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President : Mr. Luis PADILLA NERVO (Mexico).

Tribute to the memory of Lord Perth

1. The PRESIDENT (*translated from Spanish*) : I feel sure that the General Assembly will wish to pay tribute to the memory of Lord Perth who died last Saturday, and to express its sympathy with the United Kingdom Government and Lord Perth's family in their great loss.

2. Lord Perth, or Sir Eric Drummond as he was then, was Secretary-General of the League of Nations from the time it was founded until 1933. Much of the initial success and prestige of the League was due to his untiring efforts, wisdom and commonsense. The United Nations was built up on the basis of the experience acquired in the League of Nations. Moreover, as our Secretary-General, Mr. Trygve Lie, has already stated, Lord Perth was the man who organized an international secretariat and raised it to a position of authority and prestige.

3. Lord Perth must therefore be regarded as one of the founders of the United Nations, and his memory will always be remembered and honoured by this Organization.

4. I therefore call upon Members of the General Assembly to rise and observe one minute's silence.

The representatives rose and observed one minute's silence.

5. Sir Gladwyn JEBB (United Kingdom) : As the representative of the United Kingdom, I feel that the General Assembly may wish me, very briefly, to associate myself with what the President has so eloquently said regarding the late Lord Perth whose death we are all mourning today.

6. Lord Perth, as our President so truly said, was largely responsible for the first effort to form the international community. The international secretariat which he founded was certainly an example for the future and its tradition has been worthily carried on by the present Secretary-General of the United Nations. Lord Perth himself was a perfect example, if I may say so, of a diplomat who shed his national character and became a genuinely international civil servant. As one who knew him well personally I can, indeed, vouch for his zeal and devotion to the international cause.

7. Therefore, as representative of the United Kingdom, I should like to express my great appreciation for the tribute which this great Assembly has just paid to his memory.

Election of three non-permanent members of the Security Council (concluded)

[Agenda item 13]

8. The PRESIDENT (*translated from Spanish*): The first item on today's agenda is the election of a non-permanent member of the Security Council.

9. The terms of office of Ecuador, India and Yugoslavia as non-permanent members of the Security Council expire on 31 December. As you know, the Assembly has so far elected Chile and Pakistan to replace the members I have just mentioned, but one non-permanent member has still to be elected.

10. A number of ballots were cast at the meetings held on 6 and 13 December [349th and 353rd meetings] for the election of this third non-permanent member. None of the States proposed received the necessary two-thirds majority of the votes cast by Members present and voting.

11. My colleagues will remember that, in accordance with the rules of procedure, there was a series of restricted ballots limited to Greece and the Byelorussian Soviet Socialist Republic, the States which had obtained the largest number of votes, and a series of unrestricted ballots. The two final ballots were restricted to Greece and the Byelorussian Soviet Socialist Republic.

12. Therefore, in accordance with the rules of procedure we shall now hold a new ballot limited to those two countries. If in the course of this final restricted ballot neither of the two countries receives the required majority, the General Assembly will then proceed to hold an unrestricted ballot.

A vote was taken by secret ballot.

At the invitation of the President, Mr. Bokhari (Pakistan) and Mr. Grafström (Sweden) acted as tellers.

<i>Number of ballot papers :</i>	58
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	58
<i>Abstentions :</i>	2
<i>Number of valid votes cast :</i>	56
<i>Required majority :</i>	38

Number of votes obtained :

Greece	36
Byelorussian Soviet Socialist Republic	20

13. The PRESIDENT (*translated from Spanish*): In accordance with the rules of procedure we now pass to the next ballot which must be an unrestricted ballot, that is to say, representatives may vote for any candidate they wish, with the exception of Chile and Pakistan, which have already been elected, and of the present members of the Security Council, which are not eligible, namely, Brazil, China, Ecuador, the United States of America, France, India, the Netherlands, the United Kingdom, Turkey, the Union of Soviet Socialist Republics and Yugoslavia.

A vote was taken by secret ballot.

<i>Number of ballot papers :</i>	59
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	59
<i>Abstentions :</i>	1
<i>Number of valid votes cast :</i>	58
<i>Required majority :</i>	39

Number of votes obtained :

Greece	35
Byelorussian Soviet Socialist Republic	20
Sweden	2
Burma	1

14. The PRESIDENT (*translated from Spanish*): We shall now pass to the second unrestricted ballot.

A vote was taken by secret ballot.

