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United States Department of State

Washington, D.C.: U.S. Government Printing Office, 1952/1954

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Foreign  
Relations  
of the  
United  
States



1952-1954

Volume III

UNITED NATIONS  
AFFAIRS

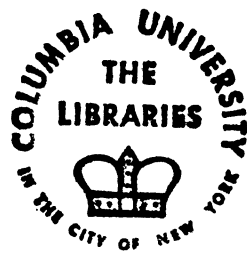


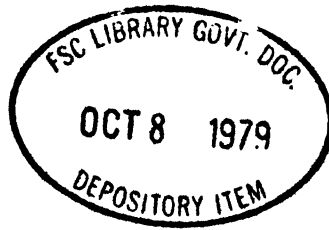
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**Foreign Relations of the United States, 1952–1954, Volume III**

**ERRATA**

On p. 156, line 6 (ctr), replace “INTE NATIONAL SECRETARIATS”  
with:

INTERNATIONAL SECRETARIATS

On p. 395, footnote 1, replace “pounched to Geneva.” with:  
pouched to Geneva.

On p. 505, dateline September 23, line 5, replace “(Mexcio),” with:  
(Mexico),

On p. 991, footnote 2, replace “volume XV” with:  
volume XVI.

On p. 1103, footnote 2, replace “volume II.” with:  
volume I.

On p. 1197, footnote 4, line 19, replace “of Indigneous” with:  
of Indigenous

On p. 1204, line 5, replace “Commitee on Information” with:  
Committee on Information

On p. 1258, dateline September 30, 2d column, line 8, replace “Mr.  
Haydon Raynor” with:

Mr. Hayden Raynor

On p. 1444, footnote 1, last line, replace “Martinque,” with:  
Martinique,

On p. 1550, footnote 4, line 5, replace “Human Rights” with:  
“Human Rights

On p. 1577, footnote 2, line 1, replace “telegrams 659,” with:  
telegram 659,

On p. 1586, Index, replace “Arutiunian (Arutyunyan), Amozaps A.,”  
with:

Arutiunian (Arutyunyan), Amazasp A.,



Foreign Relations  
of the  
United States  
1952-1954

Volume III

United Nations  
Affairs



*Editor in Chief*  
William Z. Slany

*Editor*  
Ralph R. Goodwin

United States  
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## PREFACE

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Fredrick Aandahl supervised the initial planning of this volume. William Z. Slany succeeded him as editor in 1975 and directed the process of compilation, review, and editing with the assistance of Ralph R. Goodwin and N. Stephen Kane.

Mr. Goodwin prepared all of the documentation for this volume. Supplementary documentation relating to certain problems arising under the United States-United Nations Headquarters Agreement was prepared and incorporated into the volume by Thomas E. Donilon. David H. Stauffer arranged for declassification of the documents, and Ruth M. Worthing and Evans Gerakas provided editorial and technical assistance.

The editors acknowledge with appreciation the assistance provided them by the staffs of the Dwight D. Eisenhower Library and the United States Mission to the United Nations which helped in locating various documents and facilitated their declassification and publication. Thanks are also due to those foreign governments that kindly granted permission for publication of certain of their documents in this volume.

The technical editing of this volume was the responsibility of the Publishing and Reproduction Division (Paul M. Washington, Chief). The Index was prepared by Francis C. Prescott.

DAVID F. TRASK  
*The Historian*  
*Bureau of Public Affairs*

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### PRINCIPLES FOR THE COMPILATION AND EDITING OF "FOREIGN RELATIONS"

The principles which guide the compilation and editing of *Foreign Relations* are stated in Department of State Regulation 2 FAM 1350 of June 15, 1961, a revision of the order approved on March 26, 1925, by Mr. Frank B. Kellogg, then Secretary of State. The text of the regulation, as further amended, is printed below:

1350 DOCUMENTARY RECORD OF AMERICAN DIPLOMACY

1351 *Scope of Documentation*

The publication *Foreign Relations of the United States* constitutes the official record of the foreign policy of the United States. These

volumes include, subject to necessary security considerations, all documents needed to give a comprehensive record of the major foreign policy decisions within the range of the Department of State's responsibilities, together with appropriate materials concerning the facts which contributed to the formulation of policies. When further material is needed to supplement the documentation in the Department's files for a proper understanding of the relevant policies of the United States, such papers should be obtained from other Government agencies.

#### 1352 *Editorial Preparation*

The basic documentary diplomatic record to be printed in *Foreign Relations of the United States* is edited by the Historical Office, Bureau of Public Affairs of the Department of State. The editing of the record is guided by the principles of historical objectivity. There may be no alteration of the text, no deletions without indicating where in the text the deletion is made, and no omission of facts which were of major importance in reaching a decision. Nothing may be omitted for the purpose of concealing or glossing over what might be regarded by some as a defect of policy. However, certain omissions of documents are permissible for the following reasons:

- a. To avoid publication of matters which would tend to impede current diplomatic negotiations or other business.
- b. To condense the record and avoid repetition of needless details.
- c. To preserve the confidence reposed in the Department by individuals and by foreign governments.
- d. To avoid giving needless offense to other nationalities or individuals.
- e. To eliminate personal opinions presented in despatches and not acted upon by the Department. To this consideration there is one qualification—in connection with major decisions it is desirable, where possible, to show the alternatives presented to the Department before the decision was made.

#### 1353 *Clearance*

To obtain appropriate clearances of material to be published in *Foreign Relations of the United States*, the Historical Office:

- a. Refers to the appropriate policy offices of the Department and of other agencies of the Government such papers as appear to require policy clearance.
- b. Refers to the appropriate foreign governments requests for permission to print as part of the diplomatic correspondence of the United States those previously unpublished documents which were originated by the foreign governments.

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## LIST OF ABBREVIATIONS AND SYMBOLS

EDITOR'S NOTE.—This list does not include standard abbreviations in common usage; unusual abbreviations of rare occurrence which are clarified at appropriate points; and those abbreviations and contractions which, although uncommon, are understandable from the context.

- AEC**, Atomic Energy Commission  
**AF**, Office of African Affairs, Department of State; African  
**Amb**, Ambassador  
**ANZUS**, Australia, New Zealand, United States  
**AP**, Associated Press  
**ARA**, Bureau of Inter-American Affairs, Department of State  
**AS**, Associated States  
**ASAF**, Asian-African  
**BBC**, British Broadcasting Corporation  
**BNA**, Office of British Commonwealth and Northern European Affairs, Department of State  
**CAA**, Civil Aeronautics Administration  
**C.F.R.**, Code of Federal Regulations  
**CHI**, Chinese  
**CMC**, Collective Measures Committee, United Nations  
**Commies**, Communists  
**CON**, Office of Security and Consular Affairs, Department of State  
**Cong**, Congress; Congressional  
**CPG**, Central People's Government (People's Republic of China)  
**Del**, Delegate; Delegation  
**Delga**, series indicator for telegrams from the United States Delegation at the United Nations General Assembly; *also used* to refer to United States Delegation at the United Nations General Assembly  
**Depciragram**, Department of State circular airgram  
**Depcirtel**, Department of State circular telegram  
**Dept**, Department (usually the Department of State)  
**Deptel**, Department of State telegram  
**DOTS**, Dependent Overseas Territories  
**ECA**, Economic Cooperation Administration  
**ECAFE**, Economic Commission for Asia and the Far East  
**ECLA**, Economic Commission for Latin America, United Nations  
**ECOSOC**, Economic and Social Council, United Nations  
**ED**, Investment and Economic Development Staff, Department of State  
**EDC**, European Defense Community  
**Embtel**, Embassy telegram  
**EUR**, Bureau of European Affairs, Department of State  
**FAO**, Food and Agriculture Organization, United Nations  
**FBI**, Federal Bureau of Investigation, Department of Justice  
**FE**, Bureau of Far Eastern Affairs, Department of State; Far East; Far Eastern  
**FE/P**, Public Affairs Adviser, Bureau of Far Eastern Affairs, Department of State  
**FEA**, Foreign Economic Administration  
**FIDES**, *Fonds d'investissement pour le développement économique et sociale*  
**FonOff**, Foreign Office  
**ForMin**, Foreign Minister  
**F.R.**, *Federal Register*  
**FYI**, for your information  
**G**, Office of the Deputy Under Secretary of State  
**GA**, General Assembly of the United Nations

- GADel**, series indicator for telegrams to the United States Delegation at the United Nations General Assembly; *also used* to refer to United States Delegation at the United Nations General Assembly
- GATT**, General Agreement on Tariffs and Trade
- GC**, General Committee of the General Assembly of the United Nations
- GER**, Bureau (from 1953, Office) of German Affairs, Department of State
- GOI**, Government of India
- GPA**, Office of German Political Affairs, Department of State
- H-bomb**, hydrogen bomb
- HEW**, Department of Health, Education, and Welfare
- HICOMER**, High Commissioner
- HMG**, Her(His) Majesty's Government
- IA-ECOSOC**, Inter-American Economic and Social Council
- IBRD**, International Bank for Reconstruction and Development
- ICAO**, International Civil Aviation Organization
- ICEM**, Intergovernmental Committee for European Migrants
- ICIS**, Interdepartmental Committee on Internal Security
- ICJ**, International Court of Justice
- ILO**, International Labor Organization
- IMF**, International Monetary Fund
- IO**, Bureau of International Organization Affairs, Department of State
- ITO**, International Trade Organization
- ITU**, International Telecommunication Union
- L**, Office of the Legal Adviser, Department of State
- L/UNA**, Office of the Assistant Legal Adviser for United Nations Affairs, Department of State
- LAs**, Latin Americans
- LADels**, Latin American Delegations
- MEA**, Ministry of External Affairs of India
- MEC**, Middle East Command
- MEDO**, Middle East Defense Organization
- MP**, Member of Parliament
- MSA**, Mutual Security (Act, Agency, or Assistance)
- MSP**, Mutual Security Program
- NA**, Office of Northeast Asian Affairs, Department of State
- NA/J**, Office of Northeast Asian Affairs (Japan), Department of State
- NATO**, North Atlantic Treaty Organization
- NEA**, Bureau of Near Eastern, South Asian and African Affairs, Department of State
- NGOs**, nongovernmental organizations
- niact**, night action, communications indicator requiring attention by the recipient at any hour of the day or night
- NIE**, National Intelligence Estimate
- NSC**, National Security Council
- NSGT**, Non-Self-Governing Territories
- NZ**, New Zealand
- OAS**, Organization of American States
- OCB**, Operations Coordinating Board
- ODA**, Office of Dependent Area Affairs, Bureau of International Organization Affairs, Department of State
- OEEC**, Organization for European Economic Cooperation
- OIR**, Office of Intelligence Research, Department of State
- OSA**, Office of South American Affairs, Department of State
- PA**, Bureau of Public Affairs, Department of State
- P.L.**, Public Law
- PMs**, Prime Ministers
- POWs**, prisoners of war
- PRC**, People's Republic of China
- PSA**, Office of Philippine and Southeast Asian Affairs, Bureau of Far Eastern Affairs, Department of State
- RA**, Office of European Regional Affairs, Bureau of European Affairs, Department of State
- RAC**, Executive Committee on Regulation of Armaments
- refagram**, reference airgram
- ROK**, Republic of Korea

- S/MSA**, Office of the Special Assistant to the Secretary of State for Mutual Security Affairs
- S/P**, Policy Planning Staff, Department of State
- S/S**, Executive Secretariat, Department of State
- S/S-PR**, Protocol Staff, Executive Secretariat, Department of State
- S/S-S**, Committee Secretariat Staff, Executive Secretariat, Department of State
- SC**, Security Council of the United Nations
- SE**, Southeast
- SEA**, Southeast Asia
- SEATO**, Southeast Asia Treaty Organization
- S.J.Res.**, Senate Joint Resolution
- SOA**, Office of South Asian Affairs, Department of State
- Sov**, Soviet
- S. Res.**, Senate Resolution
- SUNFED**, Special United Nations Fund for Economic Development
- SYG**, Secretary-General
- SYG UN**, Secretary-General of the United Nations
- TASS**, Telegraph Agency of the Soviet Union
- TC**, Trusteeship Council of the United Nations
- TCA**, Technical Cooperation Administration, Department of State
- TIAS**, Treaties and Other International Acts Series
- TTPI**, Trust Territory of Pacific Islands
- UK**, United Kingdom
- UKDel**, United Kingdom Delegation
- UKEmb**, United Kingdom Embassy
- UKUN**, United Kingdom Mission at the United Nations
- UN**, United Nations
- UNA**, Bureau of United Nations Affairs, Department of State
- UNA/P**, United Nations Planning Staff, Department of State
- UNCI**, United Nations Commission for Indonesia
- UNCURK**, United Nations Commission for the Unification and Rehabilitation of Korea
- UND**, Office of Dependent Area Affairs, Department of State
- UNE**, Office of United Nations Economic and Social Affairs, Department of State
- UNESCO**, United Nations Educational, Scientific and Cultural Organization
- UNGA**, United Nations General Assembly
- UNI**, Division of International Administration, Department of State
- UNICEF**, United Nations International Children's Emergency Fund
- UNKRA**, United Nations Korean Reconstruction Agency
- UNP**, Office of United Nations Political and Security Affairs, Department of State
- UNRWAP (UNRWAPNE)**, United Nations Relief and Works Agency for Palestine Refugees in the Near East
- UNSYG**, Secretary-General of the United Nations
- UN TA**, United Nations Technical Assistance
- UNTAA**, United Nations Technical Assistance Administration
- UPU**, Universal Postal Union
- urtel**, your telegram
- U.S.C.**, United States Code
- USDel**, United States Delegate (Delegation)
- USGADel**, United States Delegation at the United Nations General Assembly
- USIA**, United States Information Agency
- USIE**, United States Information and Educational Exchange (program)
- USReps**, United States Representatives
- USSR**, Union of Soviet Socialist Republics
- USUN**, United States Mission at the United Nations
- VD**, Visa Division, Office of Security and Consular Affairs, Department of State
- WE**, Office of Western European Affairs, Department of State; Western Europe; Western European



**WFTU, World Federation of Trade  
Unions**

**WHO, World Health Organization,  
United Nations**

**WIDF, Women's International Demo-  
cratic Federation**

**YWCA, Young Women's Christian  
Association**

## LIST OF PERSONS

**EDITOR'S NOTES**—The individuals identified below were principal participants in the events covered in this volume. Other officials and individuals not included in the list are identified in footnotes to the text at appropriate places. In general, individuals attending but not participating in meetings, and persons mentioned only in passing have not been identified. All titles and positions are American unless otherwise indicated. The editors have generally tried to avoid the repeated identification of "United Nations" when referring to its organs and committees. Where no dates are given, the individual held the position throughout the period covered by this volume.\* Spelling and alphabetization of names follow as closely as possible the style of official publications of the countries concerned.

- ACHESON**, Dean G., Secretary of State until January 20, 1953.
- ALLEN**, Ward P., Special Assistant on United Nations Affairs, Bureau of European Affairs, Department of State.
- ARAKI**, Eikichi, Japanese Ambassador to the United States, June 12, 1952–March 16, 1954.
- AUSTIN**, Warren R., Permanent Representative of the United States to the United Nations until January 22, 1953.
- BACON**, Ruth E., United Nations Adviser, Special Assistant to the Assistant Secretary of State for Far Eastern Affairs.
- BALLUSECK**, D. J. von, Permanent Representative of the Netherlands to the United Nations.
- BARBOUR**, Walworth, Director, Office of Eastern European Affairs, Department of State, until May 26, 1954; thereafter, Deputy Assistant Secretary of State for European Affairs.
- BASTID**, Madame Paul, French Member, United Nations Administrative Tribunal; First Vice President of the Tribunal, 1952, and President from January 1953.
- BEUS**, J. G. de, Netherlands Minister to the United States until September 1954.
- BIDAULT**, Georges, Deputy Prime Minister of France and Minister of National Defense until March 1952; Minister of Foreign Affairs, January 8, 1953–June 19, 1954; Chairman, French Delegation to the 8th Regular Session of the General Assembly.
- BOHLEN**, Charles E. ("Chip"), Counselor of the Department of State and Member, Senior Staff, National Security Council, until March 1953; Ambassador to the Soviet Union from April 20, 1953.
- BOKHARI**, Ahmed S., Permanent Representative of Pakistan to the United Nations until September 1954.
- BOLTON**, Frances P., Representative of the United States to the 8th Regular Session of the General Assembly; Delegate on the 4th Committee, General Assembly, 1953.
- BONNET**, Henri, French Ambassador to the United States.
- BORBERG**, William, Permanent Representative of Denmark to the United Nations.
- BROWNELL**, Herbert, Jr., Attorney General from January 21, 1953.
- BRUCE**, David K. E., Ambassador to France until March 10, 1952; Under Secretary of State, April 1, 1952–January 20, 1953; then Consultant to the Secretary of State until February 18, 1953; thereafter, Political Officer, Observer to the Interim Committee of the European Defense Community at Paris, and Representative to the European and Coal and Steel Community at Luxembourg.

\*During this period, the Sixth Regular Session of the United Nations General Assembly adjourned on February 5, 1952. The Seventh Regular Session opened on October 14 and adjourned on December 22, 1952, resumed on February 24, 1953, recessed on April 23, resumed again on August 17, and was formally closed on August 28. The Eighth Regular Session opened on September 15 and recessed on December 9, 1953. The Ninth Regular Session opened on September 21 and adjourned on December 17, 1954.

- BUNCHE**, Ralph J., Principal Director, Department of Trusteeship and Information for Non-Self-Governing Territories, United Nations Secretariat.
- BURNS**, Sir Alan, Representative of the United Kingdom on the Trusteeship Council; Alternate Representative to the 7th Regular Session of the General Assembly.
- BYROADE**, Henry A., Director, Bureau of German Affairs, Department of State until April 1952; Assistant Secretary of State for Near Eastern, South Asian, and African Affairs, from April 14, 1952.
- CARGO**, William I., Officer in Charge of Trusteeship Affairs, Department of State, until May 1952; Deputy Director, Office of Dependent Area Affairs, until August 1953.
- CARLIER**, Georges, Belgian Counselor of Embassy in the United States, 1953.
- CASTILLO-ARRIOLA**, Eduardo, Permanent Representative of Guatemala to the United Nations, 1952-1953.
- CHURCHILL**, Winston S. (Sir Winston from April 24, 1953), Prime Minister of the United Kingdom and First Lord of the Treasury.
- CORDIER**, Andrew W., Executive Assistant to the Secretary-General, United Nations.
- CROOK**, Lord (Reginald Douglas Crook), British Member, United Nations Administrative Tribunal; Second Vice President of the Tribunal, 1952; First Vice President from 1953.
- CROSTHWAITE**, P. Moore, Deputy Permanent Representative of the United Kingdom to the United Nations from September 24, 1952.
- DAYAL**, Rajeshwar, Permanent Representative of India to the United Nations, 1952-1954; Alternate Representative on the Trusteeship Council, 1954.
- DE BEUS**. *See* Beus.
- DIXON**, Sir Pierson J., British Deputy Under Secretary of State for Foreign Affairs until February 1, 1954; Permanent Representative of the United Kingdom to the United Nations from March 13, 1954.
- DRUMRIGHT**, Everett F., Deputy Assistant Secretary of State for Far Eastern Affairs, October 31, 1953-November 1, 1954.
- DULLES**, John Foster, Consultant to the Secretary of State and personal representative of the President in matters concerning the Japanese Peace Treaty until March 21, 1952; Secretary of State from January 21, 1953; Senior Representative of the United States to the 8th and 9th Regular Sessions of the General Assembly during his presence at those sessions.
- DU PLESSIS**. *See* Plessis.
- EDEN**, Anthony (Sir Anthony from 1954), British Secretary of State for Foreign Affairs; Chairman, British Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- EISENHOWER**, General of the Army Dwight D., Supreme Allied Commander, Europe, until May 30, 1952; President of the United States from January 20, 1953.
- ENGEN**, Hans, Permanent Representative of Norway to the United Nations.
- FELLER**, Abraham H., General Counsel, United Nations, until 1953.
- FISHER**, Adrian S., Legal Adviser of the Department of State until January 27, 1953.
- FORSYTH**, W. D., Permanent Representative of Australia to the United Nations; Representative on the Trusteeship Council.
- FRANCO Y FRANCO**, Tulio, Permanent Representative of the Dominican Republic to the United Nations from 1953; Chairman, Dominican Republic Delegations to the 8th and 9th Regular Sessions of the General Assembly.
- GERIG**, O. Benjamin, Director, Office of Dependent Area Affairs, Department of State; Acting Representative on the Trusteeship Council, June 1, 1952-June 15, 1953; thereafter, Deputy Representative.
- GIDDEN**, B. O. B., Counselor for Colonial Affairs on the Permanent Delegation of the United Kingdom to the United Nations, and Alternate Representative on the Trusteeship Council, 1954.
- GROMYKO**, Andrei A., Soviet First Deputy Minister of Foreign Affairs until 1952; Representative of the Soviet Union to the 7th Regular Session of the General Assembly; Ambassador to the United Kingdom, August 7, 1952-April 1953; thereafter, First Deputy Minister of Foreign Affairs.

- GROSS, Ernest A.**, Deputy Representative of the United States to the United Nations and Deputy Representative on the Security Council until February 19, 1953.
- HALL, William O.**, Member, United Nations Advisory Committee on Administrative and Budgetary Questions, from January 1, 1953.
- HAMMARSKJOLD, Dag**, Swedish Minister Without Portfolio until 1953; Secretary-General, United Nations, from April 10, 1953.
- HAWLEY, C. Franklin**, Officer in Charge of Japanese Affairs, Office of Northeast Asian Affairs, Department of State, August 1952–April 1954.
- HAYMERLE, Heinrich**, Austrian Permanent Observer at the United Nations, 1953–1954.
- HENDERSON, Joseph S.**, Assistant Chief, Division of International Administration, Department of State, until October 1952; then Chief until April 15, 1954; thereafter, Acting Director, Office of International Administration.
- HICKERSON, John D.**, Assistant Secretary of State for United Nations Affairs until July 27, 1953.
- HOPKINSON, Henry**, British Minister of State for Colonial Affairs; Representative of the United Kingdom to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- HOPPENOT, Henri**, Permanent Representative of France to the United Nations; Representative on the Security Council; Chairman in absence of Foreign Minister, French Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- HOWARD, Harry N.**, United Nations Adviser, Bureau of Near Eastern, South Asian, and African Affairs, Department of State.
- HURÉ Francis**, Technical Adviser, French Delegation to the Trusteeship Council, 1952; Alternate Representative on the Trusteeship Council, 1953; Adviser, French Delegation to the Trusteeship Council, 1954.
- HYDE, James N.**, Adviser for Political and Security Affairs, United States Mission to the United Nations, 1952.
- INGRAM, George M.**, Chief, Division of International Administration, Department of State, until 1952; Director, Office of International Administration and Conferences, May 16, 1952–April 15, 1954.
- JACKSON, C. D.**, Special Assistant to the President, February 16, 1953–March 31, 1954; Representative of the United States to the 9th Regular Session of the General Assembly; Delegate on the 4th Committee, General Assembly, 1954.
- JEBB, Sir H. M. Gladwyn**, Permanent Representative of the United Kingdom to the United Nations and Representative on the Security Council until March 1954.
- JENKINS, Alfred leS.**, Second Secretary of Embassy in the Republic of China until March 1952; thereafter, in the Office of Chinese Affairs, Department of State, and from January 1953, Officer in Charge of Political Affairs in that Office.
- JESSUP, Philip C.**, Ambassador at Large until January 19, 1953; Alternate Representative of the United States to the 7th Regular Session of the General Assembly; Delegate on the 4th Committee, General Assembly, 1952.
- JOHNSON, David M.**, Permanent Representative of Canada to the United Nations.
- JOHNSON, U. Alexis**, Deputy Assistant Secretary of State for Far Eastern Affairs until October 30, 1953; Counselor of Embassy in Czechoslovakia until December 31, 1953, and Ambassador thereafter.
- JOOSTE, G. P.**, Permanent Representative of the Union of South Africa to the United Nations, 1952–1953; Chairman, South African Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- JORDAAN, J. R.**, Deputy Permanent Representative of the Union of South Africa to the United Nations.
- KAMIMURA, Shinichi**, Japanese Minister to the United States, July 1952–April 1953.
- KERNO, Ivan S.**, Czechoslovak national, Assistant Secretary-General for Legal Affairs of the United Nations until September 26, 1952.
- KEY, David McK.**, Assistant Secretary of State for United Nations Affairs (called International Organization Affairs, August 25, 1954) from December 18, 1953.

- KHALIDY**, Awni, Representative of Iraq on the United Nations Trusteeship Council, 1952; Acting Permanent Representative to the United Nations until May 1954; thereafter, Permanent Representative.
- KHOMAN**, Thanat, Deputy Permanent Representative of Thailand to the United Nations from 1952; Acting Permanent Representative, 1952-1954; Representative on the Trusteeship Council, 1953.
- KLEFFENS**, Eelco N. van, President, General Assembly, 9th Regular Session, and Vice Chairman, Netherlands Delegation to the 9th Regular Session; Minister to Portugal, 1950-1956.
- KNIGHT**, Ridgway B., Acting Deputy Director and Adviser on NATO Affairs, Office of European Regional Affairs, Department of State, until July 6, 1952; Deputy Director until August 11, 1953; Acting Director, Office of Western European Affairs, until January 15, 1954; thereafter, Deputy Assistant United States High Commissioner for Germany.
- KÖPRÜLÜ**, Fuat, Turkish Minister of Foreign Affairs; Chairman, Turkish Delegations to the 7th and 8th Regular Sessions of the General Assembly.
- KOTSCHNIG**, Walter M., Director, Office of United Nations Economic and Social Affairs, Department of State, and Deputy Representative on the Economic and Social Council.
- KYROU**, Alexis, Permanent Representative of Greece to the United Nations until 1954; Chairman, Greek Delegation to the 8th Regular Session of the General Assembly; Representative, Chairman in absence of Foreign Minister, Greek Delegation to the 9th Regular Session of the General Assembly; Director General, Greek Ministry of Foreign Affairs, February 3-December 30, 1954.
- LACOSTE**, Francis, Alternate Permanent Representative of France to the United Nations and Alternate Representative on the Security Council until February 1953.
- LAETHEM**, Gabriel van, French First Secretary in the United States until August 1954.
- LALL**, Arthur S., Alternate Representative of India to the 7th and 8th Regular Sessions of the General Assembly; Permanent Representative of India to the United Nations from 1954.
- LANGENHOVE**, Fernand van, Permanent Representative of Belgium to the United Nations.
- LEME**, Ernesto, Permanent Representative of Brazil to the United Nations and Representative on the Trusteeship Council, 1954.
- LEROY**, Pierre, Special Representative of Belgium on the Trusteeship Council for Ruanda-Urundi Affairs, 1952.
- LIE**, Trygve H., Secretary-General of the United Nations until April 10, 1953.
- LLOYD**, Selwyn, British Minister of State for Foreign Affairs until October 18, 1954; then Minister of Supply; Representative of the United Kingdom to the 7th, 8th, and 9th Regular Sessions of the General Assembly; Chairman in absence of Foreign Secretary, Delegation to the 7th Regular Session.
- LODGE**, Henry Cabot, Jr., Permanent Representative of the United States to the United Nations from January 26, 1953.
- LOURIE**, Donald B., Under Secretary of State for Administration, February 16, 1953-March 5, 1954.
- LOUTFI**, Omar, Egyptian Member, United Nations Administrative Tribunal; Representative of Egypt to the 8th and 9th Regular Sessions of the General Assembly; Acting Chairman of Delegation from November 3, 1954; Director, Department of International Organizations, Treaties, and Legal Affairs, Egyptian Ministry of Foreign Affairs, from 1953.
- LUCET**, Charles, Alternate Representative of France to the United Nations and Alternate Representative on the Security Council from June 1953.
- LUCKOCK**, Margarette R., Canadian national, Representative of the Women's International Democratic Federation to the United Nations Commission on Human Rights.
- LUNS**, Joseph M. A. H., Netherlands Minister of Foreign Affairs Without Portfolio from September 2, 1952; Chairman, Netherlands Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- MAKINS**, Sir Roger M., British Deputy Under Secretary of State for Foreign Affairs until December 30, 1952; Ambassador to the United States from January 7, 1953.

- MALIK, Charles**, Representative of Lebanon to the 7th Regular Session of the General Assembly; Ambassador to the United States from May 4, 1953; Chairman, Lebanese Delegations to the 8th and 9th Regular Sessions of the General Assembly.
- MALIK, Yakov A.**, Permanent Representative of the Soviet Union to the United Nations until 1952; Soviet Deputy Minister of Foreign Affairs until March 1953; Ambassador to the United Kingdom from May 28, 1953; Representative of the Soviet Union to the 8th Regular Session of the General Assembly, and Vice Chairman, Delegation to the 9th Regular Session.
- MARTIN, Edwin W.**, Office of Chinese Affairs, Department of State, from 1952; Deputy Director of the Office from January 1953.
- MARTIN, Sir John M.**, Assistant Under Secretary of State for Colonial Affairs, responsible for the Pacific, Mediterranean, and Far Eastern Departments, British Colonial Office.
- MATHIESON, W. A. C.**, British Assistant Secretary of State for Colonial Affairs, seconded as Counselor for Colonial Affairs on the Permanent Delegation of the United Kingdom to the United Nations and Alternate Representative on the Trusteeship Council until 1954.
- MATTHEWS, H. Freeman**, Deputy Under Secretary of State for Political Affairs until October 11, 1953; Ambassador to the Netherlands from November 25, 1953.
- McCLURKIN, Robert J. G.**, Deputy Director, Office of Northeast Asian Affairs, Department of State; Acting Director from September 9, 1954.
- McCONAUGHY, Walter P.**, Consul General at Hong Kong and Macau until June 1952; thereafter, in the Office of Chinese Affairs, Department of State.
- MCGRANERY, James P.**, Attorney General, May 27, 1952–January 21, 1953.
- MCGRATH, J. Howard**, Attorney General until April 7, 1952.
- MCLEOD, R. W. Scott**, Administrator, Bureau of Security and Consular Affairs (called Bureau of Inspection, Security and Consular Affairs, March 1–December 29, 1954), Department of State, from March 3, 1953.
- MEADE, C. A. Gerald**, Minister on the Permanent Delegation of the United Kingdom to the United Nations and Adviser for Economic and Social Council Affairs from April 2, 1952.
- MEEKER, Leonard C.**, Assistant Legal Adviser for United Nations Affairs, Department of State.
- MENDÈS-FRANCE, Pierre**, Prime Minister of France and Minister of Foreign Affairs from June 19, 1954.
- MENON, V. K. Krishna**, Representative of India to the 7th and 8th Regular Sessions of the General Assembly; Chairman, except for opening meeting, Delegation to the 9th Regular Session; Representative on the Trusteeship Council, 1954.
- MERCHANT, Livingston T.**, Special Assistant to the Secretary of State for Mutual Security Affairs until March 24, 1952; Deputy United States Special Representative in Europe, at Paris, until March 11, 1953; Assistant Secretary of State for European Affairs from March 16, 1953.
- MIDKIFF, Frank E.**, United States High Commissioner of the Trust Territory of the Pacific Islands and Special Representative on the Trusteeship Council, 1953–1954.
- MILLER, Edward G., Jr.**, Assistant Secretary of State for Inter-American Affairs until December 31, 1952.
- MONSMA, George N.**, Officer in Charge of International Organization Affairs, Bureau of Inter-American Affairs, Department of State.
- MUNIZ, João Carlos**, Permanent Representative of Brazil to the United Nations until 1953; Ambassador to the United States from October 20, 1953.
- MUÑOZ, Rodolfo**, Permanent Representative of Argentina to the United Nations until 1953.
- MURPHY, Robert D.**, Assistant Secretary of State for United Nations Affairs, July 23–November 30, 1953; thereafter, designated as Deputy Under Secretary of State for Political Affairs.
- NARADHIP, Prince.** *See* Wan Waithayakon.
- NAUDE, W. C.**, Representative of the Union of South Africa to the 8th Regular Session of the General Assembly; South African Consul General at Lourenço Marques, Portuguese Mozambique.
- NEHRU, R. K.**, Indian Special Secretary for United Nations Affairs and later, Commonwealth Secretary in the Ministry of External Affairs until 1952; Foreign Secretary in the Ministry of External Affairs, 1952–1955.

- NISOT, Joseph, Deputy Permanent Representative of Belgium to the United Nations.
- NITZE, Paul H., Director, Policy Planning Staff, Department of State, until April 1953.
- O'CONNOR, Roderic L., Assistant to the Secretary of State from January 21, 1953; Special Assistant from February 21, 1954.
- ORDONNEAU, Pierre, Counselor on the French Permanent Delegation to the United Nations; Technical Adviser on the French Delegation to the Trusteeship Council, 1952; Adviser on the Delegation to the Security Council.
- ORTEGA, Rudecindo, Representative of Chile on the Security Council, 1952-1953; Permanent Representative of Chile to the United Nations from 1953.
- PADILLA NERVO, Luis, Permanent Representative of Mexico to the United Nations, 1952; Mexican Secretary for Foreign Relations from December 1952; Chairman, Mexican Delegations to the 7th, 8th, and 9th Regular Session of the General Assembly.
- PANDIT, Madame Vijaya Lakshmi, Chairman, Indian Delegations to the 7th and 8th Regular Sessions of the General Assembly; President, General Assembly, 8th Regular Session; Chairman, first meeting only, Indian Delegation to the 9th Regular Session.
- PEARSON, Lester B., Canadian Secretary of State for External Affairs; President, General Assembly, 7th Regular Session; Chairman, Canadian Delegations to the 7th, 8th, and 9th Regular Sessions.
- PERKINS, George W., Assistant Secretary of State for European Affairs until January 31, 1953.
- PETREN, Bror Arvid Sture, Swedish Member, United Nations Administrative Tribunal, from 1952; Second Vice President of the Tribunal from 1953.
- PHLEGER, Herman, Legal Adviser of the Department of State from February 2, 1953.
- PIGNON, Léon, Representative of France on the Trusteeship Council.
- PLESSIS, Wentzel Christoffel du, Permanent Representative of the Union of South Africa to the United Nations from 1954; Vice Chairman, South African Delegation to the 9th Regular Session of the General Assembly.
- POPPER, David H., Deputy Director, Office of United Nations Political and Security Affairs, Department of State, from April 23, 1951; Director from October 24, 1954.
- POTE SARASIN. *See* Sarasin.
- PRICE, Byron, Assistant Secretary-General, Department of Administrative and Financial Services, United Nations, until 1953.
- RANKIN, J. Lee, Assistant Attorney General, Office of Legal Counsel, Department of Justice, from 1953.
- RAYNOR, G. Hayden, Director, Office of British Commonwealth and Northern European Affairs, Department of State.
- ROBBINS, Robert R., Officer in Charge of Non-Self-Governing Territories Affairs, Office of Dependent Area Affairs, Department of State, until 1954; Deputy Director of that Office from April 11, 1954.
- ROBERTSON, Walter S., Assistant Secretary of State for Far Eastern Affairs from April 8, 1953.
- ROIJEN, Jean Herman van, Netherlands Ambassador to the United States.
- ROMULO, Brigadier General Carlos P., Philippine Ambassador to the United States, February 15, 1952-April 26, 1953; Permanent Representative to the United Nations, 1952-1953; Chairman, Philippine Delegation to the 7th Regular Session of the General Assembly; Cochairman, Delegation to the 9th Regular Session.
- ROSS, John C., Deputy Representative of the United States on the Security Council.
- RYCKMANS, Pierre, Honorary Governor-General of the Belgian Congo; Representative of Belgium on the Trusteeship Council.
- SALT, Barbara, British First Secretary of Embassy in the United States.
- SANDERS, William, Special Assistant to the Assistant Secretary, and Planning Adviser, United Nations Planning Staff, Bureau of United Nations Affairs, Department of State, until October 11, 1953.
- SANDIFER, Durward V., Deputy Assistant Secretary of State for United Nations Affairs until February 28, 1954.

## LIST OF PERSONS

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- SARASIN, Pote, Thai Ambassador to the United States from June 12, 1952; Representative of Thailand to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- SARPER, Selim R., Permanent Representative of Turkey to the United Nations; Representative on the Security Council, 1952 and 1954; Vice Chairman, Turkish Delegations to the 7th and 8th Regular Sessions of the General Assembly; Chairman, Delegation to the 9th Regular Session.
- SAWADA, Renzo, Japanese Permanent Observer at the United Nations from 1953.
- SCHEYVEN, Robert, Alternate Representative of Belgium on the Trusteeship Council.
- SCHUMAN, Robert, French Minister of Foreign Affairs until January 8, 1953; Deputy, French National Assembly.
- SCHUMANN, Maurice, French Secretary of State for Foreign Affairs until June 19, 1954; Representative of France to the 7th and 8th Regular Sessions of the General Assembly.
- SCOTT, Michael, Anglican clergyman resident in South Africa, unofficial spokesman for the native races in South Africa at the United Nations.
- SCOTT, Robert H. (Sir Robert from June 10, 1954), British Minister to the United States from July 15, 1953.
- SEARS, Mason, Representative of the United States on the Trusteeship Council from June 12, 1953.
- SERRANO, Felixberto M., Permanent Representative of the Philippines to the United Nations from 1954; Cochairman, Philippine Delegation to the 9th Regular Session of the General Assembly.
- SHIMADZU, Hisanaga, Japanese Consul General at New York; Observer at the Security Council, 1952, in the matter of the Japanese application for membership in the United Nations.
- SILVERCRUYS, Baron (Robert Silvercruys), Belgian Ambassador to the United States.
- SMITH, Walter Bedell, Director of Central Intelligence until February 8, 1953; Under Secretary of State, February 9, 1953–October 1, 1954.
- SNYDER, John W., Secretary of the Treasury until January 20, 1953.
- SOBOLEV, Arkadiy A., Representative of the Soviet Union to the 7th Regular Session of the General Assembly until October 21, 1952; Deputy Permanent Representative of the Soviet Union to the United Nations from September 15, 1954; Acting Permanent Representative from November 22, 1954.
- SPENDER, Percy C. (Sir Percy from June 1952), Australian Ambassador to the United States.
- STARY, Jiri, Alternate Representative of Czechoslovakia on the Economic and Social Council, 1952.
- STAVROPOULOS, Constantin A., Greek national, Principal Director in Charge of the Legal Department, United Nations Secretariat, 1952–1954.
- STEEL, Sir Christopher E., British Minister to the United States until July 15, 1953; Permanent Representative on the North Atlantic Council from August 18, 1953.
- TAKEUCHI, Ryuji, Japanese Permanent Observer at the United Nations, 1952–1953; Chief, Japanese Government Overseas Agency in the United States, until April 1952; Chargé in the United States, April 28–June 12, 1952; Minister to the United States, June 1952–1954; Chief, Bureau of European and American Affairs, Japanese Ministry of Foreign Affairs, from 1954.
- TAN SHAO-HWA, Minister of the Republic of China to the United States.
- TANAKA, Hiroto, Japanese First Secretary of Embassy in the United States from June 1953.
- TATE, Jack B., Deputy Legal Adviser of the Department of State until November 25, 1953.
- THORS, Thor, Permanent Representative of Iceland to the United Nations.
- TRUMAN, Harry S., President of the United States until January 20, 1953.
- TSARAPKIN, Semen K., Deputy Permanent Representative of the Soviet Union to the United Nations, 1949–1952 and February 1953–September 1954; Representative on the Trusteeship Council, 1954.
- TSIANG, Tingfu F., Permanent Representative of the Republic of China to the United Nations; Chairman, Delegation of the Republic of China to the 8th Regular Session of the General Assembly.
- TSUI Tswen-ling, Counselor of Embassy of the Republic of China in the United States.



- TUYL VAN SEROOSKERKEN, Baron van (Samuel John van Tuyl van Serooskerken), Secretary General, Netherlands Ministry of Foreign Affairs, from November 1, 1952.
- URRUTIA, Francisco, Deputy Permanent Representative of Colombia to the United Nations until February 1953; Permanent Representative to the United Nations and Representative on the Security Council from August 19, 1953.
- USHIROKU, Torao, First Secretary, thereafter Counselor, in the Office of the Japanese Permanent Observer at the United Nations, 1952-1954.
- VAILLANT-COUTURIER, Madame Marie Claude, Representative of the Women's International Democratic Federation on the Economic and Social Council.
- VAN KLEFFENS. *See* Kleffens.
- VAN LAETHEM, *See* Laethem.
- VAN LANGENHOVE. *See* Langenhove.
- VAN ROIJEN. *See* Roijen.
- VAN TUYL VAN SEROOSKERKEN. *See* Tuyl van Serooskerken.
- VAN ZEELAND. *See* Zeeland.
- VON BALLUSECK. *See* Balluseck.
- YSHINSKY, Andrei Y., Soviet Minister of Foreign Affairs until March 1953; First Deputy Minister of Foreign Affairs and Permanent Representative to the United Nations, March 1953-November 1954; Representative on the Security Council and Chairman, Soviet Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly, until November 22, 1954.
- WADSWORTH, James J., Deputy Representative of the United States to the United Nations and Deputy Representative on the Security Council from February 23, 1953.
- WAINHOUSE, David W., Director, Office of United Nations Political and Security Affairs, Department of State, until February 1954; thereafter, Deputy Assistant Secretary of State for United Nations Affairs (International Organization Affairs from August 25, 1954).
- WAN WAITHAYAKON, Prince (Wan Waithayakon Kromün Naradhip Bongsprabandh), Thai Ambassador to the United States until March 30, 1952; thereafter, Minister of Foreign Affairs; Permanent Representative to the United Nations until March 30, 1952, and from October 1952, Chairman, Thai Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- WEBB, T. Clifton, New Zealand Minister of External Affairs and Minister of Island Territories until November 1954; Chairman, New Zealand Delegations to the 7th and 8th Regular Sessions of the General Assembly.
- WENNER, Michael A., British Second Secretary of Embassy in the United States.
- WININGS, L. Paul, General Counsel, Immigration and Naturalization Service, Department of Justice.
- WINSLOW, Richard S., Secretary General, United States Mission to the United Nations, until 1954.
- WRONG, Hume, Canadian Ambassador to the United States until June 1953; thereafter, Under Secretary of State for External Affairs.
- YEH, George K. C., Minister of Foreign Affairs, Republic of China; Chairman, Delegations of the Republic of China to the 7th and 9th Regular Sessions of the General Assembly.
- YOSHIDA, Juichi, Attaché in the Office of the Japanese Permanent Observer at the United Nations from 1952.
- YOUNG, Kenneth T., Director, Office of Northeast Asian Affairs, Department of State, March 20, 1952-September 8, 1954; Acting Director, Office of Philippine and Southeast Asian Affairs, from September 13, 1954.
- ZAFRULLA KHAN, Sir Mohammad, Pakistani Minister of Foreign Affairs and Commonwealth Relations until October 1954; thereafter, Member, International Court of Justice; Chairman, Pakistani Delegations to the 7th, 8th, and 9th Regular Sessions of the General Assembly.
- ZEELAND, Paul van, Belgian Minister of Foreign Affairs until April 23, 1954; Chairman, Belgian Delegations to the 7th and 8th Regular Sessions of the General Assembly.
- ZORIN, Valerian A., Soviet Deputy Minister of Foreign Affairs; Permanent Representative to the United Nations and Representative on the Security Council, October 1952-November 1953.

## LIST OF SOURCES

The principal source of documentation for this volume was the indexed central (decimal) files of the Department of State. Documents from the central files have been supplemented by materials from decentralized office files, the "lot" files of the Department of State. The editors have also examined files of the United States Mission to the United Nations at New York City, and record collections maintained at the Dwight D. Eisenhower Library in Abilene, Kansas.

A list of the unpublished sources used in the preparation of this volume follows. It includes the lot files located in the Department of State, with information concerning their origin, scope, and size, the files of the United States Mission to the UN, and those records examined at the Eisenhower Library.

### *Department of State*

#### **A/MS files, lot 54 D 291**

Consolidated administrative files of the Department of State for the years 1940–1960, as maintained by the Management Staff of the Bureau of Administration. (180 cubic feet)

#### **CA files, lot 57 D 663**

Political and economic files of the Office of Chinese Affairs for the year 1952. (3¼ cubic feet)

#### **CA files, lot 58 D 395**

Economic and political files on China for the year 1953, as maintained by the Office of Chinese Affairs. (Combined with CA files, lot 58 D 401)

#### **CA files, lot 59 D 110**

Political files on China for the years 1954–1955, as maintained by the Office of Chinese Affairs. (Combined with CA files, lot 64 D 230)

#### **CFM files, lot M 88**

Consolidated master collection of the records of conferences of heads of state, Council of Foreign Ministers and ancillary bodies, North Atlantic Council, other meetings of the Secretary of State with the Foreign Ministers of European powers, and materials on the Austrian and German peace settlements for the years 1943–1955 prepared by the Records Service Center. (254 cubic feet)

#### **Department of State Committee files, lot 54 D 5**

Documentation for the period prior to 1954 on various international and interdepartmental committees and working groups, including the Colonial Policy Committee, the Foreign Assistance Coordinating Committee, the Foreign Military Assistance Coordinating Committee, the Working Group on European Integration, and several others, as compiled and maintained by the Records Service Center. (7 cubic feet)

**Conference files, lot 60 D 627**

Collection of documentation on official visits by heads of government and foreign ministers to the United States and on major international conferences attended by the Secretary of State, as maintained by the Executive Secretariat. (25 cubic feet)

**Department of State microfilm series**

Department of State microfilm telegram series for the period 1950-1954, as maintained by the Foreign Affairs and Document Reference Center.

