reminded of their obligations, it was better not to leave any obligation out. Nevertheless Malaysia would have preferred the declaration to be more precisely worded; in its existing form it introduced some new expressions unknown to the Charter, such as threats against "the personality of the State", which could be regarded only as an interpretation of the principles of the Charter. In addition it was difficult to see what could constitute intervention in the "external affairs" of States. However, despite those shortcomings, Malaysia had voted in favour of the draft resolution in view of the situation in which it was placed.

6. Mr. YOST (United States of America) said he had voted in favour of the draft resolution because his country was firmly opposed to any intervention that was contrary to the Charter and to the general principles of international law. The condemnation of direct or indirect intervention would remind the world that it must not lose sight of the existing danger. His delegation regretted, however, that some parts of the draft were too vague and that the text did not deal more directly with the measures which States could take in self-defence. However, it in no way detracted from the measures prescribed by the Charter in that connexion, since it stated in paragraph 8 that nothing in the declaration should be construed as affecting in any manner the relevant provisions of the Charter of the United Nations relating to the maintenance of international peace and security, in particular those contained in Chapters VI, VII and VIII. In any case, the draft just adopted by the First Committee was only a statement of political intention and not a formulation of law; the latter was the task of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. The aim of the draft was therefore essentially political. Moreover the discussion and adoption of the draft resolution clearly testified to the universal rejection of two modern forms of intervention—terrorism and subversion. That should serve as a warning to those who started so-called wars of liberation; they should take note, in particular, of operative paragraphs 2 and 5. By again condemning subversion, and by reaffirming the right of every State to choose its political, economic, social and cultural systems, the draft reflected modern thinking. Lastly, it recognized the plurality of the world and expressly denounced the new forms of intervention which had recently begun to afflict the world.

7. Mr. RAKOTOMALALA (Madagascar) said that he had voted in favour of the draft resolution because he recognized the importance of the question. His delegation had itself submitted to the Sixth Committee a draft resolution under agenda item 94. (Observance by Member States of the principles relating to the sovereignty of States, their territorial integrity,

versive activities.) However, his delegation had some reservations about the form of the draft which had just been adopted. The important question involved stood in need of legal scrutiny. Indeed the Sixth Committee had taken a decision to that effect (see General Assembly resolution 2103 (XX)), and it was to be hoped that at its twenty-first session the General Assembly would have before it a draft resolution taking into account not only the political aspects of the principles adopted by the First Committee, but also the essentially legal features which such a declaration should possess.

8. Mr. SCHUURMANS (Belgium) reminded the Committee that at the 1403rd meeting he had unreservedly supported the idea of a resolution on non-intervention, since the principle of non-intervention was a fundamental rule of international law whose observance was essential to international peace. He congratulated the sponsors of the fifty-seven-Power draft resolution, who had spared no effort to arrive at a compromise text. It was a moot point, however, whether they had been able to give sufficient care to matters of drafting; some paragraphs could be clearer and more exact. Thus, the present draft seemed to be, if anything, in the nature of a general political recommendation. The Sixth Committee also had stressed the need for careful preparation and had proposed that the task should be entrusted to a committee of experts who would report to the General Assembly at its twenty-first session. It was regrettable that the draft adopted by the First Committee made no reference to such preparatory work by experts as had been advocated by the Sixth Committee. In view of that omission and the hasty drafting evident in certain passages, Belgium had abstained in the vote.

9. Mr. RAFAEL (Israel) said that he had voted in favour of the draft resolution in order to demonstrate his country's adherence to the principle of non-intervention, the inviolability of national territory, respect for the policy of independence, and the inadmissibility of colonialism. It was clear that the draft just adopted was no substitute for the Charter and was merely a statement of political and moral intentions which should guide States in their international relations. There were some ambiguities in the text, but it was to be hoped that the United Nations would be guided by the provisions relating to obligations under the Charter, which were clearly formulated, and would not take unfair advantage of the wording of certain paragraphs to perpetuate existing conflicts or to stir up new ones. In that spirit his delegation had voted in favour of the draft resolution.

#### AGENDA ITEM 32 ..

The Korean question: reports of the United Nations Commission for the Unification and Rehabilitation of Korea (A/5812, A/6012 and Corr.1; A/C.1/897, 899, 925, 927, 928; A/C.1/L.355 and Add.1, L.356, L.360, L.362)

10. The CHAIRMAN suggested to the Committee that before beginning the general discussion it should take

representatives of the Democratic People's Republic of Korea to take part in the discussion.