<i>Number of ballot papers :</i>	59
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	59
<i>Abstentions :</i>	1
<i>Number of valid votes cast :</i>	58
<i>Required majority :</i>	39

Number of votes obtained :

Greece	38
Byelorussian Soviet Socialist Republic	17
Sweden	2
Burma	1

15. The PRESIDENT (*translated from Spanish*): We shall now pass to the third unrestricted ballot.

A vote was taken by secret ballot.

<i>Number of ballot papers :</i>	59
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	59
<i>Abstentions :</i>	4
<i>Number of valid votes cast :</i>	55
<i>Required majority :</i>	37

Number of votes obtained :

Greece	39
Byelorussian Soviet Socialist Republic	16

Greece, having obtained the required two-thirds majority of the Members present and voting, was elected a non-permanent member of the Security Council.

Election of a member of the Trusteeship Council to fill the vacancy caused by the resignation of Argentina (A/2010)

16. The PRESIDENT (*translated from Spanish*): I call the attention of representatives to document A/2010, dated 18 December, which contains a communication from the Argentine delegation resigning in the name of its Government from the Trusteeship Council as from 1 January next.

17. Rule 139 of the rules of procedure states that "should a member cease to belong to a Council before its term of office expires, a by-election shall be held separately at the next session of the General Assembly to elect a member for the unexpired term". I therefore ask the General Assembly to agree to the inclusion of this item in the agenda of the General Assembly's sixth session without prior recommendation from the General Committee to the General Assembly, in order that we may proceed immediately with the required election, that is to say, without the required lapse of seven days following the date of the item's inclusion in the agenda as laid down in rule 15 of the rules of procedure. Unless there are objections, that procedure will be followed.

It was so decided.

18. The PRESIDENT (*translated from Spanish*): Before passing to the vote, I must remind representatives that the term of office of Argentina, which was elected under Article 86, paragraph 1 c, of the Charter as a non-administering member, will expire on 31 December 1952, and that the Member elected to replace Argentina will occupy that seat until that date.

19. All Members of the United Nations are eligible with the exception of the present members of the Trusteeship Council, which are : Australia, Belgium, the United States

of America, France, New Zealand, the United Kingdom, China, the Union of Soviet Socialist Republics, Argentina, Iraq, Dominican Republic and Thailand.

20. Representatives are requested to write one name on the ballot paper. Ballot papers with more than one name will be declared null and void.

A vote was taken by secret ballot.

At the invitation of the President, Mr. Bokhari (Pakistan) and Mr. Grafström (Sweden) acted as tellers.

Number of ballot papers:	59
Invalid ballots:	0
Number of valid ballots:	59
Abstentions:	4
Number of valid votes cast:	55
Required majority:	37

Number of votes obtained:

El Salvador	49
Liberia.....	5
Pakistan.....	1

El Salvador, having obtained the required two-thirds majority of the Members present and voting, was elected a member of the Trusteeship Council.

Consideration of the various items on the agenda of the meeting

21. The PRESIDENT (*translated from Spanish*): The third, fourth, fifth, sixth, seventh, eighth and ninth items on the agenda of this meeting [items 57, 63, 65, 40, 42, 44 and 41] are the reports of Committees on these items.

22. I have to consult the Assembly concerning the application of rule 67 of the rules of procedure which states :

“ Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the Members present and voting at the plenary meeting consider such a discussion to be necessary. Any proposal to this effect shall not be debated, but shall be immediately put to the vote.”

23. If there is no such proposal, I shall take it to be the wish of the Assembly to proceed directly to the vote, without prejudice to the right of representatives who so desire to explain their votes on each draft resolution, their explanations not to take up more than seven minutes.

It was so decided.

Relations with the World Meteorological Organization : report of the Joint Second and Third Committee (A/2005)

[Agenda item 57]

24. The PRESIDENT (*translated from Spanish*): The Assembly has before it the report of the Joint Second and Third Committee [A/2005]. The draft resolution unanimously adopted by the Committee, recommending the General Assembly to approve the agreement concluded between the Economic and Social Council and the World Meteorological Organization, is reproduced at the end of the report.

25. If there are no comments, I shall take it that the General Assembly approves the draft resolution.

The draft resolution was approved without comment.

Consideration of the Assembly's methods and procedures for dealing with legal and drafting questions : report of the Sixth Committee (A/2004/Rev.1)

[Agenda item 63]

26. Mr. ABDON (Iran), Rapporteur of the Sixth Committee (*translated from French*): Since the Sixth Committee's report is before the Members of the Assembly, there is no need for me to explain at length the reasons why the Committee is submitting the draft resolution which appears in the report. I would, however, point out that the question of the Assembly's methods and procedures for dealing with legal and drafting questions was brought before the Assembly on the proposal of the United Kingdom delegation. The delegation in question submitted two draft resolutions.