**FE files, lot 55 D 388**

Files maintained by the Bureau of Far Eastern Affairs for the year 1953. (3 cubic feet)

**FE files, lot 55 D 480**

Files maintained by the Bureau of Far Eastern Affairs for the year 1954, including documentation on the Geneva Conference, Southeast Asia, and the Korean Black Book. (5 cubic feet)

**Hickerson-Murphy-Key files, lot 58 D 33**

Files of Assistant Secretary of State for United Nations Affairs John D. Hickerson, Robert D. Murphy, and David McK. Key for the years 1948-1954. (2 cubic feet)

**IO files**

Master files of the Reference and Documents Section of the Bureau of International Organization Affairs, comprising the official UN documentation and classified Department of State records of United States policy in the UN Security Council, Trusteeship Council, Economic and Social Council, and various special and *ad hoc* committees for the period 1946 to date. (More than 100 cubic feet)

**IO files, lot 71 D 440**

Master files of classified records and correspondence of United States Delegations to sessions of the UN General Assembly for the years 1945-1965, maintained by the Bureau of International Organization Affairs. (48 cubic feet)

**Jessup files, lot 53 D 65**

Files of Ambassador at Large Philip C. Jessup relating to the 6th Session of the UN General Assembly held in Paris 1951-1952 (Palestine question only), and deliberations at the Seventh Session of the UN General Assembly in 1952, as maintained by the Office of the Ambassador at Large (1½ cubic feet)

**L/UNA files**

Files retained by the Assistant Legal Adviser for United Nations Affairs.

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ODA files, lot 60 D 257

Files of Benjamin Gerig, Director of the Office of Dependent Area Affairs, for the years 1948-1954, as retired by the Office of Dependent Area Affairs. (1 cubic foot)

ODA files, lot 60 D 512

Subject files of the Office of Dependent Area Affairs concerning trusteeship and dependent territory matters for the years 1946-1958. These files were retired by the Office of Dependent Area Affairs and are part of Federal Records Center Accession 71 A 5255. (4 cubic feet)

ODA files, lot 62 D 182

Subject files of the Office of Dependent Area Affairs concerning non-self-governing territories and Trusteeship Council matters for the years 1947-1961. These records were retired by the Office of Dependent Area Affairs and are part of Federal Records Center Accession 64 A 561. (14 cubic feet)

ODA files, lot 62 D 225

Master subject and country files of the Office of Dependent Area Affairs for the years 1953-1959. These records were retired by the Office of Dependent Area Affairs and are part of Federal Records Center Accession 64 A 561. (13 cubic feet)

ODA files, lot 62 D 228

Subject files of the Director of the Office of Dependent Area Affairs for the years 1943-1961. (4 cubic feet)

Sandifer files, lot 55 D 429

Files of the Deputy Secretary of State for United Nations Affairs Durward V. Sandifer for the years 1944-1953, as retired by the Bureau of International Organizations. (4 cubic feet)

S/A files, lot 53 D 65

Files of Ambassador Philip Jessup on the 6th and 7th Sessions of United Nation's General Assembly, and other related records. These records are part of Federal Records Center Accession 64 A 987. ( $\frac{1}{12}$  cubic foot)

Secretary of State's daily meetings, lot 58 D 609

Chronological collection of the records of the Secretary of State's daily meetings with top Department of State officials for the years 1949-1952, as maintained by the Special Assistant to the Secretary of State. ( $\frac{5}{12}$  cubic foot)

Secretary of State's memoranda, lot 53 D 444

Comprehensive chronological collections of the Secretary of State's memoranda, memoranda of conversations, and memoranda of conversations with the President for the years 1947-1953, as maintained by the Executive Secretariat of the Department of State. (15 cubic feet)

Secretary of State's memoranda of conversations, lot 64 D 199

Chronological collections of the Secretary of State's memoranda of conversations for the years 1953-1960, as maintained by the Executive Secretariat. (7 cubic feet)

S/S-OCB files, lot 62 D 430

Master files of the Operations Coordinating Board for the years 1953-1960, as maintained by the Executive Secretariat. (17 cubic feet)

UNP files, lot 58 D 742

Miscellaneous subject files of the Office of United Nations Political and Security Affairs for the years 1945-1957. (2 cubic feet)

UNP files, lot 59 D 237

Subject files of the Office of United Nations Political and Security Affairs for the years 1946-1957 (3 cubic feet)

UNP files, lot 60 D 268

Records of the 6th and 7th General Assemblies as well as various files concerning South Africa, Berlin, Korea, Kashmir, Burma, Cuba, Central America and China, as maintained for the years 1945-1954, by the Office of United Nations Political Affairs. (1½ cubic feet)

*United States Mission to the United Nations, New York*

USUN files

Files of the United States Mission to the United Nations, 1950 to date.

*Dwight D. Eisenhower Library, Abilene, Kansas*

Eisenhower Library, C. D. Jackson records

Records of C. D. Jackson, 1953-1956. Jackson was the President's Special Assistant for International Affairs, 1953-1954; and speechwriter and consultant to the President, 1958.

Eisenhower Library, Staff Secretary records

Records of the Office of the White House Staff Secretary, 1952-1961, including the records of Paul T. Carroll, Andrew J. Goodpaster, L. Arthur Minnich, Jr., and Christopher H. Russell.

Eisenhower Library, Whitman file

Papers of Dwight D. Eisenhower as President of the United States, 1953-1961, maintained by his personal Secretary, Ann C. Whitman. The Whitman file includes the following elements: the name series, the Dulles-Herter series, Eisenhower Diaries, Ann Whitman (ACW) Diaries, National Security Council records, Miscellaneous records, Cabinet papers, Legislative meetings, International meetings, the Administration series, and the International file.

# GENERAL UNITED STATES—UNITED NATIONS RELATIONS<sup>1</sup>

## I. UNITED STATES FOREIGN POLICY IN THE UNITED NATIONS SETTING

### A. UNITED STATES—UNITED KINGDOM DISCUSSIONS REGARDING THE BASES OF THEIR UNITED NATIONS POLICY (1952)

310/2-2652

*Memorandum of Conversation, by the Assistant Secretary of State for  
United Nations Affairs (Hickerson)*<sup>2</sup>

CONFIDENTIAL

[WASHINGTON,] February 26, 1952.

Subject: US—UK Divergence of approach to the United Nations

Participants: Mr. Gerald Meade, Counselor, British Embassy  
Mr. John D. Hickerson, UNA  
Mr. Ward P. Allen, EUR

Mr. Meade stated that the UK Foreign Office continues to be somewhat disturbed at the difference between the UK and the US approach to the United Nations and the differing concepts as to its basic purpose. In the UK view the US is too inclined to regard the United Nations as an instrument of collective security against a certain group of states, whereas, the UK believes primary emphasis should be placed upon the UN as a world forum for discussion and for east-west *rapprochement*. The Foreign Office is now studying the last General Assembly from this point of view and is preparing a brief for high-level discussions with the US. Mr. Paul Mason from the Foreign Office had asked Mr. Meade to apprise us of the fact that they had planned in the near future to seek to have such frank discussions with us on the general topic.

Mr. Hickerson replied that we, ourselves, had been giving a good deal of thought to this divergence in our approach and to the general question "whither the UN". We would welcome a full and frank discussion with the UK on this and believe it would be mutually profitable. In our view the General Assembly should be both the world forum which the UK has in mind and, since the Security Council is paralyzed,

<sup>1</sup> For previous documentation on this subject, see *Foreign Relations*, 1951, vol. II, pp. 1 ff.

<sup>2</sup> Drafted by Ward P. Allen, Special Assistant on United Nations Affairs, Bureau of United Nations Affairs.

the action body for the United Nations in such matters as Korea, for example, where action is clearly necessary. In its role as an action body when action is necessary it should be a collective security instrument not "against a certain group of states" as such, but against any state or group of states that commits aggression. At the same time we must recognize that while the Charter<sup>3</sup> places no limits on the General Assembly in its role as world forum, nevertheless there are definite limitations both in the Charter and in the nature of the institution on its role as the UN action body.

Mr. Meade stated that he felt the Foreign Office would in general agree with the concept as Mr. Hickerson had just stated it, although we agreed that, when confronted with specific problems in the General Assembly in the application of the principle, our positions might be different. We agreed to reserve further discussion of the general problem until the Foreign Office has completed its study.

J[OHN] D. H[ICKERSON]

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<sup>3</sup> Charter of the United Nations, signed at San Francisco, June 26, 1945 (59 Stat. 1031). For documentation on the United Nations Conference on International Organization, held at San Francisco, Apr. 25-June 26, 1945, see *Foreign Relations*, 1945, vol. I, pp. 1 ff.

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320/3-2452

*Memorandum of Conversation, by William B. Sale of the Bureau of European Affairs*

CONFIDENTIAL

[WASHINGTON,] March 24, 1952.

Subject: Possible US-UK Conversations concerning the future of the UN and forthcoming UN Problems

Participants: Miss Barbara Salt, First Secretary, British Embassy  
Mr. Ward P. Allen, EUR  
Mr. William B. Sale, EUR

During an informal luncheon conversation, Miss Salt read to us a letter from Paul Mason of the British Foreign Office concerning the possibility of high-level US-UK talks on the future of the UN and on the supposed basic divergence in the US and UK approaches to it. The letter indicated that the Foreign Office is now veering away from its original idea that the talks be held promptly on the basis of a review of the last GA and is now more inclined to the view that the talks should be held somewhat later when the outlines and probable course of the next GA are a little more clear. As to the locus of the talks, Mason's letter indicated that the Foreign Office would warmly welcome a visit by Mr. Hickerson if he could arrange to make his often postponed trip to London this summer.

Miss Salt expressed the personal view that it might be more desirable to hold conversations here or in New York since almost all of the British personnel directly concerned with UN problems would be at UN headquarters. If necessary, Mason and others could come over to join the discussions. Mr. Allen expressed the personal view that whether held in London, Washington, or New York, conversations might be most helpful and he repeated Mr. Hickerson's earlier advice to Mr. Meade that we would welcome such conversations.

It was generally agreed that it would be helpful to analyze and review our respective basic approaches to the UN and just what type of problems the UN can and cannot be expected to cope with successfully, that it might be helpful to give particular attention to the numerous important issues of concern to the Arab-Asian bloc and also that we should examine together all possibilities of breaking the membership deadlock. It was also agreed that the general conversations would be more meaningful if they could be related to the concrete problems which might be expected to come before the next Session.

Referring to the possibility of a third series of talks on colonial problems in the UN,<sup>1</sup> Mr. Allen suggested that any such talks should preferably follow rather than precede the broader discussions envisaged in Mr. Mason's letter.

We informed Miss Salt that we would explore the general question further in consultation with other interested offices of the Department; she will inform us of further views of the Foreign Office.

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<sup>1</sup> These talks were held in Washington in 1950 and in London in 1951; for documentation on the talks, see *Foreign Relations*, 1950, vol. II, pp. 434 ff., and *ibid.*, 1951, vol. II, pp. 623 ff.

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Hickerson-Murphy-Key files.<sup>1</sup> lot 58 D 33. "Mr. John Ross"

*Staff Paper Prepared in the Mission to the United Nations (USUN)* <sup>2</sup>

CONFIDENTIAL

[NEW YORK, about April 17, 1952.]

GENERAL PLANNING RE UNITED NATIONS ACTIVITIES AND THE UNITED STATES ROLE IN THE UNITED NATIONS

INTRODUCTION

A combination of facts suggest the desirability of our formulating our views on a consistent over-all policy about United Nations activities projecting at least to if not through the next session of the Assem-

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<sup>1</sup> Files of Assistant Secretaries of State for United Nations Affairs John D. Hickerson, Robert D. Murphy, and David McK. Key in the years 1949-1954.

<sup>2</sup> Forwarded on Apr. 17 to Assistant Secretary Hickerson by John C. Ross, Deputy United States Representative on the Security Council. The paper was used as a basis for discussion in the Department of State.



bly. A principal unknown quantity in the outline that follows is the substantive development of the Korean case. The following are some of the facts that suggest such a re-examination.

(a) Given the development of the NATO Council, the MSA, Technical Assistance and our Voice of America program, the United Nations is simply one in a series of instrumentalities affecting American multilateral diplomacy. A summary of our foreign policy contained in State Department publication 4466 of March 1952 contains nine pages about our United Nations activities, beginning at page 60.

(b) The United Kingdom, through a letter from the Foreign Office, has asked for high-level US-UK talks on the future of the United Nations and on the divergencies in the US and UK approaches to the United Nations. The State Department has indicated that it would welcome such talks. It is agreed that we should analyze and review our respective approaches and consider what problems the United Nations can and cannot be expected to cope with successfully. Arab-Asian problems were specifically mentioned.

(c) Public opinion, at least as reflected by NGO's, is in a depressed mood about United Nations activities. For example, the YWCA at its Chicago National Convention will have before it a resolution that the YWCA should no longer support US participation in the UN. This attitude is also reflected in the approach of the Congress to the size of appropriations for US participation.

#### CHECK LIST OF PROBLEMS

1. *The Role of the United Nations*:—The statement that the UN is the cornerstone of our foreign policy needs to be tested against political and economic developments of the last four years, especially the creation of NATO. It is understandable that the British are arguing more strongly for the original Churchillian position that a general international organization should be a loose confederation of strong and powerful regional groupings.<sup>3</sup> The French view since before the attack on Korea has been that because Soviet cooperation is lacking the UN should be kept intact as an organization but given no substantive tasks of a serious nature. The French and the British would agree that the US in particular has been guilty of setting in motion a series of projects and creating a series of commissions for purposes that have not stood the test of time with a resulting embarrassment in having in existence various organs with no important purpose or work. In this connection, they are particularly concerned about the Interim Committee and the Collective Measures Committee.<sup>4</sup>

<sup>3</sup> Such a view was being set forth informally by Sir Gladwyn Jebb, Permanent British Representative at the United Nations, in speeches to American audiences, one of which occurred at Syracuse University, Syracuse, New York, on Mar. 25, 1952. This effort and point of view are described by Jebb himself in *The Memoirs of Lord Gladwyn* (London, Weidenfeld and Nicolson, 1972), pp. 263-266.

<sup>4</sup> For documentation regarding the establishment of the Interim Committee in 1947 by General Assembly Resolution 111 (II), see *Foreign Relations*, 1947, vol. I, pp. 166 ff. For documentation on the establishment of the Collective Measures Committee by General Assembly Resolution 377 (V)—the Uniting for Peace Resolution—in 1950, see *ibid.*, 1950, vol. II, pp. 303 ff.

The British and French together with the other colonial powers, emphasizing the need for the solidarity of NATO areas, feel that on all issues we and they should stand together. This is consistent with the UK attitude toward the NATO-UN relationship.

Vishinsky stated in Paris in 1948 when discussing the veto that UN Assembly sessions pretty generally reflect tensions in the world. He, of course, was speaking of the Soviet-free world tension but it can at least be argued that this generalization is correct and applies also to tensions between members of the free world itself, so that as the free world's feeling of security grows in relation to the Soviet Union we can expect to see stresses become apparent among members of the free world itself.

A formulation of what our own approach to the UN is today would include its usefulness to us in the event of general war, its usefulness to us during a twenty or thirty year period of a war of nerves and its general psychological importance for the future as the clearing house for planning and thinking about political and international economic and social problems. It may well be that we can be more effective in maintaining a strong and sound relationship among NATO members by being able to take a middle position in the UN in adjusting differences between the British and the French and the Arab-Asian group. Also, we shall need to consider what our attitude should be toward the independence of dependent people. Perhaps we cannot generalize, but there is some thinking in the State Department that while we should stand firm in favor of self-government and home rule, we should stand equally firmly against independence on the theory that more small states create added insecurity in the world.

2. *The Role of the General Assembly*:—Now that the Uniting for Peace Resolution is two years old, one can conclude from the infrequency of meetings of the Security Council that the Assembly has largely taken over the role of handling political security problems, or one can conclude that they are not finding their way into the UN. Whichever conclusion or combination of them is valid, the result is that the most important work of the UN takes place in the Assembly. On the other hand, there is a large element of dissatisfaction with the time wasted on unimportant questions in the Assembly. Also, since the Assembly must be prepared to meet on twenty-four hours' notice on urgent questions at any time during the year, the question arises whether it should not have standing machinery for comparatively unimportant housekeeping items throughout the year. The concept of the Uniting for Peace Resolution has largely superseded the real reason for the Interim Committee.

This suggests the whole field of organizational questions involving the Assembly.

*a. Membership:*—The trend of opinion in the General Assembly has developed steadily, over our opposition, in favor of admitting all applicants however good or bad and whether or not this involves a deal. Our position has been strongly against this and the opinion of the Court, construing Article 4, supports this point of view. There are certain very great advantages in trying to find a solution to the membership question in which we will not be in the minority and which will make it possible for Japan as well as Italy to join the organization. I consider it would be a serious thing for Japan to be excluded. We have promised the British and the Italians to re-examine this question.

The re-examination must be of a political nature. A proposal to amend Article 4 to exclude the criterion of peace loving would be one means by which in supporting such an amendment we could, pending its adoption, support an arrangement that could admit all applicants upon a two-thirds vote of the Assembly.

*b. Chinese Representation:*—If there is a truce in Korea, we shall immediately have to consider this issue with the British as well as the large majority of members of the Arab-Asian group.

*c. The Proliferation of Committees:*—We are committed to discuss with Lie his idea of an inter-sessional committee which is one logical consequence of Secretariat thinking about the growing role of the General Assembly. This will necessarily involve the question of ending the Interim Committee and the Collective Measures Committee. In this connection, the whole question of the development of international law in the UN needs review. There is great and general disappointment with some of the work of the International Law Commission, especially in the field of codification, and the Sixth Committee, not having any real work to do, has not attracted outstanding delegates and has got into various difficulties. We shall have to consider this question in the *Ad Hoc* Committee which will meet this spring. One solution which the British may suggest is the abolition of both organs and the creation of a standing fifteen member committee to work on legal questions that particularly need the attention of lawyers. Since the General Assembly is fundamentally a political organ, it is difficult if not impossible to separate the legal and political ingredients in any particular resolution or any debate. The British are properly concerned about the standards of legal draftsmanship. For example, one request to the International Court for an advisory opinion was drafted by Arce in the Delegates Lounge. However, Cordier feels that the informal help of a legislative drafting clerk is more effective than any procedure for having First Committee resolutions passed on by the Sixth Committee.

My conclusion is that the development of international law and its usefulness as a tool to the United Nations is of basic importance and it is being retarded rather than helped.

*d. Miscellaneous Devices for Saving Time:*—This is probably the time for a re-examination of the question of what General Assembly sessions are for and how long they should be. If we want important political questions considered in the Assembly and, therefore, if we want Foreign Ministers present, the length of sessions should be shortened and the unimportant or Grade B problems prevented from encumbering them. There are various ways of doing so. It is hard politically to call any question unimportant. However, the other councils, especially ECOSOC, have been offenders in putting on the Assembly agenda items that they found it embarrassing to handle themselves.

Therefore, one solution would be to make access to the Assembly agenda more difficult, especially in the non-political field. Another device would be an inter-sessional committee or perhaps a spring session admittedly for matters of minor importance and handled by permanent delegations.

*e. Economic, Social and Trusteeship Matters:*—These are simply flagged here to be developed later. The Third and Fourth Committees in the general attitudes expressed by their members created a danger in our own sound relations with our friends and to the fabric of the organization. How we meet these problems depends on what our approach to the UN now is. I have mentioned above our attitude toward independence versus home rule. One of the ways of changing this atmosphere is to screen the material that comes into these committees without, of course, attempting to screen any material of substance from UN consideration.

3. *Public Relations:*—American public attitudes about the United Nations, as about automobiles, develop on a yearly-model theory. The 1945 model was good; the 1951 was bad. We probably over-sold the 1945 model. This subject is being separately studied by our Public Information Office. Some State Department thinking is that in the light of the attitude toward the 1951 model, we should go into the UN in the future and play a comparatively minor role, getting behind one or two issues and simply state our point of view of vote on the others. This, I believe, is inconsistent with our size and our political and financial contribution to the organization. Whether we like it or not, we had a big hand in creating it and as long as it exists or as long as it has any agenda items, we have got to discuss them and negotiate about them.

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320/6-352

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

SECRET

[WASHINGTON,] June 3, 1952.

Subject: Conversations with the British on United Nations Problems

Participants: UNA—Mr. Hickerson  
                   Mr. Sandifer  
                   Mr. Bancroft  
                   EUR—Mr. Allen  
                   UND—Mr. Cargo  
                   UNP—Mr. Taylor  
                   Mr. Popper

A meeting was held in Mr. Hickerson's office on June 3 to determine our position on the British proposal that Anglo-American con-

<sup>1</sup> Drafted by David H. Popper, Deputy Director of the Office of United Nations Political and Security Affairs (UNP); initialled by Hickerson. (Dictated on June 4.)

versations be held on the attitudes of the two countries toward United Nations problems.

It was the consensus of the meeting that :

1. Ambassador Gross should be authorized to agree to Sir Gladwyn Jebb's request to discuss basic viewpoints on the United Nations with him informally in New York.<sup>2</sup> It is assumed that the exchange of views on United States and United Kingdom policies toward the United Nations will be helpful in later conversations.

2. On the assumption that the General Assembly will open on October 14, we will suggest to the British that the general discussions on the United Nations requested by them be held in Washington, say between September 15 and September 25. Holding the talks in September rather than August will give us more time for preparation; permit Mr. Hickerson, Sir Gladwyn Jebb and Sir John Martin to be present; and make it possible to test our views on general principles by applying them to the discussion of specific items on the Seventh Assembly's agenda.

3. During the September conversations the regular exchange of views on General Assembly problems would take place.

4. Colonial problems would be included as a subject for discussion. However, we would not repeat previous discussions on general principles, but would concentrate on consideration of specific problems arising in the Seventh General Assembly.<sup>3</sup>

5. A telegram will be prepared for New York, embodying the foregoing, and the British will be informed accordingly.<sup>4</sup>

<sup>2</sup> The Department of State was informed of Jebb's request by USUN in telegram 825, May 16, 6:19 p. m. (310/5-1652) The British Embassy made informal contact with the Department on the matter on May 29 (Allen memorandum of conversation, May 29, 1952, USUN files).

<sup>3</sup> For documentation on colonial policy, see pp. 1075 ff.

<sup>4</sup> In telegram 469, June 4, 6:57 p. m., the Department of State authorized USUN to conduct informal talks with Jebb on "basic attitudes US and UK toward UN". (310/5-1652)

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310/6-1352 : Telegram

*The Acting United States Representative at the United Nations  
(Gross) to the Department of State*

SECRET

NEW YORK, June 13, 1952—6:43 p. m.

933. Re US-UK talks on UN problems. Appreciate info Deptel 469, June 4, and authority to comply with Jebb's request for informal discussions here re basic attitudes of UK toward US and UN. As Dept aware, Jebb in series recent public speeches—notably at Syracuse, Dallas and Chicago—has been expounding thesis which has been regarded by many as minimizing UN present and potential collective security role while stressing concept UN as "universal" forum which might be useful to "conciliate" East/West differences.

I am aware from reftel that Dept contemplates conversations with Brit possibly in Sept, which will enable Dept to test US general

principles by discussion of specific items. Talks with Jebb would accordingly be general as well as "preliminary and informal." However, general discussions of sort Jebb has in mind may necessarily involve some particularly on issues such as membership, CMC future, etc. In order to make certain we understand what Dept has in mind, and to avoid risk of prematurity and confusion, I would be grateful if Dept would give us general guidance for discussions in accordance with offer in ref. tel.

GROSS

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Hickerson-Murphy-Key files, lot 58 D 33, "Jebb's Syracuse speech—March 25, 1952"

*The Assistant Secretary of State for United Nations Affairs (Hickerson) to the Permanent Representative of the United Kingdom at the United Nations (Jebb)*

PERSONAL

[WASHINGTON,] June 13, 1952.

DEAR GLAD: It was good of you to send me with your note of March 31 the text of your Syracuse University speech and invite my comments on it.<sup>1</sup> I had read the press accounts of the speech but had not previously received the full text of it. First of all let me apologize for the delay in commenting on this speech which puts forth your views in brilliant and persuasive fashion.

I read your speech carefully and I asked several of my senior associates to read it and give me their comments on it. It would be trite for me to say that I agree with a large part of your statements. In several important respects I don't know whether my disagreement is with substance or with emphasis and the following comments are to be read in that light.

What you seem to me to be saying is that since we can't have the five-power cooperation we hoped for at San Francisco (and, incidentally, better five-power cooperation than was in sight at the time of the Conference), we ought to keep the United Nations, by and large, out of the center of the cold war struggle and to use it in the political field primarily as a forum and a conciliation instrument. I cannot believe that you mean by this that in these circumstances a fundamental purpose of the United Nations to maintain peace should be ignored or allowed to lapse. Surely you do not mean that we should stop efforts to develop a collective security role for the United Nations under current conditions. We have made a good start, and I emphasize it is only a start, in the Korean experience and the Uniting For Peace program. It may take a long time to make the progress which we would like to

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<sup>1</sup> Neither found in Department of State files, but see footnote 3, p. 4.

achieve but I feel strongly that we should continue these efforts and I hope you agree.

Perhaps you feel that if the United Nations concentrates too much on developing itself as an agency for collective security it will be at the expense of its functions of peaceful settlement. It seems to me that this thesis is of doubtful validity. It seems to me that the more the United Nations is developed in all of its aspects the more effective it will be in each one of them. In other words, I feel that the stronger the United Nations is as an agency for collective security the more effective it can and should be as an agency for conciliation.

One of your colleagues once said to me that, in his opinion, the United Kingdom regarded the United Nations as a forum in which we could deal with the opposition (that is, the Soviet Union) while the United States seemed to wish to develop it into an anti-Soviet alliance. I told him that this is not true in regard to our attitude. I see great advantages in the continued presence of the Soviet Union in the United Nations. If they ever change their policy and decide to begin to behave as a responsible member of the international community, they will be members in good standing of a going concern and they can begin to cooperate in the United Nations without loss of face or embarrassment. I should not like to see the free countries take action to force the USSR out of the United Nations on that account and, moreover, I should dislike very much to see the free nations take action which would, in effect, help relieve the Soviet Union from the important commitments which they undertook when they signed the Charter. If the Soviet Union decides itself to leave the organization, that is a matter over which none of us has any control, but I, myself, hope that they will not reach such a decision.

In working to build up under the Charter a system of collective security, let me emphasize that we are not endeavoring to forge an anti-Soviet alliance but a means for dealing with *aggression*. If the United Kingdom should aggress, it would be directed against the United Kingdom; if the United States aggressed it would be against us. If the Soviets feel that these efforts to carry out the Charter are directed against them I can only recall the Biblical statement that "The wicked flee when no man pursueth."

As I went over your speech I felt at some points that you were saying, in effect, that using the United Nations against some future Soviet aggression would risk breaking up the organization; that, therefore, we should leave this job to NATO and so preserve the United Nations as a forum and an instrument of conciliation. I must say that this seems to me to be a doctrine which, if carried out, would condemn the United Nations to early oblivion. In my opinion, if the United Nations ever takes the line that it must stand aside from the most important political conflicts of our time it is not going to be taken very seriously or

supported by anyone. My own view is that while NATO is the cutting edge of the East-West struggle, the moral motive power behind the blade must come from the United Nations with its over-all appeal to the conscience of mankind.

To put this in somewhat more specific terms, let us suppose that the USSR committed an overt act of aggression in Germany. NATO would, of course, move immediately in accordance with its terms, especially Article 5. I am sure, however, that all of us would wish to see this action reinforced by United Nations action. I visualize that the General Assembly would meet in emergency session, make a finding of aggression, designate the NATO machinery as the Executive Military Authority, recommend that all Members of the United Nations give urgently military and other assistance in the struggle and recommend that the military forces made available be placed under the command of the NATO machinery. It seems to me that it is of the utmost importance that we be able to count on such action. It may well provide the margin, in terms of outside assistance to the NATO powers, between ultimate victory and defeat if this crisis ever has to be faced. Moreover, I believe that the only way to prevent fragmentation in the free world would be to preserve its unity in the United Nations. All this seems to me to underline the importance of continuing efforts wisely and prudently to build up the collective security function of the United Nations.

In your speech you do not mention the United Nations as a moral force, either in connection with NATO relationships or otherwise. Rather, you seem to evaluate the United Nations more in terms as an operating agency and conclude that the United Nations itself is not necessarily the best means of waging war. I agree and feel that if a major war comes it will be waged as set forth above. The United Nations should be involved in a war not because it is a well-oiled machine (which it isn't yet), but rather because it represents the collective moral judgment of the world community. Indeed, it is the only body which is responsive to the collective judgment of the people of the world.

Of course I agree with you that wherever the United Nations can be used for conciliation it should be so used. Of course I agree with you that the United Nations is an important forum and a center for harmonizing the relations of nations. The highly developed United Nations machinery for these purposes is always available. But I feel strongly that fortifying the United Nations ability to resist aggression will strengthen rather than weaken its conciliation and forum functions. I feel even more strongly that we must continue to try to build up the United Nations strength to resist aggression if we are going to continue to have a United Nations in existence for conciliation, as a forum, or for other purposes.



I am sending Ernie Gross a copy of this letter. He and I will be glad to discuss with you from time to time these matters.

With regards and every good wish, I am

Yours sincerely,

JOHN D. HICKERSON

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310/6-1352 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, July 7, 1952—6:03 p. m.

16. Re: US-UK talks on UN Problems. Urtel 933, June 13. We hope you will be able hold informal, gen discussions with Jebb before his departure.

We suggest that in your conversations you focus on Jebb's public speeches and points raised in Hickerson's letter to Jebb (on his Syracuse speech) dated June 13, copy of which has been pouched USUN. Purpose of conversations wld be develop info and ideas for Sept talks re UN and GA (Hickerson-Burrows-Salt Memo Conversation June 24<sup>2</sup> pouched USUN) with greater realism.

Dept leaves to your discretion way in which you shld approach conversations. We wld suggest that you might begin by referring to great interest in Jebb's speeches in Dept and pointing out feeling that implications these speeches go deeper than might appear on surface. We wld like ascertain exactly how far Brit thinking has gone in direction Jebb's apparent emphasis on UN as instrument of conciliation rather than as collective security organiz useful in coping with aggression.

You may wish cover some or all fol points with Jebb :

1. In our view UN is capable serving both as instrument of conciliation and as organ for collective action against aggression. Under Charter we think it must perform both functions. We are committed to use of UN for both purposes, and we do not feel that they are in any way mutually exclusive. UN, in its various organs, offers sufficiently diverse and flexible procedures for both procedures.

2. We wld be interested in having Jebb's views on UN experience re Kor. If aggression in Kor were to be repeated, how wld Jebb propose UN shld react? What is his view re future of CMC? For our part, while we recognize CMC operation can not proceed in future at speed attained during its first year, we hope it will be possible continue gradual improvement of planning techniques in prep for potential future aggression.

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<sup>1</sup> Drafted jointly by the Deputy Assistant Secretary for United Nations Affairs (Sandifer) and the Deputy Director of the Office of United Nations Political and Security Affairs (Popper). Cleared with the Bureau of European Affairs (William B. Sale and Director of the Office of Eastern European Affairs Barbour). The signing officer was the Director of the Office of United Nations Political and Security Affairs (Wainhouse).

<sup>2</sup> Not printed (320/6-2452).

3. We have some difficulty in knowing what can be done to improve UN machinery for conciliation. Presumably Jebb wld agree that if there is will for conciliation, UN machinery is fully adequate. Has he any suggestions as to way in which UN might be made more effective for this purpose?

4. We wld be interested in anything Jebb wishes say re relationship between UN and NATO. We are impressed with importance of using "UN umbrella" in event aggression in NATO area, in order mobilize that part of free world not included in NATO on our side in what may be a desperate struggle for survival. We are equally impressed with need for use UN aegis if def against future aggression is needed outside NATO area.

5. While we wld not expect you to go into detail on NAfrican problems in your discussions with Jebb, you might inquire whether he has any particular views on long-range preps for handling problems such as Morocco and Tunisia in UN organs. We shld imagine, for example, that Nehru's strictures against NATO powers and UN for their attitudes on NAfrican problems wld confront Brit with difficult dilemma, as it does US. Has Jebb any particular ideas as to way in which we can reconcile apparently irreconcilable tendencies on colonial issues in UN?

6. We wld be interested in Jebb's reaction to question whether we shld carry out strong anti-Sov campaign against USSR in 7th GA. We appreciate possibility carrying anti-Sov campaign too far, but feel we cannot fail utilize GA for this valuable propaganda purpose. We may wish raise Katyn massacre; we may wish bring up treatment of aliens such as "Hungarian fliers" in Sov areas.

7. In course your discussion with Jebb, you may have occasion refer to Charter revision conf. We wld be interested in knowing whether Brit have given any thought to this subject.

As stated urtel 933, you may become involved discussion GA issues. If this shld happen we suggest you make any comments contingent upon studies now beginning in Dept with view to fixing positions on specific issues prior Sept talks.

BRUCE

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Hickerson-Murphy-Key files, lot 58 D 33, "US-UK talks—September 1952"

*Draft of Part I of Three-Part Agenda for United States-United Kingdom Talks on the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 16, 1952.

PART I

THE UN IN THE POLITICAL AND SECURITY FIELD

A. *Objectives and Instrumentalities:*

I. Relationship of UN collective security activities to UN pacific settlement functions.

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<sup>1</sup> Prepared in the Bureau of United Nations Affairs. Regarding the items in Parts II and III of the projected agenda, see bracketed note on p. 31.

a. What are the possibilities of, and what are the limitations on, UN action to:

- (1) achieve East-West settlement;
- (2) settle disputes not directly involving East-West conflict;
- (3) unify and strengthen the non-Communist world;
- (4) bring about change, other than by war, in the Soviet system;
- (5) organize a general system of collective security.

b. To what extent are these aims mutually exclusive?

c. Where should greatest emphasis be placed?

2. How could UN machinery be utilized in event of:

a. Future localized aggression (other Koreas);

b. General war.

3. Pace and scope of future efforts to strengthen UN in collective security field (CMC).

4. Relationships between UN and other collective security arrangements:

a. Review of present status;

b. Desirable UN-NATO relationships:

- (1) in peace time;
- (2) in case of localized aggression, in or outside NATO area;
- (3) in case of general war.

c. Desirability of further formal or informal development of UN relationship with other regional or collective defense systems.

5. Development of UN pacific settlement functions.

a. Use of Peace Observation Commission.

b. Additional machinery.

6. Role of UN Disarmament Activities.

7. Importance of economic and social programs, e.g.:

a. International Development Authority;

b. Technical Assistance Program.

#### B. *Korea—Seventh General Assembly and Beyond*

1. General approach.

2. Additional measures

economic  
political  
military

3. Post-GA outlook.

#### C. *The UN and the Cold War*

1. Attitude and probable policy of USSR toward the UN.

2. General posture regarding Soviet participation in UN :
  - a. Desirability of continuing Soviet membership ;
  - b. Election of Soviet bloc members to UN posts. (Seventh GA examples: Successor to Czechslovakia on ECOSOC; Eastern European committee chairmanship).
  - c. Attitude toward Soviet proposals in the UN.
3. Use of UN as propaganda forum by USSR: East-West trade (Moscow Economic Conference), Germ Warfare, etc.
4. Utility of various UN organs as propaganda forums for the West. *Specific problems:* Austrian case; Katyn massacre; Oatis, Linse, etc. cases; Swedish and U.S. plane incidents; Soviet "hate America" campaign.
5. Selectivity in determination of problems to be regraded as East-West issues.
6. Relations with "neutrals" on East-West issues.
7. Admission of new members.

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Hickerson-Murphy-Key files, lot 58 D 33, "US-UK talks—September 1952"

*United States Informal Minutes of Meeting Between United States and United Kingdom Groups (First Session), Washington, September 22, 1952*

SECRET

PRESENT

UK

Sir Christopher Steele  
 Sir Gladwyn Jebb  
 Mr. B. A. B. Burrows  
 Mr. J. K. Thompson  
 Miss Barbara Salt  
 Mr. R. W. D. Fowler  
 Mr. D. S. Laskey

US

Mr. John D. Hickerson  
 Ambassador Ernest Gross  
 Mr. Harding F. Bancroft  
 Mr. James C. Bonbright  
 Mr. David W. Wainhouse  
 Mr. David H. Popper  
 Mr. G. Hayden Raynor  
 Mr. Ward P. Allen  
 Mr. James N. Hyde  
 Mr. Eric Stein  
 Mr. Bernard G. Bechhoefer  
 Mr. Lawrence D. Weiler  
 Mr. Howard Meyers

The talks convened at 5:30 P. M. Mr. Hickerson welcomed the United Kingdom group. He explained that it was his understanding there were to be no agreed minutes, since these were informal talks on matters concerning which final decision had not yet been reached, and each side was to keep its own summary of the discussion. If a joint

position should be agreed upon, or for any other reason of importance, agreed minutes might be arrived at if necessary.

Sir Gladwyn Jebb offered a general statement of the UK attitude on the role of the United Nations. He suggested that, probably, the UK and US agreed on objectives but not on tactics, and hoped that agreement could be reached on the latter. There could be no doubt that, in the event of aggression by Stalinist communism, the core of resistance would be the US supported by the UK and the Commonwealth. NATO, while important, was not this hard core. The Commonwealth was a solid anti-Stalinist bloc, determined to resist aggression as much as was US. There appeared to be more emphasis in the UK in avoiding war if possible, while safeguarding freedom and honor at the same time. Thus, the British belief that there should be avoidance of provocative statements toward the Soviets gave rise to the suspicion in the US that the UK was less willing to resist aggression in Asia, and wanted concentration on defense in Europe at the expense of other parts of the world, notably the Far East. This was an unfounded suspicion.

Sir Gladwyn referred to his speech at Syracuse University, which had been approved by HMG, by Trygve Lie, Mr. Pearson (Canada), and many Americans who supported his general thesis. He noted the criticism which had been expressed, notably by Hamilton Fish Armstrong of "Foreign Affairs", that these views militated against the organization of collective security under the UN. If one inquired into the meaning of this term, one had to look at the history of the League of Nations, where the concept involved was that of an overwhelming coalition against an individual aggressor. Under the League, if the US had participated, this might have worked against Mussolini in his Ethiopian adventure and against Hitler when the Nazis moved into the Rhineland. Now, the world situation involved 800 millions under Stalin's aegis against 800 millions grouped around the UN, with another 800 million odd fence-sitters. Thus, it was probable that the effort to resist aggressive Stalinism with force would be a bloody affair, unlike the collective action envisaged in the League of Nations days, when there was no such precarious balance of forces. We must bear in mind today that resistance to aggression today may not cause the aggressor to desist but rather would be likely to set off World War III. It would be more advisable, therefore, to refer to collective security rather as "collective resistance to aggression", this being the more realistic phrase. In practice, how might this concept best be realized?

He believed that one of the principal State Department tenets was that this should be done by UN collective action, lest other UN members not belonging to regional groupings be left out of this collective action. This implied perhaps that the UK would leave out these states

not members of regional groups, but that was not HMG's intent—if there were direct aggression. If there were indirect aggression (internal), it was conceivable that the UK and US might not want to declare war on Russia and that both governments would have to ascertain the attitudes of many neutrals before deciding upon action. On the other hand, if the indirect aggression involved the Yugoslavs or Swedes, then it was likely this would commence World War III, these being situations which should be resisted by force of arms. However, trying to plan the defense of non-regional group countries through the UN would not help the organization of assistance to these countries. Sweden, for example, wanted to remain neutral and probably would object strongly to UN discussion of how to aid them in case of aggression, on the basis that this would provoke the USSR to Sweden's immediate danger. If Sweden were attacked and prepared to resist, then obviously the Swedes would welcome UN support. In other words, too much pressure on neutrals such as Sweden to prepare in advance for aggression would make them believe these were preparations for World War III, instead of preparations to prevent this occurrence. Further, he could not agree with the US view that "roping in" marginal states in UN collective action would make the difference between victory or defeat in World War III.

Sir Gladwyn continued by emphasizing the UK belief that the US-UK objective should be to induce the neutrals gradually to enter into more Article 51 organizations as in their more direct and immediate interest. This did not imply that it was easy to extend such pacts to Asia and the Middle East, but this should be sought. If Article 51 pacts were to be linked, this should not be done through the UN. Thus, NATO should not be tied too closely to the UN because it might involve UN control over the NATO Organization, with consequent overly rigid relationship. Moreover, UN debate over the relationship between Article 51 organizations and the UN would raise such difficult issues that this would retard the further development of Article 51 pacts, particularly in the Middle East.

If war should break out, then of course the UK wanted to move under the aegis of the UN and to follow the pattern developed in the "Uniting for Peace" resolution. However, the more attempts were made in time of peace to foster these relationships between such organizations as NATO and the UN, the more the impression was fostered that the UN and NATO were indistinguishable. This had a bad effect on the neutrals.

Sir Gladwyn adverted to the role of the UN in conciliation. He believed that the US tended to de-emphasize the UN's role in this regard. It was clear that, in point of time, conciliation must be applied prior

to resistance to aggression in order to be effective. If it were possible ever to reach a *modus vivendi* with the USSR, this would be achieved through negotiations or through an indefinite deadlock. In either event, the UN could help achieve the result, as it did in the Berlin Blockade and the Italian Colonies Cases.

To sum up, the UK's position might be stated in the following propositions:

*a.* We should not push ahead further in the Collective Measures Committee with measures which exacerbate relations with the Soviets, although we should not abandon the CMC and its work.

*b.* In public statements, the US and UK should not exaggerate what the UN can do in the field of collective resistance to aggression, as opposed to Article 51 organizations. This actually weakened the UN since its abilities in this regard were limited. It also gave the impression to some that we were more interested in organizing for World War III.

*c.* We should not diminish the potentialities of the UN in the field of conciliation between East and West.

The UK had been much struck by the State Department's fear that failure to emphasize and develop the importance of obtaining the moral support of the UN in the field of collective resistance to aggression would cause many Americans to propose that the US go it alone, and that the US should withdraw from the UN and limit its commitments to defending the approaches to the U.S. The UK, however, thought that the best way to secure an advantageous moral verdict was to make it clear that the West was absolutely sincere in attempting to avoid World War III, and that the West was doing everything in its power to avert this war. Such an approach might also induce the people of the US to be less disillusioned with the UN.

Sir Gladwyn rhetorically queried whether, in regard to the Arab-Asian countries, it might be worthwhile to make concessions to those states, if the UK thesis on the role of the UN were correct. He declared that such a course might be logical, but it would be extremely dangerous insofar as aiding general collective resistance to aggression on the part of Stalinism, which he assured was the great evil to be met. He cited, in particular, the deleterious effect of the destruction of the French empire, which would immeasurably weaken the collective defense against Soviet aggression in Europe and elsewhere. The UK strongly believed that the proper course to be pursued was to advance on the economic side, particularly in support of Point Four programs and land reform, and to channel nationalist sentiment in the Arab-Asian area into Article 51 pacts.

Sir Gladwyn concluded by referring to a letter he had written to Hamilton Fish Armstrong, setting forth his views on the UN's useful

purposes. In this category he included the following: peaceful settlement of some of the thorniest international issues; developing means to regulate and control armaments; assisting the development of greater self-rule in the non-self-governing territories; and aiding the US and USSR at some future date in their efforts to reach a settlement.<sup>1</sup>

Mr. Hickerson believed any disagreement that might exist probably was one of emphasis rather than substance. He hoped it was not necessary to assure the UK that the first objective of the US is to prevent war. One sure way to make war inevitable would be to make concessions that should not be made. (Sir Gladwyn agreed). Mr. Hickerson continued that building up the strength of the US and its friends was the best way to prevent war. He indicated his disagreement with the contention that US absence from the League of Nations had been a major cause of the League's failure. Even though the US was outside the League, it had been willing to do its part to a greater degree than many League members, notably in the Ethiopian and Manchurian affairs. He accepted the phrase, "collective resistance to aggression" and thought that it would be well to use it in the future.

Mr. Hickerson expressed the fear that if wisdom were not exercised in handling major issues in the United Nations and in collective defense arrangements, sentiment might build up in the United States similar to that which prevented our joining the League. The United States recognized that no country's defense could be prepared in the United Nations. We have merely tried to induce states to ready their forces slightly; and to notify the United Nations of the maintenance of forces which might be made available if the United Nations and the individual states so agreed. We have all seen that the Security Council has been rendered useless as an agency to organize the resistance to aggression. The Uniting for Peace resolution did not give the General Assembly new powers; it cannot give orders but it can make recommendations. He pointed out that, in fact, the forces in Korea are voluntarily furnished national forces. If within such a framework the free world could make advance preparations to facilitate the joint effort to resist any such aggression as might occur, valuable experience would be gained. Mr. Hickerson emphasized that the United States had not tried to pressure countries into a commitment to use their forces if it would endanger their security and that the United States did not believe a universal Article 51 pact is at all feasible. Nor do we agree that it is desirable to have any form of statement that aggression

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<sup>1</sup> Jebb's views were set forth in an article in a subsequent issue of *Foreign Affairs* (April 1953).



anywhere in the world will be met with armed might; each situation would have to be judged individually at the time of actual occurrence.