*It was so decided.*

11. Mr. FEDORENKO (Union of Soviet Socialist Republics) said that he fully supported the draft resolution submitted by Guinea, Hungary, Mali, Mongolia and the United Republic of Tanzania (A/C.1/L.360), under which the parties concerned—the Democratic People's Republic of Korea and the Republic of Korea—would be invited to participate in the discussion and to present their views on the solution of the Korean question. He could not, however, subscribe to the draft resolution submitted by the United States and some of its allies (A/C.1/L.356), which was a discriminatory proposal since it provided that only South Korea should be invited to take part in the discussion. The sponsors of the latter proposal said in justification of their position that the Government of the Democratic People's Republic of Korea did not recognize the competence of the United Nations in the settlement of the Korean question. The fact was that that Government condemned all intervention in the domestic affairs of the Korean people and considered that the Korean question should be decided by the Koreans themselves, without external interference of any kind. That attitude was in keeping with the draft resolution which the Committee had adopted at its preceding meeting regarding the inadmissibility of intervention in the domestic affairs of States. Moreover, a statement of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea dated 25 September 1963 (A/C.1/889) indicated that, so long as the "Korean question" was being considered in the United Nations, the representative of that country should take part in the discussions. That was the true position of the Government of the Democratic People's Republic of Korea.
12. His delegation hoped the Committee would adopt draft resolution A/C.1/L.360.
13. Mr. NABRIT (United States of America) said that the attendance of a representative of the Republic of Korea at the discussion of the Korean question had never been in dispute. The only question to be answered was whether a representative of North Korea should also be invited to take part in the discussion. In answering that question, the differences between the two parties must be taken into account.
14. It was often forgotten that the Republic of Korea owed its existence to the United Nations. The Republic had been founded in 1948 in accordance with procedures laid down by the General Assembly, entailing the establishment of a national government by representatives chosen in elections held under the supervision of a United Nations commission. Since those procedures had been followed by South Korea and rejected by North Korea, the General Assembly had recognized the Republic of Korea as the only lawful Government of Korea.
15. In 1950, North Korea had committed an act of aggression in order to gain control of Korea. The United Nations had then intervened in order to prevent the Republic of Korea from being wiped out.
16. Furthermore the Republic of Korea had always accepted the authority of the United Nations to seek

a formula designed to put an end to the unnatural partition of Korea. Its leaders had made countless statements to that effect. He would cite obly a recent letter from the Minister of Foreign Affairs of the Republic of Korea to the President of the General Assembly (A/C.1/899), which stated that the Republic of Korea would continue to accept the competence and authority of the United Nations to bring about the peaceful unification of Korea, and that it unequivocally supported the formula which the United Nations had already put forward for Korean unification.

17. The North Korean authorities had behaved very differently. They had never been willing to meet the members of the various United Nations commissions appointed to assist in ending the partition of Korea, or willing to enable them to discharge in North Korea the functions they had performed in the Republic of Korea. They had always denied the right of the United Nations to deal with the problem of Korean unification. That was borne out by many statements; the most recent were those made by the Ministry of Foreign Affairs of North Korea on 24 September (A/C.1/897) and 23 November 1965 (A/C.1/925).
18. Of course, if a discussion was to produce results all the parties concerned should be present. In the past the United States delegation had agreed to the representation of North Korea at the Committee's discussions. It had always taken the view, however, that such participation should be subject to one condition—North Korean recognition of the competence and authority of the United Nations to examine the Korean question and to take decisions on it. Since North Korea had not changed its attitude to the United Nations, it would be unwise and undignified for the Committee to invite representatives of North Korea to join in its discussions.
19. Instead, the Committee should adopt without delay draft resolution A/C.1/L.356 submitted by Japan, the Philippines, Thailand and the United States—a clear and precise proposal which had the merit of being based on well established facts.
20. Draft resolution A/C.1/L.360—a proposal to invite the representatives of a country which had repeatedly declared that the United Nations had no right even to discuss the Korean question—was more than a mere procedural resolution. The first pre-ambular paragraph was almost identical with the corresponding part of the substantive draft resolution submitted by Hungary and Mongolia (A/C.1/L.362) and, in reality, went into the substance of the question. Under that paragraph, the Committee would recognize that the establishment of a unified, independent and democratic Korea was essentially a domestic matter of the Korean people. That was only a short step from the assertion that the United Nations was not entitled to examine the problem created by the Partition of Korea. No member of the Committee could defer to North Korea's views on that point. To do so would be to efface the glorious past of the United Nations in Korea, to deny it the right to play a useful role in that country, and to accept that certain regions of the world were closed to the United Nations. Consequently, if the sponsors pressed their proposal to the vote, his delegation would vote against it.