27. The first, which contained a number of paragraphs, provided that whenever the legal elements of any item on the agenda appeared to be of equal importance with the non-legal elements, such item, if not allocated exclusively to the Sixth Committee, should be dealt with by that Committee as far as the legal aspects were concerned, the final draft resolution being formulated at joint meetings of the Sixth Committee and the other Committee concerned. That draft resolution also contained provisions relating to non-legal questions having legal aspects or elements. Furthermore, it provided that any request to the International Court of Justice for an advisory opinion or any proposal to refer a question to the International Law Commission should be referred to the Sixth Committee, at least for a review of the drafting. The draft resolution also proposed that any regulation for adoption by the General Assembly, and the terms of reference, functions and powers of any bodies set up by the General Assembly should be either referred to the Sixth Committee or drafted by a body of experts. Under another paragraph a legal committee, consisting of representatives of eleven Member States, was to be set up by the General Assembly.

28. Under the second draft resolution a drafting committee was to be set up with instructions to co-ordinate and draft in legal terms any draft resolution originating in any of the General Assembly's Committees.

29. This question gave rise to a lengthy discussion in the Committee, and amendments were submitted by a number of delegations. During the debate a number of delegations, while congratulating the United Kingdom delegation on the idea, expressed doubts concerning the soundness of the methods proposed in the two draft resolutions it had submitted.

30. The United Kingdom delegation replied at length to the criticisms that were made regarding these two draft resolutions. Its main idea was that the method now used for allocating questions among the Committees was not free of serious defects and that the Sixth Committee, as the General Assembly's legal committee, might well study the legal aspects of the different questions.

31. In view of the complexity of the problem with which we were dealing, and since opinions were divided, the Committee finally adopted a draft resolution submitted by the Netherlands delegation and decided to appoint a fifteen-member special committee, consisting of one representative each of the following countries : Belgium, Canada, Chile, Czechoslovakia, Egypt, El Salvador, France, Indonesia, Iran, Israel, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Sweden and Venezuela, to meet at the Headquarters of the United Nations and study all

the documentation submitted to it by the Secretariat. The Committee is to consider the documents, draft resolutions and amendments submitted to the Sixth Committee, as well as the records of its debates, to study the problem further and to formulate recommendations to the seventh session of the General Assembly. Lastly, the Sixth Committee proposes that the Secretary-General should be requested to carry out appropriate studies, and collaborate closely with the Special Committee and submit to it, as he may consider appropriate, proposals for the handling of the problems dealt with by this resolution.

32. The draft resolution was adopted by the Sixth Committee by 46 votes to 6, with 3 abstentions. In drawing up the draft resolution, we endeavoured to reflect the ideas of the majority; for the majority felt that account must be taken of the idea underlying the United Kingdom delegation's draft resolution, that the legal aspects of questions submitted to the United Nations General Assembly ought to be considered and studied by the Sixth Committee. However, it was felt that the matter was so complex that further study was required and accordingly it was decided, as I have just mentioned, to refer the question to a fifteen-member special committee.

33. The PRESIDENT (*translated from Spanish*): I shall now put to the vote the draft resolution contained in the report of the Sixth Committee [A/2004/Rev.I].

The draft resolution was adopted by 50 votes to none, with 5 abstentions.

Appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas: reports of the *Ad Hoc* Political Committee (A/2020) and the Fifth Committee (A/2021)

[Agenda item 65]

34. Mr. SEVILLA SACASA, Rapporteur of the *Ad Hoc* Political Committee (*translated from Spanish*): As Rapporteur of the *Ad Hoc* Political Committee, I have the honour to present the report on item 65 of the agenda of the sixth session of the General Assembly: appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas.

35. As you know the item was proposed for the consideration of the General Assembly by the Governments of France, the United Kingdom and the United States of America following a proposal made by the German Federal Chancellor, Dr. Adenauer, in his letter of 4 October 1951 to the Chairman of the Allied High Commission in Germany, Sir Ivone Kirkpatrick.