Mr. Hickerson said there are two major gaps at present in our efforts to organize resistance to communist aggression: (i) indirect aggression and (ii) aggression by proxy.

The United States, Mr. Hickerson stated, agreed that we should avoid debate in the United Nations on UN-NATO relationships. In wartime and in case of aggression such relationships could be easily established. He illustrated by pointing out that if aggression took place, say, in Germany, action would be taken under NATO and that, while this was going on, a special session of the General Assembly would be called (the Security Council being used first if a veto were desirable), and we would try to make the war a war between the communists and the rest of the world. We anticipated that the General Assembly would recommend that member states render aid and would designate NATO as the executive military authority to conduct the war. Thus the United Nations would not interfere with the conduct of the war.

With respect to the UK views on the importance of conciliation, Mr. Hickerson indicated his agreement. He said, however, that as a result of Jebb's recent speeches, he had been concerned that the UK believed all defense against aggression should be left to regional pacts. The United States believed it was essential that the United Nations take some action in this field.

Mr. Bancroft noted that the Uniting for Peace program was not the sort of program in which you could reach a terminal point. The United States wanted a successor to the Collective Measures Committee.

Mr. Gross remarked that, while the US-UK differences might be a matter of words, the problems of stress and direction were real. We should determine what it was that we were trying to do in organizing collective resistance to aggression. Those who must bear the major burden in the event of aggression face a strong insistence that there be developed an equitable method of sharing the burden. How and under what conditions could this equitable burden be developed? It might be a mistake to stress too exclusively resistance against Stalinist aggression. There is the problem of intra-free-world aggression. In addition there is the broader problem of defense against undermining the morale of the free-world, as by dictatorship of the right and by thwarting nationalist desires. We should lay greater stress on the development of common interests, and here the UK statement underestimated the importance of the United Nations economic and social programs.

The first meeting terminated at 6:45 p. m.

Hickerson-Murphy-Key files, lot 58 D 33, "US-UK talks—September 1952"

*United States Informal Minutes of Meeting Between United States and United Kingdom Groups (Second Session), Washington, September 23, 1952*

SECRET

PRESENT

UNITED KINGDOM

Sir Christopher Steele  
 Sir Gladwyn Jebb  
 Mr. J. K. Thompson  
 Mr. F. S. Tomlinson  
 Miss Barbara Salt  
 Mr. R. W. D. Fowler  
 Mr. D. S. Laskey  
 Mr. M. Butler

UNITED STATES

Mr. John D. Hickerson  
 Ambassador Ernest Gross  
 Mr. Harding F. Bancroft  
 Mr. David W. Wainhouse  
 Mr. Walworth Barbour  
 Mr. Walter Kotschnig  
 Mr. George M. Ingram  
 Mr. James N. Hyde  
 Mr. Hayden Raynor  
 Mr. J. G. Parsons  
 Mr. David H. Popper  
 Mr. Ward P. Allen  
 Mr. Eric Stein  
 Mr. Bernard G. Bechhoefer  
 Mr. Richard H. Davis  
 Mr. Louis Henkin  
 Mr. Howard Meyers  
 Mr. Lawrence Weiler

PART I—THE UN IN THE POLITICAL AND SECURITY FIELD

A. *Objectives and Instrumentalities*

- Item 1. *Relationship of UN Collective Security Activities to UN Pacific Settlement Functions*
- Item 2. *How Could UN Machinery Be Utilized in Event of Future Localized Aggression or General War*
- Item 3. *Pace and Scope of Future Efforts to Strengthen UN in the Collective Security Field*
- Item 4. *Relationships between UN and Other Collective Security Arrangements (NATO, Other Regional or Collective Defense Systems)*

The meeting convened at 10:30 A. M.

Mr. Hickerson, in commenting on Sir Gladwyn's statement of the previous day, asked if the British believed that there was any difference in concept between "collective security" and "collective resistance to aggression". Sir Gladwyn replied that there was no difference in fact but considerable difference in the relative appeal of the two phrases; "collective resistance to aggression" made it easier to put across to the public what was expected of it. The British did not want to give the impression that their preferred phrase indicated less willingness to make prior preparations to meet aggression.

Mr. Hickerson referred to Sir Gladwyn's statement that in the event of Soviet aggression the hard core of resistance would be the US, the UK, and the Commonwealth, and asked if there was any significance to the omissions. Sir Gladwyn said that no overtones were intended, that of course we must go ahead with the build-up in NATO, but we must recognize that the hard core might be merely the US, UK, and the Commonwealth.

Mr. Gross remarked that many UN Members are not now so much concerned with the possibility of immediate Soviet attack as they are with long-range economic and social dangers that are peculiar to their areas. What role, then, should the UN play in terms of the long-range future? He wondered if the UK felt that the next few years were so critical that we should concentrate on the immediate problem of defense against Soviet aggression.

Sir Gladwyn stated that he was not suggesting that the UN not be used to deal with certain types of aggression, i.e., possible conflict over Kashmir, and certainly we all wanted to avoid giving the Arab and Asian countries the impression that the West was concerned exclusively with Stalinist aggression. In reply to a comment by Mr. Gross that, because one of the major problems of the foreseeable future was how to deal with the cold war, economic and social questions are extremely important, Sir Gladwyn said he did not mean to underestimate the importance of such questions.

Mr. Hickerson referred to the deterrent motive and effect of NATO. He pointed out that US strength had never been forces in being, but, rather, industrial capacity and potential, and that while the US had more forces in being today than in previous non-war periods, it had not and never would have the forces sufficient to meet at the same time all its commitments. The organization of collective resistance in the UN should have, as was the case with the NAT, a deterrent effect, morally as well as materially.

Sir Gladwyn replied that UN efforts might have a minor deterrent value. However, many in the US overemphasized the deterrent effect of any UN action, for the Soviets are not much concerned with what the UN might do in case of aggression.

Sir Christopher Steele granted that it might be convenient to have the UN as a "front" or "blanket" under which resistance to aggression might be organized and that such a "blanket" might be of value to someone like Tito in case of aggression. However, what really deters the Soviets is NATO, for here there is a command in being.

Sir Gladwyn commented that use of the UN in collective action helped the morale of the West but did not affect the Soviets. Some danger exists that if the UN is "overstretched" it may not work. The UK agreed with the desirability of obtaining a more equitable sharing of the burden in Korea.

Agreeing that Article 51 pacts are, of course, desirable, Mr. Hickerson expressed the view that the prospects for additional pacts in the next year or two are not good. Furthermore, the development of collective UN action would seem to appear to most "fence sitters" as less provocative than Article 51 pacts. Certainly the CMC can be used to turn their minds to the importance of Article 51 pacts. While we do not want to push the development of the CMC too fast, we do not want to abandon the Committee or its work.

Mr. Gross pointed out that, according to Trygve Lie, both Schuman and Eden had agreed the Soviets had been successful in their propaganda efforts (i) to isolate the US from other UN Members and build mistrust of the US in the Middle East and Asia and (ii) to create the impression in the Near East, Asia and to some extent in Western Europe that Korea is an American War. Sir Gladwyn agreed that this was true and that additional "token troop units" would be desirable. Mr. Hickerson replied that divisions would be of more value. Mr. Bancroft commented that it would be helpful to the prospects for an effective deterrent if others were made more aware of their responsibility to help and the Soviets saw a developing community of nations conditioned to collective action.

Mr. Gross felt that the continuous development of the security provisions of the UN Charter had real value. Reference was made to recent private comments by Austrian and Yugoslav officials to the effect that connection with the UN carried security advantages. Sir Gladwyn expressed some disagreement with Mr. Allen's view that the "neutral" states would be more likely to join UN security arrangements than Article 51 pacts. Such states, he said, would feel that they were losing their position as neutral conciliators if they became too involved in UN security arrangements. Mr. Laskey added that, while in theory the CMC has a universal application, in fact everyone knows it is directed against the Soviets.

The US, Mr. Hickerson stated, doubted whether the more passive UN role contemplated by the British would be as likely to attract the fence-sitters as the more active role for the UN that we contemplate. Sir Gladwyn agreed that how to treat the fence-sitters is a basic problem.

Sir Gladwyn said the only way to use the UN to bring about change in the Soviet system without war was to continue to use the organization as a propaganda forum and possibly to use it to split away the Satellites. While the British desired to play down the propaganda aspects during the coming GA, they generally favored the use of the UN as a propaganda forum. Mr. Hickerson noted that we had found it necessary not merely to ignore or vote down Soviet resolutions but to answer them with modest counter-offensives.

Referring again to the CMC, Mr. Bancroft said some form of stimulus, some further recommendation by the GA, was necessary. Sir Gladwyn indicated the UK would support a resolution commending the CMC and giving it the right to receive communications from states. The British did not feel that it had accomplished as much as the US believed. Furthermore, other states do not agree that it is not anti-Soviet. The British agreed that you could not drop the CMC but doubted that much more could be achieved through it, for all who were willing to support its work were already cooperating. In reply to Mr. Hickerson's comment that the CMC's new term should not be limited to one year, Mr. Laskey said he understood it would be re-established with no mention of the term but with an understanding that the GA could undertake a review next year. This would mean that the GA would not be committed to having the CMC for longer than one year.

It was agreed that further consultations on CMC membership would be necessary.

Mr. Gross remarked that due to the publicity it had received the American people tended to view the development of the CMC as a symbol indicating whether the UN was growing or dying. Mr. Laskey replied that there was no value in launching a program if the results will not match your objectives, for this had the opposite effect to that of a deterrent. Mr. Bancroft commented that all the results were not yet in, that progress was being made, and that each step forward brightened the prospects for the future. This was true, Mr. Laskey replied, but the British were skeptical regarding the "speed and size" of the US program for the CMC; he referred once again to the widespread suspicion that the CMC was anti-Russian.

It was agreed that when the time came for GA speeches there should be further consultation on how to present the CMC question.

Turning to the relationships between the UN and NATO, Mr. Gross said that Article 2 of the NAT was not intended to diminish the paramount importance of the UN facilities on such questions. Mr. Hickerson pointed out that in case of aggression against Yugoslavia, a meeting of the NATO Council might decide, if it were felt that the action could be localized, that NATO members should put on their UN hats and act through the universal organization. Consultations in this case would take place first within the NATO, whereas in case of aggression against Afghanistan, consultations probably would take place primarily in New York in the UN. Sir Christopher added that if NATO decided to act in case of aggression against Afghanistan, it would undoubtedly want to use the UN "blanket". Referring to possible use of NATO consultations in anticipation of armed invasion where there is general disquiet or border incidents, Mr. Gross raised the question of the relationship of NATO and the UN's Peace Observa-

tion Commission. France, for example, had resisted the use of the POC in Indochina. There was general agreement that action would probably be taken through the UN in case of a major war in Indochina.

Mr. Parsons pointed out that NATO discussions were of two types: (i) consultations within the scope of NATO where decisions involved action and (ii) consultations on outside matters for the purpose merely of discussion and exchange of information rather than action or use of NATO as a public forum. Mr. Hickerson referred to his reference in the previous meeting to UN designation of the machinery of NATO as the executive military authority in case of a general war; the machinery referred to was not the NATO Council but rather the military machinery already established. Mr. Wainhouse added that if similar action were taken by the UN in case of aggression in other areas, the machinery would have to be improvised.

In answer to Mr. Gross's question regarding the steps that might be taken to meet the Soviet GA propaganda attack on NATO and blunt its effect in Asia and the Near East, Sir Christopher suggested that we counter by pointing to the Soviet relationships with their Satellites. Mr. Hickerson thought that this was unwise. We should continue with the line that NATO is legal under the Charter and that it does not become operative until aggression against one of the members occurs. Sir Gladwyn noted that Nehru objected to the build-up of western power and unity because he believed it meant the West would speak with one voice in the UN on such matters as Tunisia. It was agreed that if the Soviets attacked NATO in the GA we should restate the basic relationship between the UN and NATO.

#### Item 5. *Development of UN Pacific Settlement Functions*

Mr. Hickerson stated the US view that equal efforts should be placed upon efforts in the pacific settlement and collective security fields. We supported the employment of the POC in Greece and believe that it has proved beneficial there. We have no specific proposals for the use of the POC in other areas, although some thought has been given to the possibility of sending a POC team to Berlin to observe along the Western Sector's boundary lines if the situation there worsens. We do not believe any additional machinery is required at this time.

Sir Gladwyn stated the British view that the peaceful settlement function was the primary function of the UN. There was at this time no need for additional machinery. Mr. Laskey added that the UK would accept any solution on POC membership that would gain general support. It was agreed that, at the present time, it was not wise to tamper with the existing membership.

Mr. Gross asked whether consideration should not be given to the possibility of making the POC self-starting. Mr. Hickerson replied that a great deal could be said for such a step, assuming, of course, that the countries involved wanted to use the POC. However, use of

the POC had been limited and there was no real value in making such a change now.

Sir Gladwyn said the UK wanted to see the POC continued but resisted as provocative the idea of sending observation teams to the Soviet frontiers.

It was agreed that the over-riding consideration at this time was to avoid unnecessary debate on the POC.

Mr. Hyde questioned the wisdom of a recent British effort to find a way to send controversies to the Sixth Committee when legal questions arose. Such a procedure would formalize action whereas the mediating function works best when it is not formalized.

There was general agreement that there was no reason to expect pressure at the coming GA for an intersessional *ad hoc* committee of all members. It was noted that the Soviets had rejected Lie's ideas on the subject.

[Here follows discussion of item 6 of Part I of the agenda, "Role of UN Disarmament Activities", which is not included here because of the specific character of the matters discussed.]

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Hickerson-Murphy-Key files, lot 58 D 33, "US-UK talks—September 1952"

*United States Informal Minutes of Meeting Between the United States and United Kingdom Groups (Third Session), Washington, September 23, 1952, 3:20 p. m.*

SECRET

PRESENT

UNITED KINGDOM

Sir Gladwyn Jebb  
Mr. D. Laskey  
Mr. F. S. Tomlinson  
Mr. R. H. Fowler  
Mr. J. K. Thompson  
Miss B. Salt  
Mr. Butler

UNITED STATES

Mr. J. D. Hickerson  
Mr. E. H. Gross  
Mr. U. A. Johnson  
Mr. H. F. Bancroft  
Mr. D. W. Wainhouse  
Mr. W. Kotschnig  
Mr. W. Barbour  
Mr. K. Young  
Mr. J. Green  
Mr. R. H. Davis  
Mr. G. M. Ingram  
Mr. J. N. Hyde  
Mr. W. P. Allen  
Mr. L. Henkin  
Mr. H. Meyers  
Mr. L. Weiler

[Here follows discussion of continuing items on Part I of the agenda which are not included here because of their specific character: economic and social questions, the UN scale of national assessments,

land reform, the specialized agencies, self-determination, forced labor, and Korea.]

PART I—D. THE UNITED NATIONS AND THE COLD WAR

Item 1. *Attitude and Probable Policy of the USSR Toward the UN.*

Mr. Barbour thought that the Soviet objectives in the UN were to use it as a propaganda forum, to oppose measures which would help develop the UN into a more effective collective security instrument, to gain an external appearance of respectability through membership, and to use the UN as a listening post. The US did not anticipate that the Soviets would withdraw from the UN in the near future, both because of the above advantages and because withdrawal would (a) under-cut Soviet claims to be working for peace, (b) might be interpreted as advance warning of war, (c) it might be difficult to lead the neutrals with them out of the UN now, (d) there did not appear to be satisfactory alternative organs to take the place of the UN. The US thought the Soviets might withdraw either if the UN should become discredited as impotent, or if it appeared to represent only a single bloc of states, or if the UN contrariwise became an extremely effective collective security instrument in which the USSR could not delay or hamper action.

Sir Gladwyn agreed with this general statement of Soviet objectives, adding that the Soviets might possibly wish to use the UN for a deal on some issues if to their advantage. He also recalled that the USSR had been expelled from the League of Nations, and that this might militate against their withdrawing from the UN.

It was generally agreed by both the UK and US conferees that if the General Assembly should decide to vote into membership the Western-backed applicants and vote down Soviet applicants, the USSR might possibly think about withdrawing. In this connection, Sir Gladwyn said that the UK remains opposed to the seating of the Chinese Communists so long as they were aggressors.

Item 2. *General Posture Regarding Soviet Participation in the UN.*

a. *Desirability of continuing Soviet membership.*

Mr. Gross said that the US thought it was definitely desirable to maintain Soviet membership, since withdrawal would not give the UN or the Free World any significant advantage but on the contrary would cause many neutral countries to withdraw and leave the UN merely one of two hostile camps with no claim to universal authority. We believed the USSR was not likely to be driven out of the UN by mere prestige considerations and would probably remain as long as its long-range purposes were served, including maintaining



a check in the UN against use of the organization as a hostile coalition.

Sir Gladwyn agreed.

*b. Election of Soviet bloc members to UN posts.*

Mr. Gross explained the UN believed we should not agree at this time to return to the Soviet bloc the old Eastern European seat in the Security Council. In ECOSOC the Soviets share of three out of eighteen seats was disproportionate and, while the US was not proposing now as a general principle that the Eastern European areas should be reduced from three to two seats, we believed that this could be justified. We understood that the UK agreed with us that Yugoslavia should be elected to ECOSOC this year. On the General Committee post, the US might agree to a Soviet bloc member as chairman of Committee 2 and also to a Soviet Vice President.

Sir Gladwyn agreed with this position.

*c. Attitude toward Soviet proposal in the UN.*

Mr. Gross said that the US did not believe that rigid tactics could be followed with regard to all Soviet proposals; that we did not believe it necessary to reject every proposal out of hand but they usually needed either to be voted down or amended so that we could really agree with them or else had to be met by Western counter-proposals, according to the circumstances.

Sir Gladwyn agreed with this.

Mr. Laskey remarked that we may have given the impression to the Arab-Asians that the Western Powers automatically opposed the Soviet proposals, and that this should be avoided.

*Item 3. Use of the UN as a Propaganda Forum by the USSR.*

Mr. Gross suggested that it was better to rebut Soviet arguments right away when they were raised, rather than follow our usual custom of waiting until more carefully developed arguments had been prepared. This was advisable because of the propaganda benefits which the Soviet arguments derived unless countered simultaneously by Western rebuttal. Such immediate rebuttal would cut down the propaganda charges to size, if properly reported in various information media. It would be helpful if states other than the US would make such rebuttal.

Sir Gladwyn agreed with these views, and proceeded to give the UK approach toward dealing with the Soviet "hate campaign". The UK was opposed to placing a specific item on the Assembly agenda concerning this matter, preferring to deal with it: (a) in speeches made after awaiting the expected Soviet vituperative addresses, so that we could demonstrate specifically by references to their statements how dangerous Soviet attitudes were to the maintenance of international peace and security; (b) by then introducing a resolution phrased in

broad terms deploring the hate campaign, the specific terms of the resolution depending on the development of the situation in the Assembly. The UK was prepared to take the lead in dealing with the hate campaign question.

Mr. Gross thought we should have a resolution at least as strong as the one which the US had introduced in the Security Council during the discussions on germ warfare and the 1925 Geneva Protocol.

The meeting rose at 6:05 p. m.

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Hickerson-Murphy-Key files, lot 58 D 33, "US-UK Talks—September 1952"

*United States Informal Minutes of Meeting Between the United States and United Kingdom Groups (Fourth Session), Washington, September 24, 1952*

SECRET

PRESENT

UNITED KINGDOM

Sir Christopher Steele  
 Sir Gladwyn Jebb  
 Sir John Martin  
 Mr. D. S. Laskey  
 Mr. William Mathieson  
 Mr. J. H. A. Watson  
 Mr. J. K. Thompson  
 Miss Barbara Salt  
 Mr. R. W. D. Fowler  
 Mr. Michael Butler

UNITED STATES

Mr. John D. Hickerson  
 Ambassador Ernest Gross  
 Mr. Harding F. Bancroft  
 Mr. Jack B. Tate  
 Mr. Walworth Barbour  
 Mr. G. Hayden Raynor  
 Mr. David W. Wainhouse  
 Mr. Ward P. Allen  
 Mr. John D. Jernegan  
 Mr. James N. Hyde  
 Mr. D. L. Kennedy  
 Mr. David H. Popper  
 Mr. John Utter  
 Mr. Richard H. Davis  
 Mr. R. E. McBride  
 Mr. Howard Elting  
 Mr. Robert Robbins  
 Mr. Eric Stein  
 Mr. Louis Henkin  
 Mr. Warren Hewitt  
 Mr. James Fowler  
 Mr. Howard Meyers  
 Mr. Lawrence Weiler

The session convened at 10:10 a. m.

Mr. Hickerson expressed appreciation for the British decision to take the lead in meeting the Soviet hate-America campaign and suggested the US and UK exchange the information each had on the subject. Mr. Gross commented that we would have to work out a common line on the Geneva Protocol.

## PART I. THE UN IN THE POLITICAL AND SECURITY FIELD

D. *The UN and the Cold War*Item 4. *Utility of UN Organs as Propaganda Forums*

Sir Gladwyn said the UK group had given further thought to the general bacteriological warfare question. If the Soviets avoid any charges and merely push a resolution on the Geneva Protocol, the West should estimate the GA situation at that time and if it appears a majority can be obtained, we should try to refer the resolution to the Disarmament Commission. If the voting situation appears doubtful, we should raise the question of the communist charges and, after emphasizing that the Protocol resolution was merely part of the Soviet propaganda campaign, should attempt to refer the resolution to the Commission.

Mr. Hickerson stated that the US probably will not raise the Katyn massacre question as a special item. This tentative decision, however, is subject to review by the Secretary and consultation with other delegations. Sir Gladwyn replied that the subject was "old stuff" as propaganda. Mr. Davis said the US would refer to the Oatis case<sup>1</sup> in various speeches. Mr. Allen commented that a possible occasion for this sort of thing would be during the discussion of the Yugoslav item.

In a discussion of the question of violation of human rights by the Satellites, Mr. Gross expressed the view that we should not soft-pedal the subject of forced labor. Sir Gladwyn did not want it made a special issue. It was agreed that our joint efforts on this subject should not cut across the work of the *Ad Hoc* Commission on Forced Labor. Mr. Hickerson said we could not merely rely on the report of the Commission for our attacks for the report will not be good propaganda material. Mr. Davis added that the Soviets had been very sensitive on the subject of forced labor. Sir Gladwyn believed we should not raise the subject in a separate speech but rather should continue to needle the Soviets in various speeches not specifically devoted to forced labor.

Mr. Watson said the West should endeavor to get a suitable Commission report that can be used to quote from in broadcasts into the Satellites. In the GA, however, we will be aiming at the delegates, particularly those of the "neutral" countries. Therefore, we should gear our speeches to their reactions and if they object to a forceful attack, we should not play up the subject. Sir Gladwyn quickly added, however, that we must, of course, keep up the references to the conditions existing behind the Iron Curtain. Mr. Gross commented that while the forced labor question could be referred to in various committees

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<sup>1</sup> American newsman William Oatis was arrested by Czechoslovak authorities in April 1951, tried and convicted of alleged espionage in July 1951, and sentenced to 10 years' imprisonment. He was released in May 1953.

and not treated as a special item, it should be considered as a major subject to be run in on various other items. It was agreed that the US and UK delegations should keep in close touch with each other on this subject during the GA.

Item 5. *Selectivity in Determination of Problems To Be Regarded as East-West Issues*

There was general agreement that a selective approach should be followed in determining issues to be treated primarily as East-West items. Such an approach would enable the West to preserve voting support on the most vital issues. Determination of such questions should be on an *ad hoc* basis following consultations among the Western delegates.

Item 6. *Relations with "Neutrals" on East-West Issues*

Mr. Hickerson outlined the US position which followed the general line that our paramount objective should be to build up the unity and strength of the free world and, therefore, effort should be made to avoid antagonizing the "neutrals" by undue emphasis in the UN on East-West issues. The US, however, is perhaps more impressed than the British with the urgency of mobilizing the broadest possible free world support against Soviet tyranny and aggression and is also inclined to assess more highly the usefulness of UN discussion of East-West issues. Furthermore, we might be somewhat less solicitous than the British of "neutral" reactions in deciding to press a specific issue possessing major East-West connotations. If the West is to get maximum support from the "neutrals" in dealing in East-West issues, we must as far as possible adopt a moderate and reasonable policy on "colonial" issues. The US program for the Seventh General Assembly is extremely moderate and should not arouse "neutral" suspicion or resentment. The only exception we now foresee concerns the Korean problem, which we think has reached a stage where additional measures against the aggressors must be considered. Sir Gladwyn concurred in the general line of the US approach and agreed that differences were those of emphasis and possibly in the approach to particular items. However, the UK believes that on "colonial" issues, there is not much value in "buying off" the "neutrals" with one concession after another.

[Here follows a brief and inconclusive discussion of the last item of Part I of the agenda, item 7, "Admission of New Members". After item 7, the conferees proceeded to Part II of the agenda, "Nationalist and Racial Problems in General Assembly Political Committees". Agenda Part III deals with items regarding colonial policy; see pages 1075 ff.

The United States-United Kingdom discussions ended on September 26.]

## B. THE ARAB-ASIAN PROBLEM (1952)

320/1-1852: Circular airgram

*The Secretary of State to Certain Diplomatic Offices*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, January 18, 1952—4:35 p. m.

Subject: Halfway Mark in Sixth General Assembly: Preliminary Observations on Arab-Asian Attitudes<sup>2</sup>

At the halfway stage in the Sixth Session of the General Assembly, the attitudes of the NEA Delegations in the General Assembly with respect to the United States give some cause for reflection. Mr. Vyshinsky and Soviet propaganda, generally, have asserted on a number of occasions recently that during the Sixth Session the United States' "Voting machine" has "cracked" and that the "moral defeat" of the West cannot now be concealed. Mr. Vyshinsky has noted particularly the vote in the General Assembly in Committee I on December 22, with respect to the Soviet resolution against the United States Mutual Security Act, in which no less than 9 of the 11 abstentions came from the NEA area, as proof of his assertion. Only Greece, Iraq, Israel, Lebanon, Liberia and Turkey voted with the United States on this occasion. Mr. Katz-Suchy, of Poland, thought the Sixth Session has revealed a weakening of United States leadership and diminishing agreement outside the Soviet *bloc*, citing the fact that it took 19 ballots to elect Greece to the Security Council, and the 11 abstentions on the Soviet resolution against the Mutual Security Act. This situation would be increasingly reflected, he thought, in the Seventh and Eighth Sessions in the critical years 1952 and 1953. The Australian Delegation has indicated that the outstanding characteristic of the Sixth Session thus far has been the "revolt" of the Arab-Asian states against Western leadership. The London *Times* editorially remarked on January 2: "Two decisions—on disarmament and on the reunification of Germany—were taken against the opposition of the Soviet Union and its adherents, and with a large group of Arab and Asian States abstaining. . . . On two major questions the Western Powers have first displayed a tactical superiority and then assembled an overwhelming vote; there has been an apparent gain, but the effective result is insubstantial."

Particularly noteworthy among the attacks on the position of the United States was that of Sir Zafrullah Khan, on December 13, 1951, in connection with the Moroccan problem when the United States, in the plenary session, voted to postpone consideration, the vote being

<sup>1</sup> Drafted by Harry N. Howard, United Nations Adviser, Bureau of Near Eastern, South Asian, and African Affairs. This circular airgram was sent to 18 posts in the Near Eastern, South Asian, and African areas.

<sup>2</sup> For matters relating to the Sixth General Assembly, Nov. 6, 1951-Feb. 5, 1952, see *Foreign Relations*, 1951, vol. II, pp. 1 ff.

28-23-7, with only Turkey and Israel supporting the United States position, Greece and Liberia abstaining, and all the other NEA states voting in the negative. Sir Zafrullah charged that the United States always supported freedom in the abstract, but seldom did so in a concrete case. Another instance came on December 19, 1951, in connection with the Anglo-Franco-American proposal for disarmament in Committee I, when Andraos Bey (Egypt) asserted that while the League of Nations had failed because the United States did not participate in its work, the United Nations might well fail because the United States "had too much to do with it." The vote on this resolution was 44-5-10, but 8 of the 10 abstentions came from the NEA area, with Ethiopia, Greece, Iraq, Israel, Lebanon, Liberia and Turkey supporting the resolution. The vote in the plenary session was 42-5-7. While the NEA states, with the exception of Ethiopia, which was absent or abstained, supported the United States position with regard to Italian membership, this was not a significant test of Arab-Asian attitudes, however important the United States considered the resolutions involved. On the other hand, the vote on the resolution with respect to the Collective Measures Committee in Committee I, on January 8, was a test and only India abstained, all others voting for the resolution as finally passed (51-5-3), the plenary vote being identical.<sup>3</sup>

The record in the Sixth Session, thus far, shows a deepening and broadening of trends observed in previous sessions of the General Assembly, in which the United States, while enjoying a general support from the Arab-Asian states, has received only partial support on critical issues involved in the East-West struggle, and on issues in which these states have had very particular interests. The most consistent supporters of the US have been Turkey, Greece, Liberia, Ethiopia, Iraq, and Lebanon and Pakistan. There does not appear to be any significant change in the voting records of India and Afghanistan, which abstain on controversial political issues. Saudi Arabia and Iran have demonstrated more than a usual tendency toward abstention this year, while the record and the cooperative attitude of Lebanon and Iraq have been in striking contrast to those of the other Arab

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<sup>3</sup> In a letter of Dec. 21, 1951 to the Assistant Secretary of State for United Nations Affairs (Hickerson), written from Paris, Durward V. Sandifer, Deputy Assistant Secretary, and Senior Adviser, United States Delegation to the General Assembly, said: ". . . The most troublesome thing here is the developing neutralist and anti-United States attitude of the Middle East and Arab states. This has reached a stage of intensity of feeling which it is difficult to understand. The violence of it is epitomized perhaps in the remarkable statement made by the Egyptian Delegate . . . on the Disarmament Resolution. . . ." Sandifer then described the "outburst" by Sir Zafrulla Khan as "an amazing display of violent emotion when you consider the normal character of the man who made it . . . . These states, together with a number of under-developed countries, are following a line . . . which causes us and will continue to cause a great deal of difficulty. It is the one problem which we will have to devote most attention to during the coming year. . . ." (Letter, Sandifer to Hickerson, Dec. 21, 1951, Hickerson-Murphy-Key files, lot 58 D 33, "Mr. Sandifer")

states. In addition to the usual issues of Palestine and Korea, the US position at the Sixth Session has been decidedly complicated by the Moroccan, Egyptian and Iranian questions. The US still has the general support of the Arab-Asian states, although the atmosphere in the Fourth Committee has been discolored by the Moroccan problem and there appears to be an increasing skepticism concerning the colonial powers and the West generally. Part of the hostility is due to the belief that the United States is tied too specifically to the British position in Egypt and the French in Morocco. The US is therefore, the object of an indirect hostility, privately regretted by certain members of the Arab *bloc*, who state that it would not normally be directed against the US. The US has, however, through the processes of discussion and consultation with Arab-Asian representatives in this Committee, and consequent compromise, generally been able to reach agreed solutions as to resolutions emanating from this Committee, and has exercised a moderating influence in many instances, notably in connection with the question of South West Africa. Political differences do not necessarily arise in connection with questions in the Second, Third, Fifth and Sixth Committees, so that the voting record in these Committees is not always significant politically, although serious differences arise in the Second and Fifth Committee, particularly in connection with economic and financial problems, where the United States has not been able, at times, to join with representatives from the NEA area in support of resolutions.

The Department would appreciate any views as to these reflections.<sup>4</sup>

ACHESON

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<sup>4</sup> In a letter to Assistant Secretary Hickerson on February 18, 1952, with copies for the Secretary of State and the President, Mrs. Franklin D. Roosevelt, Acting Chairman of the United States Delegation at Paris from mid-December, 1951 until the close of the General Assembly on February 6, 1952, set forth her preliminary observations concerning the Sixth General Assembly. *Inter alia*, she commented: "I would like to say that I think Ambassador Jessup did a most extraordinary piece of work with the Arabs. Most of us who have had to deal with them in this session recognize how difficult it is and that in some way we must try to change this attitude before we come to another General Assembly." (320/2-1852)

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320/3-2152

*Memorandum Prepared in the Bureau of United Nations Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] May 21, 1952.

Subject: United States Policy with Respect to the Admission of Items to the Agenda of the Security Council and the General Assembly.

The United States' policy in the United Nations has taken an important turn within the last six months as a result of our failure to

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<sup>1</sup> Transmitted on May 21 to the Under Secretary of State (Bruce) by the Assistant Secretary of State for United Nations Affairs (Hickerson). The study was made at the request of the Under Secretary.

support the inclusion of the Moroccan case in the agenda of the General Assembly and the Tunisian case in the Security Council agenda.<sup>2</sup> Until 1951 the United States had been most hesitant to sanction any restriction on the right of a Member to raise for discussion in the United Nations any important political problem of international concern. Only rarely have we opposed such discussion, and then for clearly defined reasons. Our experience in the Moroccan and Tunisian cases suggests the desirability of a review of our past practice.

*Basic Approach in Organizing the United Nations*

Our non-restrictive attitude on the scope of discussion within the United Nations was implicit in the original thinking with regard to the new organization during the latter years of the war. It is clear from the record that the United Nations was established to serve as an international organization in and through which Member States might freely bring to the attention of world opinion problems of international concern, and in which appropriate remedies might be sought within the limits laid down by the Charter.

Our basic philosophy on this point was considered so important that it very nearly resulted in a breakdown of the San Francisco Conference, when the Russians insisted that the veto should apply in the Security Council even to the question whether or not the Council should take up and discuss a question. When Harry Hopkins visited Moscow in May and June 1945 to discuss pressing political problems with Stalin, President Truman sent Hopkins an urgent message asking him to put to the Marshall the United States view that

“the Yalta formula as agreed on safeguarded the freedom of discussion and the right of any Member to bring before the Council any situation for discussion. And that this right, which was rightly a question of the agenda, should therefore be decided by the Council by simple majority without any power having the right to veto it.” (Robert E. Sherwood, *Roosevelt and Hopkins*, p. 911)

Stalin accepted the American position, and the San Francisco Conference<sup>3</sup> was saved.

The Charter<sup>4</sup> provides (Article 35) that any Member of the United Nations may bring any dispute, or any situation which might lead to international friction or give rise to a dispute, to the attention of the Security Council or of the General Assembly. The implication is that the organ concerned will permit discussion of such a dispute or situation. Under the Charter, moreover, the General Assembly enjoys (Ar-

<sup>2</sup> For documentation on these matters, see volume xi, and *Foreign Relations*, 1951, vol. xi, pp. 135 ff.

<sup>3</sup> For documentation on the United Nations Conference on International Organization, held at San Francisco, Apr. 25–June 26, 1945, see *Foreign Relations*, 1945, vol. i, pp. 1 ff.

<sup>4</sup> For text of the Charter of the United Nations, signed at San Francisco, June 26, 1945, see Department of State Treaty Series (TS) No. 993, or 59 Stat. (pt. 2) 1031.



ticle 10) the right to consider and discuss any subject within the scope of the Charter, including any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations (Article 11); and, subject to one qualification, the General Assembly is authorized to recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations (Article 14). In the report of the Secretary of State to the President on the results of the San Francisco Conference, it was stated that the United States Delegation at San Francisco consistently supported the general proposition that an effective international organization must be constructed on the most broadly democratic basis if it is to operate effectively. Senator Vandenberg expressed the hope of the delegation that the General Assembly would be "the town meeting of the world."

To be sure, the Charter does place limits upon the type of *action* which can be taken by the Security Council and the General Assembly. Except for enforcement action taken in the Security Council with the concurrence of the five permanent members, both the Security Council and the General Assembly are limited to the making of recommendations which are not legally binding upon the Members of the United Nations, although they have great moral weight. Moreover, the Charter provides (Article 2, paragraph 7) that none of its provisions authorizes the United Nations to intervene in matters essentially within the domestic jurisdiction of any state. The Charter also prohibits the General Assembly from making recommendations with regard to any dispute or situation while the Security Council is dealing with it. Neither of these restrictions, however, prevents *discussion* in the appropriate body. The practice has developed in both the Security Council and the General Assembly of permitting such discussion even when the competence or jurisdiction of the organ concerned is in the question. A decision on competence takes place after discussion, either on the specific question of competence, or as an element in the voting on any resolution dealing with the question at issue.

*United Nations Practice, and United States Attitude*

In deference to the desirability of ensuring free discussion, the Security Council and the General Assembly until 1951 exercised extreme forbearance in barring contentious political items from their agenda.

*Security Council*

Prior to the Tunisian case, the Security Council failed in only two instances to include in its agenda an item proposed by a Member state.

In the first instance—a Soviet item entitled "Information on Allied Forces on Non-Enemy Territory" (1946)—the item was not received

because the Soviets failed to meet minimal procedural requirements by demonstrating where or how international peace and security were threatened. The subject matter of the Soviet complaint was later discussed in the General Assembly.

The second instance arose from a Soviet complaint, on August 29, 1950 of "The Unceasing Terrorism and Mass Executions in Greece." Again the Council felt that no showing had been made that the allegations constituted a threat to the peace or fell within the jurisdiction of the Security Council. It was noted that this and all other United Nations aspects of the Greek case had been repeatedly discussed in the General Assembly; and it was clear that Council members regarded the Soviet item as another diversionary parliamentary manoeuvre designed to stall further action on the Korean problem.

In both of these cases, the United States voted with the majority to exclude the items.

In all other contentious cases, the item was admitted to the agenda on the ground that a *prima facie* showing of a potential threat to international peace and security had been made. The United States consistently voted for inclusion. It emphatically welcomed Security Council consideration even of Chinese Communist complaints that the United States was guilty of armed invasion of Formosa, and that its air forces had bombed Chinese territory.

This pattern was disturbed when, in April 1952, the United States, joined by the five other NATO members of the Security Council (United Kingdom, France, Netherlands, Greece and Turkey), failed to support consideration of the Tunisian item which had been introduced by eleven Arab-Asian states. The United States rested its position not on considerations of substance but of timing; it maintained that the parties should be permitted to negotiate on the basis of a French program of reforms without United Nations interference. The United States did not support a Chilean suggestion that the item be admitted to the agenda with discussion postponed for the time being.

#### *General Assembly*

Until the Fifth General Assembly (1950), no contentious political case had ever been barred from the agenda of a General Assembly session. Nor did the United States ever object to the inclusion of such a case on the agenda. United States representatives were among the strongest advocates of broad Assembly authority to discuss international political problems.

We were particularly emphatic in supporting the fullest consideration of any allegations made against the United States. We maintained this position even in the face of Soviet charges of warmongering and of aggression, in connection with our Formosa and Far Eastern policies and in 1951 with the Iron Curtain escapee provisions of the Mutual Security Act.

In the last eighteen months, the General Assembly has had occasion, however, to keep items off its agenda.

In November 1950 an exceptional procedure was adopted to deal with an item submitted by El Salvador entitled "Invasion of Tibet by Foreign Forces." By unanimous agreement, the General (steering) Committee of the General Assembly decided to adjourn consideration of the item, largely owing to the Indian view that the question might still be settled by peaceful means. In the light of the unanimous Committee decision this can hardly be considered a contentious case.

In December 1951 the General Assembly decided to "postpone for the time being" consideration of charges of "Violation by France in Morocco of provisions of the Charter and the Declaration of Human Rights," by the narrow margin of 28 votes to 23. The United States favored postponement to permit the French and Moroccans to carry on conversations looking toward the execution of reforms. We held that it was proper under the Charter that the parties should exhaust direct bilateral channels before the General Assembly debated the case, and that the best interests of the Moroccan people would not be served by debate at the time. In the bitter debate on the subject Zafrullah Khan (Pakistan) declared:

"On this issue the United Nations is on trial and will be judged by the people of Asia and Africa by the stand it takes on it. . . .

"Our experience in this Organization has been that we hear a great deal about freedom, democracy, and the self-determination of peoples from the group which might be called the Western states; but whenever we have had to deal concretely with the freedom, liberty, independence, and self-determination of a particular people, that role is, by and large, with rare and noble exceptions, abandoned by the Western States. We have on such occasions always found the Eastern European States in the same lobby with us. We have been forced emphatically to take note of it time after time, and we have been compelled today to give expression to our grateful appreciation in all humility. . . ."

Although the statement is overdrawn, it illustrates the emotional response generated by the colonial problem in the United Nations.

At its sixth session (1951) the General Assembly also refused to accept on its agenda a Soviet proposal on "The Representation of China in the United Nations" and decided to postpone consideration, for the duration of the Paris session, of any further proposals to alter the representation of China. This action was taken on the ground that the matter had repeatedly been raised by the Soviet Union and discussed in the General Assembly and other United Nations organs, most recently at the close of the fifth session a few days previously, when the General Assembly had expressed its desire not to refer the matter for consideration to the sixth session.

It seems fair to conclude from the foregoing that the Moroccan case represents the only departure from the concept of an open General Assembly, the other cases cited having been barred for special reasons unrelated to the principle of free discussion.

*Results of United States Action on Morocco and Tunisia*

The effect of our position in the Moroccan and Tunisian cases has been to impair seriously the basic United Nations premise that in principle the Organization should be open for the discussion of all international political problems. A failure to permit consideration of an item submitted by eleven of the sixty United Nations Members could leave no other impression.

It is not the purpose of this paper to argue the wisdom of the tactics adopted to deal with the two cases. The importance of avoiding action which would gravely alienate or weaken the French at this particular juncture is fully appreciated.

It is relevant, however, to review some of the adverse effects of the policy we have followed. We have debased our moral leadership in the Arab-Asian world. We have convinced many non-Europeans that despite our lip service to concepts of self-determination and racial equality, we are actually seeking to perpetuate the old-style colonial system. We have allowed the Soviets to take credit for championing the cause of dependent peoples. We have exhibited NATO solidarity in defense of the colonial interests of a NATO member, rather than as an association of free states against external aggression. In large areas of the free world we have given a fillip to neutralism. At home we have puzzled and disappointed large sectors of American public opinion. And by taking our stand on the agenda question, we have been cast in the role of opponents of freedom of discussion—a peculiarly vulnerable position for our leadership in the United Nations and among the free peoples.

In assuming these liabilities, we have gained only a temporary respite. We did not prevent acrimonious discussion of the Moroccan and Tunisian problems in the General Assembly and the Security Council, before the decision to exclude the items was taken. We may be confronted with a special session of the General Assembly on Tunisia, where we will have less control over the situation than we would in the Security Council. As a practical matter, we cannot prevent discussion of North African problems in other United Nations forums; the issue is bound to arise at the next regular General Assembly session, either by inclusion in the agenda or during debate in Committee Four (Trusteeship and Dependent Areas) or elsewhere.

Meanwhile, the agitation in French North Africa and throughout the Arab world continues. The experience of frustration in the United

Nations strengthens extremist elements seeking complete independence by violent means. The utility of the United Nations as a safety valve and a means of facilitating the peaceful adjustment of tensions is impaired, and its stature correspondingly diminished.

It is no doubt impossible fully to reconcile in the United Nations the conflicting demands of loyalty to our closest allies, vital strategic considerations, support for the advancement of dependent peoples, and a concern for our moral position in the non-European world. It should be possible, however, to avoid adding to our difficulties the burden of opposing freedom of discussion. Once this hurdle is cleared, we can seek to use the varied and flexible United Nations procedures to blunt and moderate emotional forces, stimulate compromise, and damp down extremism.

What conclusions are to be drawn from our recent experience?

1. Without rigidly tying ourselves down to the automatic acceptance of all political items proposed for inclusion in the Security Council or General Assembly agenda, we should revert to our pre-1951 policy of holding to an absolute minimum the cases in which we will not support free discussion.

2. Grounds for the exclusion of political items might include:

- a) failure to make a *prima facie* case that the item may fall within the jurisdiction of the organ concerned (this is more significant in the Security Council than in the General Assembly, with its broad field of operations);
- b) repeated introduction of the same problem for obvious propaganda purposes;
- c) general agreement that the item is frivolous or trivial;
- d) agreement among all parties at interest that a matter should not be discussed.

3. We should favor consideration by the General Assembly or Security Council of cases involving charges against the United States.

4. If we wish to avoid United Nations action because we believe it would be prejudicial to our interests or to settlement of a dispute, we should not do so by seeking to prevent discussion. We should attain our objective through normal United Nations procedures, including agreement to postpone substantive discussion after admission of an item to the agenda; a decision by the organ concerned to make no recommendation; or passage of an acceptable resolution.

5. We should attempt to persuade other friendly Members of the wisdom of this view; to dissuade them from rash action such as threats of non-participation or of withdrawal from the United Nations; and to convince them that it is more advantageous to debate matters like the Tunisian problem in the Security Council, where we have a large measure of control, than to force their introduction in the General Assembly and other United Nations organs whose action may be more distasteful to us.

## Annex A

*Security Council Experience*

Under the Charter the Security Council has the primary responsibility for the maintenance of international peace and security. Members of the Council have seldom challenged the inclusion of a question on the agenda if there was a *prima facie* case of a dispute or a situation which might lead to international friction.

There are only two instances (prior to the Tunisian case) in which the Security Council failed to include on its agenda an item proposed by a Member State.