21. Mr. OBI (Nigeria) reminded the Committee that it had been in the same situation in 1963 as it was in today. Two draft resolutions had been submitted, one asking for an invitation to both the parties concerned and the other recommending that only the Republic of Korea should be invited. Shortly before the start of the debate, the Government of the Democratic People's Republic of Korea had issued a statement denying the right of the United Nations to examine the question. He had deplored that attitude; it had harmed the cause of the Democratic People's Republic of Korea and had compelled Nigeria to abstain from voting on the two draft resolutions; and he had expressed the hope that in future that country would take a different attitude.
22. At the present session, the Committee was not faced with any categorical statement by the Democratic People's Republic of Korea that it would not participate in the Committee's discussions. Since his delegation was still convinced that the participation of both parties was necessary, it would vote in favour of draft resolution A/C.1/L.360 and against draft resolution A/C.1/L.356.
23. Mr. ONDO (Gabon) said that his country's position remained unchanged in all respects. Gabon continued to maintain good relations with the Republic of Korea. It also continued to affirm that the United Nations had the competence and authority to examine the Korean question.
24. The documents before the Committee showed that, whereas the Republic of Korea continued to abide by the decisions of the United Nations, the Democratic People's Republic of Korea still disputed the right of the United Nations to deal with the Korean question and refused in advance to comply with the Organization's decisions. It was accordingly pointless to extend an invitation to the Democratic People's Republic of Korea, whose attitude made it impossible for the United Nations even to leave its doors half open. He would therefore oppose draft resolution A/C.1/L.360 and firmly support draft resolution A/C.1/L.356.
25. Mr. MATSUI (Japan) said that he attached particular importance to a question which concerned an Asian country that was an immediate neighbour of Japan. The question whether or not the Democratic People's Republic of Korea should be invited to participate in the discussion in the Committee was not a new one. At its fifteenth and sixteenth sessions the General Assembly had laid down as a condition for such an invitation that the Democratic People's Republic of Korea must agree to recognize the competence and authority of the United Nations regarding the Korean question. However, whereas the Republic of Korea had always accepted those conditions, the Democratic People's Republic of Korea had always rejected them.
26. He wondered whether it was really any use inviting a country which did not even recognize the First Committee's right to discuss the question. That attitude had not changed, as the statements contained in documents A/C.1/897 and A/C.1/925 proved. Consequently, the Japanese delegation would
- Republic of Korea, that country having always recognized the competence and authority of the United Nations in the matter and having consistently shown an attitude of co-operation, and which he hoped would be adopted by a large majority.
27. Mr. LAMANI (Albania) maintained that the inclusion of the Korean question in the agenda was an illegal decision taken under United States pressure, since the reunification of Korea was a matter essentially within the domestic jurisdiction of the Korean people, who alone were competent to decide their future. It was regrettable that certain Powers, particularly the United States, were seeking to prevent the representatives of the Democratic People's Republic of Korea from taking part in the discussion. That devious manoeuvre was clearly designed to ensure that only the representative of the puppet authorities of the Republic of Korea was heard and to prevent the Democratic People's Republic of Korea, whose Government pursued an independent policy and enjoyed the esteem of the people, from expressing its point of view. The Committee should not repeat its past errors in that regard, which could only serve the interests of the United States imperialists, who wished to prolong the occupation of Korea as long as they could. The mere fact that the American troops represented a permanent threat to the Democratic People's Republic of Korea was sufficient to justify the presence of representatives from the latter country. The Albanian delegation therefore considered it essential that the General Assembly should immediately invite the representative of the Democratic People's Republic of Korea, without any reservations or prior conditions, to take part in the discussion in the Committee.
28. Mr. PATIÑO (Colombia) supported draft resolution A/C.1/L.356, because the Government of the Republic of Korea was the only Korean Government recognized by the United Nations.
29. At previous sessions, representatives of the so-called Government of the Democratic People's Republic of Korea had also been invited, subject to the condition that that Government must first of all recognize the General Assembly's authority to consider the Korean question. Since that condition had not been fulfilled, however, the invitations had produced no result.
30. The sponsors of draft resolution A/C.1/L.360 appeared to have forgotten those facts, which were not only recorded in United Nations documents but were also well known to public opinion.
31. Mr. PRANDLER (Hungary) said that the question before the Committee might appear unimportant but was in fact a carry-over from the most serious crisis which the United Nations had ever known. His delegation had always maintained that the Korean question could be considered only within the framework of a debate aimed at preventing foreign intervention and establishing a unified, independent and democratic Korea. Under Article 2, paragraph 7, of the Charter that question was essentially within the domestic jurisdiction of the Korean people. The