36. In his letter Dr. Adenauer said:

"The Federal Government feels obliged to do all in its power to make sure that the prerequisites for the holding of all-German elections, proposed by it are, in fact, established. Before the eyes of the whole world this can only be done by a neutral international commission—under United Nations supervision—carrying out investigations

in the Soviet Zone and in the Federal Republic to establish to what extent prevailing circumstances allow the holding of free elections. The Federal Government requests that such an international investigation be carried out immediately for the territory of the Federal Republic and would ask the Governments represented in the Allied High Commission to propose the establishment of such a commission to the United Nations as soon as possible."

37. In his reply of 15 October 1951, informing the Chancellor of the acceptance of the proposal by the Governments of France, the United Kingdom and the United States of America, the Chairman of the Allied High Commission wrote:

"The three Governments warmly welcome the constructive initiative which you have taken in making the proposal for a United Nations commission to investigate the extent to which prevailing circumstances allow the holding of free elections in the Federal Republic and in the Soviet Zone of Germany. They have not failed to note the desire of the Federal Government that such an enquiry take place immediately in its territory."

38. In the explanatory memorandum which the three Governments communicated with their identic notes of 5 November 1951 to the Secretary-General, requesting that the item should be placed on the agenda of the General Assembly, they said that since 1945 they had consistently maintained and that they continued to maintain that Germany should be reunified as soon as that could be brought about on democratic lines which would ensure the re-establishment of a free Germany able to play her part in the peaceful association of free European nations.

39. On 13 November, the General Assembly decided to include the item in its agenda and referred it for consideration and report to the *Ad Hoc* Political Committee which considered it at twelve consecutive meetings between 4 and 19 December 1951.

40. After the opening of the discussion on the joint draft resolution submitted by France, the United Kingdom and the United States, the representative of Pakistan submitted a draft resolution proposing that the *Ad Hoc* Political Committee should invite official representatives of the western and eastern Zones of Germany and of the sectors of Berlin to make statements before the Committee. The Pakistan proposal was adopted by 50 votes to 6, with 1 abstention. The invitations were sent by the Secretary-General and the Committee was enabled to hear full statements by Dr. Heinrich von Brentano, on behalf of the western Zone of Germany, by Professor Ernst Reuter, on behalf of the western sector of Berlin, by Dr. Luther Bolz, on behalf of the eastern Zone of Germany, and by Mr. Friedrich Ebert, on behalf of the eastern sector of Berlin.

41. After the general debate was resumed, the representative of Sweden, at the meeting held on 14 December, submitted the draft resolution which is described in the text of the report that has been distributed. The Swedish representative subsequently withdrew his draft resolution when the joint draft resolution was approved in its revised form.

42. The amendments submitted are analysed in the report which is before you for consideration and approval. The proposals submitted jointly by the delegations of Bolivia, Brazil, Colombia, Cuba and Uruguay, in their revised form, and the proposals submitted jointly by the delegations of Canada, Denmark, Iceland, the Netherlands and Norway were accepted by the representative of the United Kingdom at the meeting held on 17 December, on behalf of the

representative of the three Governments sponsoring the draft resolution.

43. In the case of the amendments submitted by the delegation of Lebanon, the three Powers accepted the part directing the proposed commission to submit its findings to the Secretary-General not later than 1 September 1952 for communication to the four occupying Powers in Germany for their consideration and to other Members of the United Nations for information.

44. The representative of Lebanon subsequently withdrew his other amendments.

45. The representative of the United States pointed out in the Committee that the fourth Lebanese amendment had been embodied in the revised text of the joint draft resolution, with some drafting changes, and that the idea underlying the first Lebanese amendment, which proposed that the joint draft resolution should make reference to the statements before the Committee by the representatives of western and eastern Germany and Berlin, had also been included.

46. At the meeting of 19 December, the three-Power joint draft resolution, as modified by the amendments accepted by its sponsors, was put to the vote and approved by 45 votes to 6, with 8 abstentions.

47. During the discussion in the *Ad Hoc* Political Committee, every effort was made to get down to the root of the matter and to ascertain the views of all delegations, in view of the importance of this issue to peace and stability in Europe and in the world as a whole. As was to be expected, differing views were expressed during the debate regarding the desirability of setting up a United Nations commission to carry out such an investigation with a view to facilitating the holding of general elections which might culminate in the reunification of Germany.

48. It was the firm opinion of the great majority that it is an essential and legitimate responsibility of the United Nations to carry out the functions set forth in the commission's terms of reference which are explicitly stated in the draft resolution as approved by the *Ad Hoc* Political Committee.