The first case of this character involved a Soviet item entitled "Information on Allied Forces on Non-Enemy Territory" which was considered by the Security Council in August and September 1946. The United States opposed inclusion of the item on the agenda on the ground that the USSR had not made a case justifying its consideration by the Security Council. He pointed out that United States troops were stationed on foreign soil in all cases with the agreement of the government concerned; hinted that the Soviet proposal was made only for propaganda purposes; and attacked the formulation of the item because it did not specify which troops in which foreign countries were a menace to international peace, or in what way international peace and security were threatened. Other delegations also criticized the Soviet formulation as pure propaganda and as lacking in the necessary precision as to where and how international peace was threatened. The Security Council decided by a vote of 7 to 2 (Poland, USSR) with 2 abstentions not to include the item on the agenda. It may be noted that the French representative abstained in the decision, on the ground that the mere fact that a proposal was motivated by political or propaganda considerations was not in itself a cause for barring it. He made the point that the question whether peace was in danger could only be determined after study had been given to it.

The position of the Security Council in this instance, as supported by the United States, was that minimum procedural requirements had not been met in the submission of the item. The subject was subsequently raised by the USSR in the General Assembly and was debated there.

The only other instance in which the Security Council, prior to the Tunisian case, refused to admit a political item to its agenda occurred in 1950, when the Council refused to discuss an item proposed by the USSR on August 29, 1950 entitled "The Unceasing Terrorism and Mass Executions in Greece". Only the USSR and Yugoslavia voted in favor of the inclusion of this item. Other delegations opposed its consideration because no showing had been made that the allegations constituted a threat to the peace or fell within the jurisdiction of the

Security Council, and because all United Nations aspects of the Greek case had been repeatedly considered in the General Assembly where the discussion would undoubtedly be carried forward. The United States representative, moreover, criticized the introduction of this question as a parliamentary maneuver by President Malik of the Security Council.

The other Security Council cases in which, prior to 1952, a substantial question was raised regarding the introduction of an agenda item may be summarized as follows:

1. *The Greek Question*

In August 1946 the Ukrainian S.S.R. sought to place the Greek question on the agenda, alleging that as a result of the policies of the Greek Government a situation had arisen in the Balkans which represented a grave danger to international peace and security in that part of the world. The United States took the position that the Council could not deny to any Member of the United Nations which alleged the existence of a situation likely to threaten international peace and security the opportunity to present its case. The French representative stated that it was illogical to contend that, before having examined an application, it was not sufficiently serious to be examined. Therefore, despite Netherlands and United Kingdom objections on the ground that no *prima facie* evidence had been presented, the Security Council placed the item on the agenda.

2. *The Indonesian Question*

In July 1947, the Security Council included the Indonesian question on its agenda without dissent, on the application of Australia and India. The President ruled that this action would not prejudice the Council's competence or the merits of the case. Not being a member of the Security Council at the time, the Netherlands representative was unable to state his views before the item had been admitted to the agenda. In his subsequent remarks, however, he argued that the matter was solely within the domestic jurisdiction of the Netherlands. The United Kingdom took the position that although it had not been demonstrated that there was a war between sovereign states, the situation might endanger international peace and security and should be left on the agenda. The United States representative felt that the Council must take cognizance of fighting on such a scale and in such conditions as to endanger the peace of the region.

Although the Dutch repeatedly contested the Security Council's jurisdiction in the case, they cooperated in the efforts of the Security Council (which were ultimately successful) to settle the problem.

3. *Czechoslovak Question*

In 1948 the Chilean Government proposed the inclusion of an item based on Papanek's charges that the political independence of Czechoslovakia had been violated by the threat of the use of force by the USSR, thus endangering the maintenance of international peace and security. Although the USSR opposed inclusion of the item on the ground that it constituted interference in the internal affairs of Czechoslovakia, the United States and eight other delegations voted to include it on the agenda.

#### 4. *Hyderabad Case*

In September 1948 the Security Council agreed to discuss the dispute between Hyderabad and India, despite doubts as to the political status of Hyderabad and therefore as to the competence of the Security Council, on the understanding that the adoption of the agenda could not be considered to prejudice the Council's competence. Although India was not then a member of the Security Council, the Indian representative strongly maintained that Hyderabad was not a state and that the usefulness of the United Nations would be impaired if areas not possessing the characteristics of states could present their grievances before the Security Council.

#### 5. *Berlin*

Despite Soviet contentions that this question did not fall within the competence of the Security Council; that under Article 107 of the Charter (relating to relations with ex-enemy states) it could not be considered by the Council; and that there was no threat to international peace and security, all the Council members except the USSR and the Ukrainian S.S.R. voted to place the item on the agenda. The United States representative pointed out that the blockade was a threat to the peace, and that Article 107 was not applicable since this was a dispute among the victorious powers. After the decision on the agenda question, the Soviets announced that they would not take part in the discussion, although they did eventually cast a veto.

#### 6. *Complaint of Armed Invasion of Taiwan (Formosa)*

This was a complaint brought by the Chinese Communist regime against the United States in August 1950 as a result of the latter's neutralization policy for Formosa. One day after the complaint was submitted the United States replied welcoming consideration of the case in the United Nations and approving a full United Nations investigation. Although China opposed placing the question on the agenda on the ground that there was no *prima facie* case and that its government had no complaint to make, the item was included on the agenda.

#### 7. *Complaint of Bombing by Air Forces of the Territory of China*

The United States position on this complaint by the Chinese Communists, accompanying their charges on Formosa, paralleled its attitude on the Formosa case. The United States indicated that it would welcome an investigation on the spot. Although the Chinese representative criticized the item as a propaganda maneuver without any basis, made by a body not properly qualified to bring a complaint to the Security Council, the item was admitted to the agenda.

#### 8. *Iran*

In October 1951 the Security Council debated at length the admissibility of the United Kingdom complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian oil case. Objection was made to inclusion of the item by the USSR and Yugoslavia on the ground that it represented interference in the internal affairs of Iran and an infringement of the sovereign rights of the Iranian people. The United States supported inclusion, since a *prima facie* case had been made, the matter had been the subject of litigation in the International Court of Justice, and the Security Council was competent to consider the dispute on its merits. The item was included by 9 votes to 2.



## Annex B

*General Assembly Experience*

The jurisdiction of the General Assembly extends to all matters within the scope of the Charter, and the General Assembly is authorized under the Charter to recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations.

The agenda for a regular session of a General Assembly normally includes 60 to 80 items, most of them without direct political significance. It is not unusual for minor items to be withdrawn, scheduled for later consideration or otherwise disposed of without inclusion on the agenda. However, until late in the 1950 session, there were no instances where a contentious political case was barred from the agenda of an Assembly session.

The United States, until late in 1950, consistently favored the inclusion of political items on the Assembly's agenda in the light of the Assembly's broad jurisdiction under the Charter. We were particularly solicitous in ensuring that items involving charges against the United States should be fully discussed in the General Assembly. Thus, the United States never opposed General Assembly consideration of the annual major Soviet political proposal, introduced at the beginning of each session. We recognized that even Soviet charges of United States warmongering could be raised for discussion, false though they were, if the USSR so desired.

The United States point of view was well illustrated at the beginning of the 1950 session of the General Assembly in connection with three proposed agenda items. The first, "The Question of Formosa" was placed on the Assembly's agenda at American initiative and over the opposition of both China and the USSR for differing reasons. In the discussion Ambassador Austin, "maintained that the very fact that the item under consideration was clearly a cause of dispute warranted its inclusion in the agenda of the General Assembly as a matter of international concern. The United States Government had consistently favored the fullest and freest discussion of any charges brought against it, and would continue to do so." The second case was a Soviet item charging the United States with aggression against China; in this instance Ambassador Austin stated that, "The Delegation would vote in favor of including the item since it believed that the United Nations should hear every complaint brought before it." The third case involved Soviet charges that United States planes carried out bombing and strafing missions in China. Ambassador Austin declared that, "In conformity with his government's policy of favoring full investi-

gation of charges brought against it, he would support the inclusion in the agenda" of the item.

The same considerations impelled the United States to agree in 1951 to the inclusion on the Assembly's agenda of the Soviet attack on the alleged aggressive aspects of our mutual security legislation. In commenting on the Soviet charges Ambassador Gross stated that, "The United States had never objected to the inclusion of a complaint against the United States in the agenda of organs of the United Nations. The United States Government considered that any Member of the United Nations was entitled to express its grievances against another Member, if its complaint related to a question which fell within the purview of the Charter and if the consideration of such a complaint was not liable to prejudice the settlement of the dispute by means of direct negotiations or by any other means."

By contrast, at all regular sessions of the General Assembly the Soviet Union has opposed a wide variety of political items on grounds that their discussion was illegal or inconsistent with various Charter provisions, or for other reasons. The Soviet record shows consistent opposition to consideration of proposals involving the abuse of the veto, Greece, Korea, the Interim Committee, violations of the human rights provisions of the satellite peace treaties, Chinese charges of Soviet violations of the Sino-Soviet Treaty of 1945, and charges of Soviet failure to repatriate World War II prisoners of war.

As is indicated in the body of this paper, the question of the "Invasion of Tibet by Foreign Forces," introduced by El Salvador in November 1950, was not included in the Assembly's agenda, by unanimous decision of the General Committee. The Committee acted largely on the strength of British and Indian assertions that the Tibetan question could best be settled by peaceful means if the item were not discussed. Noting the unprecedented character of its position, the United States reiterated that it "had always supported any proposal to refer to the United Nations international disputes or complaints of aggression, which could thus be aired, considered and settled at international hearings." In this case, however, the United States representative announced that he would support the proposal for adjournment of consideration made by the states most directly concerned.

The circumstances in the Tibetan case may be distinguished from those surrounding the Moroccan question. In the former, there was no appreciable support for the El Salvador initiative, not even from the Chinese (Nationalist) spokesman. In the latter case, the complaints against France was made by six Arab states, and the request for inclusion in the agenda was supported by a large number of other Members. The Assembly's decision on Morocco may thus be said to represent a clear departure from previous Assembly practice.

320/9-1752

*Memorandum for the File, by the Ambassador at Large (Jessup)*

SECRET

[WASHINGTON,] September 17, 1952.

At the 9:30 meeting this morning the Secretary brought up the question of preparing the US position on the various issues which the Arab-Asian group are placing on the agenda of the General Assembly. He said that in the past we have tried to stay in the middle with the result that everyone is mad at us. He referred to Byroade's suggestion that we should just blaze ahead and "be true to ourselves". He said we don't want to Balkanize the Middle East. We must consider what we will have in the end. The UN has put us in a terrible situation in which any irresponsible person like Nehru can make us discuss and vote on any question at all. Debating and voting constitute actions although they accomplish nothing. They have us across a barrel. Is there any course to take in the national interest which will bring us to a better outcome than we have reached now or must we drift on in a middle position? He would like to avoid last minute briefing on details which require him to make a quick decision on such questions as inscribing an item on the agenda. In such cases he is presented with conflicting advice from the different offices in the Department. Some say we should vote to inscribe the item but then shift to the other side of the controversy when we deal with the resolution. We need the best thought the Department can supply on the problem as a whole. There has been no such general thought as yet.

Mr. Bruce referred to the discussion of the same subject in the Secretary's office yesterday afternoon and said they had concluded that I should be asked to take charge of pulling together the recommendations which the Secretary desires.

The Secretary inquired whether he should meet at once with Nitze and me and Byroade and Perkins and Hickerson. Mr. Nitze suggested that he and I first look into the matter and get it lined up in shape for discussion. The Secretary agreed.

320/9-1752

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*Memorandum by the Ambassador at Large (Jessup)*

SECRET

[WASHINGTON,] September 18, 1952.

Subject: Study of Arab-Asian Cases in the General Assembly

At the meeting in the Secretary's office today to discuss the outline on the study of the Arab-Asian cases in the General Assembly<sup>1</sup> the Secretary made the following comments.

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<sup>1</sup> No record found in Department of State files.

He said of course in the general consideration of the problem we must have Egypt and Iran in mind and not limit ourselves to the cases in the General Assembly.

Before we get to decide technical problems in the General Assembly with differing views coming up to him from the several offices (which it is natural they should have) he would like to try to have everyone who has responsibility in these matters think where our interests are and where we are headed. It may be that the question is unanswerable in spite of the best thinking we can put on it. If that is so, we should know that this is the fact. The kind of study he had in mind might, however, bring out some guide lines. There are very many things to be borne in mind and the difficulty is to have all of these considerations in the mind of the same man at the same time. One person may, for instance, bring up the question of the effect of the developments in the election campaign while another mentions the effects inside Tunisia. If you reach a decision in principle and forget one of the important elements you have to reconsider your decision. We need to see where we stand in this whole struggle of the people inspired by the nationalist wave on the one hand and including in some cases the politicians who manipulate the movement and on the other hand the position of the Europeans who in some cases have been holding on too long. We need to know whether our allies are on the skids and we need to know whether we can really get stability in the Middle East. It needs to be thought of generally. On the other hand, you must have the impingement of detail on broad statements so that the generalizations can be tested.

We need to know whether the UN can actually help in any of these situations or whether it can affect them in any way. If it can't and we are merely faced with a mess we ought to have that in mind.

Various criticisms were voiced by the participants of the complexity of the paper work called for but it was generally agreed to go ahead and try it out. The Secretary said that he was particularly interested in the points under heading II and suggested that everyone might take a whack at them.

I suggested that information under various headings could be fed in piecemeal and that much of it could be based on papers already in existence such as the NSC Senior Staff study on North Africa.<sup>2</sup>

The Secretary suggested we should have something to discuss with him next Tuesday.

PHILIP C. JESSUP

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<sup>2</sup> Reference is presumably to the Memorandum for the National Security Council Senior Staff dated Sept. 12, 1952, and entitled "The Current Situation in North Africa."

320/10-1553

*Bibliography of Departmental Sources Used by Ambassador  
Jessup for his Arab-Asian Study*<sup>1</sup>

SECRET

WASHINGTON, October 15, 1952.

CONSIDERATIONS AFFECTING DECISIONS ON THE ARAB-ASIAN PROBLEM  
IN THE UNITED NATIONS GENERAL ASSEMBLY

I. US POLICY CONSIDERATIONS IN THE TREATMENT OF ARAB-ASIAN  
PROBLEMS

A. *General considerations:*

*Pre-eminent US policy considerations concerning conflicts of interest between certain Western European states and Arab-Asian states. Discussion of specific issues (Tunis, Morocco) that may arise in the General Assembly. (20 pp.) (S/P:LJHalle, 9/20/52) Secret.*

*Issues of principle and identification of national interest in "colonial" and racial cases in UN. (4 pp.) (UNA:UNP:DHPopper, 9/22/52) Confidential.*

B. *Specific considerations:*

*Brief statement of US short-term interests in the NEA area which will be affected by the stand which USUN takes on Palestine, Tunis, and Morocco. (1 p.) (NEA:NE:PTHart; NEA:AF:JUtter, 9/23/52) Top Secret.*

*The effect of US position on Arab-Asian items in the GA on US objectives concerning MEDO. (1 p.) (NEA:ABDaspit) Not Classified.*

*Effect of US position regarding certain GA agenda items (Tunisia, Morocco, Indians in South Africa, racial discrimination in South Africa) on immediate policy objectives of US in South Asia. (1 p.) (NEA:SOA:WLSWilliams, 9/22/52) Secret.*

*Probable impact of alternative lines of USUN action on the attitude of India and Pakistan toward the US and the USSR. (2 pp.) (NEA:SOA:WWitman, 9/20/52) Secret.*

*Effect on US short range interests in the Far East of US opposition to Arab-Asian group in GA. (2 pp.) (FE:COgburn, Jr.) Secret.*

*FE's interest in Arab-Asian GA Items. (1 p.) (FE:PSA:WMGibson, 9/22/52) Secret.*

*Significance in the Far East of Arab-Asian items on the agenda of the GA. (8 pp.) (FE:COgburn, Jr., 9/20/52) Secret.*

*Probable impact of alternative lines of US action (analyzed in terms of each of the cases) on the future US position in the UN and the future of UN itself. (9 pp.) (UNA, 9/23/52) Confidential.*

*Effects of US policies toward Arab-Asian nationalism on short-term and long-term US interests in NATO and other European regional ar-*

<sup>1</sup> Prepared in the office of the Ambassador at Large (Jessup).

*rangements.* (11 pp.) (EUR:RA:WTNunley:JGParsons, 9/20/52) Secret.

*France, Tunisia and Morocco in the context of Ambassador Jessup's memorandum of September 18.* (9 pp.) (EUR:WE:RBKnight, 9/19/52) Secret.

*Secretary's discussion with Pinay on US position concerning French in North Africa.* Bipartite Foreign Ministers Meeting with the French: 4:00 p. m., May 28, 1952, p. 4. Secret.

*The Interest of the United States in the French Moroccan problem.* (12 pp.) Tangier's despatch 92, September 8, 1952. (WCIIsenberg, 9/1/52) Secret.

*Comments on Arab-Asian UN problem from the angle of US relations with the UK.* (10 pp.) (BNA) Secret.

## II. DISCUSSION OF GA ISSUES RELATING TO ARAB-ASIAN NATIONALISM

### A. Political

*Tunisia.* (2 pp.) (UNA, 9/23/52) Secret.

*The situation in Tunisia.* (2 pp.) (NEA) Secret.

*Brief analysis of Tunisian reform decrees.* (4 pp.) (R memorandum) Secret.

*The Tunisian question.* (2 pp.) (L:L/UNA:WEHewitt, 9/20/52) Not Classified.

*Morocco.* (1 p.) (UNA, 9/23/52) Secret.

*The situation in Morocco.* (2 pp.) (NEA) Secret.

*The question of Morocco.* (2 pp.) (L:L/UNA:WEHewitt, 9/20/52) Not Classified.

*South African racial problem and Indians in South Africa. Political and power situation in South Asia.* Attachment: *Resolutions on foreign policy, racialism and satyagraha in South Africa, and on Tunisia adopted by All-India Congress Committee session at Indore.* (Excerpt from India Embassy News Bulletin 66/52, 9/16/52) (4 pp.) (NEA:SOA:WWitman, 9/22/52) Secret.

*The South African cases in the UN.* (8 pp.) (EUR:BNA:GHRaynor:AMLee, 9/20/52) Secret.

*Race conflict in South Africa.* (2 pp.) (UNA:UNP:EABrown, 9/19/52) Secret.

*South African racial policies.* (3 pp.) (L:L/UNA:HLinde, 9/20/52) Secret.

*South West Africa.* (3 pp.) (UNA, 9/23/52) Secret.

*South West Africa—Arguments pro and con.* (2 pp.) (L:L/UNA:CRunyon, 9/20/52) Not Classified.

*Treatment of Indians in South Africa.* (1 p.) (UNA; 9/23/52) Secret.

*Palestine.* (3 pp.) (UNA, 9/23/52) Confidential.

*Palestine: arguments pro and con.* (6 pp.) (L:L/UNA:BFensterwald, 9/20/52) Secret.

*The situation in Palestine.* (4 pp.) (NEA:NE:FEWaller, 9/20/52) Secret.

**B. Other:**

*Economic issues (Second Committee)* (1 p.) with attachments: 1) *Economic items: land reform; arid zones and water utilization; locust control; food and famine; productivity* (3 pp.); 2) *Financing of economic development* (5 pp.) (UNA:UNE:EHKellogg, 9/19/52) Confidential.

*Social, Humanitarian and Cultural issues (Third Committee)* (2 pp.) with attachments: *Human Rights* (2 pp.) (UNA:UNE:JFGreen). *Freedom of Information* (3 pp.) Confidential.

*Dependent areas issues (Fourth Committee)* (5 pp.) with attachments: *Resolutions on Self Determination* (2 pp.); *The Ewe and Togoland unification problem* (2 pp.); *Problems of non-self-governing territories* (4 papers: 2 pp., 2 pp., 1 p., 1 p.) (UNA papers) Secret.

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**A. Regional and country analysis:**

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*Political instability in the Near East.* (10 pp.) Intelligence Estimate No. 36 (1/14/52) Confidential.

*The British position in the Middle East.* (2 pp.) (R?) Secret.

*Future of France in Morocco and Tunisia.* (2 pp.) Secret.

*The current situation in Iran: Analysis of Mosadeq's plans for Iran's political and economic future and of the possible consequences of Mosadeq's death.* (2 pp.) Intelligence Brief No. 1218, (8/20/52) Secret.

*Iran: An estimate of possible political developments.* (3 pp.) Intelligence Brief No. 1163, (5/13/52) Secret.

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*An estimate of independent Libya.* (2 pp.) Intelligence Brief No. 1178 (6/11/52) Secret.

*Political situation in India, Pakistan, and Afghanistan.* (4 pp.) (R memorandum) Secret.

**B. Communism and Nationalism:**

*Communist influence in North Africa.* (3 pp.) (R memorandum) Not classified.

*Communist attempts to exploit neutralism among Arab Nationalists in North Africa.* (2 pp.) (R memorandum, 11/15/51) Secret.

*Communism and Nationalism in French North Africa.* (5 pp.) (R memorandum, 8/15/51) Secret.

*Communism and the Nationalist parties in Morocco and Tunisia.* (1 p.) Secret.

*The native Nationalist and Communist movements in South Africa.* (2 pp.) (R memorandum) Secret.

*Communism in Israel.* (1 p.) (R memorandum, 9/15/51) Secret.

*Communism in Egypt.* (2 pp.) (R memorandum, 8/15/52) Secret.

*Communism in Iraq.* (2 pp.) (R memorandum, 9/15/52) Secret.

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*Communism in Lebanon.* (13 pp.) (R memorandum, 7/15/52) Secret.

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*Probable American opinion reaction to alternative US positions on five African and Near East items on the GA agenda.* (3 pp.) (PA:PS:HSFoster, 9/19/52) Confidential.

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##### B. Other attitudes:

*Expected attitudes of Latin American countries to alternative positions of US on Arab-Asian nationalist questions in UN.* (3 pp.) (ARA:JCDreier, 9/19/52) Secret.

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#### V. THE UN, US POLICY AND THE ARAB-ASIAN ISSUES

##### A. *Tactics in the UN:*

*Comments re tactical consideration in UN.* (5 pp.) (UNA, 9/23/52) Secret.

*EUR comments re tactical considerations in the UN: preparing public opinion.* (2 pp.) (EUR:WPAllen, 9/22/52) Not classified.

*Schuman views on handling Tunisian problem in GA.* (Paris 1711, 9/18/52) Secret.

*FE comments re tactical considerations in the UN.* (Memo to UNP: Taylor fm FE:Bacon, 9/19/52) Confidential.

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##### B. *Solution of problems through the UN:*

*Role of the UN as a forum for discussion and probable effect of UN action on solution of basic problem involved in cases relating to Arab-Asian nationalism.* (4 pp.) (UNA, 9/23/52) Secret.

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#### VI. UNLIKELY ISSUES AT THE UN

*The Netherlands and Australian position relative to Guinea.* (2 pp.) (R memorandum) Secret.

*Indonesian Position on Netherlands New Guinea Question.* (4 pp.)  
(R memorandum) Secret.

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USUN files, "Arab-Asian States"

*Memorandum by the Ambassador at Large (Jessup) to the Secretary of State*

TOP SECRET

[WASHINGTON,] September 23, 1952.

Subject: Preliminary Analysis of Considerations Affecting Decisions on the Arab-Asian Problems in the United Nations General Assembly

*General Conclusion*

Careful study of all the papers prepared by the various offices of the Department leads to the conclusion that no one is able to suggest action which the United States or the United Nations can take at this time which will solve or put an end to any one of the current issues which involve the problem of our relations with the Arab-Asian group. There is no such action for instance which will terminate the nationalist agitation in North Africa, end "Malanism" or the opposition to it, or put an end to Arab-Israeli antagonism. It may be stating the obvious, but it is well to bear in mind that policy decisions on these cases must therefore be made with a view to alleviating difficulties, reducing frictions and contributing to ultimate progress toward solutions, while avoiding so far as possible actions which would have the opposite results. More broadly, the United States should endeavor to follow a course of action which will maintain in the world the moral position of the United States as a counter to the communist appeal. The actions which the United States can usefully take in pursuing its general objectives in regard to these issues are not confined to actions in the United Nations but the elaboration of these other courses of action is not included in this paper.

I. *The Issues Arising in the United Nations.*

A number of cases which will come up for consideration in the United Nations General Assembly involve issues about which the Arab-Asian group feel very strongly and on which their positions are sharply opposed to those of the so-called metropolitan powers, especially France. These cases include Tunisia, Morocco, and the new item on the racial policies of the Union of South Africa. So far as South Africa is concerned, they include also the old cases of the Indians in South Africa and the case of Southwest Africa. The Palestine case, from the point of view of the United States, also presents problems in terms of our relations with the Arab-Asian group but does not strictly involve the so-called "colonial" issue and the related problem of "nationalism". A number of other cases which will arise in the Second,

Third and Fourth Committees of the General Assembly dealing with human rights, the development of underdeveloped areas, and the administration of dependent areas and trust territories will also involve some of the same antagonisms and conflicts. This situation is one in which the whole is greater than the sum of its parts.

### II. *Use of Terms.*

It should be explained also that to avoid at each step an examination of the differences which exist between the attitudes and positions of the countries of the Near East, Middle East and Far East, the term "Arab-Asian group" is employed as indicative of a general attitude which creates a problem for the United States. Similarly, for convenience the case of France is, in the first instance, treated as illustrative as an attitude and position of the metropolitan or "colonial" powers. The necessary distinctions and differentiations will be analyzed subsequently.

Similarly, for convenience of analysis, the word "nationalism" is used to indicate the powerful force which inspires or excites a very large part of the human race today. It is recognized that the motivating force is not confined to "nationalism" in the strictest sense. It includes the reactions of those who consider that they are unfairly kept in underprivileged conditions and who have been awakened to the belief that historic inequalities whether social, economic or political can now be removed. Racism is another element contributing to the same turmoil.

### III. *The Problem.*

It is recognized that the appearance of these cases in the General Assembly does not mark either the origin or the extent of the general problem confronting the United States in terms of the conflict between "Arab-Asian nationalism" and "French colonialism." The cases in the General Assembly require specific decisions but those decisions cannot be made wisely without a consideration of the much broader and continuing problem. No one supposes that the "ideal" decision on these cases will finally dispose of the agitation over the particular cases or the long-range difficulties confronting the United States in terms of meeting the general issues. Primary reliance in our approach to these difficulties must probably be placed on actions falling outside the scope of the United Nations and other traditional diplomatic processes, such as are discussed under VII, at the conclusion of this paper. Our United Nations action will, however, have a considerable effect in helping to create the atmosphere and background which will influence our prospects of success in carrying out these other types of action.

For convenience of preliminary analysis, attention is focused here on the problems raised in the case of Tunisia and Morocco. Reserving

for later a detailed analysis of the distinctions between the Tunisian and Moroccan cases, the two are considered here in terms of the problem of French North Africa.

This memorandum also attempts to concentrate at this stage upon factors to be considered in making general policy decisions, as distinguished from arguments which could be advanced and tactics which could be followed to sustain such decisions when made.

#### IV. *Major United States Interests and Objectives.*

In regard to the particular case of North Africa in the General Assembly, certain specific major United States interests and objectives can be identified.

In regard to France, it is to our interest :

*a.* to maximize France's internal strength and external contribution to the Western position in either a prolonged cold war or a general war;

*b.* to enhance the possibility that North Africa will contribute to French strength rather than cause a weakening drain upon French resources;

*c.* to preserve North Africa as a stable area for basing Western operations in the event of general war.

In regard to the Arab-Asian countries, it is to our interest :

*a.* to prevent a further deterioration in the internal stability of the North African area such as might involve a drain on Western strength or an accretion to Soviet strength;

*b.* to promote a sympathetic attitude which will in turn affect favorably the actions of these countries on such issues as participation in MEDO, granting of base rights, availability of raw materials particularly oil, and cooperation in the United Nations especially on such problems as the joint effort in Korea or a possible similar joint effort in case of any new communist aggression.

The United States also has an interest in strengthening the United Nations. Although it is not demonstrable that any country would withdraw from the United Nations if it felt a sense of outrage as a result of United Nations action in these cases, if such an eventuality appeared likely the United States would wish to prevent such a development. Whether or not the short-range interests of the United States are served by the discussion of such cases as those here under consideration in the General Assembly, the United States is at present committed to the generally popular concept of the United Nations as the "Town Meeting of the World" and that concept could not be eradicated overnight.

#### V. *Alternative Courses of Action Open to the United States.*

The United States' freedom of action in choosing a course of action on these cases is limited. An extreme course of action in favor of either one of the antagonistic interests would be likely to place in real jeop-

ardly the attainment of two lines of objectives of American policy neither one of which can be disregarded.

For example, if the French were suddenly to withdraw from North Africa, the result would probably be local chaos in the area since there is no other country to fill the vacuum. France would lose an important source of military manpower, the loss of which would seriously affect not only the French military position in Europe but also its capacity to continue the effort in Indochina. Moreover, the French have the determination to stay and the present power to do so despite any resistance of the local populations even with such support as their Arab-Asian friends could give them. If, however, the French maintain their position solely by force without progressive improvement in the local situation, the drain on French resources could have an equally crippling effect. It is possible to look forward to developments wisely guided by the French which would enable them to salvage at least many of their interests without excessive cost.

The various positions which the United States might take on these cases are subject to numerous variations. Factors to be considered in choosing among these variations would include the actual merits of the cases, the effect on the general French position in the promotion of our European policies, the effect on the effort to increase the cooperative attitude of the Arab-Asian states, the effect on the attainment of other objectives of the United States in the United Nations especially in connection with Korea, the effect on the future of the United Nations itself, and the maintenance of the moral position of the United States throughout the world as a counter to the communist appeal.

It is therefore concluded that the United States can best serve its [ramified?] interests, both with respect to the states concerned and with respect to our stake in the future of the United Nations, by resisting the role of partisan for either camp and by adopting—with such variations as are required by our national attitudes toward each dispute—a mediatory role.

#### VI. *Execution of Recommended Course of Action.*

##### A. Introduction.

In proceeding with an amplification of this intermediate course of action, it becomes more difficult to segregate the particular cases under discussion from other cases in the General Assembly involving relatively the same or comparable line-ups of antagonists. The United States' attitude in a discussion of the Palestine issue, for example, might exacerbate the passions of the more extreme representatives of the Arab-Asian nationalists. On the other hand, if the United States should decide to take an attitude generally in support of the Arab-Asian position on the issue of "Malanism" in South Africa, the atmosphere would be less highly charged in regard to a possible United States intermediate position on the North African cases.

### B. The North African Cases.

It seems to be true that the French anticipate, although they may not be fully reconciled to, United States' support for the inclusion of the North African items on the agenda. (This may be more clearly true in regard to the Tunisian item than in regard to the Moroccan item.) It is not anticipated therefore that United States' support for the inclusion of the items on the agenda would subject our relations with France to a very severe strain. Possibly there would be a somewhat stronger French feeling if they raised the issue of competence and the United States votes against them on this issue. Depending upon the general nature of the debate in the United Nations and the final decision of the French Cabinet, it would appear from the most recent indications that this further step would also be supportable without serious damage to Franco-American relations. Since the Arab-Asian group, supported in this respect in general by the Latin Americans and some other small states, attach great importance to these preliminary questions, it would seem that action of the United States along these lines would be distinctly helpful in terms of our Arab-Asian relationships.

It must be further recognized that the situation in regard to our relations either with the French or with the Arab-Asian group might be changed by the position taken by the United States concerning the adoption of any resolution by the General Assembly concerning these cases. It is probably true, however, that the Arab-Asian group would not expect the United States to join in the kind of strong resolution of condemnation which they would probably favor. The failure of the United States to support such a resolution would probably therefore have only the negative effect of not advancing our cause with the Arab-Asian group. On the other hand, if the United States supported a strong resolution of condemnation, it would undoubtedly surprise and shock the French and might well represent the limit of extreme action which would seriously prejudice French cooperation in support of our policies in Europe. It must be admitted that it is difficult to discuss this point in abstract terms since there are many variations in what might be considered to constitute a "strong resolution of condemnation."

It does not appear that United States' refusal to go along on a General Assembly resolution obnoxious to the French would in and of itself seriously affect (a) the Arab decision to participate in MEDO, (b) the present status of base rights in those countries, or (c) general support of the United States' position in the General Assembly on such questions as Korea. Neither does it appear at the present time that such an intermediate United States' position would have a determining effect (a) on the fate of the Pinay Government, (b) on French ratifica-

tion of EDC, or (c) the actual solution of the basic problem in Tunis and Morocco.

The basic situation in Tunis and Morocco cannot be improved without the cooperation of the French. It is doubtful whether the cooperation of the French can be induced by action in the General Assembly. It is at least possible that favorable French action can be induced at least over a period of time by steady, quiet pressure from the United States. On the other hand, there are strong arguments to the effect that any strong action in the form of a resolution by the General Assembly would encourage the recalcitrant elements among Tunisian and Moroccan nationalists to resist profitable negotiations with the French even if the French took a more forward-looking position.

It may further be noted that it seems to be the judgment of officers of the Department that, while the Moroccan and Tunisian situations are inherently ripe for communist agitation, there is not in the present situation or in the immediate future any prospect of communist control of the nationalist movements in North Africa.

#### C. Certain Other Issues.

Earlier sections of this memorandum have formulated the general role in terms of the issues posed by the Moroccan and Tunisian items, which exemplify most clearly the problem to which this memorandum is addressed. The general line of action to be followed with respect to these two items has been suggested. But application of the general line to other concrete situations—disputes which differ from the North African questions in one or more significant respects—is not an automatic process.

##### 1. *Palestine*

The Palestine case, for example, differs from the North African items in that, *inter alia*, (a) the complainants include only a portion of the Arab-Asian group; (b) their adversary is not a "metropolitan" power; (c) the Arab complaint is not directed against a colonial overlord but a rival neighbor-state. Notwithstanding these differences, the free-world need for a strong Israel (and ultimate peace between Israel and the Arab states) requires that here, as in the North African cases, the United States must remain in a middle position, doing all in its power within and without the United Nations to assist the parties to a permanent settlement. (Indeed, since the most fruitful approach to solution of the Palestine question seems to lie in direct negotiations between Israel and the new Naguib government, the immediate objective of United States' action in the United Nations should be to see to it that United Nations debate does not so exacerbate existing tensions as to make direct negotiation outside the United Nations impossible.)

##### 2. *South Africa*

The Palestine case, despite its significant differences from the North African items, does not call for rejection of the indicated mediatory role. However, the new South African item, which likewise differs

from the North African prototype, does not offer ready ground for the assumption of a neutral position on the merits.

In terms of impact on American interests, the South African case differs significantly from the North African cases. Our cordial relations with South Africa, although important to us, are relatively minor as compared with the importance of maintaining French cooperation. Furthermore, the merits of the South African case are significantly different, in terms of United States national attitudes, from the merits of the North African questions. In the latter situations, the American presumption in favor of self-government is balanced by the American realization that the establishment of self-government is a delicate process calling for statesmanlike efforts jointly agreed upon and carried forward by the metropolitan power and the dependent peoples. In the South African case, fundamental principles of American democracy, embodied in the United Nations Charter, dictate refusal by this Government to countenance any policy of governmentally-imposed racial oppression.

Whether debate in the General Assembly will reach the merits of "Malanism" is problematical, since the competence of the General Assembly may well be called into question. This issue of competence involves both legal problems and policy decisions concerning the effects of the precedent established. If the debate does reach the merits of the controversy, the United States can exercise a moderating influence by privately urging the futility of a sharply condemnatory resolution, but the United States should not put itself publicly in the morally untenable position of supporting or condoning the racial practices of the South African Government.

It is recognized that strong condemnation of the South African Government may provoke South African withdrawal from the United Nations. On the other hand, refusal by the United Nations to discuss "Malanism", or acceptance by the United Nations of a double standard of Charter observance, might provoke the response of Indian negativism toward (or even withdrawal from) the United Nations. On balance, it would seem that the possibility of South African withdrawal must be accepted as a calculated risk. In any event, it should be the special concern of the United States, through private approaches to the South African Government and the South African Delegation, to prevent any precipitate South African response.

#### VII. *Other Types of United States' Action.*

Previous parts of this paper indicated that the United States could not, if it was to avoid jeopardizing its vital interests, follow a course of action that would be wholly consistent with Arab-Asian aspirations. There will be both a continuing frustration of these aspirations and a continuing tendency to blame the Western powers, including—at least to some extent—the United States, for that frustration. This will be one of the factors strengthening extremist anti-foreign groups and weakening the position of more moderate and responsible leaderships in the Arab-Asian area, and particularly in the Middle Eastern countries. This emphasizes the need for consider-



ing carefully whether parallel United States' actions of other types might not be taken which would, to some extent, offset the consequences of the continuing and unavoidable non-fulfillment of Middle Eastern aspirations that impinge on vital Western interests.

Such a consideration calls for at least a cursory examination of the forces underlying the presently accelerated trend toward anti-Westernism and political instability in the Middle East. That trend results, in large part, from recent economic and social changes within this area, which have expanded the numbers and heightened the aspirations of certain groups—notably the urban middle sector—far beyond the point at which they can be satisfied or absorbed under this area's existing social, political, or economic organization. These emerging groups are consequently moved to seek to overthrow that organization, and particularly to challenge the established position of the traditional ruling elite, which is largely composed of members of the landed and tribal hierarchy. While this traditional elite has previously perceived in some degree of Western influence a guarantee of its domestic position, the emerging urban middle sector has found in anti-foreignism a potent issue with which to accelerate its accession to power. So long as the leaders of this urban sector consider that their position as aspirants for, or holders of, power is insecure, they will continue to emphasize this issue in relation to the foreign scene as well as to press for more extremist policies at home. They will, in all probability, continue to be strikingly successful in creating and mobilizing articulate "popular" support for their anti-foreign goals, particularly among the urban proletariat and possibly among the military, since the activism of both of these groups is becoming a factor of increasing political significance in this area.

In the long run, therefore, any approach to the difficulties that we face in our relations with this area (difficulties which the debates in the General Assembly necessarily will not reduce and may compound) must deal with their basic causes rather than symptomatic manifestations. It is doubtful that any practicable United States or indeed Western policy in the United Nations could fulfill Middle Eastern demands and lead to a cooperative partnership with these countries, so long as the exigencies of domestic politics compel their governments to find a xenophobic outlet for the feelings that contemporary social and economic changes are engendering. Most of these governments are leading or confronting internal revolutions, which are nonetheless real for not following the pattern that was established by the events of 1789 in France or of 1917 in Russia. Underlying these revolutions is the aspiration of a new emerging group to alter the area's existing internal structure and external posture in such a way as both to en-

hance its own position and to give effect to certain of its "reformist" and "nationalist" concepts. In proportion as these emerging groups succeed in attaining their goals, their revolutions may "come of age", as in Mexico and Turkey, and thus create a new pattern for political stability. It is by assisting this process that the United States can perhaps best maximize the long-term prospects for fulfilling its objectives vis-à-vis this area. For only stable and reasonably secure Middle Eastern governments will, in the foreseeable future, be able to react to a friendly Western attitude on outstanding issues affecting Arab-Asian interests by limited collaboration rather than by "raising the ante" in their demands on the West. Perhaps the most that can be expected of United States' action in the General Assembly is that it should not so violently disarrange our relations with these countries as to render impossible United States' actions of other types that might help to bring such governments into being.

The processes by which the United States might seek to accomplish this purpose are set forth in the Staff Study appended to NSC 129/1. This paper indicates that "we should seek to use the social and economic tools available to us in ways that will reduce the explosive power of forces pressing for revolutionary change to the point where necessary changes can be accomplished without uncontrollable instability. . . . As new leadership groups emerge, we should also work to associate their interests with our own and, if and when they gain power, cooperate with them in working out programs that will assist them to attain constructive objectives—a course of development which will tend to give a measure of moderation and stability to their regimes. . . . Maximum results, at least in the next several years, will be assured by programs directed towards meeting certain aspirations of urban groups, which include both the leadership and principal supporters of the new political movements in this area."

With regard to our actions outside of the United Nations, it is clear that complete and lasting Arab-Asian cooperation cannot be "bought" by military or economic aid programs.

In some of the countries included in the Arab-Asian group, it is impossible to ignore the importance of the role of certain personalities and equally dangerous to neglect a study of the psychology of such personalities and their peoples in order to determine what kinds of measures they will find appealing. It is a commonplace that aid programs do not, in general, engender such a strong sense of gratitude that this alone brings the countries to our side. In many instances, the local view is that we are under an obligation to share our wealth and instead of gratitude we are reproached for not doing more.

The conclusion is that actions by the United States which appeal to the special characteristics of the peoples or governments of certain

countries and which in themselves seem to us rather intangible and perhaps insignificant, may be among the effective actions we could take. For example, operation "Magic Carpet" in taking the pilgrims to Mecca may well have proved more valuable in building up good will in the Arab states than all the money and effort we have put into the problem of settling the Arab refugees. But it has also been pointed out that memories are short and we need to have recalled constantly such favorable factors as our liberation of the Philippines and our help in establishing the independence of Indonesia.

It must be recognized that the execution of such policies by the United States will be more difficult if the French and more especially the British attitudes are at variance with ours. The same observation applies to colonial areas, in Central Africa for example. Persistent effort to overcome the antagonism of the metropolitan powers to what they consider unrealistic American idealism will be required.

It is beyond the scope of this memorandum to carry further the consideration of these broad problems although their relevance to the specific issues which confront us in the United Nations is clear.

PHILIP C. JESSUP

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320/9-1752

*Memorandum for the File, by the Ambassador at Large (Jessup)*

SECRET

[WASHINGTON,] September 23, 1952.

Mr. Nitze, Mr. Byroade, Mr. Sandifer, Mr. Allison, Mr. Bonbright, Mr. Kitchen and I met with the Secretary this afternoon to go over the memorandum on the Arab-Asian problem. The Secretary said he thought it was along the right line and indicated his agreement with the general conclusion. He said it indicated the position we are in and it was necessary for us to act on that basis. We are not able to get out of the middle position.

Mr. Nitze commented on Part VII on pages 9 and 10, saying that S/P had some reservations about this point of view since it left out of account certain other elements in the situation. I noted that these pages really dealt particularly with the situation of countries in the Near East and the views were not fully applicable to South Asia, Southeast Asia and the Far East.

Mr. Allison said that he was in general agreement with the paper. He emphasized the importance from a tactical point of view of advance talks with representatives of governments to make our position clear. He said he planned to talk along the line of this memorandum in the various countries which he will visit on his trip. I mentioned the

memorandum for Ambassador Bowles which was being prepared and Mr. Allison said he would like to have a copy.

Mr. Byroade said he also agreed with the general line of the paper. He questioned the first paragraph on page 11 which he thought might imply too much playing down of the benefits we get from our military aid program. He said it is the view of NEA that the British and French are through in that area and that the problem is ours. He suggested that Egypt was a good example of the case in which we had taken action which annoyed the British at the time but which they now agree was right. Mr. Nitze pointed out that if we take over these problems as we had to in Greece, we are left holding the bag and cannot fall back on the easier position of trying to help the British for example. Mr. Byroade said that we did have to take on more and more responsibility and eventually we became the hope of the Arab-Asian States. The Secretary inquired whether we did not ultimately also become identified as the enemy and Mr. Byroade agreed that that might be true.

Mr. Allison suggested that in terms of tactics in the General Assembly we should not press too hard to make all of our friends vote with us on every question. We should recognize their right to be neutral. Mr. Sandifer agreed in general but pointed to the necessity of avoiding building up an Arab-Asian bloc which would oppose us on all issues.

Mr. Bonbright wondered whether we were thinking of ways to block Arab-Asian extremism. He thought the first sentence on the top of page 9 suggested that all of the Arab-Asian aspirations are good which he thinks they are not. He thought we should explore ways in which to split the bloc.

The Secretary agreed that this was something to which we should give our attention. He thought that it was very important that we work on the Egyptians, keeping our discussion of possible military aid running along.

There was then some discussion as to whether there was any possibility of persuading the Arab-Asian States to take the Palestine issue off the agenda. The Secretary wondered whether we could suggest that the PPC [*PCC?*] hold conversations with all of the parties during the Assembly and report at the end. Sandifer and I pointed out that we would get the same orations on the refugee question anyway and Byroade agreed that we could not take the initiative in trying to keep the question off the agenda.

The Secretary both in connection with this memorandum and in connection with a recent message from Kennan wondered whether we had to start out with such a row as we usually do in order to secure

appropriations from Congress. Mr. Nitze thought that on one detail it might be possible to include our military aid items in our domestic defense appropriations although we would still have to justify the power of allocation which would need to be written into the bill.

We discussed the telegram to London about inscribing the Tunisian item on the agenda and agreed on what the telegram should contain.<sup>1</sup> The Secretary did not like either the NEA-EUR draft of the statement or the UNA draft. In talking about this the Secretary wondered whether we couldn't make a brief statement in which we would merely make the following points:

We thought the French proposals were pretty good; we are sorry they were turned down; we hope the discussion in the General Assembly will help; the real result, however, must come from discussions by the French and Tunisians; we will do our best to help to get good results.

PHILIP C. JESSUP

<sup>1</sup> Reference is to telegram 2102 to London, Sept. 23, 1952 (722.00/9-2352).

320/9-2452

*Memorandum by the Ambassador at Large (Jessup) to the Secretary of State*

[WASHINGTON,] September 24, 1952.

Subject: Possible Conferences of the Secretary With Various Foreign Ministers at the time of the UN General Assembly

1. In line with our discussion I have explored the desirability and feasibility of developing a definite program of bilateral talks with the Foreign Ministers attending the UNGA, concentrating on those from the Latin American, the Far Eastern, and the Near Eastern areas.