32. Although his delegation maintained that position of principle, it was nevertheless prepared to take part in the discussion in order to contribute to the establishment of suitable preliminary conditions for unification and to encourage the two Korean States to open direct negotiations. However, the debate on the substance of the question could be useful only if the representatives of the two parties concerned participated. Only after it had ascertained the views of the two parties would the Committee be in a position to consider the ways and means by which the United Nations could facilitate the solution of the question. An immediate invitation should therefore be extended to the parties concerned.

33. It had always been alleged that the Democratic People's Republic of Korea did not want to co-operate with the United Nations, but the question was rather whether the United Nations could be induced to co-operate with the Democratic People's Republic of Korea. To take only the question of invitations, it could be stated categorically that so far it had been the United Nations which, under United States pressure, had been unwilling to co-operate with the Government of the Democratic People's Republic of Korea, for the United Nations had attached such unacceptable conditions to the invitation that its acceptance would have prejudiced all subsequent talks. Thus, the United Nations had not only violated the Charter by not respecting the principle of the sovereign equality of States, but it had also acted against common sense by not giving a hearing to all the parties. It was therefore highly regrettable that the sponsors of draft resolution A/C.1/L.356 had seen fit to invite, once again, only one of the Korean States when they should have invited the representatives of both Korean Governments without attaching any conditions to their invitation, so that those Governments could be sure that it was made in good faith.

34. It was in the light of those factors that the Hungarian delegation had taken part in drawing up draft resolution A/C.1/L.360. It hoped that countries, such as the non-aligned developing countries, which were anxious to increase the effectiveness of the United Nations, would not hesitate to support that draft. At the eighteenth session, those countries had already shown, by giving their support to a Mongolian draft resolution which would have invited the representatives of both Korean States, that they intended to make their voices heard at critical moments for the development of the United Nations. He urged the representatives of countries which had hitherto shown themselves to be guilty of a discriminatory attitude to reconsider their position and help to achieve international co-operation by adopting draft resolution A/C.1/L.360, which would make possible the solution of a problem that was of the greatest importance for international peace and security.

35. Mr. AJAVON (Togo) said that he would not allow himself to be influenced by the specious arguments put forward by certain representatives. He would take account of the facts. On the one hand, there was the Republic of Korea, which undertook loyally to implement the principles and decisions of the United Nations. On the other hand, there was the Democratic

People's Republic of Korea, which obstinately refused to recognize the competence and authority of the United Nations and rejected all the latter's decisions in advance. How, in those circumstances, could the Committee address an invitation to the representatives of a State so hostile to the United Nations without thereby demeaning itself?

36. He would vote against draft resolution A/C.1/L.360 and against any other draft having the same objective as long as the Democratic People's Republic of Korea maintained its attitude of non-co-operation, and he would firmly support the draft resolution submitted by Japan, the Philippines, Thailand and the United States of America (A/C.1/L.356).

*Mr. Fahmy (United Arab Republic), Rapporteur, took the Chair.*

37. Sir Roger JACKLING (United Kingdom) said that his delegation saw no reason why the Committee should alter the attitude which it had taken in the past, since the Democratic People's Republic of Korea refused to change its attitude. He would therefore vote in favour of draft resolution A/C.1/L.356.

38. Mr. SEATON (United Republic of Tanzania) said that achievement of the reunification of Korea, which should meet the fervent wishes of the whole Korean population, had become increasingly difficult owing to the methods pursued by the different régimes installed in the northern and southern parts of the country. The task of reunification had been further complicated by the activities of outside elements, such as the armed forces stationed in Korea under the aegis of the United Nations, and the United Nations Commission for the Unification and Rehabilitation of Korea. The United Republic of Tanzania, which had not been a Member of the United Nations at the time when the relevant resolutions were adopted, would not venture an opinion with regard to them, but it was well aware that doubts as to their validity had been expressed. In any event, the United Republic of Tanzania had friendly relations with both Governments. While his delegation reserved judgement on the question of the extent to which the presence of foreign elements was furthering or obstructing unification, it drew attention to the fact that under the terms of the recently approved draft resolution on the inadmissibility of intervention in the domestic affairs of States the General Assembly itself would proclaim that the use of force to deprive peoples of their national identity constituted a violation of their inalienable rights and of the principle of non-intervention. He also cited a passage from the Cairo Declaration of 10 October 1964 which referred to the problem of divided nations and the need to achieve their unification by peaceful methods without outside interference, failing which international peace and security would be threatened.