49. It was also the majority view as stated in the Committee that the various proposals previously exchanged by the occupying Powers had not led to free elections throughout the territory or to the reunification of Germany and that there was nothing in the Charter to prevent the appointment of the commission as requested by the Federal Government in Bonn.

50. Some representatives, the minority, strongly objected to the appointment of the commission on the grounds that: first, it constitutes interference in the domestic affairs of the German people, in violation of Article 2, paragraph 7, of the Charter; and secondly, that it also involves a violation of Article 107 of the Charter which in their opinion reserves to the four occupying Powers the right of decision with regard to the affairs of Germany, as an enemy State during the Second World War.

51. All the representatives who supported the joint draft resolution completely rejected these objections. In their view there is no violation of the Charter since the United Nations is not intervening in the domestic affairs of Germany nor will it try to impose its will against the judgment of the authorities in the two Zones; they further considered that, so far as Article 107 of the Charter is concerned, it was clearly established that its provisions and scope were not prohibitive but permissive. It was also pointed out that that interpretation was fully corroborated by the

authoritative opinion of recognized contemporary writers on international law.

52. In conclusion may I express the hope that the United Nations commission which the draft resolution approved by the *Ad Hoc* Political Committee proposed to appoint will be able to carry out its great work with the co-operation of the authorities of both Zones of Germany, that the result of its work may mark the beginning of a new era for the German people, and that we may be able soon to witness the rebirth of a peaceful and unified German State and its return, which we all fervently desire, to the universal family of nations.

53. The PRESIDENT (*translated from Spanish*): In accordance with rule 152 of the rules of procedure, the Assembly has before it the report of the Fifth Committee [A/2021] regarding the financial implications of the draft resolution proposed by the *Ad Hoc* Political Committee.

54. We shall proceed to vote on the draft resolution proposed by the *Ad Hoc* Political Committee, to which the Rapporteur has referred and the text of which is contained in paragraph 26 of the Committee's report [A/2020]. Explanations of votes will have to be limited to seven minutes.

55. Mr. Y. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): The USSR delegation opposed the inclusion in the General Assembly's agenda of the question of the establishment of a United Nations commission for Germany, on the ground that it is not within the competence of the United Nations to deal with matters relating to Germany and to the post-war peace settlement. The United Nations is not authorized or competent to deal with questions of post-war settlement or with matters within the domestic jurisdiction of any State or people.

56. During the discussion in the *Ad Hoc* Political Committee a number of representatives expressed the view that to deal with this matter in the General Assembly could not be considered as interfering in the internal affairs of Germany, since the matter had been raised at the request of Dr. Adenauer, the head of the Bonn Government.

57. Arguing along these lines, the sponsors of the draft resolution now before us, and their supporters, did everything possible to prove they were right. They forgot, or pretended to forget, the discussion on Article 107 of the Charter at the San Francisco Conference. On that occasion Article 107 was interpreted in a much broader sense than that which the representatives of the United States and the representatives of the Governments which follow in the wake of Washington policy are now attempting arbitrarily to give it. Suffice it to recall that no other person than the United States representative in Committee 3 of Commission III, which was responsible at San Francisco for the preparation of the draft Article 107 of the Charter, proposed that the following words should be included in the Commission's report as a recommendation:

"It is understood that the enemy States in this war shall not have the right of recourse to the Security Council or the General Assembly before the Security Council grants them this right"

Representatives will find these words on page 560, of Volume XII of the *Documents of the United Nations Conference on International Organization*, San Francisco, 1945. The United States representative's proposal was unanimously adopted and approved by the San Francisco Conference when it accepted the report of Commission III. That is how the United States interpreted Article 107 at that time; and that is how Article 107 is now being violated.

58. These unchallengeable facts show that to cite a so-called request by the Bonn Government can in no way justify consideration of the German question by the United Nations or the adoption of any decision on that question, since such action would be contrary to Article 107 of the Charter.

59. A further reason why the United Nations is not competent to deal with this matter is that to do so would constitute a direct violation of the Postdam Agreement, which laid down a precise and clearly defined form of procedure for the consideration of all matters relating to Germany in the Council of Foreign Ministers, an organ specially set up for that purpose.

60. The question of all-German elections is a domestic matter for the German people, the people of a country which can in no way be considered in the light of an uncivilized and backward colony. The proposal to establish a United Nations commission for Germany is thus an insult to the German people, which is thereby subjected to the same conditions normally applied to backward countries like Tunis or Morocco. The action of the Governments of the United States, the United Kingdom and France and their satellite Bonn Government in raising this matter at the General Assembly in no way furthers the interests of the German people or the maintenance of international peace and security.