2. The following is a tabulation by areas of the Foreign Ministers who will or may attend the General Assembly:

	<i>Certain</i>	<i>Probable</i>	<i>Possible</i>
ARA (1)	Brazil		(2) Costa Rica Paraguay
FE (4)	Indonesia Korea Nat. China Thailand		
NEA (7)	Iraq Ethiopia Liberia Israel Egypt Pakistan India (Mme. Pandit)	(2) Greece Turkey	(1) Libya
Total (12)		(2)	(3)

	<i>Certain</i>	<i>Probable</i>	<i>Possible</i>
EUR (10)	<p><i>At opening</i>                      Australia                      Canada                      Luxembourg                      Netherlands                      New Zealand                      Sweden</p> <p><i>Later than opening</i>                      Denmark                      Norway                      France                      UK</p>		<p>(5) Belgium                      Czechoslovakia                      Poland                      USSR                      Yugoslavia</p>

3. *Political area attitude toward talks and suggested agenda:*

a. NEA is very favorably disposed toward holding bilateral talks and, although it has not yet furnished specific agenda items, feels that there are unquestionably numerous subjects that can be profitably discussed. NEA is equally interested in just permitting their clients to blow off directly to you.

[Depending on its status, this may prove an exceptional opportunity to further Arab interest in the establishment of MEDO.]

b. FE is particularly desirous that you discuss with the Indonesian Foreign Minister American technical, economic, and military aid; the Indonesian internal security situation; the American Oil Company contracts; and a US-Indonesian treaty of friendship and commerce.

Talks with other Far Eastern Foreign Ministers could be somewhat shorter and are less urgent.

c. ARA thus far is certain only that the Brazilian Foreign Minister will come to the General Assembly. You will doubtless want to reciprocate his hospitality and, depending on the outcome of talks now going on, you may be asked to discuss financial matters with him.

d. EUR assumes that you will wish to have discussions with Schuman and Eden, but may wish to suggest talks also with the Norwegian and Danish Foreign Ministers.

4. *Conclusions:*

a. The Foreign Ministers from ARA, FE, and NEA with whom bilateral talks would have to be scheduled will number between 15 and 20. The talks will require between 20 and 25 hours, exclusive of luncheon or dinner talks, spread over about 6 weeks. This does not include time for discussions with Schuman, Eden, or any other European Foreign Ministers.

b. If the talks are kept within the above limits, they can be fitted into your UN schedule or conducted in Washington in between or after your visits to New York. UNA regards bilateral talks of these proportions practicable and desirable. However, all of the political areas but NEA in particular, will endeavor to have you see all of the heads of their client delegations, and therefore the formal bilateral talks must

be confined to Foreign Ministers and persons of Madame Pandit's status. The others will have to be handled either through regular UN appointments or in groups. The tentative time schedule does not take these group meetings into account.

*c.* Bilateral talks of the character envisioned provide an unusual opportunity to carry out the attack on the Arab-Asian problem which we have been discussing during the past week.

*d.* The agenda for the talks can best be suggested to the Foreign Ministers after their arrival in New York by our political area representatives to the UNGA. Pre-arranged fixed agenda would seem undesirable.

*e.* The political area representatives would also furnish you with the necessary briefing papers and arrange to have the appropriate Assistant Secretary or other qualified officer in attendance at the talks.

*f.* The following is an approximation of the schedule which could be set up:

October 9	Thailand (dinner)
October 20-22	Indonesia (luncheon if possible) or Brazil (dinner or luncheon) India and Pakistan
October 23-25	Brazil (dinner or luncheon) or Indonesia (luncheon if possible)
October 27- November 5	(in Washington) Turkey (probable) Egypt Any of remaining Foreign Ministers who happen to come to Washington
November 5- December 1	Iraq, Ethiopia, Liberia (1/2 hour), Israel, Nationalist China, Korea, Greece (probable) (Schuman and Eden, if desirable)

PHILIP C. JESSUP

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*Editorial Note*

As projected, Secretary of State Acheson conducted a far-reaching series of conversations with the foreign ministers or other ranking representatives of the areas designated, during the weeks of the Seventh Regular Session of the General Assembly, October 14-December 21, 1952. Many of the memoranda of conversation are scattered throughout the extensive 320 decimal file (General Assembly). There is a complete file in the Jessup files, lot 53 D 65, "For. Min. Meetings—N.Y. Oct 1952".

711.00/12-3052

*Memorandum by the Deputy Assistant Secretary for Near Eastern, South Asian, and African Affairs (Jernegan) to the Deputy Under Secretary of State (Matthews)*<sup>1</sup>

SECRET

WASHINGTON, December 30, 1952.

Subject: Attitude of the Arab States toward the Incoming Republican Administration in the United States.

*Problem:*

The Arab States greeted the election of General Eisenhower with enthusiasm, as marking a probable turning point in U.S. policy toward the Near East. They expect from the new Administration a greater appreciation of the strategic importance of the area and a recognition of the greater importance of the Arab countries relative to Israel in the strategy of Near East defense against the USSR. The question is how to deal with this Arab attitude, which presents both an opportunity and a problem to basic U.S. interests in the Near East.

*Background:*

The conviction of the Arab world that the outgoing Administration is heavily biased toward Israel was reaffirmed recently by U.S. support of the Eight-Power Resolution at the United Nations General Assembly, operative paragraph 4 of which urged the Israelis on the one side and the Arab States on the other to seek a peace settlement by entering "at an early date, without prejudice to their respective rights and claims, into direct negotiations for the establishment of such a settlement, bearing in mind the resolutions as well as the principal objectives of the United Nations on the Palestine question, including the religious interests of third parties". This paragraph is regarded by the Arab States as relegating previous United Nations resolutions concerning Palestine into a position where they could be ignored, and as requiring negotiation to be on the basis of the *de facto* boundary and refugee situation in Palestine. Arab bitterness on this subject during the General Assembly debate was recently reflected in a violent press campaign against the West in the Arab States. In addition, the Arab League is holding a threat of economic boycott over the Federal Republic of Germany, effective at such time as the German Parliament ratifies the Restitution Agreement which it signed in 1952 with Israel, and has charged the U.S. with responsibility for this 'un-neutral' document, which they say, ignores the compensation rights of the Arab Palestine refugees.

*Discussion:*

The Arab attitude towards the election of General Eisenhower has been more clearly indicated by press reactions in the Near East than

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<sup>1</sup> Drafted by Parker T. Hart, Director of the Office of Near Eastern Affairs.



in official statements. The press was particularly vocal in Beirut and Baghdad, less so in Syria and Egypt where military regimes exercise a more strict control over what is printed.

The Arabs appear to hope vaguely for a new orientation of U.S. policy towards the Near East which will include: (1) greater emphasis on economic and military assistance to the Arab States as compared with Israel; (2) an affirmation of U.S. determination to prevent aggression by Israel against the Arab States; and (3) pressure on Israel to implement the obligation (which she has accepted in principle) to compensate Arab refugees; to repatriate to Israel a substantial proportion of the Arab refugees; and to rectify her boundaries with the Arab States at least in rough equivalents to the allocations of territory outlined in United Nations resolutions which have gone unobserved by both Israel and the Arab States.

However vague and imprecise may be the feelings of the Arab States, there is no doubt that their hopes are very high. This fact presents both an opportunity and a risk at a time when the U.S. Government is moving to effect a settlement of differences between the U.K. and Egypt and to establish a Middle East Defense Organization. The alternatives are three:

(1) that the present mood in the Arab States may be turned to U.S. advantage by certain friendly gestures and actions by the incoming Administration; or that

(2) this wave of Arab enthusiasm, if given no encouragement, may spend itself rapidly in such disillusionment that currently dwindling faith in U.S. friendship for the Arab world might be completely lost and the leadership of moderate Arab opinion, which favors closer ties with the U.S. and the West, would be supplanted by extremist opinion of an anti-Western and a neutralistic nature; or

(3) that Arab enthusiasm may be over-encouraged, beyond capacity to later satisfy.

*Recommendations:*

It is recommended:

(1) that you call the attention of Mr. Dulles to the problem of Arab-Israel relationships and to the declining prestige of the U.S. throughout Arab lands which has resulted from Arab conviction that present U.S. policy favors Israel against the vital interests of the Arab States;

(2) that a special opportunity exists for the incoming Administration to capitalize on Arab hopes and expectations, without raising the latter too high;

(3) that in the best interests of the U.S. these hopes and expectations should not be allowed to collapse;

(4) that, accordingly, it is suggested that the incoming Administration consider the desirability of several initial moves designed to con-

vince the Arab States of (a) its deep interest and impartiality toward all states in the Near East; (b) its determination to discourage aggression within as well as upon the Near East area; (c) its desire to work steadily for peace between Israel and the Arab States by whatever means seem best calculated to produce that result; and (d) its determination to weld the states of the Near East into a workable structure for defense against Soviet aggression;

(5) It is also suggested by NEA that the following might be considered as suitable initial moves by the new Administration designed to create the desired effect:

(a) a brief general statement in the President's Inaugural Address embodying a recognition of the importance of the Near and Middle East area to the U.S. and to the defense of the free world, and the friendly and impartial interest which the U.S. entertains towards all states of the area. An example of the type of general statement which this Bureau believes useful is attached.<sup>2</sup>

(b) an early reaffirmation by the new Administration, in conjunction with the governments of the United Kingdom and France, of the principles of the Tripartite Declaration of 1950 regarding non-aggression within the Near Eastern area.<sup>3</sup> It is hoped that this reaffirmation might strengthen the earlier language, so as to re-emphasize that (assuming the new Administration pursues current plans to develop a Middle East Defense Organization) any arms aid extended to states of the Near East are to be used only for area defense against an outside threat and not for intra-area aggression.

(c) an early visit by Secretary Dulles himself to the Near East to discuss with heads of states top policy problems regarding U.S. relations with the Near East. It is suggested that if Mr. Dulles finds this idea congenial, announcement of the intention to make such a trip might be made as soon as feasible after the Inauguration.<sup>4</sup> The purpose of the trip would be primarily to underline U.S. interest in the area by breaking precedent. No Secretary of State has visited the Near East in recent years, although many visits have been made to Europe and Latin America. The dramatic aspect of such a visit would recall to Near Easterners General Eisenhower's pre-inaugural visit to Korea and would serve to emphasize an awakened U.S. understanding of the rising importance of Asian peoples in the panorama of U.S. foreign relations. From a practical standpoint it would embolden moderate, pro-Western leadership in the Near East at a moment when the Soviet Union is redoubling its efforts to discredit the U.S. and its Western Allies throughout the area by alliance with extremist, anti-Western groups.<sup>5</sup>

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<sup>2</sup> Not printed.

<sup>3</sup> Dated May 25, 1950. For documentation regarding the Tripartite Declaration, see *Foreign Relations*, 1950, vol. v, pp. 122 ff.

<sup>4</sup> Initialled marginal notation by Matthews: "I have reservations as to timing."

<sup>5</sup> Dulles made a visit to the Near and Middle East in May 1953; see volume IX.

C. THE 1953 REVIEW: ORGANIZATION OF UNITED STATES  
PARTICIPATION IN THE UNITED NATIONS SYSTEM

310/6-353

*Memorandum Prepared in the Department of State for the  
White House*<sup>1</sup>

[WASHINGTON,] May 29, 1953.

THE ORGANIZATION OF UNITED STATES  
PARTICIPATION  
IN THE  
UNITED NATIONS SYSTEM  
BASIS FOR PARTICIPATION

The United Nations and its related agencies deal with a wide variety of problems which are of major concern to the United States as a leading world power. This is the fundamental reason for United States participation. The United Nations is an instrument for the accomplishment of certain objectives. Our own national interest is served by the use we make of the instrument, and by our effectiveness in preventing its misuse by others. In the Cold War the UN has become a major means for diplomacy and propaganda in combatting the political warfare of the Soviet Union and in rallying the strength of the free world through a wide variety of measures.

In addition, the technical complexities of problems which cut across national boundaries have required us, in our own self-interest, to cooperate with other sovereign states in dealing with them.

For these reasons, the Congress has provided a body of legislative authorization under which the Executive branch develops and carries out policies and programs through international organizations in order to further the interests of the United States. (Tab A lists the pertinent treaties, statutes and other legislative acts.)

THE UN SYSTEM

In the *UN proper*, the parent organ, so to speak, is the *General Assembly*, which meets annually for approximately three months, and in addition holds special sessions almost every year. All 60 member nations participate with equal voice and vote.

*The Security Council* has eleven members, always including the Big Five who have the right to veto important matters. *The Economic and*

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<sup>1</sup> Drafted by Lincoln P. Bloomfield of the Planning Staff of the Bureau of United Nations Affairs. The paper was requested by the White House for the use of Sherman Adams, Assistant to the President. Bloomfield coordinated the project in the Department of State. The paper was forwarded to the White House on June 3. (A small collection of documents illustrative of its operational history is in decimal file 310.)

*Social Council* consists of eighteen nations, the great powers in practice always being reelected. This has also been the case on the *Trusteeship Council* (twelve members). *The Disarmament Commission* has the same membership as the Security Council (plus Canada, because of her atomic development). *The Military Staff Committee* consists of military representatives of the Big Five's Chiefs of Staff, including our own. Temporary intergovernmental UN bodies include the *Collective Measures Committee* (fourteen members), and *Peace Observation Commission*. UN operating programs include the *Technical Assistance Administration*, *Korean Reconstruction Agency*, *Relief and Works Agency for Palestine Refugees in the Near East*, and the *Children's Fund*.

Under the Economic and Social Council are eight functional commissions (Fiscal, Statistical, Population, Social, Human Rights, Status of Women, Narcotics, and Transport-Communications) plus three regional economic commissions (Europe, Asia, Latin America). The US is a member of all these bodies.

Outside the UN proper but considered part of the UN system are the so-called *Specialized Agencies*—intergovernmental bodies in technical fields where problems cross national and regional boundaries and require cooperative efforts. These are the Food and Agriculture Organization (FAO), World Health Organization (WHO), International Monetary Fund (IMF), International Bank (IBRD), Universal Postal Union (UPU), International Civil Aviation Organization (ICAO), International Telecommunications Union (ITU), World Meteorological Organization (WMO), International Labor Organization (ILO), and the Educational, Scientific and Cultural Organization (UNESCO). Through agreements between these agencies and the Economic and Social Council, as prescribed in the UN Charter, their programs and administration are reviewed and to a considerable extent coordinated by the UN. In general, however, they are autonomous and directed by their various governing bodies, on which we and other member governments sit.

(Completely outside the UN system but performing functions of concern to the UN operation are such *ad hoc* intergovernmental organizations as *General Agreement on Tariffs and Trade* (GATT), and the *Intergovernmental Committee on European Migration* (ICEM).)

#### CHAIN OF COMMAND

*The President* is responsible, in the words of the Hoover Commission, "for the conduct of all aspects of foreign affairs within the purview of the Executive Branch". As Chief Executive, as Commander-in-Chief, as Chairman of the National Security Council, he presides over the process of defining world objectives and coordinating foreign affairs activities to achieve those objectives.

In directing US participation in international organizations the President under his constitutional authority determines policy and designates representatives and agencies for its execution.

*The National Security Council* advises the President as prescribed by statute, and acts on major policy problems arising in the UN—Korea and disarmament are two current examples—in the same way as with other foreign policy issues before it.

*The Secretary of State* “advises the President in the determination and execution of US foreign policy” and “directs the discharge of the functions of the State Department”. In managing US relations with international organizations, the Secretary performs his functions in the same fashion as he does in all fields of international relations.

*The Assistant Secretary for United Nations Affairs* is one of six executive or “operating” vice-presidents of the State Department, who in the words of the Senate Committee on Government Operations have “responsibility for decisions within clearly defined limits” and “serve as focal points of contact between the Department and the Missions in both substantive and administrative matters”. (Committee Report No. 4, January 9, 1953.)

These officers, according to the Hoover Commission, have “the responsibility for the formulation of foreign policy proposals and for action in line with approved policies”. The Commission described the Assistant Secretary for UN Affairs as “in charge of relationships with international organizations, including the United Nations and its affiliated organizations”, and as “the channel for instructions to and from United States representatives and delegations at the United Nations and all other international organizations and conferences”.

The Assistant Secretary for UN Affairs has the function of servicing or “backstopping” the US Representative to the UN, and US delegates to other UN agencies (and some non-UN bodies). In a nutshell, his job is to see that the policies these representatives express in the name of the US Government always represent White House policy.

To furnish this “staff support”, the Assistant Secretary supervises the Bureau of UN Affairs (UNA) which provides three types of services:

- 1) it coordinates the policy views and technical requirements originating in various other parts of the Department and other agencies, so that US representatives in international organizations can be sure they are always stating consistent and unified US positions.

- 2) it develops the actual US policy positions on questions which are peculiarly “multilateral” in nature, which cut across the bilateral functions of the geographic units and the specialized “subject” units in other agencies, and which no other office is staffed or equipped to handle.

- 3) it assembles in one unit the special knowledge and experience the US has built up in the field of multilateral diplomacy so that the Gov-

ernment can prepare itself most efficiently to uphold its interests in international organizations.

Thus, according to 1) above, where another part of the executive branch is responsible for relations with one area or one subject, it furnishes policy guidance to the Bureau of UN Affairs, which develops it for use in the international organizations in terms of precedents, relation to other UN matters, parliamentary problems, UN personalities, etc. In the second category, the Bureau of UN Affairs, as indicated, has the primary "policy responsibility" for specialized multilateral questions. Examples of these are: political matters of an inter-regional nature (in the UN this has meant such items as admission of new members, general Cold War moves and resolutions like "Peace Through Deeds" and "Essentials of Peace", counter-strategy to Soviet propaganda charges of "warmongering", and biological warfare, etc.); collective security preparations in the UN (e.g., activities under "Uniting for Peace" program, additional measures against Communist China, contributions of troops for Korea, etc.); world refugee problems; parliamentary tactics which have been proven best by experience in specific UN agencies; international secretariat problems; operations of the UN Trusteeship system; world health and human rights problems; interpretations of articles of the UN Charter; international budgets; the diplomatic aspects of arms regulation.

In the third category, the Assistant Secretary for UN Affairs contributes to the whole process of policy-making and servicing the technical "know-how" in the field of multilateral diplomacy. This means chiefly the political and organizational side of the work of UN bodies. It includes questions of credentials (e.g., the tactics of defeating moves to seat Communist China, in 135 separate UN meetings to date), elections (the balancing of interests, blocs, and geographic distribution in the membership and officers of multilateral bodies), budgets, secretariat organization and practices, agenda problems, relationship of other multilateral bodies to the UN, etc.

*The US Representative to the UN* is, as prescribed by Executive Order 10108, the Chief of the United States Mission to the UN (USUN). The Mission includes: various other US Representatives (i.e., those serving in the UN Economic and Social Council and its Commissions, the Trusteeship Council, Disarmament Commission, Military Staff Committee, etc.); the Deputy Chief of Mission; and the Deputy Representatives to the UN Security Council and to other UN bodies in New York. Ambassador Lodge coordinates "the activities of the Mission in carrying out the instructions of the President transmitted either by the Secretary of State or by other means of transmission as directed by the President". He thus guides all US Government activities at the UN headquarters, administers the US

Mission, is the Chief US Representative in the UN Security Council, Chairman or Acting Chairman of the US Delegation to the General Assembly, representative *ex officio* and principal US spokesman in any UN body at UN headquarters, and principal US negotiator vis-à-vis the UN Secretariat and representatives in New York of other member governments. In addition, Ambassador Lodge participates regularly in the President's Cabinet meetings, and takes part in other top-level meetings within the Government, such as meetings of the State-Defense-AEC Committee on Regulation of Armaments, etc.

The status of the US Mission to the UN, while unique in many ways, is in a sense comparable to a major American Embassy abroad in terms of the normal working relationships with the State Department. Just as the Bureau of European Affairs is the "home desk" for our London Embassy, so the Bureau of United Nations Affairs is the "home desk" for USUN. The American Ambassadors in both cases are appointed by and responsible to the President. They are instructed by and report to the Secretary of State, acting for the President. In practice, the Assistant Secretary of State, acting for the Secretary, is in both cases responsible for ensuring that they are instructed and advised, that such instructions and advice represent the coordinated views of the Government (including where necessary the decisions of the Secretary, the NSC, and the President), and for receiving the information they report and seeing that it is properly used and acted on at the Washington end. In practice also, the head of the UN Mission takes an active part in the formulation of US policy and tactics both prior to and during UN meetings, and recommends changes in policies if in his opinion conditions "on the ground" so require.

#### PARTICIPATING AGENCIES

Multilateral diplomacy involves a wide variety of subjects, only some of which are "purely political". The State Department, in collaboration with military and other agencies directly concerned, directly manages US interests in problems which are primarily of a political or security nature, such as: disputes between states, organization of collective defense against aggression, administration of colonial areas of the world, regulation of arms, and world trade, to name but a few.

Since World War II the US has undertaken to collaborate with large numbers of nations on essentially "technical" questions of mutual interest, such as epidemic control, famine relief, currency stabilization, flight safety, labor conditions, dope smuggling, radio frequency allocation, and comparative statistical methods, again to name only a few of the problems in which world conditions affect US interests.

This has meant that other parts of the US Government where experts work on these subjects must be looked to for defining this coun-

try's international interest in the matter, often in consultation with private groups such as business, farm, professional and labor organizations. Because of the diversity of subjects dealt with internationally, these expert "source" areas range across much of the Government, from the Atomic Energy Commission to the Tariff Commission, from the Narcotics Bureau to the Department of Agriculture, from the Budget Bureau to the Civil Aeronautics Board. In addition to the State Department at least 24 other executive agencies are concerned with UN activities, often on the ground that the success of the domestic programs they operate are materially affected by what happens in the particular UN body which is dealing with the same subject.

#### THE COORDINATION OF POLICY

##### *The Process of Coordination*

The machine of US participation in international organizations is somewhat like a funnel. At one end experts in various government agencies recommend policies for the US to adopt in the UN on a large number of topics. At the other end US spokesmen in international forums are expected to state with clarity and authority the views and wishes of their government, often at meetings separated by thousands of miles, and on subjects which bear on each other significantly. This fact presents the Government with a formidable task of coordination.

When real conflicts of views exist as between interested parts of the Executive branch, they must somehow be resolved before a unified and agreed to American position can be confidently presented in an international forum. Even when no substantive conflict exists, varying approaches and methods are often suggested by the interested agencies. These contributions from different standpoints must be brought into harmony with each other, and with what the US is currently saying and doing in other similar international situations and meetings.

The ultimate purpose of the coordination process is to ensure that when the US speaks officially to the world at large, it speaks with one voice, and with the knowledge that in the next room, the next city, or the next continent, other US spokesmen are, so to speak, on the same wave length. US policies on different subjects must be consistent with one another. They must fit together into an effective program for the advancement of US interests throughout the whole UN system.

##### *The Machinery of Coordination*

The process within the Government of funneling to a single point of action all necessary views and interests on a host of political and non-political subjects requires machinery of coordination. For this function of coordination, by definition one central point is required. The coordination machinery thus runs on the principle of narrowing the



funnel at its end to a single organizational unit. This is the Bureau of United Nations Affairs in the State Department.

Under the Assistant Secretary for UN Affairs, UNA's four offices [political security (UNP), economic-social (UNE), dependent areas (UND), and international administration-conferences (OIA)], plus its International Refugee Staff, pull together the many threads throughout the executive branch with the purpose of ensuring that throughout the whole system of international organizations and conferences the representatives of this Government are adequately serviced with agreed policies on all topics of concern to the US.

The Hoover Commission recommended that the Assistant Secretary for UN Affairs, "while participating in the formulation of foreign policy . . . should, so far as possible, obtain his policy guidance from the various regional units, the Planning [Staff], and from other staff advisers . . .". In accordance with this, as indicated earlier, UNA operates in the first instance as a working coordinator of Department-wide and government-wide policy-formulating operations.

A considerable part of the coordination job is done through in formal day-to-day contacts between the desk officers in UNA on the one hand and the "subject specialists" elsewhere in the Department or other Departments, on the other. Often this is the only way in which deadlines can be met at UN meetings, imminent votes, or sudden shifts in position by other countries. In this way also the countless minor matters that arise in various international organization operations can be resolved with a minimum of bureaucratic "layering" or "clearances".

In the political field this is particularly the case. When there are indications that a political problem will come before the UN a working team is formed. The subject may be Korea, or Palestine, or Kashmir, or currently Laos. The representative of UNP usually chairs the group, prepares papers for consideration by the group, and drafts instructions for the UN representative. His responsibility is to ensure that the views of all interested offices are secured and that any information required is obtained from Department and overseas files. He furnishes the knowledge of UN Charter considerations, precedents established in various UN bodies, past performance of various delegations and delegates, voting probabilities, operation of regional and special-interest blocs in the UN, etc. He frequently acts as principal adviser to the US Representative during the UN meetings when the case is considered.

Also on the "team" are representatives of the affected geographic areas, who provide the general US policy toward the country in question (although these must be reconciled where one desk officer is speaking of our interests in the UK and the other on our interests in Iran, as in the Iranian oil case in the Security Council). In addition they furnish the knowledge of geographic factors, national idiosyncrasies,

and official personalities, and often they participate in the actual GA or SC sessions as political liaison officers with delegates from countries in their areas.

These teams also frequently include representatives of the Legal Adviser's office and, when necessary, of the public affairs, economic and research offices. The UNP member often consults informally on military aspects of the cases with officers in the Defense Department. The team members turn to their respective Assistant Secretaries for major decisions, and these in turn consult higher echelons, as required, before approving final US positions. Either UNA or the geographic offices undertake consultation with appropriate US Missions abroad and foreign envoys in Washington (e.g., the Assistant Secretary for UN Affairs is responsible for the regular briefings of representatives in Washington of countries with troops in Korea in addition to his frequent consultations with foreign representatives on other UN problems).

An essentially similar process takes place within the Department on economic and social questions before the UN, and on problems of dependent and colonial areas. In the latter case, issues of the greatest perplexity arise in different parts of the world vitally affecting US relations with both our principal allies and with the strategically important regions of Asia, the Middle East and Africa, where most dependent areas are located. Conflicts between these two groups on colonial questions come to a head in the UN, both in the Trusteeship Council and in the General Assembly. UNA's Office of Dependent Area Affairs (UNDA) teams up with the geographic desk officers concerned and with Defense and Interior Department officers for the task of harmonizing both within the US Government and in our UN policies, traditional US attitudes toward colonial peoples on the one hand, and the pressing need to maintain a united front alongside our major European allies, on the other.

During the entire process of developing US policies the Department of State, through UNA, constantly consults the US Representative to the UN and members of his staff, seeking his views and judgment on all matters of importance. For his part Ambassador Lodge conducts consultations with his diplomatic colleagues in New York, and of course carries the burden of top-level negotiation on behalf of the US Government on all matters under discussion in the UN. As a source of political intelligence, the US Mission to the UN is one of the key listening posts in the world, with US representatives constantly in contact with high officials from 59 other countries. This flow of information, combined with Ambassador Lodge's recommendations, significantly influences the formulation of policy, of strategy, and of tactics.

*Coordination by Committee*

More formal coordination within the State Department is afforded by the UN Liaison Committee. This is chaired by the Assistant Secretary for UN Affairs, and includes representatives from other parts of the Department and from USUN. On such relatively long-term operations as the preparation of US positions on agenda items in the UN General Assembly, this Committee meets regularly prior to the session so each item can be worked out in an orderly fashion (71 items were on the agenda of the first part of the last session, ranging from Korea and Tunisia, through regulation of armaments and admission of new members, to tensions in colonial areas and the loyalty of US employees of the UN).

A group of inter-departmental committees furnishes the chief means of coordination in the economic and social field, where members of other government agencies are involved. Several of these committees deal exclusively with international organization problems. Others have wider jurisdiction. There are also a few which make recommendations on certain special political and security questions (such as colonial problems and regulation of armaments). Tab B lists some of the major interdepartmental committees in this field.

Unless another agency clearly has a predominant interest (e.g., Agriculture, for FAO), the State Department furnishes the Chairman or at least the Secretary of these committees. Within the State Department, UNA usually provides either or both, particularly in the political-military, trusteeship, and social-human rights fields.

In the technical-economic committees, State's economic area generally leads the Department's participating group, which usually includes UNA.

## ADMINISTRATION AND FINANCE

*General Administration—International*

The question of administration of international organizations is really a foreign policy question. It involves our relations with other governments and with international secretariat officials. It includes the domestic problem of US budget estimates for the US share of contributions to the international organization budgets. But this operation is related closely to the formulation within the organizations themselves of their own budgets and assessments on members. A similar field is that of international administrative and personnel practices in the UN system. These questions are handled as policy problems by OIA, an office of UNA, in collaboration with the Department's administrative and security area, the Budget Bureau, and the Civil Service Commission. Continuous advice and liaison with the UN Secretariat is provided by the US Representative to the UN and his staff.

*General Administration—US*

The field described in the last paragraph is distinct from the purely internal administrative aspects of US participation in the UN. The Bureau of UN Affairs is staffed and financed as an integral part of the State Department's regular operation. The US Mission to the UN (USUN) is financed under a special appropriation along with other US Missions to international organizations. USUN's organization and staffing are the responsibility of its Chief of Mission, who draws on the Department's personnel, finance, and service functions as needed, through UNA as his "home desk".

*Conference Operations*

Special funds to finance the sending of US delegations to international conferences are budgeted under the "International Contingencies" appropriation.

In the UN system most meetings are regularly scheduled, and can be planned for systematically. Other international bodies frequently issue invitations for special conferences. UNA's Division of International Conferences (IC) screens all such invitations, recommends as to US participation, negotiates throughout the Government the make-up of the US delegations, helps organize the preparations of US positions, allocates funds, makes all travel, housing, etc., arrangements, and, in meetings away from UN headquarters, furnishes the service staff of the delegation itself. After the meeting IC makes sure all official reports, documents, and other follow-up items are properly discharged. Formal steps in the process of administrative preparations are:

*Staff Study*—IC with concurrences of all policy units affected secures the written approval of the Assistant Secretary for UNA or, if necessary, the Secretary or President, for US participation in each international meeting.

*Naming of US Delegations*—P.L. 341, in addition to requiring Presidential appointments of permanent US Representatives to UN organs, specifically makes him responsible for naming US delegates to the annual UN General Assembly. Other statutes similarly charge the President (such as P.L. 643 with respect to US delegates to the WHO Assembly). To ease the burden on the White House for the appointment of delegates to numerous lesser meetings, the President on February 26, 1948 approved a delegation of authority to the Secretary of State "to designate all . . . representatives and delegates as well as advisory and secretarial staff for all groups" other than those assigned by law to the President, or in special cases like the naming of Congressional consultants, etc. On March 6, 1953 the Secretary of State re-delegated his authority to the Assistant Secretary for UN Affairs (all delegation members are named subject to security clearance). UNA, which, in addition to coordinating all policy preparations, administers the funds for conference participation, decides on the advisory and service staffs of US delegations after weighing recommendations from all interested offices and agencies. The basic

factors are: scope of the agenda and availability of funds. The specific criteria are: all members must be "working members", actually responsible for agenda items; they must be able to handle several items each; generally, they must represent the Government as a whole; and maximum use should be made of qualified US personnel at the conference site.

### *Financing*

The Assistant Secretary for UN Affairs, through UNA's Division of International Conferences, administers the "International Contingencies" appropriation, for costs of US participation at various international conferences, and the appropriation "Missions to International Organizations", which finances permanent US missions at the seat of the UN, ICAO, etc. (although in the case of USUN, authority for encumbering the appropriated funds is immediately transferred to Ambassador Lodge).

Payments of US shares of UN costs are directed by the Assistant Secretary for UN Affairs under allotment authority made to him by the Department's Budget office, based on appropriations made by Congress for the purpose. UNA's Division of International Administration actually issues and records the obligation documents by authority in writing from the Assistant Secretary.

### Tab A

#### STATUTORY AUTHORITY

The basis for US participation in the UN system resides in a body of legislation through which the Congress provided both the statutory authority and the means:

Both Houses of Congress went on record by a bipartisan vote in 1943 as favoring United States participation in an international peace organization, through S. Res. 192 and H. Con. Res. 25, both of the 78th Congress.

The Senate ratified the UN Charter on July 28, 1945 by a vote of 89 to 2.

The 79th Congress passed the UN Participation Act of 1945 (59 Stat. 619; 22 U.S.C. 287-287e) "to provide for the appointment of representatives of the United States in the organs and agencies of the United Nations and to make other provision with respect to the participation of the United States in such organization".

In addition, the United Nations Headquarters Agreement (61 Stat. 756-768), the Vandenberg Resolution of 1949 (S. Res. 239, 80th Congress), the UN Headquarters Loan Legislation (62 Stat. 1286), the International Court of Justice accession (61 Stat. (2) 1218), the International Organizations Immunities Act (59 Stat. 669-673; 22 U.S.C.

288-288*f*), and the annual appropriations of funds, all form parts of the legislative mandate for US participation in the UN.

Congress has also authorized participation in the various specialized agencies of the UN, as follows:

- International Civil Aviation Organization (ICAO)—(61 Stat. 1180-1220)
- Food and Agriculture Organization (FAO)—(62 Stat. 441; 64 Stat. 902; 22 U.S.C. 279-279*d*)
- World Health Organization (WHO)—(62 Stat. 441; 64 Stat. 902; 22 U.S.C. 290-290*d*)
- International Labor Organization (ILO)—(62 Stat. 1151, as amended; 64 Stat. 903; 48 Stat. 1182; 49 Stat. 2712; 22 U.S.C. 272)
- International Monetary Fund (IMF)—(59 Stat. 512-517; 60 Stat. 535; 22 U.S.C. 286-286*m*)
- International Bank for Reconstruction and Development (IBRD)—(59 Stat. 512-517; 60 Stat. 535; 22 U.S.C. 286-286*m*)
- World Meteorological Organization (WMO)—(ratified April 20, 1949)
- UN Educational, Scientific and Cultural Organization (UNESCO)—(60 Stat. 712-714; 22 U.S.C. 287*m*-287*t*)
- International Telecommunications Union (ITU)—(63 Stat. (2) 1399)
- Universal Postal Union (UPU)—(5 U.S.C. 372, as amended; 48 Stat. 943)

US participation in the UN Children's Emergency Fund (UNICEF)—a temporary agency of the UN—was authorized by 61 Stat. 125,939; 62 Stat. 157; 63 Stat. 412; 22 U.S.C. 1411, 1531-1536 and by Executive Order 9944.

(The designation and organization of the US Mission to the UN in New York is currently prescribed by Executive Order 10108 of February 9, 1950, which is a revision of Order 9844, dated April 28, 1947).

#### Tab B

#### MAJOR INTERDEPARTMENTAL COMMITTEES WHICH DEAL WITH INTERNATIONAL ORGANIZATION MATTERS\*

- UN Economic Committee*—"advises the Secretary of State" on economic questions in the UN. Membership: *State*, Agriculture, Commerce, Council of Economic Advisers, Federal Reserve Board, Interior, Labor, MSA, SEC, Treasury, Tariff Commission.
- Interagency Committee on Food and Agriculture Organization*—formulates US positions in FAO, under lead of Secretary of Agriculture, with State providing "policy guidance on international political . . . and general organizational and administrative ques-

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\*The Chairman of each Committee is underscored. [Footnote in the source text.]

- tions . . .". Membership: *Agriculture*, State, Treasury, Health, Education and Welfare, Budget Bureau, MSA.
- Interdepartmental Committee on International Social Welfare Policy*—advises Secretary of State on social questions in the UN. Membership: *HEW*, State, Labor, Justice, Agriculture.
- Interdepartmental Committee on International Labor Policy*—advises Secretary of State on US policies in UN (ILO). Membership: *Labor*, State, Commerce, Justice, MSA, HEW.
- Interdepartmental Committee on Human Rights*—advises Secretary of State on human rights questions in UN. Membership: *State*, Justice, Labor, Interior, HEW.
- Telecommunications Coordinating Committee*—advises Secretary of State on telecommunications problems in UN (ITU). Membership: *State*, FCC, Military Services, Treasury, CAA.
- Executive Committee on Regulation of Armaments (RAC)*—approval of disarmament policies for UN Assembly and Disarmament Commission, or for decision by the NSC. Membership: *State*. Defense, Atomic Energy Commission, and ex officio, US Representative to the UN.
- Interdepartmental Committee on Non-Self-Governing Territories*—advises State on dependent area and trusteeship questions in UN. Membership: *State*, Interior, Labor, Navy, Commerce, Agriculture, HEW.

#### D. THE 1953 REVIEW: PRINCIPAL STRESSES AND STRAINS FACING THE UNITED STATES IN THE UNITED NATIONS

A/MS files, lot 54 D 291 (V), "UNA/P master file"

*Memorandum by the United Nations Planning Staff to the Planning Adviser, Bureau of United Nations Affairs (Sanders)*

CONFIDENTIAL

[WASHINGTON,] July 27, 1953.

Subject: "Principal Stresses and Strains Facing the US in the UN"

1. In your memorandum of February 10, 1953 to the Office Directors,<sup>1</sup> supplemented by meetings with Messrs. Hickerson and Sandifer and the Office Directors, the purposes of this project were described as follows:

a) To make an objective review and analysis of the major issues confronting the US in the UN in order that the new administration could have the benefit of this experience in charting future courses of action.

b) To take, in Mr. Hickerson's words, a "new look" at what we have been doing in the UN after seven years of operation in order to have a clearer picture of directions and trends.

c) To establish guides for a selective approach to the problem of UN Charter review.

<sup>1</sup> Not found in Department of State files.

2. In Mr. Sandifer's memorandum of April 30, 1953<sup>2</sup> it was stressed that the current stage of this project—the first stage—would consist of objective historical analyses of major stresses and strains, to be followed later by a second stage which would consist of conclusions, identification of new policy decisions required, and well-balanced presentation of alternative courses of action open to the US. He pointed out that the second stage would draw not only on the analysis of difficulties—the first stage papers—but on all other pertinent considerations and factors as well. The first stage studies with findings based upon them are in this sense background material and are being restricted to internal use within UNA only.

3. Of the fifteen studies originally scheduled eleven\* were ultimately prepared, the others for one reason or another being found to be unsuitable for this presentation. All eleven papers were prepared in collaboration with the appropriate operating units of UNA and often other areas of the Department as well. Some of the papers were initially drafted by the operating officers, some by the UNA/P Planning Staff. In almost all cases extensive redrafting took place during a protracted period of discussion between UNA/P and other units. Most of the papers were fully cleared by all appropriate operating units. Others were approved in substance, and a few were dissented from by one or more units. Thus, although the studies are preponderantly a joint effort and full credit should be given to the many collaborating officers, UNA/P must take full responsibility for the final text.

4. It is inevitable that an attempt to state and analyze US experience in the UN should give rise to some apprehensions lest the presentation imply criticism of given policies and actions. No criticism (or advocacy) was intended. The sole purpose of the project was to secure a better grasp of what we have been doing, where we are heading, and what difficulties we must bear in mind.

5. Attached hereto is a brief paper of the most significant findings which UNA/P has derived from a number of the studies. The subject matter of a few of the studies did not bear on these central findings, but it should not be inferred that they are of any lesser importance, merely that they should be read as separate problems. The eleven basic papers are being made available under separate cover for background and reference.

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<sup>2</sup> Not found in Department of State files. A UNA/P memorandum of Apr. 24, 1953, to Sandifer, on which the Apr. 30 memorandum may have been based, is in decimal file 310.

\*General Assembly and Security Council; Colonial Question; Propaganda; Collective Security; Bloc Politics; Human Rights; Economic Development; Scope of UN Action; Admission of New Members; International Secretariats; Inter-relationships of International Organizations. [Footnote in the source text.]



*Recommendation:*

1. That this memorandum with its attachment be transmitted to Mr. Sandifer, and to Mr. Murphy, when he reports for duty, along with copies of the studies under separate cover.<sup>3</sup>

2. That copies be made available to the Office Directors and their staffs for background information, with a request for their recommendations as to the best way of carrying out the second stage.

3. That copies be sent to USUN for the background use of key officers.

4. That plans be formulated at an early date for the execution of the second stage.<sup>4</sup>

*Recommendations Approved*

William Sanders

[Attachment]

PRINCIPAL STRESSES AND STRAINS FACING THE US IN THE UN  
FINDINGS

*Introduction:*

This paper reports findings on a series of eleven studies (undertaken by UNA/P) of the persistent stresses and strains in the UN. In the resulting total picture two main features stand out as the central themes of most of the problems analyzed:

a) The General Assembly has become the predominant UN organ whose political dynamics govern the bulk of all UN business, so that policy problems in the UN field are increasingly affected by the various interests which nations single or en bloc have in this or that type of action by the General Assembly.

b) Politically, the General Assembly divides in two different ways, on the one hand between Soviet and anti-Soviet forces, and on the other hand between leading powers of the West and critics resentful of their colonial, economic and cultural positions. The two issues condition each other continuously in GA policies pursued by the US as well as other countries. Because of the predominance of the General Assembly, this interaction affects most UN activities with the exception of the more technical and purely organizational problems.

1. *The Emerging Predominance of the General Assembly*

Certain stresses and strains in the UN have arisen from the growth of the GA into the predominant organ where more and more of the important UN business is centered. This development can be observed in all fields of UN activities:

<sup>3</sup> The 11 studies were organized into a black binder which was entitled "Principal Stresses and Strains Facing the US in the UN".

<sup>4</sup> No documentation has been found on a second stage operation.

In the *political and security field*, the GA has gradually been given a predominant responsibility, although it operates on the basis of public opinion and recommendations rather than binding decisions. The GA has also been used as an instrument to shape, if not direct, important political change, particularly in the setting up of independent nations. Moreover, the GA has been looked upon as a suitable (though not the only) body for the overall organization of the non-Soviet world against the Soviet threat of aggression. In the *colonial field*, the GA, in annually reviewing the work of the Trusteeship Council, has gradually shifted from procedural questions to substantive resolutions recommending that administering states take certain specific measures in the interest of colonial peoples. In the *human rights field*, the GA has made its own and very significant additions to the work of the respective commissions set up for the purpose (the most important one being the addition of economic, social, and cultural "rights" to the civil rights in the draft Covenant, and the 1952 resolution on self-determination), and it has brought direct charges based on alleged commitments under the Charter against a particular country (South Africa) on account of domestic policies supposedly violating those Charter obligations. In the *economic field*, the GA, in reviewing the work of ECOSOC and its subsidiary institutions, has itself raised and pressed issues of great importance, e.g., the "nationalization" of resources resolution, internationally assured "fair" prices for certain commodities, and the project of an International Development Fund.

The increasing use of the GA by the US in the security field and by the anti-colonial states in their drive toward the liquidation of colonialism combine to create an area of strain. The general character of this area of strain springs from the dependence of the US on majority support for "free world" solidarity on Cold War issues, through GA votes in which all Member nations great and small participate on an equal footing.†

Under the heading "Majorities and Minorities", "Changes in Function and Scope of UN", "The Cold War", and "The Revolution Against the European West", particular difficulties in this general area are pointed out in the following sections. Besides these, however, certain stresses and strains result from the mode of operation that is peculiar to the GA as a parliamentary assembly and a forum of world opinion:

a) Much important UN business is now decided by majorities of the 60 GA members and to some extent by voting blocs formed among them (rather than being conducted in the SC, ECOSOC, and the TC, where composition and voting rights reflect a carefully balanced de-

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†This emerges in the following papers: GA and SC, Colonial Issue, Propaganda, Economic Development, Scope of UN Action, Human Rights, Bloc Politics, and Collective Security. [Footnote in the source text.]

sign). This means that the US, in order to exercise leading influence, must in addition to winning over its great power allies, continuously rally majority support among a great number of states many of whom have few international responsibilities, which occasionally requires high pressure liaison methods, and sometimes forces us to maneuver precariously between the various voting blocs in the GA.

b) We are now using, as the Soviets have done from the start, the GA as an instrument of active propaganda. Frequent appeals to public opinion not only by speeches and resolutions but also by substantive policies have come to constitute one of our main objectives in order to maintain the level of support for us in the GA, and, through the GA, in the world at large. Tensions in this respect have arisen between conflicting desires to satisfy domestic audiences and to appeal to foreign attitudes, between the use of the UN for Cold War propaganda and the danger of frightening parts of friendly majorities by the resulting increase of tension, and between our desire to consider certain issues (e.g., colonial questions) purely on their merits and the interest of others to make full use of the pressure and propaganda potential of the GA with respect to these matters.

### 2. *Majorities and Minorities in the General Assembly*

The political forces in the GA take the form of groupings of nations into relatively stable majorities and minorities, which is a key phenomenon of UN politics.

Most of these groupings are relatively permanent: the Soviet bloc, e.g., has been a minority from the beginning, at least on East-West questions, and has little chance of becoming the nucleus of a future majority. Other groupings are based on long-term common interests for which the GA provides possibilities of promotion. Thus the Arab-Asian bloc with 13-15 votes has occasionally joined forces with some or all of the 20 Latin American nations on matters concerning colonial issues and economic development, when other overriding interests (e.g., the Cold War) did not intervene. These two blocs together are capable of constituting a GA majority on a program of UN action to liquidate colonialism, and promote economic development, human rights, and national self-determination.† On the other hand, we should not forget the happy fact that on matters of real political importance the US is usually assured of 18-20 Latin American votes to start with.