39. It was clearly desirable that the views of both parties should be heard, for three reasons: firstly, the rules of natural justice demanded that each party should be able to set forth its own position; secondly, the requirement of natural justice was in conformity with the principles of the United Nations; thirdly, to pursue any other course would be to risk committing a flagrant injustice. Yet the sponsors of draft resolutions A/C.1/L.356 denied to the representative of

the Democratic People's Republic of Korea the right to be heard by the United Nations, on the pretext that that country had not accepted the competence and authority of the United Nations to take action on the Korean question.

40. In that connexion, he wondered whether the Organization had the right not only to affirm that it was competent to achieve the unification of Korea but also to require that one of the parties, if it was to be heard, must accept that prior assumption. If Article 2, paragraph 6, and Article 11, paragraph 2, of the Charter gave the Organization any rights, there was nothing in them to suggest that those rights could be exercised arbitrarily. It would be a different matter if the United Nations was taking a decision with regard to the admission of a State under Article 4, paragraph 2. But, since it was stipulated in Article 32 that the conditions which the Security Council could lay down when it considered a dispute must be "just", there was all the more reason why the General Assembly should either not lay down conditions at all or should lay down only conditions that were just. Moreover, was it not common practice for persons to appear while at the same time reserving the right to challenge or deny the jurisdiction of the bodies before which they were being heard?
41. Consequently, the United Republic of Tanzania supported draft resolution A/C.1/L.360, of which it was a sponsor, and requested that it should be put to the vote first since it was more comprehensive than draft resolution A/C.1/L.356. His country believed that if that text was given priority and was approved by the Committee the United Nations would be better able to contribute to the solution of the problem.
42. Mr. HSUEH (China) said the issue was not whether the Committee should ignore the communist régime which held sway in the northern provinces of Korea but whether it should ignore relevant resolutions adopted by the General Assembly, namely resolutions 195 (III), 296 C (IV), 1017 A (XI) and 1144 A (XII).
43. Those resolutions clearly established that in the eyes of the General Assembly there was only one legitimate Government, that of the Republic of Korea. Logic therefore required that the only representative to be invited to take part in the discussion should be the representative of the Government of the Republic of Korea.
44. Even supposing that the First Committee could also extend an invitation to those who had seized certain provinces in North Korea, the question arose whether such an invitation would serve any useful purpose. In the statement appearing in document A/C.1/897 those persons had stated that the Committee's discussion of the Korean question was illegal and that the United Nations resolutions on the matter were also illegal. It therefore could not be expected that they would contribute in any way to the present discussion. His delegation would accordingly vote against draft resolution A/C.1/L.360.
- accept the second preambular paragraph, which related to the possibility of inviting the Korean Communists. It would vote against that paragraph if it was put to the vote separately but it would vote in favour of the text as a whole for the sole reason that if the First Committee adopted it the representative of the Republic of Korea would be invited to participate in the discussion.
46. Mr. DIACONESCU (Romania) noted that the draft resolution submitted by Japan, the Philippines, Thailand and the United States was identical with that submitted two years before. It purportedly extended an invitation to representatives of the Democratic People's Republic of Korea but it attached conditions to the invitation which made it unacceptable. The Committee should abandon its past manoeuvres and invite the Democratic People's Republic of Korea without conditions which were contrary to the Charter. He was therefore opposed to draft resolution A/C.1/L.356 and would give his full support to draft resolution A/C.1/L.360.
47. Mr. PACHARIYANGKUN (Thailand) said that the question was a most important one and warranted a detailed examination from both the procedural and the substantive standpoints. He reviewed the background of the Korean question as it had been dealt with by the United Nations since 1947, noting that North Korea had decided in June 1950 to invade South Korea, which had been still under the direct jurisdiction of United Nations, and that the United Nations had reacted vigorously and condemned North Korea as an aggressor; in 1953 the aggression had been repulsed and the situation prevailing before 1950 had been restored, that being the year in which free elections were to have been held, under international supervision, with a view to the unification of the country under a democratic and independent régime. At the 1954 Geneva Conference, however, the representative of North Korea had categorically refused to consider any United Nations plan designed to achieve the reunification of the country by peaceful means, and had maintained that the solution should be sought outside the jurisdiction of the United Nations. That position had remained unchanged until the present and it was a certainty that if the occasion should present itself North Korea would resume its policy of aggression. Thus it was not only the prestige but the very existence of the Organization which was at stake; if it was possible to challenge the authority of the United Nations in connexion with the maintenance of peace, what hope could small nations like Thailand place henceforth in the Organization? That was why Thailand had joined in sponsoring both a procedural and a substantive resolution.
48. With regard to the procedural question, Thailand too thought that the people of Korea should be represented, but since the northern régime had refused to recognize the competence and authority of the United Nations even to consider the question of Korea, it had disqualified itself. Unless the Democratic People's Republic of Korea reconsidered its position, to invite it to send a representative to the United Nations would