61. If the Bonn Government did in fact desire the unification of Germany and the holding of all-German elections, it would not have failed to accept the German Democratic Republic's proposal for such elections, which provided for the establishment of a commission composed of Germans to investigate the conditions necessary for the conduct of free elections in Germany. In addition, the Government of the German Democratic Republic proposed that the electoral law should be based on the electoral law enacted by the Weimar Constitution of 1924.

62. All these facts show beyond a shadow of doubt which side is really in favour of free elections in Germany and is proposing practical measures to secure such elections, and which is merely indulging in talk about "free elections" while at the same time taking action to prevent them. Only this can explain the raising of this question at the General Assembly.

63. The Bonn Government, acting at the dictate of Washington, is trying to deepen the division of Germany. That entirely suits the policy of the United States, but not the interests of the German people.

64. Only two days ago Mr. McCloy, the United States High Commissioner in Germany, said that the division of Germany was a stimulus to the integration of western Germany in the European community. For "European community" read the "Atlantic bloc"; and the purpose of such "integration" in the Atlantic bloc is to transform western Germany into a colony of the United States monopolists, a war base directed against the USSR and the peoples' democracies and a supplier of cannon-fodder for the United States command in Europe.

65. The USSR Government supports the proposals made by the German democratic forces for the preparation and conduct, by the Germans themselves, of all-German elections to a national assembly, with a view to the creation of a unified, independent, democratic and peace-loving German State and for the elaboration, at an all-German conference, of measures to accelerate the conclusion of a peace treaty with Germany, to be followed by the withdrawal of all occupation forces from Germany.

66. The USSR Government considers that the establishment of such a German State will prove a solid bulwark of peace in Europe and throughout the world.

67. For these reasons the USSR delegation will vote against the draft resolution which calls for the establishment of a United Nations commission for Germany—an insult to the German people.

68. Mr. BIRECKI (Poland) (*translated from French*): The Polish delegation will vote against the draft resolution submitted by the delegations of the United States, the United Kingdom and France, relating to the appointment of a commission to carry out an investigation in order to determine whether existing conditions in Germany make it possible to hold general elections.

69. The Polish delegation will vote against this draft resolution because it is incompatible with the Charter of the United Nations. Elections in Germany are not a question within the competence of the United Nations, as was made quite clear during the discussions in the *Ad Hoc* Political Committee. The terms of Article 107 of the Charter, on which the Polish and other delegations rely, are so clear that there is no room for doubt. The Article excludes from the competence of the United Nations any question connected with the settlement of matters arising out of the war with the former enemy countries.

70. The Polish delegation will vote against the three-Power draft resolution because its real purpose is to maintain the division of Germany. The continued division of Germany is the result of the policy of the Governments of the United States, the United Kingdom and France. It is the result of the policy which aims at incorporating Germany within the group of signatories of the North Atlantic pact of aggression. The Government of the United States has assigned western Germany the part of principal centre of aggression in Europe, to furnish the group of conspirators in the North Atlantic aggression pact an army of mercenaries, even a new *Wehrmacht* commanded by generals thirsting for revenge. This centre of aggression is also to supply arms manufactured in the Ruhr.

71. The Polish delegation will vote against the three-Power draft resolution because it believes that the unification of Germany is being prevented by the intrigues and machinations of the three great Western Powers, and by the so-called "government" of Bonn which is under their orders.

72. The unification of Germany would be in the interest of the peaceful development of the German people, of all Germany's neighbours in eastern and western Europe, and of European peace and security generally. The Germans could definitely soon reach agreement among themselves on the question of general elections. The Deputy Prime Minister of the People's Chamber of the German Democratic Republic, Dr. Bolz, told us during the discussion in the *Ad Hoc* Political Committee of the perseverance with which the German Democratic Republic has been pressing for general elections on a democratic basis throughout Germany, in spite of the constant opposition of the so-called "government" of Bonn. In addition, there are many people and political and social organizations in western Germany demanding the organization of general elections throughout Germany and its early unification. The chief obstacle to holding these general elections is the attitude of Mr. Adenauer, faithful servant of the will of his American masters.

73. The Polish delegation will vote against the three-Power draft resolution because the sole intent of its sponsors is to facilitate Mr. Adenauer's task, to help him in his fight

against the democratic forces of the German people, the fight against those Germans who sincerely desire general elections throughout Germany. The authors of the draft resolution wish to help Mr. Adenauer in his fight against all the forces in western Germany which are opposed to the resurrection of the Hitler *Wehrmacht*.