The division of the GA on East-West issues (with the "free world" majority ranging between 40 and 53 votes) is vital to US interests. Other groupings divide the "free world" within itself, reflecting diverging views and interests on colonial, economic and social issues. All of these groupings, setting up on various issues relatively stable but non-identical majority-minority divisions, some of which are buttressed by organizing voting blocs, are the permanent political forces in the GA. They must be considered as given realities in any UN

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†The problem appears in the following papers: GA and SC, Bloc Politics, Collective Security, Propaganda, Colonial Issue, Scope of UN Action, Human Rights, and Economic Development. [Footnote in the source text.]

policy. The main problem in this respect is the effect that the division of the "free world" within itself has on the size of the combined "free world" vote which the US is interested in obtaining on Cold War issues (and vice-versa). On given occasions (e.g., the issue of Red Chinese aggression, and the Soviet charge of US "intervention" through the Kersten Amendment) we have seen "free world" solidarity reduced by the abstentions of those who often combine to pursue common interests on colonial and related issues.

The US has demonstrated an interest in being, on the whole, with the UN majority, on the assumption that the GA majority is an expression of world opinion and represents a political force which is at the same time conceived as a moral force. In the pursuit of this interest, we experience stresses and strains, trying to rally continuous majority support to the common cause against the Soviet threat while avoiding alienation of majority sympathies on issues on which our closest friends and occasionally we ourselves are in a permanent minority.

### *3. Changes in Function and Scope of UN*

Under the pressure of majority forces in the GA, the character, extent and methods of many UN activities are changing. Trends point toward reduced commitment and concept of action in the field of collective security (as compared with original Charter notions), and a broader scope and concept of involvement and commitment, if not action, in the fields of human rights and economic operations as well as colonial administration. §

In the human rights field, there has been a trend (only recently checked by the US) to advance from declarations to treaty law and conceivably even establishment of international tribunals, and from general principles to specific censure of particular countries for alleged violation of general Charter principles. In the colonial field, GA discussion has moved from procedural questions to matters of substance, and again from general criteria to recommendations on specific cases. In the economic sphere, there is increasing desire to set up a UN economic development agency, to have the UN fix commodity prices, and to obtain UN endorsement of nationalization of industries. By contrast, in regard to collective security, the trend has been to move from SC decisions to GA recommendations, and from an international force in being to UN planning for optional facilities regarding coordinated training and equipment of military units.

These changes and fluctuations tend to raise in the minds of many governments the question of what the UN is (or was) meant to accomplish. As different blocs or groupings in the GA seek to use the UN in

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§ This problem is reflected in the following papers: *Scope of UN Action, GA and SC, Colonial Issue, Propaganda, Economic Development, Human Rights, Interrelationships of International Organizations, Bloc Politics, and Collective Security*. [Footnote in the source text.]

a way that best promotes their long-range interests and thus contribute to the change of UN functions and scope, disagreements between conflicting views about the organization come to light. Thus, in the UN, administering powers have become so disturbed over the trend of expanding functions that they may refuse to cooperate in given UN activities.||

#### 4. *The Cold War In The United Nations*

It was conceived at San Francisco that the nucleus of great powers, with special rights of tenure and vote, would enable the Security Council effectively to deal with the peaceful settlements of disputes and threats to international peace. Accordingly, it was said that the UN security system could not work if the great powers themselves clashed. When, however, great power cooperation in the UN broke down, the organization did not fold up but rather, under the leadership of the US, attempted to adjust itself to the new situation. In the GA, which received now the major emphasis, a permanent Soviet minority confronted a majority that on major questions of the East-West conflict would unite against the Soviet bloc. This in turn brought about a new set of problems as nations formed different ideas of how to conduct a "cold war" in the UN, and how, in the presence of the Cold War, to maintain the impartial character and conciliatory features of the UN. Furthermore, tensions arose from differences of opinions of whether the "cold war" was more important business than UN attention to economic and other interests of underdeveloped nations.

While the absence of great power cooperation has affected practically all of the functions and activities of the UN, the greatest impact has been in the field of international peace and security. First, the UN security system under the Security Council has become unworkable and efforts have been made to develop alternative UN capabilities of collective security that would rally widespread support to resistance even against great power aggression. Secondly, the UN, particularly the GA, has become a scene of a running propaganda battle between the Soviet bloc and anti-Soviet forces, a development that has introduced new and important political problems and even functions into the organization. Thirdly, the question of UN membership has been

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|| Other facts, not mentioned in the original papers, but relevant to the findings, should be mentioned here: The UK has keenly desired to discuss with us the role of the UN, and has set forth its ideas not only in last year's talks about this subject, but also in a series of articles and speeches by Sir Gladwyn Jebb. On the other hand, the Soviet Union has constantly insisted on a "return to the original concept of the UN". Further reactions to changing UN functions have come from within the US, where strong groups have expressed fears that the UN might eventually subvert the Constitution, while others voice impatience that it does not yet have the capacity to secure world peace. And within the US Government, opinions are divided on whether the UN should be used primarily for propaganda or for substantive achievement. [Footnote in the source text.]

given a Cold War significance that altogether overshadows other considerations in this matter. The related problem of Chinese representation has so far been the chief example of tension arising from different ideas of how to conduct the Cold War in the UN, or, differently put, how to handle UN problems in the presence of the Cold War. Similar tensions have occasionally arisen in the matter of slates for elections to posts within the UN.¶

In general, different attitudes regarding these problems have developed along the lines of the following groupings:

First, the US, interested in the support of the UN as a cornerstone of its foreign policy, but at least equally inspired by its sense of leadership in opposing its own beliefs to those of Communism, is committed to an active and vigorous opposition to Soviet expansion, and to energetic leadership of all nations likewise determined to resist Soviet imperialism.

Second, leading European NATO members tend to believe that the present development of NATO is approaching a degree of security adequate for defensive purposes, and that NATO is the best instrument to effect a balance of power to which the UN could not make any significant addition. They incline to fear that vigorous conduct of the Cold War in the UN might endanger the chances of obtaining peaceful settlement with the Soviet Union.

Thirdly, many of the Arab-Asian states, who are above all interested in the liquidation of Western colonialism and the promotion of their own living standards and cultural recognition, tend to take a neutral attitude in the Cold War, which causes them to oppose what they regard as "punitive" or "condemnatory" functions of the UN.\*\*

##### 5. *The Revolution Against the European West*

Within the free world, colonialism has become the center of a cluster of issues the common denominator of which is objection to the political, economic and cultural predominance of leading Western powers in their relations with all kinds of non-European peoples, whether black, brown, or yellow, Moslem or Hindu, primitive or civilized, dependent or self-governing. As in the case of the Cold War, on many of these issues we find a permanent though slightly shifting minority (sometimes consisting of administering states, sometimes of the economically

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¶The Cold War is reflected primarily in the following papers: GA and SC, Propaganda, Membership, and Collective Security. [Footnote in the source text.]

\*\*In the light of the recent "change of course" of Soviet policy, the following observation is pertinent: The Cold War has confronted the world with the problem of bi-polarism and has given rise to the concept of a "third force". The UN reflects this problem in a characteristic way, since many nations choose to look upon the organization itself as the prime example of a "third force". With the new interests the Soviets have taken, during their present "peace" campaign, in cultivating and capturing "third force" elements, the entire problem is one of great and vital importance for the security of the US. [Footnote in the source text.]

leading Western nations, and sometimes again of the politically most advanced countries) pressed by a potential majority that is often brought together by strong emotions of resentment and desires to bring about "revolutionary" change in the relative position of weak and "backward" countries.†† The colonial field itself is the center of this tension, but the same feelings also come to the surface in certain human rights questions, economic issues, and even legal matters (e.g., the attempt to introduce the concept of "economic aggression"). The racial element in this complex has produced a number of political disputes which have been given top billing among UN affairs.

In all of these matters, "free world" nations are divided against each other regarding the application of principles on which the West and the Soviets are ideological competitors, since both claim to be champions of equality, national self-determination, freedom from oppression, prosperity for all, human rights, and tolerance of other races and cultures. As these ideals are employed by a majority of ex-colonial and economically backward peoples in an emotional and frequently reckless campaign in GA committees, the US finds itself maneuvering on precarious middle ground between European colonial powers and their critics. Thus we experience, directly or as middle men, the stresses and strains of a "revolution" against European pre-eminence, but we also encounter difficulties in our relations with our main European allies whose concerns for their colonial position we can understand but do not always accept as guides for our own conduct. The Soviet bloc has turned these issues to its advantage, swelling the ranks of the anti-colonial states, widening the gap between developed and underdeveloped countries in the "free world", and using the symbol of human rights in attempts to discredit Western societies. Through such policies the Soviet bloc has utilized the UN to promote and increase rather than to reduce international tensions.

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††The problem is reflected in the following papers: Colonial Issue, Human Rights, Economic Development, Scope of UN Action, and Bloc Politics. [Footnote in the source text.]

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A/MS files, lot 54 D 291 (V), "UNA/P master file"

*Paper Prepared by the United Nations Planning Staff, Bureau of United Nations Affairs*

CONFIDENTIAL

I-1

[WASHINGTON, undated.]

#### THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL

##### CHARACTER OF ISSUE

The most noteworthy structural development of the UN to date has been the growth of the General Assembly into the predominant organ

in the political and security field, following the paralysis of the Security Council by great power disunity. The GA, which is designed to reflect and crystallize world public opinion, works through recommendations on which small nations vote their views on a par with great powers. The US, as the leading nation of the "free world", is experiencing certain stresses and strains in endeavoring to reconcile the dynamics of sometimes reckless UN majority operations with the vital requirements of free world unity vis-à-vis the Soviet Union.

#### BACKGROUND

As the UN was considered originally, the Security Council was supposed to have primary responsibility for action on behalf of international security. Its effectiveness in this respect was clearly seen to depend on continued unity and cooperation among the great powers. By contrast, the Assembly was designed as a forum of discussion serving primarily for the reflection and formation of world opinion, although the Charter conferred upon it certain functions with respect to international peace that were susceptible of development in case of SC impotence. Voting arrangements represented these two different roles. In the SC, the crucial part of the great powers was reflected in their permanent membership as well as in the requirement of their unanimous concurrence for substantive decisions. In the Assembly, all nations, great or small, could be treated alike, and the majority of votes could prevail, as the GA was to pronounce views and make recommendations rather than decide upon substantive action.

The steadily deepening rift between the great powers since 1946 and the obstruction of the Soviet Union have rendered the SC incapable of assuming the active responsibility based on great power unanimity for which it was designed.

Accordingly, there has been a steady shift of the most important political and security work of the UN to the GA; since 1948 only four new cases have been considered by the SC, while during the same period at least a dozen have been brought into the GA. A number of forces have combined in bringing this about: First, there is the desire of the leading Western powers to overcome the UN stalemate caused by the paralysis of the SC; apart from this, smaller nations have always sought to strengthen the plenary organ as the instrument best suited to the pursuit of their particular interests, a factor which might have caused the GA to expand its functions even if there had been no cold war; thirdly, in view of the Cold War, there arose the need for the UN to rally non-Communist nations for determined resistance to Communist aggression, propaganda, maneuvers, and pressures. Whether or not these forces should be considered the sole causes, the fact remains that the functions and prestige of the GA have increased;



while the SC remains available for use in limited circumstances.\* Some of the principal milestones of this development are listed in Annex A.

#### UNITED STATES POLICY

In general, the US has considered the GA a potentially very strong organ, on Senator Vandenberg's famous analogy of the town meeting of the world. This reflects the traditional US concept of the role of public opinion, and confidence in the unifying, mediating, and restraining influence of world opinion expressed in discussions and recommendations that develop Charter principles and purposes. However, in this field of strong idealistic aspirations, it is important to distinguish between the pronouncements of principles and the decisions and practices of day-to-day policies. Keeping in mind that actions do not always live up to stated ideals, one can characterize US attitudes toward the GA in terms of the following positions:

1. As a matter of general policy, we have on the whole tended to look upon the UN as a "democratic" organization where world opinion is reflected in, and shaped by, the votes of the majority, and we have inclined to demand respect for, and deference to, the majority will.

(This has been our position above all with respect to the veto. We have decried the use of great power veto as an instrument to thwart the will of the majority, although we have never been prepared to relinquish entirely the veto as an instrument of legitimate self-protection against decisions requiring the use of force in which we could not concur.)

2. As a corollary of the above, we have as a matter of general policy postulated that UN Members must not lightly disregard or flout recommendations by the GA, that the GA could discuss anything within the scope of the Charter, that there would be an expanding area of operations for the GA, and that GA recommendations could greatly extend and develop the rule of law among nations.

(We have definitely taken pride in our record of compliance with GA resolutions, and we have intimated, particularly in our criticism of Soviet behavior, that recommendations passed by an overwhelming majority of UN Members are endowed with moral authority which to disregard is decidedly wrong. In the cases of Korea and Palestine, we have even attributed something like a constitutive force to GA recommendations.)

3. In accordance with our traditional respect for public opinion, we have been interested in being, on the whole, with the majority in the UN (although we have not hesitated to maintain an "unpopular" position when our interests and principles so demanded); and we have particularly desired to be surrounded by sizeable majorities in cold war matters.

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\*A similar trend has been noticed in the relations between the GA and ECOSOC and the Trusteeship Council, respectively. The development of expanding GA functions and prestige vis-à-vis these organs may in turn have been helped by the growth of GA authority at the expense of the SC. [Footnote in the source text.]

(This objective has been an important consideration, even in matters on which we might at the outset disagree with the prospective majority position. We have mostly attempted to meet this problem tactically, either by so diluting extremist resolutions that we could finally vote with the majority, or by methods of rallying the support of as many delegates as possible for our position—sometimes unkindly referred to as “arm-twisting”—or by a combination of both of these methods. As a result, we have often been accused of throwing our weight around too much in the UN.)

4. We have regarded UN majority votes as an important means of pressure as well as public justification of our case, and we have therefore brought important business (particularly cold war business) before the vetoless GA where large majorities can materialize.

(We transferred the Greek question and aggression in Korea from the SC to the GA, we brought the question of Chinese aggression before the GA rather than the SC, and we introduced into the GA such items as the conditions of free elections in Germany, and the Austrian Peace Treaty.)

5. On the other hand, we have made it clear that we do not want to abandon the SC altogether and are willing to use it fully, when it is capable of operating. Nor have we entirely discounted the function of the SC as a symbol of common interest to the great powers and as a possible background for future negotiations. On occasion, we have also looked upon the SC as a forum of propaganda, sometimes even in preference to the GA (when unfriendly voting blocs in the latter might embarrass us or our friends, as we anticipated, e.g., in the case of Laos). Finally, we have considered the SC valuable for the mediatory function it has discharged in non-Cold-War issues (e.g., Kashmir and Palestine).

#### ATTITUDES OF OTHER STATES

The Soviet Union regards the SC as the vital center of the UN both because of the Kremlin's emphasis on the directing role of the great powers and because of its apparent conviction that the one really significant function of international organization lies in the realm of great power relations. In the bi-polar world, the Soviet Union has made the best of the existence of the Assembly (in which it acquiesced at Dumbarton Oaks) and vigorously used the GA as a forum in which it could launch bitter attacks on the US, at the same time testing periodically the cohesion of the free world.

The UK is inclined to take a narrow view of the role of the GA and its recommendations and to look upon the SC as a matter of vital interests to great powers. Particularly in certain colonial questions, the UK, together with France, Belgium, and some Commonwealth nations, have tended to reject the concept of any even moral authority residing in GA majority decisions.† These countries have not objected to being outvoted, and they have at times even rejected majority decisions as not obligating them to any kind of cooperation.

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†See note on page I-2. [Footnote in the source text.]

The Arab-Asian and many Latin American states, as well as many other small nations, consider the GA as an instrument of change, an institution which lends them strong voice and voting power without demanding from them a commensurate responsibility for action. The GA is, for weak countries, a source of prestige and a device through which, organized in regional blocs, they can bring pressure to bear on the great powers. It enables them to press for *quid pro quos* in the pursuit of the extended reform programs in which they are interested. Accordingly they favor an increasingly wide scope of GA activity and authority.

#### IMPLICATIONS FOR THE UNITED NATIONS

It is difficult to estimate the power of precedents in the UN to shape the course of subsequent events. One cannot predict that because the GA has on certain occasions assumed certain functions or powers its members will agree that it continue to do so in the future. Yet, one cannot deny that a pattern of action observed in the past will exercise a certain channeling and motivating influence on delegations and their governments, although it is impossible to say just how much. With this in mind, one can characterize the past developments in the UN structure in the following way :

1. The GA, meant to be primarily an organ of discussion with a view to the formation of world opinion, has in a number of important cases been cast in the role of an *organ of action* (even though only through recommendations) and has been given a predominant responsibility in the political disputes and security field which, apart from the power to make binding decisions, resembles that originally assigned to the SC.

Items have been submitted to the GA which in the absence of the Cold War might have gone to the SC. There has been increasing use of the GA on a continuing basis between regular sessions. The GA has shown a tendency to perform as a quasi-legislative body. It has also used various devices to take on responsibilities (short of binding decisions) akin to those of the SC under Chapter VII. In particular, the Uniting for Peace Resolution establishes a voluntary basis for possible collective action with specially earmarked military contingents. Resolutions of the GA have been clothed with a moral authority that in some degree approaches and simulates in political—though not in legal—effect the force of SC decisions under Article 25.

2. The GA has been used as an instrument to shape, if not direct, important *political change*, particularly in the setting up of independent nations where there were none before, in recommending boundaries and forms of government.

The leading Western powers have in fact so employed the GA in the case of Palestine, Korea, and under special circumstances the Italian colonies. Now the Arab-Asian countries are endeavoring to make similar use of the Assembly for forcing the pace of liquidation of colonial rule and bringing about the independence of countries like Tunisia and Morocco.

3. The GA has been treated as a suitable (although not the only) body for the over-all political and military *organization of the non-Soviet world* against the Soviet threat.

The preparation of a broad framework for collective measures and collective military strength on a world-wide basis have, "for the time being", been placed under GA auspices. Furthermore, the determination of the non-Soviet world to stand together against the Soviet threat has become associated to a large extent with GA votes on Cold War items, so that a certain relationship has presumably emerged between such votes and the expectation of future solidarity in the face of actual Soviet aggression. Finally, Soviet opposition to the GA majority has often been branded as an indication of the aggressive nature of Soviet intentions.

#### MAJOR DIFFICULTIES FACING THE UNITED STATES

The UN in general, and the GA in particular, are only a part of the general setting in which the US exercises the responsibilities of a great power and leader in the "free world". Provided that the pattern of GA developments analyzed above has some influence on the future course of events, the US would have to face and meet there the following difficulties:

1. In the GA the US occupies the position, not of a legally privileged great power, but of one among many all of whom have one vote, regardless of their relative power and responsibility in the world.

If the US, in the parliamentary setting of the GA, wants to exercise influence commensurate with its position and responsibilities, it must continuously rally other nations' votes by appropriate methods. In general, our great power influence and role as the free world leader enables us to do this. Our voting strength in the GA therefore depends considerably on US policies outside of the UN, as well as on the moral appeal of our positions to the greatest possible number of delegations. Beyond this, however, our leadership in the GA requires highly effective liaison methods of persuading and occasionally pressuring delegations, frequently on vote after vote. Hence the US often finds it necessary to pose the "question of confidence", as it were, on matters of relatively minor importance and to put its power more in evidence than might be desirable.

2. The GA being a body that has been used both for organizing the non-Soviet world and to work political change, there is some danger of seeing the anti-Soviet majority in the GA weakened or reduced by the dissatisfaction of those pressing for rapid change in the colonial system, or alternatively by the fears of those who find their national interests vitally threatened by the "revolutionizing" tendencies in the GA.

3. Since the GA has been used as a body for quasi-legislative action (e.g., on control of colonial powers) by majority vote (as well as a forum for the reflection and formation of world opinion), we find ourselves in an ambiguous position between groups of friends who hold often mutually exclusive ideas about what the GA should or could do, and we may have to make choices on issues which we would rather not see crystallized.

## Annex A

## HIGHLIGHTS OF DEVELOPMENT OF GA FUNCTIONS AND PRESTIGE

1. The transfer, from the SC to the GA, of the Greek case (1947).
2. The creation of the Interim Committee of the GA (1947).
3. Attempts by the GA, to limit, or at least regulate the use of, the veto in the SC (from the beginning).
4. The adoption, by the GA, of a plan for the partition of Palestine and the establishment of the new State of Israel (1947).
5. The assumption of responsibility, by the GA, of setting up and supervising the procedures leading to the establishment of a new independent nation in Korea (1947-8).
6. The handing to the GA, by the great powers, of responsibility for devising a plan for the disposition of the former Italian colonies and the establishment of two new independent States (Libya and Somaliland) (1949).
7. The assumption of responsibility, by the GA, for organizing and preparing future measures of collective security under the Uniting for Peace Resolution (1950).
8. The action of the GA in continuing the SYG in office for additional three years when the SC was unable to make a recommendation in accordance with Article 97 (1950).
9. The decision, following the failure of the SC to achieve agreement on atomic energy and conventional armaments, to transfer these matters to the GA (1950).
10. The development of the GA into a theater of propaganda battles between Soviet and anti-Soviet forces, where success is measured by votes on resolutions in which the cohesion of the non-Communist world is believed to be tested (some examples: Essentials for Peace, 1949, Peace Through Deeds, 1950, etc.).
11. The condemnation of Communist China as aggressor (1951).
12. Consideration of the Tunisian question by the GA after the failure of a motion to inscribe the question on the SC agenda.

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II-1

THE COLONIAL QUESTION IN THE UNITED NATIONS

CHARACTER OF THE COLONIAL QUESTION

The colonial question has existed in one form or another ever since the Renaissance of Western Europe, and thus antedates by centuries

the creation of the United Nations. Furthermore, it continues as a problem with ramifications far more extensive than those raised in the United Nations. In a period when the spirit of nationalism is spreading, the Charter of the United Nations has, however, provided a forum for giving expression to deeply held views on the colonial question. Thus, in the United Nations, broad aspects of the colonial question have become major issues, second only perhaps to the major security questions dividing the Soviet and non-Soviet worlds.

The simple fact that 200 million people\* still remain in varying conditions of colonial dependence does not in itself explain the colonial question. Its roots are historical and psychological as well as political, economic, and strategic in character, to wit:

*a.* For most of the non-European countries the experience of direct or indirect domination by Europeans is part of their national heritage. (For instance: Nehru, who spent thirteen years in a British prison, cannot forget that India was a British colony, and therefore inclines to concentrate, in his speeches and policies, on the "evils" of colonialism, about which he has expressed himself more strongly than about communism.) These countries are disposed to act in accordance with a general "anti-colonial" ideology that rejects the premises of even a "liberal" colonial system and, in many instances, to use the colonial question as a lever in their effort to achieve power and influence in international relations.

*b.* The growth of an intense nationalism in countries of non-European civilization gives heightened significance to the colonial problem today. Since World War II national movements have led to independence for a dozen new nations containing some 600 million people, including such new states as India, Pakistan, Burma, and Indonesia. For most of these newer states, psychological considerations have frequently overshadowed economic or strategic factors in international consideration of colonial problems.

*c.* It has become increasingly evident that the colonial question is tightly bound up with attitudes relating to race. The right of one people to keep another (particularly one of different color) in an inferior status, is sharply challenged. Thus, non-European nations seize on colonial issues to voice their resentment against the dominant position in world political, economic and cultural activities of the states and peoples of European background.

The Charter sets forth certain responsibilities for Members which administer non-self-governing territories. The states which have voluntarily recognized and accepted such responsibilities are all European or of mainly European origin.† They number only eight out of the total membership of sixty. The six other members of Western Euro-

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\*Including most of the inhabitants of the continent of Africa, and a total of some 70 territories. [Footnote in the source text.]

†Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, and the United States. [Footnote in the source text.]

pean origin<sup>‡</sup> give varying degrees of support to the administering states. However, the vast majority of Member states tend to assume the role of assessing or judging how the minority of colonial powers discharge these responsibilities, while they themselves do not acknowledge any similar accountability. Thus attitudes on colonial questions in the United Nations tend to polarize around the divergent attitudes and interests of two groups—those of the “administering” or colonial powers and those of a number of “non-administering” states that may generally be characterized as having an anti-colonial viewpoint.

The administering and the anti-colonial states, while differing on basic assumptions, diverge most sharply on questions of timing and method: they disagree as to (a) the rate at which advancement toward self-government or independence in colonial areas should be sought, and (b) the role which the United Nations should play in the process.

While there is considerable diversity of view within each group, the basic assumptions of each group, and particularly of its more extreme members, may be summarized as follows:

*Administering Members*

(1) The administering members start from the premise that the continuation of the dependency relationship is useful and necessary for varying periods of time.

(2) The more conservative administering Members regard the present activities of the UN as at best an unnecessary interference and at worst a positive danger to internal order and stability in their territories.

(3) The administering Members, while not excluding independence where conditions are suitable, see various alternatives to independence as a goal for their territories. They look with more favor on their territories achieving self-governing status within a larger association, union, or commonwealth.

(4) The administering Members maintain that the fixing of a date for the attainment of full self-government or independence cannot generally be determined far in advance.

(5) The administering Members hold that they alone are responsible for determining the constitutional position and status of territories under their sovereignty, including changes which would remove them from the scope of Chapter XI of the Charter.

*Anti-Colonial Members*

(1) The anti-colonial Members believe that colonialism in any form is bad and should be eliminated, if not immediately, at least in a very short time.

(2) The anti-colonial Members believe that the role of the UN in relation to dependent areas should be extended.

(3) The anti-colonial Members generally favor independence as the goal for colonial territories.

(4) The anti-colonial Members contend that for most, if not all, dependent territories, a fixed term of years for the achievement of independence or self-government should be set by the administering authority.

(5) The anti-colonial Members believe that in fact, the colonial territories do not really belong to the colonial powers, and therefore that any decision by an administering Member to remove a territory from the scope of Chapter XI as a result of a change in its constitutional position and status is subject to review by, and possibly even the approval of, the General Assembly.

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<sup>‡</sup>Canada, Iceland, Luxembourg, Norway, Sweden, and the Union of South Africa. [Footnote in the source text.]

*Administering Members*

6) With respect to the eleven trust territories as distinct from the other non-self-governing territories, the administering members, while not claiming sovereignty for themselves, reject the view that such sovereignty resides in the UN, and the consequential view that the UN therefore can exercise a directive authority over the administering state.

*Anti-Colonial Members*

(6) The anti-colonial Members tend, on the other hand, to assert the sovereign or quasi-sovereign authority of the UN over the trust territories and the exercise of far-reaching supervisory powers.

The special objectives and policies of the Soviet Union, on colonial questions in the UN introduces a further complicating element. Soviet strategy assigns decisive importance to the colonial field as an area of Communist expansion. The Soviet inveighing against the so-called "imperialist powers" for "economic exploitation" and "anti-democratic practices" in colonial areas, is obviously designed to divide the noncommunist world and to stimulate the neutralist tendencies of the Arab-Asian world. The Soviets also seek to weaken the strategic position of the West by creating division among the NATO powers, among whom are coincidentally the leading colonial powers, and also by bringing confusion and unrest to the colonial areas controlled by the West.

## BACKGROUND OF THE COLONIAL QUESTION IN THE UNITED NATIONS

As early as San Francisco, the clash of interests on colonial questions was revealed. Sharply divergent views were expressed on issues such as (1) whether "independence" or "self-government" should be the political objective, (2) the composition, status, and powers of the Trusteeship Council, and (3) the obligations, if any, to be assumed by administering powers with regard to non-self-governing territories, particularly in the political field.

In its first year of operation the UN established the "Chapter XI system" in relation to some 60 colonial territories and also inaugurated the trusteeship system, now embracing 11 territories with nearly 20 million inhabitants. The Trusteeship Council held its first session early in 1947 and has carried out on a continuing basis its supervisory work in relation to trust territories—the consideration of the reports of the administering authorities, the examination of petitions, and the sending of visiting missions periodically to the territories. At the instigation of the non-administering states and against the opposition of the administering group, the General Assembly went beyond the provisions of Chapter XI and established a special committee, first on a yearly basis and then for three-year periods, to examine the information transmitted under Article 73 (e) on non-self-governing territories. The work of the Trusteeship Council and the Committee on Non-Self-Governing Territories has received an annual review in the Fourth Committee of the GA, and the emphasis in the work of these UN bodies



has shifted gradually from procedural questions to substantive matters. § The cumulative effect of the resolutions adopted on these matters has seriously disturbed the principal colonial powers—The United Kingdom, France, and Belgium. They have now reached the point where they may refuse, in certain circumstances, to continue their co-operation in given United Nations activities in the colonial field.

In addition to the work of the Fourth Committee of the GA, in which the colonial question has been dealt with continuously in its broadest terms, the UN has also considered a number of other significant colonial questions during its first seven years: The problem of the Netherlands East Indies, the disposition of the former Italian colonies, the question of the mandated territory of South West Africa, and the questions of Tunisia and Morocco. In addition, the question of the right of peoples to self-determination, while it emerged in the Commission on Human Rights, has been largely treated as a colonial question.

#### UNITED STATES ATTITUDES AND INTERESTS VIS-À-VIS COLONIAL PROBLEMS

United States interests in colonial problems may be summarized as follows:

By history and disposition, the American people have maintained an attitude of sympathetic understanding and encouragement toward dependent peoples striving for political freedom. Accordingly, in most colonial issues, there is a strong psychological alignment of the American people with the peoples of the colonial area and against their European rulers. A related element is the traditional humanitarian interest of the American people, developed through the activities of missionaries and private institutions and foundations in Africa, Asia and the Pacific, in the development and welfare of the inhabitants of dependent areas.

On the other hand, the US has certain specific interests because of its role as an administering power of certain dependent territories, like Puerto Rico, Guam, and Samoa, and, including the Trust Terri-

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§ For example, whereas the Fifth General Assembly (1950) recommended a *study of land* questions in trust territories, at the Seventh General Assembly (1952) a proposal to restore a *particular parcel of land* to members of the Wa-Meru tribe in the trust territory of Tanganyika was approved by the Fourth Committee and only narrowly rejected by the Assembly in plenary. Another example of this trend is the Ewe or Togoland unification question, with regard to which the Trusteeship Council and the General Assembly have limited themselves in previous years to *recommending various means* of ascertaining the wishes of the people; whereas in 1952 the Fourth Committee approved a resolution which in effect *recommended the unification* of the two territories. While this proposal was also rejected in plenary by the Assembly, it, too, is indicative of the trend towards substantive proposals. Similarly, the question of the process whereby a given non-self-governing territory is eliminated from the category of territories on which information must be supplied to the United Nations under Article 73 (e) has in previous years been discussed as a *theoretical matter*; whereas the last General Assembly had on its agenda a *specific case*, namely the decision of the Netherlands to cease transmitting information on Surinam and the Netherlands Antilles, and the next Assembly will also consider the same question with regard to Puerto Rico. [Footnote in the source text.]

tory of the Pacific Islands administered under the International Trusteeship System. While the US is not uniformly regarded as a "colonial power", our territorial responsibilities clearly oblige us to defend our interests in this regard.

With regard to the colonial areas themselves, the US has in many cases clear economic and strategic interests. The uranium resources of a territory such as the Belgian Congo and the air bases available to us in North Africa are illustrative of these interests. Beyond this the US must also take into account the value of the friendship, on general grounds, of the peoples of colonial areas as they achieve self-government or independence. Our interest requires that they be oriented toward the West rather than toward the Soviet world.

A centrally important element is the fact that the European colonial powers are our principal NATO allies, and our common security interests may be jeopardized by actions which would result in political crises in the metropolises and turmoil in their colonial areas.

We must also take into account the strongly expressed concern of the anti-colonial nations, embracing the great population masses of India and South East Asia, in colonial questions.

Finally, there is the necessity of combatting Soviet efforts to lay successful claim to the title of "champion of dependent peoples".

#### UNITED STATES POLICIES AND OBJECTIVES RE COLONIAL QUESTIONS IN THE UNITED NATIONS

In the light of these varying interests, the US has pursued the following general objectives in relation to colonial questions arising in the UN:

1. To favor the progressive development of all dependent peoples toward the goal of self-government, and, where conditions are suitable, toward independence.
2. To favor the growth of responsible democratic movements and institutions among indigenous people in colonial areas (to encourage metropolitan powers to foster such movements, or, in some cases, to give direct US encouragement and support to such movements after consultation with the metropolitan power concerned).
3. To assist in the development of changing relationships between colonial peoples and metropolitan countries toward a suitable form of association in accordance with the wishes of the inhabitants.
4. To encourage a pace of metropolitan response to popular pressures rapid enough to prevent extremists from seizing control of national movements (yet recognizing the greatly varying conditions that govern the pace of a well-rounded orderly evolution of dependent peoples).
5. To have UN activities in colonial matters develop progressively in such a manner that the cooperation of administering powers is retained.
6. To seek the mutual understanding and cooperation between the US and the colonial as well as the anti-colonial powers and their acceptances of basic US objectives.
7. To seek the alignment of dependent peoples with the democratic world and to prevent the Soviet Union from being regarded as the champion of dependent peoples.

No general statement of US interests and objectives in the colonial field can serve as a formula for the establishment of the policy to be pursued by the US in a specific area. The policy which should be pursued will depend upon the weight which is given to the various, and perhaps, conflicting interests of the US; and this can be determined only with regard to the circumstances of the issues as it is presented.

However, in relation to specific colonial issues arising in the UN, the US, taking account of its varied interests and objectives, has usually found itself in a moderate, middle-ground position. The middle position which the United States has taken has also reflected the balance of views within the Government itself, where differing attitudes on colonial questions have been held by the various bureaus and agencies concerned. Thus, while the desire to maintain the greatest possible degree of cooperation between the colonial and anti-colonial groups has often led the US to support compromise positions, the search for compromise has been carried on within the framework of our policies and objectives. In other words, we have not sought compromise for its own sake; nor has our "middle-ground" position necessarily been in the geometric middle between two extremes. Insofar, however, as our position on the issues of principle would permit, the US has sought to serve as a moderator between the extremes and to bring about the greatest possible measure of agreement on such questions in the UN.

OBSTACLES FACED BY THE UNITED STATES IN PURSUING ITS POLICIES AND OBJECTIVES ON COLONIAL QUESTIONS IN THE UNITED NATIONS

The underlying obstacle to the achievement of US policies and objectives in this field is the highly emotional and symbolic nature of colonial questions, rendering objective consideration of their substance and on their merits almost impossible, at least among the more extreme members of the anti-colonial and colonial groups. In such an atmosphere the US policy of moderation frequently has little appeal.

Our position has also been made increasingly difficult by the growth of bloc politics in the UN. It is safe to say that the dominant feeling of the leaders of the Arab-Asian and Latin American blocs is anti-colonial. The more moderate members of these blocs generally hesitate to support a less popular position, even when they prefer it. It thus requires very considerable diplomatic activity to swing the members of a bloc to a middle-ground position, as was done in the case of the Latin American bloc's position on the Tunisian and Moroccan questions at the Seventh GA. Such a diplomatic campaign is too difficult to be used effectively except on major issues.

Both the emotionalism surrounding colonial issues and the existence of bloc politics in the UN render the achievement of US objectives on such issues in the UN difficult on account of the arrangement of voting

power in the GA which in no way corresponds to the actual distribution of power and responsibility among the nations of the world. The majority of members may allow their emotions on colonial issues to lead them to use their majority voting position to exert pressures on the colonial powers which neither their strength nor their sense of responsibility to the world community justifies. In so doing the more extreme members of the anti-colonial group appear to overlook the extent to which this policy, regardless of its merits, may undermine the pillars of the very organization which is giving them such a conspicuous voice in world affairs.

In the UN, the US has sought to develop a sizeable group of states which would also take a middle position on colonial issues. This has become increasingly difficult. As was noted earlier in this paper, in recent sessions more and more decisions have been forced on important matters of principle and substance. In such cases, the middle-ground position which we would have wished to occupy has often been obliterated.||

Another difficulty faced by the US arises from the fact that many colonial issues when they first emerge in the UN are not of dramatic or easily recognizable significance so that often insufficient attention is given them until they become hopelessly controversial. A corollary of this difficulty is that in the Fourth Committee of the Assembly, where colonial questions are dealt with on a continuing basis, many member nations are represented by relatively junior members of their delegations. Furthermore, such delegates are frequently without precise instructions so that they are inclined to follow the dictates of their own emotions rather than a carefully thought-out, fully integrated government policy.

#### IMPLICATIONS FOR THE UNITED NATIONS

Certain broad trends are readily discernible:

1. The forums of the UN are used by the anti-colonial Members to exert pressure on the colonial powers to accelerate the transfer of authority in dependent areas to the colonial peoples, to attract world attention to colonial problems and world sympathy to colonial peoples. To these ends there is a consistent effort to expand the competence, powers and machinery of the UN in relation to colonial questions, and to expand the role of the GA in which the administering powers are but a small minority. In this effort the anti-colonial Members seek US

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||For example, while at previous General Assemblies most of the anti-colonial Members had been willing to set up temporary committees to consider information on non-self-governing territories, at the last session a majority of them pushed a proposal for a permanent committee through the Fourth Committee; and it was only possible to obtain approval of another three-year committee when several colonial powers threatened not to participate in a permanent committee. When the three-year extension, originally a US compromise proposal, was rejected in the Fourth Committee, no further middle ground was left, and the United States voted with the colonial powers. [Footnote in the source text.]

support and sometimes endeavor to put pressure on the colonial powers through the United States.

2. The colonial powers have reacted sharply to what they regard as unwarranted encroachments, in many cases exhibiting a hyper-sensitivity to suggestions and criticism which has only stimulated their critics. The process of reaction provoking further reaction has hardened positions on both sides and narrowed, and in some cases eliminated altogether, the middle ground.

3. In the last two years there has been increasing evidence that some of the colonial powers, particularly the United Kingdom, France, Belgium, and the Netherlands will increasingly refuse to cooperate or participate in certain UN activities on colonial questions.¶

4. The "colonial question" is steadily expanding its role in the United Nations, both in terms of the number and importance of the issues considered and the emotional atmosphere generated. These issues pervade more and more organs and agencies of the UN and now arise in many technical and specialized bodies as well as in political organs and committees. For example, colonial issues have arisen in meetings of such widely differing bodies as the Commission on the Status of Women, the Pan American Sanitary Organization, UNESCO, WHO, ILO, FAO, and the Commission on Human Rights.

#### IMPLICATIONS FOR THE UNITED STATES

The intensification of European-non-European rivalries has coincided with the accentuation of the Soviet-non-Soviet conflict. This is not a mere coincidence; for, as the non-Soviet world is made up of both European and non-European peoples, the Soviet Union has a compelling interest in promoting discord between these two groups.

The non-European powers have increasingly employed the UN as a means of seeking a greater share of world influence, for, together with the Latin Americans, they form the preponderant majority in the UN and particularly the GA. While they undoubtedly recognize that their voting position does not reflect the current realities of world power ratios, they find the UN, with its world audience and considerable prestige, a useful device for promoting what they feel to be their rightful position in world affairs.

With a crucial stake in both of these conflicts, the US has been caught in an increasingly difficult dilemma. To counter successfully the threat of world communism we need the active support not only of our European allies but also of the peoples of Asia, Africa, and Latin America. We have therefore a vital interest in reducing the tensions between European and non-European peoples—tensions which have frequently been focused on colonial issues in the UN.

Our "middle-of-the-road" position is frequently uncomfortable for us and often unsatisfactory to a number of our friends on both sides of colonial issues, as well as to US public opinion. It has, however, left us in a position where we can still seek with some effectiveness to

¶See footnote on page 9. [Footnote in the source text; refer to previous footnote.]

narrow the rift between our European and our non-European friends and to influence both sides to see more clearly the viewpoint of the other. The widening of this rift could be disastrous.

Annex A

CLASSIFICATION OF UN MEMBERS IN TERMS OF THE VIEWPOINT NORMALLY TAKEN BY THEM ON COLONIAL QUESTIONS IN UN BODIES

It is recognized that numerous exceptions could be found to the following classification and that many variations of viewpoint exist among the UN Members listed in each category ; however, it is believed that on the basis of past performance the following classification is a useful indication of the way in which Members of the UN are likely to be grouped on colonial questions arising in UN bodies.

<i>Conservative Colonial Viewpoint</i>	<i>Moderate Colonial Viewpoint</i>	<i>States Having Sympathy with Colonial Group</i>	<i>Moderate Anti-Colonial Viewpoint</i>	<i>Extreme Anti-Colonial Viewpoint</i>
South Africa	Netherlands	Canada	Afghanistan	USSR
Belgium	New Zealand	Norway	Argentina	Czechoslovakia
France	United States	Sweden	Bolivia	Poland
United Kingdom	Denmark	Iceland	Brazil	Byelorussia
Luxembourg		Thailand	Chile	Ukraine
Australia		Dominican Republic	China	Guatemala
		Peru	Colombia	Indonesia
		Greece	Costa Rica	Yugoslavia
		Turkey	Cuba	India
		Israel	Ecuador	Burma
			El Salvador	Pakistan
			Ethiopia	Egypt
			Honduras	Haiti
			Iran	Mexico
			Iraq	Philippines
			Lebanon	Saudi Arabia
			Liberia	Syria
			Nicaragua	
			Panama	
			Paraguay	
			Uruguay	
			Yemen	
			Venezuela	

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PROPAGANDA IN THE UNITED NATIONS

PREFACE

This paper attempts to make a preliminary analysis of the problem of US propaganda in the UN. It is hoped that an analysis of our ex-

perience to date may provide insights into advantageous courses of action in the future.

For the purposes of the analysis, it has been necessary to formulate a working definition which will distinguish "propaganda" from other aspects of US action in the UN. The definition used here is not meant to indicate what propaganda "should be" in all circumstances. It is merely a working tool to clarify the different motives and purposes which underlie our various actions and utterances in the UN.

For the purposes of this paper, therefore, the following meanings are used:

When our objective is primarily to influence the attitudes of others by communicating to them (through either words or actions) broad ideas or concepts, we speak of propaganda.

When our objective is primarily to attain certain diplomatic results, without primary consideration to how these may affect the attitudes of others, we speak of substantive policies.

(Most actions in the UN partake of both purposes in varying measure, and obviously in our substantive policies we often undertake propaganda operations to maximize or minimize their popular impact.)

#### SCOPE OF THE PROBLEM

1. The UN, by virtue of its wide membership, open meetings, and multiple news media coverage, is a unique forum for propaganda. Propaganda takes many forms in the UN. The main categories are: (1) the forensics of debate before representatives of 59 other states, all of whom theoretically are open to persuasion and all of whom presumably will report back to their governments; (2) exploitation through press releases and conferences, of the news services available in unique quantity at the UN; (3) substantive policies "dressed up" for their broadest possible appeal to special audiences; (4) "policies" actually conceived or primarily motivated by propaganda considerations; and (5) purposeful public conduct, through personal behavior, voting tactics, etc., by delegates seeking to create special impressions.

2. It is understood that many member nations exploit as best they can, for their own purposes, the propaganda potential of the UN, e.g., the Arab-Asians on the colonial issue. Because of the Cold War, the UN has increasingly been used as a prime instrumentality in the ideological struggle between Soviet Communism and the free nations led by the US. The Soviet Union has wielded its propaganda as a powerful instrument of the Cold War, with the UN as one of its favored platforms and sounding boards. In the UN as in other arenas, the US has had to accept the Soviet challenge and intensify its own propaganda activities. (Because the GA epitomizes the public and parliamentary nature of the UN, it provides the chief illustration employed

here. The problem is generally similar in ECOSOC and the TC, and to a more limited extent, in the Specialized Agencies.)

3. The UN itself constitutes a special audience, and divides up into a series of different audiences as well. In one sense we are dealing with individual nations through their representatives. But at the same time we are also confronted with those nations arranged in special political and regional groupings. These groupings often coalesce on abstract general principles such as human rights, equality, self-determination, independence, freedom, etc. Since democratic governments have to mean what they say and expect to be taken seriously, there is here a special problem for us, since to meet these pressures we have had to supplement ordinary techniques of diplomatic negotiation with actions calculated to evoke a sympathetic and responsive emotion in our audiences.

In this sense we are engaged in continuous propaganda operations in the UN, since very few actions are devoid of implications conveyed to other peoples in this fashion.

4. Given our diverse and multiple interests in the world, it is likely that American motives and interests would express themselves somewhat ambivalently even if there were no UN. It is indisputable, however, that in a body where, for instance, the anti-colonial forces have equal voices and votes with the Western powers, and where the rules of politics apply to the rallying of political forces, we have had to sound to the anti-colonials as if we were anti-colonial and to our allies as if we actually supported *them*, all of which makes us often appear to our critics as if we couldn't choose between our conflicting interests.

5. The Soviets have from the beginning used the UN for important propaganda benefits. They have characteristically aimed at outside audiences. At other times, as at present, they have exploited the normal expectations of Soviet vituperation by deliberately varying the volume and degree of their invective. They have since 1946 submitted proposals combining "war-mongering", "Western imperialism", and Disarmament which are propaganda-motivated. They have tried recently to win Arab-Asian support away from western majorities through ostensible concessions and support on colonial issues. They have publicly built up their leading personalities, such as Vishinsky, and have recently used changes of personal demeanor (handshaking, smiles, etc.) to create impressions consistent with their "peace offensive". The general concepts they have attempted to convey in their propaganda include "peace" (usually unidentified), "imperialism" (in terms of Western capitalism and colonialism), and "dominance by US".