Nations, that it had co-operated with the United Nations Commission for the Unification and Rehabilitation of Korea, that it had taken part effectively in the activities of the United Nations agencies of which it was a member and that its actions were aimed at the maintenance of peace and peaceful relations with many countries. No one, therefore, would challenge its right to be represented in the present debate. For all those reasons, his delegation was sure that the Committee would reject draft resolution A/C.1/L.360 and adopt draft resolution A/C.1/L.356, of which Thailand was a sponsor.

49. Mr. JIMENEZ (Philippines) asked how there could be any question of inviting the representative of a Government which questioned the legality of the discussion of the Korean question in the General Assembly and which demanded that the United Nations should "hold its hands off the Korean question once and for all" (A/C.1/925). It would be absurd to reply to that defiance with an invitation which would certainly be rejected. The United Nations should not, of course, discriminate when extending invitations. However, that principle applied only in cases where both parties were in a similar situation and one of the parties was receiving privileged treatment; that was not the case in the present instance, for North Korea challenged the competence of the United Nations whereas the Government of the Republic of Korea recognized it. Accordingly, only the latter should be invited to send a representative to take part in the debate.

50. Mr. KLUSAK (Czechoslovakia) said that the United States had always insisted that only the representative of South Korea should be invited to participate in the discussion of the "Korean question", on the pretext that the Democratic People's Republic of Korea refused to recognize the right of the United Nations and its organs to intervene in its domestic affairs. The draft resolution submitted by Japan, the Philippines, Thailand and the United States (A/C.1/L.356) reflected that viewpoint. It implied interference in the affairs of Korea, particularly with regard to the reunification of the country and its political structure. No Government which prized its sovereignty and its independence could allow another Government or an international organization to discuss such questions, much less to settle them. The attitude which the United Nations should adopt was stipulated in Article 2, paragraph 7, of the Charter. The only matter with which the United Nations could concern itself was the protection of the lawful rights of the Korean people against foreign intervention and the ending of all the measures illegally taken under cover of United Nations action.

51. In any case, there was no point in trying to settle the substance of the question without the participation of the representatives of the Government of the Democratic People's Republic of Korea. That Government was criticized for refusing to accept illegal resolutions adopted without its having been heard and at the same time it was systematically prevented from taking part in the discussion of the question. It was unreasonable that only the party whose policy suited the interests of certain Member States should be invited to express its viewpoint.

Czechoslovakia would therefore vote in favour of the draft resolution submitted by Guinea, Hungary, Mali, Mongolia and the United Republic of Tanzania (A/C.1/L.360).

52. Mr. Hady TOURE (Guinea) said that it was not his intention at that stage to stress the importance of draft resolution A/C.1/L.360, which pleaded the cause of an entire people. He supported the Tanzanian motion that priority in the voting should be given to that text.

53. Mr. TARABANOV (Bulgaria) said that, in his view, the United Nations, in refusing to agree to hear all the parties to the problem, was continuing to follow an ostrich policy, for nothing could be decided in the absence of one of the parties. Doubtless there were precedents, but the procedure and discussions of the past had not made any positive contribution to the task of unifying Korea. Indeed, it seemed that those countries which opposed the presence of a representative of the Democratic People's Republic of Korea would do anything to avoid settling the question.

54. What had the United Nations done so far? It had allowed Powers which had wanted to intervene in Korea to use the United Nations flag, and afterwards, it had wanted the Government of the Democratic People's Republic of Korea to acknowledge that all those unlawful procedures, undertaken in violation of the Charter, had been lawful and must be accepted by that Government as a prior condition for its participation in the debates. What Government conscious of its dignity could yield to such arguments? Moreover, as that Government had rightly said in 1961, it had not violated the provisions of the Charter, but the Government of the United States had done so; in fact, the Government of the Democratic People's Republic of Korea accepted the Charter and was ready to take part in discussions under the Charter, but not to accept any prior conditions. It had been said that the representative of South Korea had taken a constructive part in the debates; one would like to know what that part was, since there had not yet been one positive act which would help to promote the unification of Korea.