74. The Polish delegation will vote against the three-Power draft resolution because it is a manoeuvre to enable the Government of the United States to continue its policy of dividing Germany under cover of the United Nations.

75. The three-Power draft resolution is therefore illegal, harmful to the authority of the United Nations, and contrary to the interests of the German people, the interests of Germany's neighbours and the interests of European peace and security.

76. Poland has no intention of participating in the work of the commission provided for in the illegal three-Power draft resolution.

77. Mr. HRSEL (Czechoslovakia) (*translated from Russian*): The Czechoslovak delegation will vote against the establishment of the so-called United Nations commission for Germany, which, it is said, would investigate whether existing conditions in the two parts of Germany, at present still separated from one another, make it possible to hold free all-German elections.

78. The opposition of the Czechoslovak delegation to this proposal is based primarily on the fact that the very inclusion of this item in the United Nations agenda is in itself illegal since, according to Article 107 of the Charter, questions relating to peaceful settlement in the post-war world fall within the competence not of the United Nations, but, wholly and entirely, of the Powers concerned. It is thus clear that any organ established by the United Nations to investigate the German problem will be illegal, and that both its existence and any activities it may undertake must necessarily be regarded purely and simply as interference in the domestic affairs of the German people, and as yet another flagrant violation of the United Nations Charter.

79. The inclusion of the German question on the agenda of the United Nations was motivated by aims quite different from those adduced in the three-Power draft resolution, which talks of establishing whether there exist in both parts of Germany conditions for the holding of free and democratic elections. If the Governments which are recommending the establishment of the commission were really interested in holding free and democratic elections in Germany, they need do one thing only: observe the Potsdam Agreement and not obstruct the endeavours of the German people, led by the German Democratic Republic whose Government has put forward practical proposals for the holding of a single free and democratic election throughout the whole of Germany.

80. It was clear from the debate in the *Ad Hoc* Political Committee that western Germany has not only been remilitarized and re-nazified but also is about to become a member of the aggressive Atlantic pact, one which in the near future is intended to serve as the main military base and stronghold for the western Powers. This fact was not refuted by any representative of the three western Powers. Is this in accordance with the peaceful aims of the Charter, or with the post-war agreements concluded by the great Powers, which bear the main responsibility for the maintenance and defence of world peace? What did the debates show? They showed that the establishment of this commission is to be used as a pretext for thwarting the progressive and

genuinely democratic forces of the new Germany. This commission is to be similar to the Korean commission which, by its existence and its activities, brought death to hundreds of thousands of human beings, caused untold suffering and misery to millions of Koreans and darkened the world with the threat of a new world war.

81. The Czechoslovak delegation defends, as always, the provisions of the United Nations Charter and the Potsdam Agreement. The Czechoslovak people stands firmly on the side of the defenders of peace, and is throwing all its strength into the fight against the instigators of a new world war. The Czechoslovak delegation will therefore vote against the establishment of the proposed commission, which would be entirely illegal and would constitute a flagrant violation of the Charter of the United Nations.

82. Mr. AL GHOSSEIN (Yemen): I wish to restate very briefly the position of my delegation regarding this question. My delegation has listened with great attention to the representatives of western and eastern Germany as well as to all the representatives who spoke in the *Ad Hoc* Political Committee. We have come to the conclusion that while both parties are desirous of achieving unity the representatives of eastern Germany believe that the formation of such a commission would interfere with the national affairs of Germany. While my delegation hopes that such a unity will be attained in the near future we cannot but stand for the principle of non-intervention, regardless of place or time. In the light of this principle my delegation will abstain from voting.

83. The PRESIDENT (*translated from Spanish*): A vote will now be taken on the draft resolution submitted by the *Ad Hoc* Political Committee. The representative of Pakistan has asked for a roll-call vote.

A vote was taken by roll-call.

Guatemala, having been drawn by lot by the President, voted first.

In favour: Guatemala, Haiti, Honduras, Iceland, Iran, Iraq, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece.

Against: Israel, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Czechoslovakia.

Abstaining: India, Indonesia, Sweden, Yemen, Yugoslavia, Afghanistan, Argentina, Burma.

The draft resolution was adopted by 45 votes to 6, with 8 abstentions.

84. The PRESIDENT (*translated from Spanish*): I give the floor to the representative of Israel who wishes to explain his vote.