#### UNITED STATES POLICY

1. In its public utterances on broad foreign policy questions the US generally has sought to appeal to other peoples in terms of its own aspi-



rations and ideals and has often reflected the American characteristic of wishing to be liked and approved of. By and large, we have in the UN Charter a statement of our own values and objectives, and we have tried to persuade other members to identify their self-interest in terms of that same standard of measurement. With this in mind, the ideals or concepts which generally underlie our public attitudes include: individual liberty and freedom (vs. tyranny); prosperity (vs. poverty); the desire to live and let live (vs. the use of force contrary to the Charter); the right of self-government and national independence (vs. national subjugation—although we reflect some ambiguities on this score in the context of Western colonialism).

2. The US from the beginning has taken a stand in support of open public UN sessions (which have provided the chief opportunity for propaganda exploitation in the UN.\*

Our position from the start has been to identify the Purposes and Principles of the Charter with our own. The positions we took on various issues were generally motivated by a firm conviction of right and of helping the organization to flourish. In terms of broad propaganda, this stance conveyed to others the general impression we sought to convey as to where we stood on questions of justice, law, and human and political liberties. On the basis of this overall stance, it was possible for us, particularly in the first years of the UN, to formulate most of our individual policies without aiming primarily at a specific propaganda effect.

The chief differences between our propaganda operations from roughly 1946 to 1949, and those since the attack on Korea, are in method and tactics. In the first period we generally refrained from frontal assaults on the Soviet Union for a number of reasons: our determination to build up the UN through constructive action; our relative inexperience in political warfare; our belief it would be more effective to refrain from combatting Soviet propaganda at its own level; our uncertainty about results; and our sensitivity to criticism from neutralist forces abroad and conciliatory forces at home.

At the same time we vigorously utilized debate and speeches to defend ourselves against attack. We concentrated on making as clear as possible the contrasts between Soviet obstructionism and US cooperativeness. And in our speeches and press relations we attempted to emphasize those aspects of our policies most likely to have "general" popular appeal.

Generally speaking we brought to the UN problems we felt could be actually ameliorated by UN actions, rather than a wide range of

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\*It was the US which took the initiative at the Preparatory Commission meetings in 1945 resulting in the decision that Security Council meetings normally be open (PC/EX/SC/28). (Open meetings of the Assembly were never an issue.) [Footnote in the source text.]

Cold War issues, although we did bring in the Korean case in 1947 and joined in submitting the Berlin blockade item in 1948.

3. Since the attack on Korea we have accelerated our political and psychological offensive activities in the UN. This intensification of Cold War propaganda has been manifested in several ways:

(a) Our speeches, in particular the opening statements in general debate, have been designed increasingly to contrast our constructive performance with Soviet non-cooperation and wrecking activities. Furthermore, during the past session we sharply increased the tempo of our anti-Soviet propaganda by forceful statements and immediate rebuttal of Soviet attacks.

(b) We have taken limited advantage of press services available at the UN by releasing supplementary material designed to strengthen and popularize our case and by conducting numerous press conferences.

(c) Propaganda exploitation of major US policies, i.e., "dressing them up" for maximum appeal to certain audiences, has been a basic development. In any subject before the UN considered to be of public interest, the propaganda implications are analyzed and taken into account in our public presentation where feasible. (For example, in the South African cases we sought through our statements to soften Arab-Asian dissatisfaction with our failure to support condemnation of the Union of South Africa.)

(d) Since 1949 we have undertaken certain policies determined in large part by propaganda consideration—introducing or encouraging UN action on items which while sincere in the sense that we could live with them and even profit greatly if they were carried out, were introduced with the primary purpose of winning Cold War propaganda advantages with little or no expectation that their ostensible purpose would be achieved directly or within a reasonable time. This characterization is based on the fact, understood by us and presumably by the Soviets that acceptance of certain of our positions would work decisively to our advantage and to the disadvantage of the Soviet regime.

Examples are:

(1) Condemnatory resolutions such as "Failure of USSR to Repatriate POWs" (5th Session), "Observance of Human Rights and Fundamental Freedoms in Bulgaria, Hungary, and Rumania" (5th Session), as well as our initiative in exposing through ECOSOC forced labor conditions in the Soviet system.

(2) Items on basic power issues between the USSR and the US such as Formosa (5th Session), German Elections (6th Session), and Austrian Treaty (7th Session) items.

(3) Disarmament in 1951 was a political device for convincing our friends and the neutrals (as well as the Russians, within limitations) of our interest in ending the arms race and of our peaceful intentions. Until the recent Soviet "peace offensive" began we had little hope that in the absence of other settlements elsewhere the Soviets would be interested in disarming, and no real expectation that they would accept a plan calling for international controls and inspection which we regard as indispensable but which involved a breach of the Iron Curtain.

(4) Although prepared as counters to Soviet-sponsored resolutions, we took the lead for tactical and propaganda reasons in certain purely hortatory resolutions such as Essentials for Peace (4th Session) and Peace Through Deeds (5th Session) in which action was designed to enunciate high standards of international conduct which by inference or comparison condemned Soviet actions and policies but without expecting that it would have any real effect on Soviet attitudes.

#### DIFFICULTIES FACING THE UNITED STATES

Over the past seven years Soviet propaganda has generally followed a relatively narrow and predictable course. Considerations of responsible free world leadership have imposed on the US a far more complex propaganda problem. US propaganda is subject to heavy domestic and international pressures which, often because they may appear to be incompatible, must be carefully weighed in the formulation of our propaganda position at each UN session.

##### 1. *American Public Opinion and International Audiences*

Considerations of influencing our international audiences are by definition fundamental to our propaganda position, but of course cannot be divorced from considerations of American public opinion. While our policies and our overseas propaganda are both constructed to reflect as faithfully as possible the wishes of the American people, the diversity of our public opinion and of the groups specially interested in particular causes often confronts us with real dilemmas in our choice of propaganda tactics. For example, while domestic audience reactions seem to favor strong, straight-forward, emotionally-tinged attacks on the Soviet system, and such an approach has definite appeal in the firmer anti-communist states, a subtle, reserved approach to the Soviet system has been more effective with the Arab-Asians—the major group which tends to view Soviet conduct least critically.

##### 2. *Conflicting Interests of Various Audiences*

In general, we have pursued in the UN a broad scale appeal for support from as many quarters as possible for our position and our values, and both our diplomacy and our propaganda have had to balance in specific circumstances the various long and short term goals of US policy.

Attitudes on the vital issues of the Cold War and the colonial problem, to cite two paramount examples, go to the heart of our several policy objectives and confront us with serious dilemmas of propaganda. To understand fully the special nature of our difficulty in handling these matters to our own advantage in the UN, two phenomena of UN operations must be recalled: *a*) voting strength, however unconnected with power realities, is in one sense a test of the support we can muster in the struggle with the Soviets; and *b*) blocs have formed in the UN

based not only on regional interests but on abstract general principles as well.

In fighting the Cold War in the UN, we are under great pressure to confront the Soviet single-mindedly with sharp attacks, notwithstanding the possibility that such an approach may frighten the timid or alienate the unconvinced. Despite these pressures, primarily domestic, we are competing for the understanding and, if possible, support of neutralist sentiment, both Arab-Asian and European. Our objective with these groups is gradually to lead them to fuller understanding of the threat of the Soviet system, and to increased willingness to support anti-Soviet measures. One way of achieving these ends is by seeking to impress them with US reasonableness and lack of belligerence, which has caused us occasionally to recede from positions which appeared to these groups to be unduly rigid or demanding (Indian resolution on Korea, CMC, etc.). To convey the same impression, we have at times given such policies as, e.g., disarmament an emphasis that the foreseeable possibilities might perhaps not have otherwise warranted. In a few instances we have possibly risked misleading other groups by joining in resolutions of general and pious intent, adherence to which by the Soviets permitted them to spread wholly cynical propaganda of their own.

Although our techniques for measuring comparative successes in our propaganda are imperfect, it can be argued that we have at least maintained our position vis-à-vis neutralism through restraining ourselves from inflammatory propaganda, and have probably improved our support where our tactics have recognized the sentiments and fears of those groups.

With respect to colonialism the demands of our various objectives have required us to walk an even more delicate tight-rope, in our propaganda as with our diplomacy. A major US objective has been to enlist Arab-Asian support in all feasible ways. One of the most significant ways available is through words spoken and actions taken in the UN on issues which touch on their basic interests and aspirations.

But the aggressive anti-colonialism of the Arab-Asian grouping has created a dilemma for us in which manifestations of our prestige strength through voting majorities on crucial East-West issues are increasingly dependent on our ability at least ideologically to disassociate ourselves from our European allies on colonial questions. Thus on the one hand we have pursued a policy of extensive support for the UK, France, Belgium, the Netherlands, Australia, New Zealand, and South Africa. Simultaneously, we have: (a) at times sided in the UN with the forces having interests antagonistic to those allies in their dependencies (political information, UN flag in trust territories, visiting missions, independence of Libya, etc.) or at least, (b) essayed a role of "Impartiality" in the UN between both sides, to the dissatis-

faction e.g., of the French in North African cases, and above all in the South African cases.

In sum, we have tried to follow a middle course. In doing this we have tried to meet ideological pressures from anti-colonial groupings through statements which in the eyes of our closest allies were damaging to their interests. On the other hand, our own profound convictions regarding free discussion and national independence have at times had to be suppressed to give our allies a feeling of support (inscription of Tunisian item on SC agenda, granting hearings to nationalistic spokesmen, etc.).

The problem of choice of audiences is equally acute in some other fields, such as human rights, where for example we have avoided condemning some of our friends (South Africa, e.g.) for deprivations for which we have unhesitatingly condemned the Soviets (or conversely, our soft-peddling of the 7th GA of Soviet anti-Semitism because of anticipated Arab hostility).

### 3. "Policy" and "Propaganda"

As the propaganda potential of the UN is increasingly recognized and exploited we are often tempted to give high priorities to consideration of expediency. The danger here is that when propaganda tends to become the master rather than the servant of policy, our varied and overriding policy objectives, particularly those of long-range importance, may genuinely suffer, and at a minimum may become obscure even to us.

Actions which we may take in the UN primarily for propaganda gain become a link in our total foreign policy operations. Our actions in the UN, however they are motivated, inescapably become connected with the body of American policy commitments, and can affect directly the substance of our policy efforts elsewhere. A prime current example of this is the powerful relationship of the Indian resolution on Korea to the conditions of negotiations at Panmunjon.

Exploitations of the UN propaganda potential can also suffer if policies adopted primarily with a view to propaganda are recognized by others to be insincere. For example, in the interest of demonstrating US concern for the underdeveloped countries, it was seriously suggested that the US support initial studies into an International Development Fund at a time when it was understood we could not support its establishment in the form it was then likely to take, and if this had been done the immediate propaganda advantage vis-à-vis underdeveloped countries might have been overwhelmingly offset when it became apparent that we had no intention of following through.

*Note:* Because the subject of this paper is in a slightly different category than the others in the series, it is felt appropriate to add to the above analysis at this stage the following questions which arise

in the course of analysis but which can not be answered without further investigation by technically competent personnel:

*a) Content of propaganda:* what are relative advantages and disadvantages of types of propaganda use we have made of the UN? what is relative effectiveness of US and Soviet propaganda in UN? what is relation between propaganda operations and effectiveness of UN in carrying out its functions?

*b) Audiences for propaganda:* what are the chief audiences actually available in and through the UN? to what extent are they actually reached? to what extent do UN operations actually influence their attitudes? what priorities should be assigned to what audiences, and what effect would this have on future US propaganda operations in the UN?

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A/MS files, lot 54 D 291 (V), "UNA/P master file"

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[WASHINGTON, undated.]

## COLLECTIVE SECURITY

### CHARACTER OF THE ISSUE

In view of Soviet non-cooperation in the Security Council, attempts have been made to develop UN collective security functions under General Assembly auspices, attempts which have met with determined opposition on the part of the Soviet Union. Because of this Soviet opposition, the problem of collective security has come to be regarded as a Cold War issue. Certain Members have hesitated actively to support US efforts to organize a UN collective security system, fearing that such a system would provoke the Soviet Union, without necessarily increasing world security. Differences on this matter reflect divergent views on the role of the UN in the East-West conflict, and also certain contrasts between the strategic interests of the US and European or Asian powers.

### BACKGROUND

The UN security system originally was supposed to center in the Security Council's capacity for instant decisions backed by the full weight of the united great powers. Their disposition to exercise this joint responsibility for world peace was supposed to express itself in an agreement to set aside military forces for the use of the UN under Article 43 of the Charter. It soon became clear that the absence of cooperation between the USSR and the other great powers reduced this system to impotence. The Charter, however, conferred on the GA cer-

tain functions with respect to international peace that were susceptible of development in case of SC impotence.

Long before Korea the US had publicly taken the position that failure of the great powers to cooperate in the SC and to agree on Article 43 military forces did not relieve UN Members of their responsibility to seek effective means of collective security by alternative avenues. Following the experience in Korea,\* this idea was translated into the Uniting for Peace Resolution. The Resolution asserts the right and intention of the GA to recommend that members take collective measures to maintain peace whenever the SC, because of lack of unanimity of the permanent members, fails to do so. Practically this meant, of course, that the UN might be called upon to recommend collective action in a case of aggression even if the aggressor is one of the great powers, a case which originally used to be considered virtually outside of the UN system on the generally held premise that UN collective security action required a SC decision and thus agreement among the great powers.

The strong opposition of the Soviet Union against the Uniting for Peace Resolution undoubtedly lent pointed political meaning to this responsibility.

The Resolution established a Peace Observation Commission designed to observe and report on the situation in any area where there exists a danger to international peace. It also set up a Collective Measures Committee to study measures which might be used to maintain and strengthen international peace and security. Furthermore, it recommended that Members maintain armed forces so trained, organized, and equipped that they could be promptly made available for service as UN units. The purposes and use of these institutions of collective security have provided some of the concrete topics on which the various groups and forces in the UN have joined issue.

The Peace Observation Commission need not be discussed here since it has not figured prominently in the stresses and strains surrounding collective security arrangements.

The Collective Measures Committee has by now been continued into its third year, each time by resolutions supported by over fifty Members. All the same, its role has been the object of pronounced differences of opinion. More than other GA institutions, the CMC has been symbolic of the intent to develop collective security capabilities of the UN despite the paralysis of the SC. It is therefore significant that certain members of the Committee, notably the British and French, feared that certain aspects of preparatory planning by the CMC might

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\*In Korea, UN action, based on a SC recommendation, was taken against an aggressor backed by the Soviet Union, the action having been supported morally by 53 Members of whom 16 have contributed military forces, another 26 rendered some material assistance, and one has borne the brunt of the fighting. [Footnote in the source text.]

give the UN the appearance of an anti-Soviet alliance. In view of these fears, the Committee agreed from the beginning to confine itself to studies of a generalized and abstract character, refraining from mentioning specific measures by specific countries and altogether avoiding certain topics (e.g. bases) even in generalized form. While the Committee's studies are meant to reduce improvisation in case of future collective action, they do not envisage such action in terms of any concrete strategic assumptions. CMC planning has been directed toward "aggression" in the abstract.

The CMC also requested Members that they inform the UN of steps taken to maintain armed forces in such a manner that they could promptly be made available to the UN. The replies, while generally in favor of the principle of collective security, were sufficiently evasive to suggest that most Member States are at this time unwilling to translate the general idea into concrete preparations. Only six countries (all small powers) † offered specific contingents. An overwhelming majority, however, indicated support in principle, and several pointed to their forces in Korea as a contribution to the UN collective security system. NATO members also cited their contributions under the North Atlantic Pact. The response from others was less positive, several states pleading prior requirements of self-defense or lack of resources. ‡ India frankly expressed its disagreement with the concept of collective military measures. Fourteen states have not formally replied. §

Collective security was furthermore put to the test in UN reactions to Communist China. The resolution condemning Communist Chinese aggression in Korea (February 1, 1951) clearly invoked the obligation to join in further collective action for international peace and security. It was strongly opposed by an Arab-Asian bloc under Indian leadership (it received 44 affirmative votes). The Additional Measures Committee, set up under this resolution to consider sanctions against the Chinese aggressors, under similar pressure confined itself to the recommendation of an embargo of arms, ammunition, and strategic materials, as determined by each state. (Collective security also played an indirect role in the problem of Chinese representation, since the refusal to contemplate the seating of the Chinese Communist Government has been, since June 1950, based on the argument that the UN could not consider the Chinese Communist Government's claim as long as the latter actively resisted UN collective action.)

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† Colombia, Denmark, Greece, Norway, Philippines, and Uruguay. [Footnote in the source text.]

‡ Burma, Chile, Ecuador, Guatemala, Haiti, Iraq, Israel, Liberia, Pakistan, Venezuela, Yugoslavia. [Footnote in the source text.]

§ Argentina, Bolivia, Costa Rica, Cuba, El Salvador, Ethiopia, Iceland, Iran, Nicaragua, Panama, Peru, Syria, Thailand, and Yemen. [Footnote in the source text.]

*Note:* The foregoing listings are as of August 2, 1952. [As in the source text.]



In general, the development of collective security in the UN since 1950 shows strong and scarcely diminished voting support of the principle of solidarity against aggression, together with persistent fears, on the part of many states, to take any practical steps that might provoke the Soviet Union or draw unwilling Members into unpredictable military commitments.

#### UNITED STATES POLICIES

The objectives of our policy up to now can be broken down into long and short term categories. In the long run, we have desired to build in the UN the broad framework of a system of collective security that would gradually promote conditions of enduring peace. In the event of general hostilities, we would prefer to have the war fought between the UN and the aggressor rather than between the US (plus allies) and its enemy. In the short run we have been interested in finding ways and means by which collective resistance to aggression could be planned and prepared under UN auspices as much as is possible in advance of unpredictable situations which must determine the eventual decisions of states, and we have sought to promote a growing awareness on the part of states of their responsibilities to an effective system of collective security. With respect to regional arrangements like NATO, we have desired to obtain recognition of a mutually supporting relationship between them and the UN. These objectives have been pursued with the realization that even if they were not fully attainable at all or within a given period, their discussion in the UN would help to keep Members alert to the meaning of the organization and the common stake of the free world in it.

US interests with respect to Soviet aggression are involved in UN collective security in these two respects :

On the one hand the US wishes to obtain a maximum of political and military support in event of a future war provoked by Soviet aggression. On the other hand, political support in the UN for US sponsored measures to strengthen collective security in time of peace involves US prestige in the sense that the number of votes in favor of the US position in such matters is often considered to be indicative of the willingness of nations to side with the US in an ultimate showdown.

#### MAJOR DIFFICULTIES FACING THE UNITED STATES

Obstacles to rapid progress in this field have arisen chiefly from the attitudes of our main allies. In general, many of our friends look upon collective security in the present situation as an issue of the Cold War rather than as a normal and continuous function of the UN. They tend to fear that insistence on collective security would reduce the usefulness of the UN as an impartial agency for conciliation and negotiation.

Those who participate with us in regional arrangements also incline to rely for their security on the concrete commitments under those pacts rather than on the UN. The British privately insist that in the event of Soviet aggression, the core of resistance would be the US supported by the UK and the Commonwealth, that in view of the precarious balance of forces UN collective action might not cause the aggressor to desist, but rather would be likely to bring closer World War III, and that the attempt to organize collective action against aggression through the UN would, because of the East-West conflict, be likewise interpreted as preparations for World War III instead of preparations to prevent this occurrence. The British also discount the view that "roping in" marginal states in UN collective action could make any substantial difference in World War III. Regarding NATO, the British fear that the more attempts were made in times of peace to foster the relationships between such organizations as NATO and the UN, the stronger would be the impression that the UN and NATO were indistinguishable.—The French similarly believe that emphasis on a short-run program of planning and preparation for collective security would tend to convert the UN into an anti-Soviet alliance which would tend both to alienate the neutrals and further to exacerbate relations with the Soviets. Certain countries precariously exposed to the Soviet threat, like Yugoslavia and Turkey, have taken a different attitude and displayed a lively interest in the advantages they expect from UN preparations for collective resistance to aggression.

In the particular application of collective security to the problem of North Korean and Chinese Communist aggression, certain phases of our policies have encountered the resistance of those of our European allies who had recognized the Chinese Communist Government, and those Asian and Arab states who are inclined to view the Korean war, as it has developed, in terms of Chinese self-defense rather than aggression, and to dissociate themselves from UN sponsorship of the Korean action. In other words, different attitudes toward this particular case of collective security are heavily colored by differences in the national policies of various countries with respect to Communist China. Different interpretations of the role of the UN in the Korean conflict follow from, rather than motivate, these divergent national policies.

#### TRENDS

Discussion about the CMC has by now led to a considerable amount of agreement between the US and its main allies, so that this particular question would hardly be expected to cause further difficulties. Nevertheless, the underlying issue, of which the question of the CMC is but one symbolic aspect, continues as a latent difference of views about the role of the UN under present historical circumstances. The issue still

is, whether, given the conflict between the Soviets and the "free world", the emphasis in the UN should be on security and enforcement functions or on negotiating and conciliatory functions of the Organization. As long as the US is vitally interested in the UN as well as in vigorous counter-action against the Soviet threat, under prevailing policy we would hold that de-emphasizing UN security and enforcement functions would mean to "put the UN on ice". Other leading nations of the free world will probably continue to desire a UN devoted mainly to conciliating and mediating functions, lest a firm UN front of resistance to the Soviet threat might "aggravate the tension". The extent to which this issue will cause further stresses and strains between the US and its friends in the UN depends mainly on the future development of the Soviet "peace" offensive and its effects on the leading non-communist powers.

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## BLOC POLITICS IN THE UNITED NATIONS

### PREFATORY NOTE

Bloc voting in the UN is above all a problem of organized factions in the GA, a body where each nation has one vote and where parliamentary power therefore does not necessarily represent the realities of the international power and responsibility. The analysis of this problem in the following paper is confined to the Arab-Asian bloc and the Latin American bloc, which are the chief GA factions organized to use the UN for the promotion of their common interests. The Soviet bloc is ignored because it represents a centrally controlled system with five votes rather than a voluntary grouping of nations, and because factors other than those of parliamentary strategy in the GA are holding this system together. Bloc voting among other European countries is also left out because it has not developed to any degree of consistency (the reason being that, particularly with the development of regional institutions, the European countries by and large do not seek to use the UN as a principal mechanism for their conduct of foreign policy or as a means of influencing others to particular courses of action. They, broadly speaking, are the beneficiaries of the *status quo* and, outside of such broad issues of world order as disarmament, have no program of change for which the UN could serve as an instrument. Neither do they desire to see the UN become an anti-Soviet weapon. In short, they have little motive to develop a dynamic bloc

comparable to the motives of the Arab, Asian, or Latin American states.).

#### THE ARAB-ASIAN-AFRICAN BLOC IN THE UNITED NATIONS

The so-called Arab-Asian group of states in the UN have, since December 1950, frequently operated as a bloc, in pursuit of certain common interests. In view of the wide geographic distribution of the countries in question\* these common interests are not so much "regional" as they are in the nature of general ideas concerning the position and interest of Arabs, Asians, and Africans in a world led by nations of Western civilization. These common ideas can be characterized as:

- a) opposition to colonial rule and the Western economic domination;
- b) insistence on the rights and dignity of "native" vis-à-vis white people;
- c) demands for economic and technical assistance for underdeveloped countries;
- d) resistance to involvement of Arab-Asians in the East-West conflict.

The UN, offering opportunities for propaganda and parliamentary pressure on behalf of these ideas, has been for the Arab-Asian above all the forum which brings them together in a setting that makes bloc operations possible and effective. In the UN the degree of solidarity of this bloc has been influenced not only by the above named common viewpoints as such, but also by the attitudes and policies of the Western world, and by the ruses and enticements of the Soviets.

Unlike the Arab League (six of whose members are also UN Members and participants in the Arab-Asian group), the Arab-Asian bloc does not have a formal organization. It has, however, held increasingly frequent meetings since 1950, under orderly rules of procedure and with rotating chairmanship. The meetings have considered not only the Korean problem, but questions such as those of Palestine, Tunis, and Morocco, racial discrimination in South Africa, trusteeship and non-self-governing territories, and the so-called East-West issues. Occasionally, extraneous matters like personnel have also been made a matter of bloc policies. On matters of importance to them, the bloc could generally muster 13 to 15 votes. The bloc has used its voting strength to obtain UN action reflecting the broad principles favored by the bloc, or, if that was not possible, to express its displeasure by

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\*The Arab-Asian bloc is composed of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, and Yemen. Turkey attended 2 or 3 meetings in December 1950 but cannot be considered a member of the group, nor can Thailand which sometimes votes with it. This a [is] likewise true of Liberia and Ethiopia which more frequently vote with the Arab-Asian group on matters of common interest. [Footnote in the source text.]

withholding support from positions favored by the Western countries. On occasion, it has also supported Soviet positions in exchange for what was believed to be Soviet friendliness to Arabs and Asians.†

In particular, the interests of Arab-Asian bloc countries can be analyzed as follows:

*Colonial Questions*—All states of the Arab-Asian-African group have professed a universal and abiding interest in colonial questions. This interest has a deep emotional basis, for the obvious reasons that most of these countries have only recently emerged from the status of colonial peoples or of peoples treated as inferiors by white aliens. They desire: (a) to help peoples who are still in a colonial status or experiencing unequal treatment to achieve independence and improved conditions of life, and (b) to identify their own national aspirations for a larger share of world influence and prestige with the cause of peoples which are thus being ruled or kept in an inferior status by white foreigners. The colonial problem tends accordingly in many—but not necessarily all—cases to merge with racial problems and problems of human rights. Frequently, however, the policy of these states on colonial questions is dictated by domestic political considerations. The Arab-Asians have preferred the General Assembly to the Trusteeship Council for discussion of colonial questions, because their more numerous representation in the former gives them a better chance to make their voice felt, and because they believe that their point of view is not sufficiently represented on the TC.

*Human Rights and Related Questions*—In this field, Arab-Asian votes have not been uniformly cast en bloc. On certain questions (e.g. the status of women) their interests turned out to be sharply divided because of domestic and religious considerations. Nevertheless, on the whole the delegates from this area have inclined to press for a far-reaching program of human rights, a program that reflects not so much measures which their governments are prepared to realize in their respective nations as it formulates ideal conditions which these countries aspire to attain, presumably with the financial help of the West.‡ The votes of Arab-Asian delegates in these matters also represent abstract, ethical principles (sometimes embodied in their respective religions) which they uphold in speeches in the UN often without any relationships whatsoever to realities in their own countries. Moreover, delegates from these countries frequently cast their votes on matters of

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†(E.g., it has voted for the Soviet demand for the presence of North Korean and Chinese Communist representatives at the UN discussions on Korea as a *quid pro quo* for Soviet support of the Arab position on Morocco.) [Footnote in the source text.]

‡Accordingly, they generally favored the combination of economic and social rights together with political rights into one single Human Rights Covenant. [Footnote in the source text.]

this kind without the benefit of instructions from their home governments. In this connection, it is important to note that most of these free-wheeling delegates have been educated in the liberal philosophy of the West.

In such matters as Self-Determination and Definition of Aggression the countries of the area find an additional opportunity to pursue their common anti-colonial interests, although other considerations may occasionally enter (as, e.g., when India objected to language in the resolution on self-determination that might be interpreted as applying to such areas as Kashmir, the Princely States, or the French Enclaves in India).

*Economic Questions*—The Arab-Asian bloc has shown interest, particularly during the last three sessions of the GA, in issues centering in the economic development of underdeveloped countries through the UN, a matter which they have generally stressed as one of vital and urgent importance. This attitude springs directly from the desire of these countries to advance the economic status of their peoples. At the same time, while they accept, in most cases, bilateral economic assistance, many of them prefer UN sponsorship in order to avoid the possible embarrassment of direct obligation or political commitment to another state in return for economic aid. While the countries of the group do not always vote solidly as a bloc (India and Pakistan frequently have individual views, and Thailand and the Philippines at one stage abstained even on economic development) they, by and large, have the same interests in UN economic questions and can be expected to vote in about the same way on most of them.

*Political and Security Questions*—Political and security questions, as far as the Arab-Asian states are concerned, can be divided into matters of the East-West conflict, and those that have specific interest to these states. On East-West questions, Arab-Asian votes indicate a certain neutralist attitude (particularly on the part of India, Indonesia, Burma, Egypt, and Syria). In the case of the Arab States, there can be no doubt that their resentment of US policies on Palestine has definitely colored their attitudes on matters of concern to us. § Still, the voting record demonstrates that on major East-West issues the US has enjoyed general support from the Arab-African-Asian group of states. Nevertheless, the US was disappointed when at the Sixth Session 8 of the 11, and at the Seventh Session 11 of the 14, abstentions on the Soviet propoganda resolutions condemning the United States Mu-

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§ E.g., in connection with the Czech charge of US interference in internal affairs, etc., at the Seventh Session, on which 12 members of the Arab-Asian bloc abstained, Syria, Lebanon, Iraq, and Saudi Arabia explained their abstaining votes by saying that they were motivated by anti-Zionism, an attitude which at that time happened to be also the official policy in Czechoslovakia. [Footnote in the source text.]

tual Security Act came from the Arab-Asian bloc (Iraq and Lebanon, China, Thailand, and the Philippines voting at the Sixth Session in the negative with the US), the votes as a whole being 5-42-11, and 5-40-14. Similarly, in the case of the Soviet propaganda proposal as to "alleged mass murder of Korean and Chinese prisoners of war", by the US Armed Forces in Korea, at the Seventh Session, 8 of the 10 abstentions came from the Arab-Asian world, the vote being 5-45-10. (It is noteworthy in this latter instance that Ethiopia, Iraq, Lebanon, and Liberia, as well as China, Thailand, and the Philippines voted with the US). On the other hand, most Arab-Asians supported the US on the BW charges, with only India, Indonesia and Burma abstaining. On matters of collective security, the Arab-Asian-African states, with the general exception of India and the occasional exception of states like Saudi Arabia, Syria and Egypt, have gone along with the US. The question of the definition of aggression has not raised political issues to any significant extent, since at least the Arab States have favored such a definition from the period of the San Francisco Conference to the present. India, on the other hand, has not favored such a definition.

Other questions of particular interest, in which the Arab-Asian-African *bloc* voted solidly are those pertaining to the treatment of peoples of Indian origin in South Africa, the South African *apartheid* laws, and the questions of Tunis and Morocco, involving at once the demand for racial equality and the emerging nationalism in this area.

*Organization Problems of the United Nations*—All the Arab-Asian-African states take a "broad" view on the question of competence, particularly when questions of racial discrimination and self-determination in non-self-governing or trust territories are involved. They, therefore, raise no question of jurisdiction, although they do so if problems involving their own domestic jurisdiction come up, as in the case of the Anglo-Iranian oil dispute in 1951-53, in the case of Hyderabad and in that of Moluccas. Moreover, when efforts are made to make those concepts universally applicable in Member states as well as territories, the Arab-Asians tend to take a restrictive view of UN competence. It may be noted in passing that the Arab-Asian-African states generally have favored universality of membership, since the San Francisco Conference, almost without exception. No particular political significance attaches to their attitude on this question, so far as the East-West conflict is concerned. In the matter of candidacies for membership on various UN Councils and other bodies, the Arab-Asian-African *bloc*, at times, and the states of the Arab League in particular, have been able to work with the Latin-American *bloc* in order to achieve their political desiderata.

## LATIN AMERICAN BLOC POLITICS

I. *General*

With the strong similarities of language, cultural background, political history, and general outlook on life, it is only natural that there should be considerable amount of like thinking among the members of the Latin American group in the UN, considerable cooperation on issues, and a considerable amount of voting on the same side of an issue, either spontaneously or by previous understanding.

The Latin American countries have had a regional organization with the US for over sixty years. It is, however, rather important to distinguish between the *Pan American* relationship and the *Latin American* relationship, which is the essence of the Latin American bloc|| in the UN, the participation of the US being the differentiating factor.

Latin American group action may take various forms: (1) several Latin Americans spontaneously voting on the same side of the question; (2) group consideration of an issue, tending toward a unified Latin American position by the members of the group without a commitment to vote on either side, and (3) discussion by the group of an issue with agreement, or at least a tacit understanding, that the group will support the decision of the majority of the group.

The Latin Americans have held caucuses at all of the sessions of the GA, by custom under the chairmanship of the Latin-American Vice-President of the GA. At the outset, several of the Latins felt that their meetings should be completely informal and that any semblance of an organized or semi-organized bloc should be avoided. Inhibitions of this kind were soon lost and the caucus has operated at a number of sessions of the GA as a rather open, although not officially organized, institution.

Bloc action of the type described in No. 3 above, has in the past been almost completely limited to the matter of naming Latin American candidates for UN positions. On substantive issues, the caucus has generally followed the plan described in No. 2 above, discussing the issue without coming to any understanding that the members will vote as a unit. Such discussions do, however, sometimes have the effect of inclining uncertain members towards the majority or predominant viewpoint.¶

II. *Economic Questions*

Aside from problems arising from UN candidacies, Latin American bloc action has probably been most pronounced in the consideration of

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||The bloc consisting of the 20 Spanish, Portuguese or French-speaking Republics South of the Rio Grande. [Footnote in the source text.]

¶E.g., on the "nationalization" issue, 4 or 5 countries definitely opposed to the resolution who had orders to vote negatively did not dare to express their opinion and, at the time of the vote, either left the room or abstained. [Footnote in the source text.]



economic questions involving the typical interests common to all underdeveloped countries. This was demonstrated at the last session of the GA where Latin American-Arab nationalistic aspirations and emotions were channeled into the passage of the resolution relating to "nationalization" of foreign investments over strenuous US opposition. This one example of Latin American-Arab collaboration demonstrates the almost unlimited possibilities of the combined voting power of the two blocs when their members believe that they have something to gain by collaboration.

### III. *Social Questions*

Although most Latin Americans are sympathetic to the international action in promotion of human rights and have similar ideas regarding freedom of information, they have not shown a great tendency toward joint action on these matters. Even when agreeing on substance they have often tended to go off in all directions on fine points of interpretation. As described below, differences over the question of intervention and competence represent another factor preventing unity of action.

### IV. *Colonial Questions*

Traditionally, Latin Americans take a definitely anti-colonial line (with some of them, like Guatemala, Mexico, and Haiti sometimes in the vanguard of the anti-colonial Members), although their anti-colonial sympathies are tempered to an important extent by emphasis on the concept of non-intervention and by their traditional sympathy for France and Italy when interests of these nations are involved. This is illustrated by voting records showing that "strongly" led countries such as Venezuela, Colombia, Peru, Dominican Republic, and the Argentine tend, chiefly for this reason, to diverge from the views of their colleagues. Their attitude on non-intervention is not altogether consistent however, as they object to intervention in their own affairs, but not in territories under the sovereignty of Administering Members.

### V. *Political and Security Questions*

On political and security questions where the interests of the free world are engaged, the Latin American bloc can generally be depended upon to be almost unanimously on the side of the free world. When there are deviations on any given questions, it can usually be explained by the fact that some domestic issues appear to the particular member to outweigh the importance of going along with the rest of the free world on the particular issue. They voted as a unit at the last session on the question of Korea and cooperated very closely, virtually as a bloc (although assisted by strong outside pressure), in checking Arab aspirations for strong resolutions of condemnation against France in the cases of Tunisia and Morocco.

## VI. *Organization*

As might be expected from small, relatively powerless countries, and Latin Americans look upon the UN as an institution of great importance in world affairs. They are generally agreed on the iniquities of the misuse of the veto and many of them, including Peru, Argentina, Cuba, and the Central American countries, are strong advocates of restricting its scope. It is, however, unlikely that there is sufficient unanimity among the Latin Americans to anticipate bloc action on the matter.

As indicated above, Latin Americans are divided on the question of UN competence, when implications of intervention are involved.

The matter of candidacies for UN positions is an extremely important matter of prestige for the Latin Americans. The Latin Americans place great emphasis on equitable geographic distribution of UN posts; more particularly, they are concerned that there shall be no reduction in the number of positions that Latin America now has. When we ignore this deep-seated feeling, we are likely to be faced with a situation such as took place at the Sixth GA when the failure of the US to support a Latin American candidate for a seat on the International Court of Justice previously held by a Latin American aroused considerable resentment and discussion at caucus meetings and severely weakened Latin American support for the US-sponsored election of Greece to a seat on the Security Council.

At the time when caucuses first started, the question was raised whether the US should be a member of the caucus. The US took the position that we would be glad to consult with the countries on a day-to-day basis, thus discouraging invitations to meet with the group. At that time there was a distinct feeling that we should not exclude ourselves completely from the caucus, except on purely Latin American affairs. In succeeding GAs, however, the US trend seemed to grow stronger to avoid contact with the Caucus. In recent GAs, this trend has abated and several meetings were held, specifically for the purpose of meeting with some top delegate in the US Delegation to discuss one of the more pressing and important items on the agenda. Such meetings have proved very beneficial.

### COORDINATION BETWEEN THE TWO MAJOR BLOCS

The definitely regional motives binding the Arab League together are often represented by the more general causes or grievances which the Arabs have in common with other nations recently emerged from Western dominance. Thus Middle Eastern regional politics, although not inherently anti-Western, tend to merge with a largely ideological movement of criticism, and emancipation from the tutelage, of the West. Racial segregation in South Africa may be selected as a vehicle for promoting some Middle Eastern state's immediate interests, or,

by contrast, opposition to Israel may serve as a way of registering a general protest against the West. General ideological causes also have served as a common ground on which Latin American states have often found it profitable and possible to cooperate with the Arab-Asians. When not inhibited by specific considerations (e.g. regard for France, or interest in the principle of non-intervention), the Latin Americans have frequently entered into a mutually supporting relationship with the Arab-Asian bloc for the pursuit of respective interests, in the general framework of broad ideological objectives. This intermingling of practical national interests and widely held ideas of change and progress is characteristic of the UNGA, where the same set of delegates deal with economic, social, and humanitarian as well as political problems, in the same forum.

Countries which would otherwise have neither grounds nor opportunities to meet and plan for concerted action find here a setting in which their various and diverse interests can be reduced to a common denominator. They also find that group elaboration of GA resolutions allow them to articulate this common denominator in a particularly effective form.

Specifically, Arab-Asians and Latin Americans have discovered common ground in the field of economic development or general anti-colonial attitudes. More broadly speaking, however, their common cause can be described as a quest for improvement of their conditions together with recognition of their dignity and their problems on a footing of equality with the leading nations of the West, in consequence of which recognition they expect certain things to be done. This quest often appears to take the form of an assault on the hitherto dominant position of the foremost Western nations in their relations with all kinds of non-Western peoples, whether black, brown, or yellow, Moslem, Hindu, primitive or civilized, dependent or self-governing. The simultaneous consideration of political, economic, social, and humanitarian issues in one forum allows and encourages all nations advocating changes in this sense to enter into a loose parliamentary coalition to the end of marshalling majorities for all kinds of resolutions (often supported by the USSR) reflecting their common cause. The coalition of the two major blocs is neither solid nor continuous and certainly does not correspond to any political alignment effective beyond GA parliamentary strategy.

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## HUMAN RIGHTS

### I. CHARACTER OF ISSUE

The Charter and the Universal Declaration established certain world-wide and long-term goals in the field of human rights which the US has consistently supported. From the outset practically all non-Soviet bloc Member States, including and often led by the US, set about to find agreed ways and means to promote the achievement of these goals. But in this process some voting majorities, in the main constituted by the African-Arab-Asian and Latin American blocs and often augmented by the Soviet bloc, began to direct their energies along lines which the US came to consider objectionable; specifically these majorities sought 1) to reach certain goals through UN resolutions purportedly based upon general Charter commitments and directed either at a particular state (i.e., South Africa) or a particular small class of states (i.e., possessing colonies), 2) to achieve establishment of a UN obligation to give effect within a reasonable time to certain new economic, social and cultural "rights" which the US at best could consider as long-range objectives (by contrast with purely political rights which have long been the subject of codification in our society), and 3) to employ UN treaties to establish these and other human rights. Consequently, there arose for the US a strain and stress in the UN, which has been accentuated by: *a*) certain fears aroused in the US and some other countries of "western" background that the UN might one day attempt to interfere in any one of them in human rights matters whether or not already provided for in their respective constitutional systems, and *b*) the use by both Soviet and anti-Soviet forces of human rights as a symbol in Cold War propaganda in the UN.

### II. BACKGROUND

Charter Articles 55 and 56 provide for the promotion of "universal respect for, and observance of, human rights and fundamental freedom for all without distinction as to race, sex, language or religion". Articles 13 and 62 authorize the GA and ECOSOC to make recommendations to advance the realization of such rights and freedoms for all. Pursuant to Article 68 ECOSOC established in 1946 a Commission for the promotion of human rights. In the same year the GA adopted a number of resolutions relating to broad principles in the field of human

rights, and also was asked to consider a human rights question in a particular country, namely, the treatment of the Indian minority in South Africa.

In 1947 the Commission on Human Rights started the drafting of a declaration of human rights and a covenant on human rights, the former a statement of long-range principles and the latter a treaty to give effect to the former. In 1948 the GA, by a vote of 48-0-8 (Soviet bloc, Saudi Arabia and South Africa), Honduras and Yemen being absent, adopted the Universal Declaration of Human Rights; and it also adopted a Genocide Convention. Work on the draft Covenant on Human Rights proceeded slowly in the Commission, and conventions on freedom of information and the political rights of women were considered in the Economic and Social Council and the Commission on the Status of Women respectively.

Unsuccessful attempts were made in the Commission on Human Rights to give individuals, as well as states, the right to charge a state with the violation of the draft Covenant on Human Rights. In 1949 Australia and the USSR proposed to add articles on economic, social and cultural "rights" to the civil rights in the draft Covenant, and in 1950 the GA decided to do so. The civil rights were comparable to those in the Bill of Rights in the US Constitution, and theretofore were the only ones enumerated in the draft Covenant. In 1951 the US, supported by India, France, UK, Lebanon and Uruguay, persuaded the GA to split the original draft Covenant into one on "Civil and Political Rights", and another on "Economic Social and Cultural Rights", which since then have been under consideration in the Commission. The proposed Convention on Freedom of Information continues to be considered in ECOSOC practically every year. In 1948 the GA completed the Genocide Convention, which has been ratified by forty-one countries but not by the US, and in 1952 the GA completed the Conventions on Political Rights of Women, and International Right of Correction. The US did not sign the latter two conventions.

The only GA actions with regard to human rights in specific countries have been on the Cold War charge by the US and its friends that Bulgaria, Hungary and Rumania were violating the human rights provisions of their peace treaties, and on the Indian and other Arab-Asian charges against South Africa on account of its racial policies. Anti-colonial states successfully limited practical application of a resolution on self-determination in the GA in 1952 to the 8 Member States with colonies. In a Cold War initiative directed against the USSR, the US and UK brought about the establishment jointly by the UN and ILO in 1951 of an *ad hoc* Committee to study and report on forced labor.

## III. UNITED STATES POLICIES

Strong pressure from representatives of American non-governmental organizations, attending the 1945 San Francisco Conference to draft the UN Charter, led the US Delegation to take the initiative there to include human rights provisions in the Charter. The US has consistently supported the human rights objectives of the Charter and the Universal Declaration of Human Rights. President Eisenhower in a message to the Commission on Human Rights on April 7, 1953, described the Declaration as "a significant beacon in the steady march toward achieving human rights and fundamental freedoms for all".

The US has been in the forefront in initiating proposals for UN programs for the promotion of human rights and fundamental freedoms in the following fields: freedom of information, the status of women, genocide, forced labor, trade union rights and prisoners of war. But when American press opinion in 1951 and 1952 turned against the draft Newsgathering Convention, the United States dropped its interest in it and also continued to oppose two other draft freedom of information conventions, i.e., a general one and one entitled "International Right of Correction", because all of them included many restrictions as well as freedoms.

The US urged and supported strong condemnatory language in the resolution adopted in the GA with respect to the alleged violation of treaty obligations on human rights by Bulgaria, Hungary and Rumania; but it always has sought to moderate GA resolutions on the ticklish South African race questions, while maintaining that the UN was competent to discuss them notwithstanding Article 2(7) of the Charter.

Between 1947, when the initial draft of the Covenant on Human Rights was submitted to the Commission by the UK delegation, and January 20, 1953, the US supported completion of, first, one draft Covenant, and, later, the two Covenants. However, the US always and publicly emphasized the distinction between the civil rights long enumerated in the draft covenant, which were similar to those already established by the US Constitution, and the new social, economic and cultural "rights" which were added to that Covenant in 1951 by the Human Rights Commission at the direction of the GA and which the US has sought to confine to a second draft covenant.

On April 6, 1953, the US announced a new policy, rejecting in the following terms the use of covenants now to attain the long-term human rights goals of the Charter:

"While we shall not withhold our counsel from those who seek to draft a treaty or covenant on human rights, we do not ourselves look upon a treaty as the means which we would now select as the proper and most effective way to spread throughout the world the goals of

human liberty to which this nation has been dedicated since its inception. We therefore do not intend to become a party to any such covenant or present it as a treaty for consideration by the Senate”.

In a statement issued April 7, 1953, President Eisenhower asked the US Delegation to present to the Commission on Human Rights in session at Geneva “positive” UN action programs “which we feel will contribute to that recognition of human rights and fundamental freedoms which people are seeking throughout the world”. The next day the US Delegation proposed the following three UN programs to the Commission :

(1) studies of various aspects of human rights throughout the world, which the Commission might then consider for possible general recommendations;

(2) annual reports on developments in the field of human rights by each Member Government, with the assistance of a national advisory committee, for consideration in the Commission; and

(3) advisory services on specific aspects of human rights similar to existing UN advisory services in the economic and social fields, providing experts to countries requesting the services, also scholarships and fellowships, and arrangements for seminars.