55. The way to bring the two parties together was first to invite them and to see by what methods the United Nations could or could not intervene in a question which should really be decided by the Korean people. The Bulgarian delegation supported draft resolution A/C.1/L.360, and would vote in favour of its being given priority in the voting.

56. Mr. RAMANI (Malaysia) noted that the representative of South Korea was at the United Nations and had asked to be allowed to participate in the debate, whereas North Korea had not sent a representative, had written an extremely offensive letter to the United Nations, and showed no intention of sending a representative. It was, therefore, quite pointless to continue a debate on a non-existent request for permission to participate. Furthermore, it was necessary to determine what was right and what was wrong.

57. What was the status of North Korea? Was it a sovereign State, on exactly the same footing as

South Korea? Recounting the events of 1947 and 1948, he recalled that in 1948, before any debate on the independence of Korea could take place, the régime established in the northern part of the country had proclaimed itself the Democratic People's Republic of Korea. That was why the General Assembly, in its resolution 195 (III) of 12 December 1948, had described the Government based on valid elections—namely, that of the southern part of the country—as the only lawful Government of the Republic of Korea. That had been the position at the time; one Government, and not two, had been established. Thus, so long as the 1948 resolution remained in force, the General Assembly would be contradicting itself if it acted in contravention of that text. Consequently, there was no question whatever of addressing an invitation to North Korea. The problem was quite simple: was it right or was it wrong to propose that an invitation should be issued to a representative of a Government which had been established in defiance of the General Assembly itself? That Government had not asked for an invitation, and it was quite improper for the Committee to think of inviting it. Those who had invoked Article 2, paragraph 7, of the Charter should realize that if the United Nations agreed to invite a representative of North Korea—i.e., of a Government which, in the eyes of the United Nations, did not exist—it would then, in fact, be guilty of intervening in matters which were essentially within the domestic jurisdiction of a State, namely, the Republic of Korea. For all those reasons, the Malaysian delegation would vote in favour of draft resolution A/C.1/L.356.

58. Mr. CHERNUSHCHENKO (Byelorussian Soviet Socialist Republic) said that the United States and certain other countries were once more trying to prevent the representatives of the Democratic People's Republic of Korea from taking part in the discussion of the Korean question. The establishment of a unified, independent and democratic Korea was exclusively a matter for the Korean people, and the first condition to be satisfied before the problem could be solved was the withdrawal of United States troops from South Korea. Such a withdrawal would be in accordance with the spirit of the Armistice Agreement. <sup>1/</sup>

59. Everyone knew that the United Nations Commission for the Unification and Rehabilitation of Korea had achieved nothing useful, and its activities should be terminated. The Western Powers' claim that decisions adopted without the participation of the Democratic People's Republic of Korea should be recognized was quite unacceptable to a sovereign Government. Those Powers were demonstrating their wish to perpetuate the existing situation and to maintain their troops in South Korea, a country which the United States regarded as a base for the fight against national liberation movements in the Far East and in South-East Asia.

60. Anyone who gave serious thought to the Korean question must reach the conclusion that the way to settle it was to initiate negotiations between the two parties concerned, without foreign intervention. The representatives of the Democratic People's Republic

of Korea and of the Republic of Korea should therefore be invited to participate in the United Nations debates on the item under discussion. For that reason, his delegation strongly supported draft resolution A/C.1/L.360 and believed that it should be given priority in the voting.

61. Mr. CHIMIDDORJ (Mongolia) said that, since the Korean question was on the agenda, the two parties concerned, the Democratic People's Republic of Korea and the Republic of Korea, should be invited to participate in the discussion of it. That was the intention of draft resolution A/C.1/L.360, of which Mongolia was a sponsor. Draft resolution A/C.1/L.356 was designed to impose unacceptable prior conditions on the sovereign Government of the Democratic People's Republic of Korea and, in the final analysis, to prevent it from taking part in the discussion. That Government had stated that, if the Korean question was considered in the United Nations, its representatives should be invited to take part in the debate. Thus, it had shown willingness to collaborate with the Organization. If the United Nations really wished to achieve its objectives and to maintain its authority, it must reject the attempts of those who would like to settle the destiny of a people without its participation. As experience had already shown, any discussion from which the Democratic People's Republic of Korea was excluded could not but be sterile.

62. His delegation supported the Tanzanian motion that priority in the voting should be given to draft resolution A/C.1/L.360. It hoped that the members of the Committee would support that draft, which was in keeping with the letter and spirit of the draft resolution on the inadmissibility of intervention in the domestic affairs of States that had been adopted by the Committee at its preceding meeting.