85. Mr. SHARETT (Israel): The attitude of the delegation of Israel on the subject matter of the resolution which has just been adopted, and on the context in which the problem was raised, has been given adequate expression in the Assembly and in the *Ad Hoc* Political Committee and it is not now my purpose to detain the Assembly by any further comment on the merits of the issue. I should merely like in the first instance to take this opportunity of expressing appreciation of the understanding which many representatives in the *Ad Hoc* Political Committee have

shown for the point of view which we felt impelled consistently to urge. In particular, I should like to stress the importance of the statement which we heard in the *Ad Hoc* Political Committee from the representative of the United States on behalf of the sponsors of the draft resolution to the effect that the question of the elimination of nazi influences from the counsels of post-war Germany should engage the attention of the commission of inquiry.

86. Since, however, this basic aspect of the problem of post-war Germany has received no expression in the Commission's terms of reference included in the resolution just passed, nor have the dangers inherent in the resurgence of Germany as a Power, to which we drew the attention of the Assembly, been in any way reflected in its wording—I mean the danger of the non-liquidation of the past constituting such a grave menace for the future—we found ourselves compelled to maintain our position by voting against the draft resolution.

Supplementary estimates for 1951: report of the Fifth Committee (A/2018)

[Agenda item 40]

87. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): The General Assembly has before it for approval the supplementary estimates for 1951 aggregating \$1,126,900. In approving these estimates the General Assembly would be approving all additional 1951 expenditures, totalling \$2,660,000.

88. The considerable difference between the supplementary appropriation requested for 1951 and the actual additional expenditures arises from the fact that a part of the additional expenditures was met from funds appropriated for holding the sixth session of the General Assembly in Paris and not actually expended in 1951, totalling \$767,000.

89. This budgetary operation will result in a request to the General Assembly for a second appropriation in the 1952 budget of the same \$767,000 for holding the sixth session of the General Assembly in Paris, although that sum had already been appropriated in the 1951 budget. The remainder of the supplementary expenditures for 1951, totalling \$765,000, have been met from unexpended funds under various heads of the 1951 budget.

90. Consequently, in approving the supplementary estimates for 1951, the General Assembly would be increasing the aggregate appropriation for 1951 to \$50,458,000.

91. The supplementary estimates contain a number of appropriations for activities objectionable to the USSR delegation. Thus the estimates provide for funds for the provision of distinguishing ribbons and other insignia for personnel of the so-called United Nations armed forces in Korea. The USSR delegation objects to this measure essentially because it is being executed in breach of the

United Nations Charter and shows that the United Nations is being used as a tool of United States policy.

92. The supplementary estimates also provide for compensating United Nations employees for national taxes paid by them amounting to \$1,391,000. The USSR delegation is of the opinion that the United Nations should not bear such expenditure, because it results in the payment of taxes by some Members of the United Nations to those other Members of the Organization which have not exempted their nationals from the payment of national taxes. Since this item involves the payment of taxes received by the United States Treasury Department from United States citizens employed by the United Nations, a situation is created in which all Members of the United Nations become United States taxpayers. The reimbursement of national taxes to United States citizens employed by the United Nations literally means taxation of the entire Organization for the benefit of the United States, which has still not exempted its citizens working for the United Nations from the payment of taxes. The delegation of the Soviet Union cannot agree to such a situation.

93. Moreover, the supplementary estimates for 1951 increase considerably the aggregate appropriations for that year, which would in fact exceed \$50,000,000.

94. The USSR delegation considers that there is no justification for such a large increase in the United Nations 1951 budget. Such an increase is evidence of uneconomic expenditure of United Nations funds.

95. For these reasons the delegation of the Soviet Union will vote against the supplementary estimates for 1951.

96. The PRESIDENT (*translated from Spanish*): I shall put to the vote the draft resolution which appears in the report of the Fifth Committee (A/2018).

The draft resolution was adopted by 49 votes to 5, with 1 abstention.

Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly: (a) Advisory Committee on Administrative and Budgetary Questions; (b) Committee on Contributions; (c) Board of Auditors; (d) Investments Committee, confirmation of the appointment made by the Secretary-General; (e) United Nations Administrative Tribunal; (f) United Nations Staff Pension Committee: reports of the Fifth Committee (A/2012, A/2013, A/2014, A/2015, A/2016 and A/2017)

[Agenda item 40]

The draft resolutions submitted by the Fifth Committee were adopted without discussion.

The meeting rose at 5.30 p.m.