63. Mr. BAROODY (Saudi Arabia) observed that for several years past the Korean question had not been discussed until the end of the session. That was a real injustice to both the North Koreans and the South Koreans, because there was insufficient time to give proper consideration to all aspects of the problem.

64. The text of draft resolutions A/C.1/L.360 would quite well reflect what he would have wished, but unfortunately the operative paragraph presented a contradiction. It would surely be a mockery to invite the representatives of the Democratic People's Republic of Korea and of the Republic of Korea to participate in the discussion and expect that they could both be there before the closure of the debate when everyone knew that the twentieth session of the Assembly was scheduled to close the next day. As for draft resolution A/C.1/L.356, it contained criticisms which the Democratic People's Republic of Korea would certainly find unacceptable. Recriminations led nowhere, and if the Committee wished the Democratic People's Republic of Korea to reply to an invitation, it must be treated with dignity.

65. Bearing in mind that need, he was submitting a new draft resolution,<sup>2/</sup> which he read out. It was a compromise, in the sense that any invitation to the Democratic People's Republic of Korea must be com-

<sup>1/</sup> See Official Records of the Security Council, Eighth Year, Supplement for July, August and September 1953, document S/3079, appendix A.

the General Assembly the possibility of holding a special session on the Korean question if it felt that the time was ripe. In that case, the two existing Korean Governments should be sure that they would be treated on an equal footing, and they themselves should forget their past recriminations. The representative of the Republic of Korea should use the opportunity given to him of making a statement in order to offer his hand to the North Koreans, thus abandoning a rigid attitude which could yield no fruitful results.

66. The Saudi Arabian draft resolution, while incorporating the essentials of the other drafts, was worded in such a way as to avoid the rigid positions of the past, in the hope of bringing about peace and harmony. He was ready to accept any suggestions for its improvement, since it was an attempt to prepare the ground for a felicitous solution to a thorny problem.

67. Mr. PRANDLER (Hungary) speaking in exercise of his right of reply, strongly protested against the use of the word "mockery". There was no mockery in a draft resolution which invited both parties to participate in the discussion. If the draft was adopted, the Committee would simply have to wait until the representatives were there. The real mockery was that certain persons who as yet had not even been invited were already present.

68. Mr. BAROODY (Saudi Arabia) said that the representative of Hungary had undoubtedly misunderstood his words, which had not been addressed to anyone in particular. He had simply meant that to issue the invitation so late was a mockery to both the North Koreans and the South Koreans. The Hungarian delegation, like others, should have striven to have the Korean question given priority over such matters as outer space or the inadmissibility of intervention in the domestic affairs of States. The Saudi Arabian proposal would at least be a stand in favour of conciliation, which would surely have to come.

resolution which the representative of Saudi Arabia had read out should be circulated before the debate continued, and suggested that the meeting be adjourned.

70. Mr. VISCAINO LEAL (Guatemala) said that, under rule 121 of the rules of procedure, proposals should normally be introduced in writing and circulated to all delegations not later than the day preceding meeting. In order not to lose time, he suggested that the debate should continue, and that those who wished also to discuss the Saudi Arabian proposal should be allowed to do so.

71. Mr. AJAVON (Togo), again referring to rule 121 of the rules of procedure, asked whether the text submitted by the representative of Saudi Arabia was a draft resolution, a motion as to procedure, or an amendment to another proposal. In his opinion, it could not be accepted if it was a draft resolution.

72. The CHAIRMAN replied that Saudi Arabia had in fact submitted a draft resolution. He considered, however, that the Committee was the master of its own procedure and could therefore decide at the appropriate time whether or not to vote on that draft.

73. Mr. SEATON (United Republic of Tanzania) said he hoped that priority in the voting would be given to draft resolution A/C.1/L.360, of which he was a sponsor, since no delegation had opposed his motion to that effect. He would also like to know whether the Chairman intended to close the list of speakers in the procedural debate.

74. Mr. SHAW (Australia) said that he was opposed to giving draft resolution A/C.1/L.360 priority.

75. The CHAIRMAN pointed out that the Committee had not yet considered the order of priority for the various draft resolutions submitted. Only a few speakers remained on the list.

76. Mr. CHAMMAS (Lebanon) formally moved the adjournment of the meeting under article 119 of the rules of procedure.

*The motion was adopted by 48 votes to 2, with 33 abstentions.*

*The meeting rose at 7.30 p.m.*