When announcing its new policy on the draft Covenant on Human Rights, the US also announced that it did not intend either to sign the Convention on the Political Rights of Women completed a short time earlier by the 7th GA, or to press at this time for ratification of the Genocide Convention pending since 1949 in the Senate Foreign Relations Committee.

#### IV. MAJOR DIFFICULTIES FACING THE UNITED STATES

The human rights questions that have created major difficulties for the US in the UN are: *a*) South African treatment of its race questions; *b*) efforts to convert general self-determination resolutions into specific anti-colonial measures; and *c*) various UN treaties on human rights including those on freedom of information. Growing US reluctance for various reasons to join voting majorities mustered in recent years behind these projects to give effect to certain broad principles, has placed the US more frequently in the minority opposition than it was wont to be in the early years of the UN. Moreover, failure of the US later to ratify and sign conventions such as those on Genocide and Political Rights of Women, for which we had earlier voted in the UN, increased our difficulties.

The perennial and ticklish question of South African treatment of its race conflict questions has confronted the US with three questions of importance, i.e., 1) whether the GA should consider the matter at all; 2) whether the GA should call upon South Africa to desist in en-

forcing a specific act of legislation; and 3) whether the GA should decide that South African segregation (apartheid) policy was based on racial discrimination. From the 1st GA in 1946 the US would have preferred to see the case settled bilaterally outside the UN; and finally at the 7th GA the US expressed doubt that the draft Arab-Asian resolution presented to that GA was expedient even if it did not transcend the powers of the UN as alleged by South Africa. US reluctance to join the voting majority grouped behind perennial Arab-Asian resolutions strongly condemnatory of South Africa has often led it into minority positions; for example, at the 7th GA the US and 15 other countries abstained in the *Ad Hoc* Political Committee vote (30-12-16) on a paragraph calling upon South Africa to suspend implementation of its Group Areas Act segregating races, although the US later joined the majority in voting (41-1-16) for the resolution as a whole including the contentious paragraph.

In the 7th GA the US found objectionable the efforts of the anti-colonial group to convert a general resolution on self-determination into one having practical application only to the small number of colonial powers including the US. When its efforts failed both to "universalize" the resolution, by making it applicable also to those states that had lost their independence, and otherwise to improve it, the US voted against the resolution which was nevertheless carried in the GA by a vote of 40-14(US)-6. This pressure by the Latin American, African-Arab-Asian and Soviet blocs had been foreshadowed by several votes at the 5th and 6th GAs.

Growing US reluctance to agree: *a*) to inclusion in the draft human rights covenant of the new social, economic and cultural "rights", *b*) to use the treaty process to achieve human rights objectives, and *c*) to the contents of the various draft conventions on Freedom of Information, and International Right of Correction, often brought the US into opposition to the positions of majorities, largely the Arab-Asian-African and Latin American blocs, in the UN on these matters. For example, after persistent US opposition to the Convention on International Right of Correction, the 3rd Committee at the 7th GA finally voted for the Convention 25-19(US)-10, and it was opened for signature in 1953.

Since announcement in April 1953 of the new US policy against signature and ratification of the proposed Covenants on Human Rights, no other country has yet expressed a willingness to take the same position. Although Australia, the UK, France and Belgium expressed dissatisfaction with the present draft of the Covenants, they did not preclude later approval of them if appropriately revised. The UK (together with 7 other European countries) has already ratified the European Convention on Human Rights and Fundamental Freedoms.



In considering human rights matters in the UN, Arab-Asian-African-Latin American Delegates tend to have the following characteristics which make it difficult for the US to deal with them :\*

(1) They generally attend UN meetings without instructions and speak idealistically, holding up to Western states western ideals in abstract form, while ignoring the inadequacies of their own Governments and countries.

(2) In matters concerning discrimination, their intensity and emotionalism make it next to impossible to reason with them. Many are colored, and those that are not feel a close bond to those that are. India has repeatedly taken the initiative in insisting that the GA condemn the policy of apartheid (segregation) practiced in the Union of South Africa with respect to Indians in that country. The Arab-Asian-African countries are increasingly exasperated that they cannot "force" South Africa through perennial GA resolutions to modify its domestic policies. South Africa is increasingly exasperated by these resolutions and threatens from time to time to withdraw from the UN if they persist.

(3) Although, as pointed out above in point 1, the Arab-Asian-African-Latin American countries are willing to urge a higher standard of human rights throughout the world, irrespective of low standards often prevailing in their own countries, they prefer to press for a greater application of the principles of human rights in non-self-governing territories than they are willing to see applied to the people in their own countries. They voted overwhelmingly to limit implementation of the principle of self-determination to people in non-self-governing territories, and were particularly desirous to avoid an express recognition of its application to people in their own countries.

(4) Delegates from the Arab-Asian-African-Latin American countries insist on use of the treaty process for the promotion of human rights, although they do not preclude the use of education, publicity and other means. Accordingly, they now sharply disagree with the US.

Soviet bloc action in the UN has the following characteristics :

(1) The Soviet bloc has declared that the UN should neither consider, nor give any judgment with respect to, either individual cases or individual countries; and accordingly they voted against consideration of charges of violation of human rights in Bulgaria, Hungary and Rumania. However, whenever the bloc senses an opportunity to aggravate trouble in the free world, it does so, as when it supported UN consideration of the South Africa race conflict cases raised by India and other countries.

(2) The Soviet bloc votes with the majority on general human rights issues, particularly those relating to non-self-governing territories in order to increase trouble in the free world.

(3) The Soviet bloc joins Arab-Asian-African-Latin American countries in voting for utilization of the treaty process in the human rights field. However, it insists on omission of any international implementation machinery from every treaty; and, when it signs or

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\*"African" includes only Egypt, Ethiopia and Liberia. [Footnote in the source text.]

ratifies a treaty, it excludes by reservations the application of any such machinery provided in the treaty.

The US and the European-Commonwealth countries (other than India and Pakistan) fairly consistently vote together on human rights issues. However, the UK and several other European countries joined South Africa in voting against the competence of the UN to consider the South African race conflict case, while the US voted for inscription. The US has received some support from the European-Commonwealth countries as to its treaty policy in the field of freedom of information.

#### V. PENDING MAJOR TRENDS

Two matters continue to be of major difficulty to the US, namely, attempts by majorities of member states (*a*) to have the UN give attention to human rights in a specific country, i.e., the Union of South Africa, and (*b*) to achieve Charter objectives through treaties.

South Africa shows no inclination to deviate from its race segregation (apartheid) policies. Moreover, India and other Arab-Asian-African countries show no inclination to desist in demanding that South Africa change those policies to conform with Charter obligations.

Arab-Asian-African-Latin American countries continue to press for the utilization of the treaty process to implement the human rights objectives of the UN Charter and the Universal Declaration of Human Rights.

Extension of US treaty policy to all treaties in the field of human rights means that the US will be in a minority position in the GA as far as all treaties in the human rights field are concerned.

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VII-1

### ECONOMIC DEVELOPMENT

#### PREFACE

Although the UN has considered at length a number of important matters in the economic field, such as increasing productivity of land, full employment, international trade and finance, transport and communications, emergency relief and rehabilitation, technical assistance, and financing economic development, only the last one has been a source of persistent stress and strain. However, both technical assistance and a new matter, "fair" prices for raw materials exported by underdeveloped countries, can not be ignored in a discussion of stress

and strain; and the three matters are therefore treated together under the title "Economic Development" for the purpose of this study.

#### I. CHARACTER OF ISSUE

With increasing vigor and a voting majority, underdeveloped Member States outside the Soviet bloc have urged that the UN establish both a program and the financial means to provide what they would consider adequate aid in their economic development. The US opposes assumption by the UN of responsibilities on such a scale, because it would both increase very considerably the total financial burden and might be expected to place the major part of it on the US. This opposition of interests has given rise in the UN to a stress and strain affecting the US, which is accentuated by the fact that the voting groups on questions of economic development in some cases resemble those on colonial and certain human rights matters.

#### II. BACKGROUND

Ever since the first session of the GA in 1946, but particularly from 1948 onward, the underdeveloped countries have insistently urged institution by the UN of a program designed to assist their own efforts at economic development. They have warned eloquently of dangers in perpetuation of glaring contrasts between standards of living in underdeveloped and developed states, of a moral obligation as well as self interest of developed states to assist poorer ones, and of an integral connection between economic development and rearmament effort in strengthening the free world.

Because underdeveloped countries feel that, even with maximum feasible mobilization of their own financial resources, they still need external financial assistance for what they consider a satisfactory rate of development, debate has revolved around the question of both the sufficiency of financial resources provided by existing institutions, and the conditions under which these are made available. The debate tends to focus on the question or provision of additional assistance through governmental grants and loans whose terms would be more liberal than those of existing institutions. Since, except for Canada, the US has been the only country in a position to export large amounts of capital, the question is really how much financial assistance the US Government would make available. Most underdeveloped countries, particularly the Latin American states, point to the European Recovery Program as evidence both of US capabilities and of discriminatory treatment in favor of a group of countries whose standard of living even after the war substantially exceeded that in underdeveloped countries. Finally, the majority of underdeveloped countries not only urge that UN technical assistance programs be increased in size and other-

wise liberalized,\* but also desire to see these programs “backed up” by more capital and equipment.

With debate tending to focus on sufficiency of external financial assistance, and particularly on provision of grants and long-term low-interest loans to underdeveloped countries, the UN is considering the following possible lines of action :

*a)* At behest of the GA, ECOSOC is considering what the UN, its individual members, and specialized agencies might do to stimulate international flow of private investment. ECOSOC also is about to consider the question of governmental tax incentives to foreign private investment.

*b)* At the request of ECOSOC, the IBRD has under study the establishment of an International Finance Corporation, first proposed in 1951 by the International Development Advisory (Rockefeller) Board. Such an organization would provide an internationally administered fund to encourage private enterprise through provision of equity capital and loans without government guarantee.

*c)* Establishment of an International Development Fund (now referred to as the Special United Nations Fund for Economic Development—SUNFED) to make grants and long-term, low-interest loans to governments. Practically every underdeveloped state supports SUNFED, and a group of experts has recently formulated a plan for organizing and operating such a fund to be considered by ECOSOC at its 16th session, this summer.

As to technical assistance, the questions are whether the US should :

*a)* agree to a liberalization of existing restrictions and an increase in the size of UN programs, and *b)* make available a greater proportion of its total foreign economic assistance through UN channels rather than bilateral arrangements.

A corollary to attempts to obtain greater external assistance is the increasing insistence by the Latin American states, upon internationally assured “fair” prices for their principal exports, raw materials, as compared with prices of manufactured goods which they import. At the 7th GA insistence reached a peak, and the matter has since been raised in ECLA, ECAFE, IA-ECOSOC. This price ratio is related to the question of external assistance because it is regarded as affecting considerably the total amount of foreign exchange available for development projects.

### III. UNITED STATES POLICIES

By the late World War II years the US had decided that effective cooperation by the Allied Powers towards an expanding post-war world economy, depending in great measure upon economic development of underdeveloped states, would help guarantee the peace. To

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\*The liberalization sought is principally that the UN : *a)* assume a larger share of local costs of operations, and *b)* increase the quantity of equipment and supplies made available. [Footnote in the source text.]

encourage such development the US took active part in convening the Conference at Bretton Woods in July 1944 and negotiating there the Articles of Agreement establishing the IBRD. The US desired that so far as possible economic development be achieved through private foreign investments, but felt that the IBRD should be in a position to finance important projects when private capital would be unavailable on reasonable terms.

Under stimulus of growing demand from Latin American and Arab-Asian states for measures to improve their standards of living in accordance with Article 55 of the Charter, the US at the 3rd GA (1948) agreed to two resolutions providing for technical assistance. This expression of policy was soon followed by the President's Proclamation in January 1949 of the Point 4 program for technical assistance. Although a US-financed agency, the Institute of Inter-American Affairs, had already begun in war-time a modest program of bilateral technical assistance in Latin America, only after its re-incorporation in 1949 by Public Law 283 (81st Congress), did it expand its modest program to important proportions.† Moreover, the US took the initiative in expanding the UN TA program in the summer of 1949.

The US has declared in the UN that much more can and should be done by underdeveloped states to mobilize domestic resources for financing their own economic development, and that external governmental assistance should play only a supplemental role. In this connection, we have repeatedly stressed the importance of encouraging the flow of private investment; and we spiritedly opposed the so-called "nationalization" resolution at the 7th GA, but were heavily outvoted (36-4(US)-20).

As regards governmental assistance for economic development, we have pointed to US support of international lending through the Ex-Im Bank and the IBRD, and to the fact that both institutions still have resources available to help finance sound development projects. Moreover, we have recognized that in some cases international grant assistance may be required to provide an initial impetus to the development process; but at the 14th ECOSOC session and 7th GA we strongly expressed reservations in principle to a multilateral fund for this purpose, as well as skepticism that other potential capital-

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†As Coordinator of Inter-American Affairs, Nelson Rockefeller conceived a program calling for use of substantial US budgeted funds for long-range projects to develop industry and transportation in certain Latin American countries. The Department of State and FEA blocked the projects as unwise excitations of expectations, because continuation of many activities in the "inevitable post-war retrenchment" would depend upon greater participation by responsible private interests and agencies. However, Rockefeller's subsidiary, Institute of Inter-American Affairs, established a modest bilateral technical program for placement of a few US "servicios" in LA administrations and for training in the US of a few LA engineers and officials. [Footnote in the source text.]

exporting-states could contribute. The US has not yet determined its position on the proposal for an International Finance Corporation.

We have not yet developed a long-term policy on some of the basic issues involved in technical assistance. The new administration is re-examining the amounts of our contributions to UN programs, along with all of our other foreign commitments. By a self-imposed limitation we do not contribute more than 60% of the total, and in 1953 other countries were unable to contribute their full 40% share as counterpart of the full amount of our authorized contribution.

The US is considering also ways to make available a greater amount of equipment and supplies under the UN TA programs. This could be done by relaxing the present limitation of 25% of total cost which may be allocated to equipment. We could also provide equipment and supplies indirectly by making them available to the governments concerned through our bilateral programs. Such steps, could however, convert TA programs into supply programs, and too large a proportion of US materials could jeopardize the international nature of the program. Moreover, should the UN increase the proportion of its funds to be expended for equipment and supplies without also increasing the total size of the program, it might thereby severely limit the number of possible projects.

The US considers that even if manufacturing countries could overcome their objections to the Argentine proposal to finance economic development through establishment of "fair" international prices for primary commodities, the UN could not enforce such a measure for want of sufficient powers including that of taxation. On the other hand, if producing and purchasing countries are sufficiently interested in international agreements on individual commodities on a world-wide basis, the US is on record as willing to engage in appropriate negotiations.

#### IV. MAJOR DIFFICULTIES FOR UNITED STATES

The US emphasis in the UN on importance of encouraging the international flow of private investment for development is received by underdeveloped states with considerable reservation, reflecting such attitudes as: fear of exploitation by foreign interests; preference for governmental assistance, which states can channel and direct, over private enterprise; and a feeling that action by capital-exporting countries to make foreign investment attractive through tax incentives is required rather than action on the part of capital-importing countries.

Moreover, underdeveloped countries, while acknowledging assistance rendered by the Ex-Im Bank and the IBRD, feel that the rate of development which can be attained on the basis of present inter-governmental lending operations is insufficient. While acknowledging

the US bilateral grant programs, most underdeveloped countries assert that even larger amounts of grant aid are necessary and that, for various reasons, such aid should be made available through an internationally administered fund.

Underdeveloped countries are apt to make very large requests, and the US position will remain difficult as long as the US remains by far the most important economic power in the UN. Moreover, the US has naturally found itself charged by certain underdeveloped states with having been unjustly generous in some of its aid arrangements with others. Finally, although the experts have recommended that SUNFED not be brought into existence until \$250,000,000 shall have been pledged by a minimum of 30 contributing governments, the enthusiastic backers of the plan will make a considerable effort to collect the pledges necessary to put the plan into operation.

The Latin American and Asian producers of exportable raw materials are convinced that fluctuations in their foreign exchange earnings are excessive and harmful; and they see in the project to establish a "fair" ratio to import prices of manufactures a way to increase their supplies of foreign exchange, admittedly inadequate in most cases for economic development. Although the US has pointed out: 1) that raw material prices are now relatively higher than in any reasonable base period, 2) the impossibility of reaching any agreement on what would be a fair and equitable price relationship, and 3) the wholly unenforceable character of such an agreement, the US and other developed countries were in a persistent minority in UN debates on the issue until the early 1953 session of ECLA in Rio de Janeiro.

Although the US has usually found majority support on major issues connected with the technical assistance program, the US has been in the minority and in dogged opposition to the African-Arab-Asian and Latin American blocs on the SUNFED and price parity issues. Voting on these issues has tended to fall into a pattern of upwards of 30 to 17.‡ These matters might have serious repercussions in our relations with Asia, where need for development is greater than in Latin America and Communism makes a greater competitive appeal.

In the 6th GA Plenary vote the only exceptions to the solid front of the African-Arab-Asian and Latin American blocs in favor of the special development fund were China, Thailand, and Liberia among the African-Arab-Asian states, and Brazil, Uruguay, Dominican Republic, Haiti, Nicaragua, and Peru among the Latin American states. In the 7th GA Plenary vote on the so-called "nationalization" resolu-

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‡The some 17 negative voting states are: first of all the US, UK, New Zealand and South Africa; usually joined by Australia, Belgium, Canada, Denmark, France, Iceland, Luxembourg, Netherlands, Norway, Sweden, Greece and Turkey; and sometimes by China and Israel. [Footnote in the source text.]

tion (VI), on the right to exploit freely natural wealth and resources, the only exceptions to the solid front of the two blocs in favor of the resolution, which the US opposed, were China and the Philippines among the African-Arab-Asian states, and Cuba, Haiti, Nicaragua, Peru, and Venezuela among the Latin American states. Moreover, on this issue many European states, that normally vote with the US on economic matters, abstained, partly because of their own nationalization programs, and partly because they found nothing in the resolution really unacceptable to them. They did not, as did the US, feel that they should oppose the resolution because of certain omissions from it. On the other hand, they apparently did not desire to join on this issue the underdeveloped states whose ideas about adequate safeguards for the rights of private investors are not usually in consonance with those prevailing in developed states. In the 7th GA Plenary voting on the Argentine resolution about financing economic development through "fair" export prices, the only exception to the solid front of the blocs against the US were China, Lebanon, and Pakistan among the African-Arab-Asian states and Haiti among the Latin American states.

The West European and Commonwealth states have voted as has the US on most economic development questions. Communist countries are on the defensive in the UN on these matters, as they do not contribute to any UN development program and as they are basically opposed to any economic development except on their own terms.

#### V. IMPLICATIONS FOR UNITED NATIONS

Basically, UN success in channelling concrete assistance to the underdeveloped 2/3 of its Members (as the technical assistance program has begun to do), would greatly strengthen the prestige of the organization and should materially assist it in handling political disputes. Failure to establish substantial concrete assistance might intensify difficulties for the UN in, for example, the colonial and human rights fields.

#### VI. TREND

Progress is possible in the fields of private financing and technical assistance; but failure to find an adequate solution to the problem of following up technical advice with supplies and capital might lead to diminished interest in the program in many cases. As to the question of public financing, it is not likely that a generally satisfactory solution will be found in the near future. There is little indication that there will be soon a decrease in pressure for "fair" prices for raw material exports.



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[WASHINGTON, undated.]

SCOPE OF UNITED NATIONS ACTION

(It is intended that this paper examine the persistent stress and strain in the UN that seems to have arisen from varying national conceptions of what is the scope of UN action. It is not intended that the paper do more than throw into bold relief the major matters that have arisen in the UN as a consequence of conflicting national interests and divergent national construction of Charter Articles, both affecting scope of UN action).

HOW QUESTION ARISES

When determining its attitude towards the question of whether or not a matter should be brought to the UN, an interested state asks itself in the first place whether its broad national interest would be advanced thereby. Determination of such interest involves weighing a varying combination of political and moral considerations, and in cases such as the Kashmir dispute between India and Pakistan such considerations have governed the decision to bring them into the UN.

But decision on the question of whether or not a matter should be brought to the UN is often further influenced by another factor, namely, the question of whether the UN has competence under the Charter to deal with it. Does the UN have competence to discuss it? If so, does it also have competence to make recommendations, provide for investigations, issue binding orders, et cetera? This is a question of construction of such Charter provisions as Article 2(7) which prohibits intervention in matters of domestic jurisdiction, Article 107 which prevents the UN invalidating or precluding action vis-à-vis ex-enemy states taken by the governments responsible, or Article 73 which relates to obligations of UN members with respect to colonial areas not under trusteeship. Mention in this paper of specific cases of national attitudes or positions on competence is merely by way of illustration of their divergency and regardless of the degree of their soundness.

When an interested state has decided that submission of a matter to the UN is in its broad national interest it tends to construe competence of the UN broadly. On the other hand, a state viewing such submission as detrimental to its broad national interest tends to urge a narrow construction of competence. The two questions, i.e., that of the political considerations, and that of legal competence under the Charter, which determine national attitudes towards the contents of UN agendas, are logically distinct; but in practice they influence each

other, successive decisions for or against inscription tending to harden into a pattern which states in time may look upon as a rule.

#### STRESS AND STRAIN IN THE UNITED NATIONS

The question of scope of UN action has arisen in most acute form in the sometimes overlapping fields broadly denominated colonial and human rights problems, relatively new ones for international action.\* Examples of colonial problems are the 1947-9 dispute over Netherlands actions in Indonesia, and French actions in Morocco and Tunisia in 1951-2. Examples of human rights problems are the two Indian-inspired complaints against the South African racial system now known as "apartheid", attempts to give legal status through treaties to certain proclaimed rights, and disregard for such rights in satellite, ex-enemy states. In related areas the problem of UN authority to review compliance by administering powers with Article 73 has created substantial conflicts between administering and non-administering powers, an illustration being an attempt in UN bodies to assert competence to review judgment by an administering power (Netherlands) that a given territory (Surinam) had achieved self-government and therefore no longer fell under the purview of the Article. The recent notification to the UN by the US of its decision to cease reporting on Puerto Rico because the latter had obtained self-government may spur non-administering powers to assert competence to review that decision too.

Over the years colonial problems have tended to divide the UN roughly into several groups, the general and somewhat flexible delimitations of which are about as follows:

- 1) a group of states emerged from colonial status (the Arab-Asian-African states with predominantly colored populations, and usually most if not all Latin American states), together with the Soviet bloc when it hoped thereby to create trouble in and among non-Soviet states, and in early UN years occasionally the US;
- 2) a group constituted of the European colonial states, sometimes also the Commonwealth states, and sometimes the US; and
- 3) a group constituted of sometimes the US, the Scandinavian states, and occasionally some Commonwealth, Latin American, and other states.

Votes on some human rights matters, such as the South African racial problem, and self-determination, have tended to divide the UN into groupings roughly similar to those on many colonial and economic development problems. On the other hand, when it came to voting on the Universal Declaration, no states voted against, only the Soviet bloc, South Africa and Saudi Arabia abstained, and only two countries, Honduras and Yemen, were absent. On the matter of alleged

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\*See Annex A for specific cases in the colonial field. [Footnote in the source text.]

violations of human rights by satellite states the dividing lines took a Cold War tinge with neutralist Arab-Asian states abstaining. In general, the Soviet bloc abstained on the Universal Declaration, supported UN action when designed to extend human rights outside the Soviet bloc, and invoked Charter Article 2(7) against attempts to deal with such rights within the Soviet bloc.

#### POLICIES OF THE UNITED STATES

Guided by its traditional inclination to espouse the cause of any people seeking either self-government, if not independence, or human rights and fundamental freedoms, the US in practice has confronted, when such matters have been placed before the UN, one or another of two dilemmas: (1) either to join those (anti-colonial) states seeking UN action to advance towards self-government, if not independence, and also those seeking to utilize the UN to exercise authoritative supervision over administering powers, thereby incurring the ill-will of its most important NATO partners in the anti-Soviet coalition, or to join the administering powers, thereby disappointing anti-colonial states and peoples; and (2) either to join those seeking through UN programs to create legal obligations in the field of human rights, thereby arousing forceful opposition within the US in the form, for example, of the proposed Bricker amendment to the Constitution, or to oppose creation of such obligations and disappoint other elements in the US as well as those peoples and states seeking to utilize the treaty process in the UN. In either case sizeable political forces have been operative and we have had to choose where lie our own interests.

The US began its activity in the UN with a policy that encouraged efforts to bring before the UN a great variety of matters, including colonial and human rights questions. This was an expression of the so-called "sound growth" doctrine. The doctrine, practically all of which was officially enunciated by Ambassador Austin, Chairman of the US Delegation at the opening of the second part of the first session of the GA in 1946, postulated that members of the UN would not lightly disregard or flout recommendations by the GA which expressed the will of an alert and aroused world public opinion; that the organization could discuss anything within its scope particularly as defined by Articles 10, 11, and 14; that mere discussion of any matter within the scope of the Charter could clarify issues and promote mutual understanding among nations and peoples and did not constitute "intervention" under Article 2(7); that under the broad and flexible constitution of the Charter, which the US wished to develop, there would be a great and expanding area of operations for the GA, as functions which the Charter had not specifically provided for, but which it did not preclude, would be entrusted to the Assembly by the Member States; that Assembly recommendations, particularly under

Articles 10, 11, 13, and 14, could greatly extend and develop the rule of law among nations provided its recommendations were such that they could be generally accepted and carried out by the Member States; and that the US must not prejudice free discussion by its vote on the question of inclusion of a matter on an agenda.

In practice the US has maintained with undiminished vigor the theses both that the GA was competent to discuss anything within the broad scope set forth in Charter Article 10, and that such discussion did not constitute "intervention" within the meaning of Article 2(7) of the Charter. Moreover, the US from the beginning has tried to prevent disputes about application of Article 2(7) from being brought to decisions, preferring that future development of the UN not be frozen at too early a date. The US feels that UN actions in competence matters taken together constitute a body of precedents interpreting Articles 2(7) and 107. Through such a policy the US has sought primarily to retain fluidity in areas, such as in the Tunisian and Moroccan cases, where taking of fixed positions would have been a grave political handicap; moreover, it has also sought thereby not only to avoid aligning itself on either side of highly-charged controversies dividing groups of states whose friendship is of great importance to the US, but also to reduce friction between adversaries by shifting the terms of dispute from the level of legal absolutism to that of political accommodation.

On the other hand, while firmly maintaining the doctrine of practically unrestricted competence under the Charter of the UN to discuss matters, the US on numerous occasions at least since early 1947 has exercised an eclecticism with regard to inscription of matters on UN agendas. Especially marked has been the concern shown by the US about the appropriate scope of UN action since the Arab-Asian states coalesced at the 6th GA to give dynamic force to anti-colonial measures. A number of weighty considerations have determined the US attitude towards the contents of agendas, of which the matter of competence under the Charter is only one; examples of others are: (1) the need to maintain security in the free world; (2) the desire to maintain unity in the free world; (3) the desire to take action most suitable to solution of a given problem; and (4) the desire to preserve through proper use of the UN (and its various organs) its long-run effectiveness as an instrument of US foreign policy.

US policy makers have judged that submission of a number of cases to the UN would be either premature or otherwise inexpedient; but when other states nevertheless brought them to the UN the US eventually voted for inscription. Examples of such cases are: Palestine (1947), Morocco and Tunisia (1951-2), Iranian oil (1951), and Nationalist Chinese troops in Burma (1952-3). Moreover, in certain instances, e.g., military aid to Greece and Turkey, and Marshall Plan

aid, the US has chosen to act outside the UN. On the other hand, in certain cases, e.g., Berlin blockade, German unification, Austrian peace treaty, where we have thought it important that the UN act, we have initiated or supported such action notwithstanding challenges from the Soviet bloc that the proposed actions would be "illegal", i.e., beyond the legal competence of the UN. Likewise, when after 18 months the US and USSR had failed to work out an arrangement on Korea, the US in perplexity disburdened upon the UN the problem of creating and establishing an independent Korean state. With regard to both Korea and Palestine, the UN made recommendations for political settlements which the UN itself could not carry out by peaceful means in view of both opposition by parties most affected and of its own constitutional limitations.

#### RECENT ATTITUDES OF OTHER STATES

Illustrations of recent positions on legal competence taken by important Member States or groups of states can be culled from the 7th GA. At that session the French were adamant in refusing to recognize legal competence to any degree in the matters of Morocco and Tunisia. The UK supported the French contention. Moreover, it declared that such obligations as it had towards its dependent areas were limited to those set forth in Article 73, and that it would disregard any attempt to read into Article 73 greater powers for the UN than already appeared there explicitly. The Pakistan delegate, supporting the Indian case against South Africa, urged Member States in effect to overlook any legal limitations set forth by Article 2(7) in the interest of achieving certain objectives in Africa during 1952, the "year of revolution" there. Indonesia also supported the Indian case and Pakistani appeal.† Other states, such as the US, voted for the resolution finally adopted by the GA concerning the treatment of Indians in South Africa as not being inconsistent with the limitations of Article 2(7).

While generally favorable to broad legal competence of the UN, and while generally sympathetic to appeals to limit the scope of Article 2(7), many Latin American states, mindful of their traditional fear of foreign intervention within their own frontiers, drew a line in their main policy speeches in the South African debate against UN action extending to on-the-spot bodies.

As is well known, the USSR considers all institutions, including the UN, as mere instruments for possible misuse in execution of its foreign policies; and it determines its every action in the UN solely on the basis of how it can best promote its own narrow national interests

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†However, when the shoe had been on the other foot, as in the cases of the revolt of the Moluccan Republic (Ambon) against Indonesia, and the attempt by Hyderabad to establish its autonomy vis-à-vis India, both Indonesia and India declared in effect that the UN was not competent and proceeded by armed action to extinguish the fires of revolt. [Footnote in the source text.]

thereby, generally by trying to exacerbate differences between states in the non-Soviet world.

#### TRENDS

Positions of certain countries are hardening on the issue of appropriate scope of UN action, a fact placing in bolder relief the earlier-described dilemmas that the US confronts. Most notable examples of the trend are:

- 1) The Arab-Asian-African and Latin American states probably will persist and perhaps even intensify their efforts to utilize the UN to hasten changes in the colonial and human rights fields, in great part by insistence on a broad construction of competence of the UN Charter;
- 2) The administering powers probably will continue to insist on a narrow construction of competence under the Charter on colonial matters; and
- 3) The US probably will continue to reject UN programs to create legal obligations in the field of human rights.

#### Annex A

### SPECIFIC CASES IN THE COLONIAL FIELD INVOLVING THE SCOPE OF UNITED NATIONS ACTION

#### A. NON-SELF-GOVERNING TERRITORIES ISSUES (CH. XI OF THE CHARTER)

##### 1. *Cessation of transmission of information on a non-self-governing Territory, to the United Nations under Article 73 (e) of the Charter.*

The question is whether a decision by an administering Member to cease transmitting information to the UN on one of its territories as a result of a change in the territory's constitutional status is subject to review by, and possibly even the approval of, the GA. The general question has been the subject of much discussion by the GA, and two specific cases will be before the next GA, namely the decision of the Netherlands to cease transmitting information on Surinam and the Antilles, and the decision of the US to cease transmitting information on Puerto Rico. Both governments have held that the decision rests solely with them. Many members, however, contend that the responsibility for such decisions is held jointly by the administering member concerned and the GA.

##### 2. *Factors indicating whether a territory is or is not fully self-governing (i.e. whether or not it falls within the scope of Chapter XI)*

The question is whether in drawing up criteria indicative of whether a territory is or is not fully self-governing, the GA can make, or share in, a determination as to the territories that fall within the scope of

Chapter XI. This matter arose most recently at the 7th GA which adopted a resolution (648 (VII) which indicated that the GA would share in such determinations. Among the 15 Members voting against this resolution were the eight administering authorities, including the US. While the US has taken the position that the GA has the authority to discuss and attempt to define a non-self-governing territory (i.e. one falling within the scope of Chapter XI) and to recommend to administering members generally the consideration of any definition it might adopt, the US also considers that each administering member has sole responsibility for determining the constitutional position and status of territories under its sovereignty, as well as for decisions regarding reporting on them under Article 73 (e).

[Here follow subsections 3, 4, and 5, which are missing from the source text.]

6. *Transmission of political information on non-self-governing territories to the United Nations.*

The question is whether in view of the exclusion of political information from the categories of information to be transmitted under Article 73 (e), the Assembly should nevertheless recommend that such information be transmitted. Although the US itself has submitted on a voluntary basis information on government in relation to its territories, it has been the policy of the US to oppose proposals by UN bodies *recommending* that such information be transmitted by administering states. The more conservative administering members have held that recommendations of this kind had the effect of imposing on the administering members obligations additional to those assumed by them when they signed the Charter. The non-administering members, however, have taken the view that recommendations by the GA in this field were proper, and that the use of the word "voluntarily" in them ensures that there is no imposition of additional obligations. Such a resolution was adopted by the Assembly at its Seventh Session. Resolution 637 B on self-determination recommends to the administering authorities that they voluntarily include in the information transmitted by them under Article 73 (e) certain political information indicating the extent to which the right of self-determination is exercised by the peoples of their territories.

7. *Accepting petitions from and sending of visiting missions to non-self-governing territories.*

While the Charter contains provisions for accepting petitions from and sending visiting missions to trust territories, it contains no such provisions with regard to the non-self-governing territories under the sovereignty of Member States. At the earlier sessions of the GA a number of efforts were made, particularly by the USSR, to apply these elements of UN supervision to non-self-governing territories. While

such proposals attracted support from some of the more extreme non-administering Members, they have always been defeated by substantial majorities. The US has taken the position that such proposals went far beyond the intention of the framers of the Charter and has opposed the expansion of the obligations in Chapter XI to include obligations not stated therein. There appears to have been general acceptance of existing limitations in this field, as indicated by the absence of proposals such as those referred to above during the last two sessions of the Assembly. In particular, although there was considerable controversy over the renewal of the Committee on Non-Self-Governing Territories at the Seventh Session, no effort was made to enlarge its terms of reference.

8. *Participation of indigenous inhabitants of non-self-governing territories, in the work of the Committee on Information from non-self-governing territories.*

The question is whether the Assembly, having established a Committee on Information from Non-Self-Governing Territories, should alter its character by making provision for inhabitants of the territories to participate in its work. This question arose at the Sixth and Seventh GAs and a resolution was adopted at the latter by a vote of 43-11-4 inviting the administering authorities to make possible the participation of "qualified indigenous *representatives* from non-self-governing territories", in the work of the Committee inviting the Committee "to study further the question of *direct* participation in its discussion . . . of *representatives*" of the more advanced territories. The US, along with the other administering members, voted against this resolution because it appeared to embody the concept of "dual representation" i.e. representation for the inhabitants of non-self-governing territories distinct from the representation of the UN members responsible for their administration. However, the US and some other administering members have indicated willingness to provide for closer association of indigenous inhabitants of non-self-governing territories with the work of the UN in this field by attaching suitably qualified inhabitants of their territories to their delegations to the Committee, and some, including the US, have on occasion done so.

B. TRUSTEESHIP AND RELATED ISSUES (CHS. XII & XIII OF THE CHAPTER)

1. *The placing of League of Nations mandates under the Trusteeship System.*

The question is whether Member states administering League of Nations mandates are under an obligation to place such territories under the UN Trusteeship System. This question has been debated in the UN since the First General Assembly (1946) in connection with the obligations of the Union of South Africa, the only mandated



Territory which has not either achieved independence or been placed under trusteeship. The International Court of Justice, which was asked for an advisory opinion on this matter, held that, while the Union was not obligated to place South West Africa under trusteeship, the mandate continued to exist and the Union was accountable to the UN to the same extent it had been accountable to the League. The Union, while not accepting the Court's opinion, has carried on discussions with a UN committee with a view to reaching agreement as to some form of international supervision of South West Africa; however, no agreement has thus far been reached. The US, while favoring implementation of the Court's opinion, has opposed resolutions recommending or favoring trusteeship for South West Africa.

2. *The granting of oral hearings regarding the question of South West Africa.*

The question is whether the Assembly should grant hearings to individuals wishing to be heard on the question of South West Africa. This question is considered a special case, particularly in the light of the advisory opinion of the International Court of Justice on South West Africa, wherein the Court held that, "the degree of supervision to be exercised by the GA should not exceed that which applied under the Mandates System and should conform as far as possible to the procedure followed . . . by the Council of the League of Nations". As the Council did not grant oral hearings to individuals on mandates matters, it has been held that hearings on South West Africa should not be granted by the GA. However, the question has arisen at a number of Assembly sessions and hearings have been granted to the Herero Chiefs from South West Africa (who have not in fact appeared before the Assembly) and to the Rev. Michael Scott as their representative (who has appeared).

3. *The participation of indigenous inhabitants of trust territories in the work of the Trusteeship Council.*

The question is whether the Assembly should attempt to alter the character of the Trusteeship Council by recommending that indigenous inhabitants of trust territories participate in its work. This question arose at the Sixth and Seventh GAs, and a resolution was adopted at the Seventh Session endorsing a Trusteeship Council resolution "expressing the hope that the administering authorities would find it appropriate to associate suitably qualified indigenous inhabitants of trust territories in the work of Trusteeship Council as a part of their delegations or in any other manner they deem desirable". In this resolution the GA also expressed the opinion that the objects of its previous resolution on this subject (Res. 554 (VI)) "would be better achieved through the *active participation* of members of the indigenous population of the trust territories in the government of those

territories and in the work of the Trusteeship Council". Except for this somewhat vague expression of opinion, this resolution does not embody the concept of "dual representation" referred to in paragraph A 8. above. Consequently only one administering member (Belgium) voted against it; four abstained, and three (including the US) voted for it. In the view of the US no alteration in the character of the Council was involved but only increased opportunity for contacts between the Council and the inhabitants of the territories by means of fuller use of existing machinery.

4. *The granting of oral hearings to inhabitants of trust territories by the Fourth Committee of the General Assembly.*

The question is whether the Assembly should as a rule leave the hearing of trust territory inhabitants in the first instance to the Trusteeship Council. This question might be considered as one of the voluntary limitations on GA action in the interests of orderly procedure. The Charter (Art. 87) provides that the GA ("and, under its authority, the Trusteeship Council") may carry out the functions of the UN in relation to trust territories. While the details of UN supervision have generally been left to the Council, the Assembly has become increasingly dissatisfied with the Council and tended to undertake certain aspects of UN supervision itself. One consequence of this tendency was the granting by the Seventh Assembly's Fourth Committee of hearings to every group of petitioners from the trust territories seeking to be heard (11 groups), without regard for the merits of each case, or whether the Council had had an opportunity to deal with it, or even, in some cases, knowledge of the subject to be discussed. While several members, including some non-administering members, voiced the need for a more orderly procedure, no action was taken. However, the US and certain other administering members favored hearings by the Fourth Committee only when the Assembly felt that petitioners had not been adequately dealt with in hearings before the Council.

5. *Competence of the Advisory Council of Somaliland*

The Trusteeship Agreement for Somaliland provides for a 3-member Advisory Council to aid and advise the administering authority. While certain of its functions are set forth in the agreement, its competence in certain other regards is not defined. Perhaps the most difficult such matter relates to the right of the Advisory Council to deal with petitions presented to them in the territory. Certain members of the Advisory Council, particularly the representative of the Philippines have in the past sought to establish the right of the Advisory Council to deal officially with petitions. The administering members of the UN, including the US, have opposed delegation to the Advisory

Council by the Assembly of any of the authority to deal with petitions granted only to it and the Trusteeship Council in the Charter. The representative of the Philippines, who raised this matter at the Seventh Assembly, did not present a formal proposal, and it is understood that his successor on the Advisory Council is less likely to pursue the matter.

6. *Appointment to subsidiary organs of the Trusteeship Council of non-members of the Council.*

The question is whether the Assembly should alter the character of the Council (including the violation of the principle of balanced composition), by favoring inclusion of non-Council members in subsidiary organs of the Council. This question arose at the 6th GA, where a resolution to the above effect was defeated. The administering members including the US held that this resolution violated the spirit of the Charter, particularly in so far as it affected the balanced character of the Trusteeship Council. While the resolution was defeated it was indicative of the pressure of non-administering members for an expanded role in trusteeship matters.

7. *Administrative Unions between trust territories and neighboring colonial territories.*

The trusteeship agreements for a number of trust territories authorize the administering authority to constitute these territories into customs, fiscal or administrative unions with one or more of its neighboring colonies. A number of non-administering members of the UN have been concerned lest such administrative unions be operated in a manner which might frustrate the achievement of the objectives of the Trusteeship System for these trust territories. They have thus sought to place these unions under continual UN scrutiny. The administering members on the other hand, have contended that the trust territories derived considerable benefit from participation in administrative unions and that they would in fact achieve the objectives of the Trusteeship System more rapidly because of such participation. The US has taken the position that while there were advantages to be derived from participation in administrative unions, the UN had a legitimate concern in keeping careful watch over their operation. Suspicious as to the operation of certain administrative unions (as well as of the status of the French Trust Territories in the French Union) led to the introduction by certain non-administering members at the 7th GA of a resolution which would have referred to the International Court of Justice the question of the compatibility of existing administrative unions with the Charter and the Trusteeship Agreements. Subsequently, however, this resolution, presumably for political reasons, was withdrawn.

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IX-1

ADMISSION OF NEW MEMBERS INTO THE UNITED NATIONS

CHARACTER OF THE ISSUE

The Cold War has come to predominate the matter of admission of new members, although Charter considerations have also been an important factor. The matter has been deadlocked in reality since 1946 because the USSR has persistently used its veto power in the SC against all except a carefully selected few non-Soviet candidates for admission, while the five Soviet candidates have never received seven favorable SC votes. Moreover, among Member States outside the Soviet bloc there are various positions vis-à-vis the influence which Cold War considerations and the criteria established by Charter Article 4 should have in determining decisions on admission to membership.

BACKGROUND

Article 4 declares that membership in the UN is open to all "peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations", upon "a decision of the General Assembly upon recommendation of the Security Council".\* At San Francisco the founders formulated Article 4 with the intent of achieving qualified universality; but the requirement that the SC approve all applications has permitted the USSR to frustrate achievement of the goal.

Although as originally conceived the UN was destined to become practically, if not wholly, a universal organization, one where every state would have a voice, early dissipation of the "one-world" concept as a result of Soviet foreign policy, and its replacement by the Cold War, gave to the question of membership an entirely different turn than originally conceived. While the free world has taken its stand on sound Charter grounds against admission of Soviet-favored applicants, the fact that they were indeed Soviet bloc members, plus the fact that the USSR has indiscriminately vetoed non-Soviet bloc applicants, have made of the membership question one of the several facets of the Cold War as waged in the UN. An examination of

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\* The International Court of Justice has given two advisory opinions on Article 4. In the first, it said that a Member, while recognizing that a state fulfills the conditions of Article 4, cannot subject its favorable vote on the admission of that state to the additional condition that other states be admitted simultaneously. In the second, the Court advised that the General Assembly cannot admit a state in the absence of a favorable SC recommendation. [Footnote in the source text.]

rosters† of both the nine states admitted to and the nineteen rejected for membership, discloses the strong influence of the Cold War; moreover, in the light of the criteria of Article 4 the majority of free world states has found it impossible to approve admission of Soviet satellites. The nine applicants with regard to whom the USSR forebore to exercise its veto are those states where the USSR apparently hoped for or expected at least neutralist tendencies, engendered by either strong revulsion from colonialism in the cases of Arab-Asian applicants, or strong post-war local Communist parties in the cases of Iceland, Israel, and Sweden.

The USSR has used its veto 28 times to block the admission of 14 of the 19 rejectees, all 14 of which the GA has determined to be qualified. The remaining 5 rejectees, all Soviet-sponsored, have neither received the seven votes required for an SC recommendation, nor been found qualified by the GA. Besides the 19 rejectees, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications. In recent years the Soviet Union has proposed that nine ‡ of the non-Soviet applicants be admitted simultaneously with the five Soviet-sponsored candidates, always making clear, however, that it would continue to use its veto to block admission of the non-Soviet applicants unless its own candidates were also admitted.

The majority, including the US, on the SC has not accepted the Soviet package deal proposal, and as the USSR has persisted in vetoing non-Soviet applicants individually, the membership question has remained deadlocked. The GA repeatedly has requested that the veto not be used on membership applications, and that members base their votes exclusively on the conditions contained in Charter Article 4; but the USSR has ignored the requests.

The large majority of UN members have become ever more concerned with the stalemate, and the Seventh Session of the GA established a Special Committee to review the problem and report to the Eighth Session. To end the deadlock various proposals have been made in the UN, some (Latin American ideas) designed to have the GA take independent action to admit applicants vetoed by the Soviet Union, and others (principally supported by Scandinavian and Arab-Asian members) designed to give effect now to the principle of universality by admitting a large number of applicants, both Soviet and non-Soviet, under existing procedures. Moreover, within the US Government consideration has been given to amendment of Article 4, and also

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†(a) Admitted: Afghanistan, Burma, Iceland, Indonesia, Israel, Pakistan, Sweden, Thailand, and Yemen.

(b) Rejected: Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, Vietnam, Albania, Bulgaria, Hungary, Rumania, and Outer Mongolia. [Footnote in the source text.]

‡ Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal. [Footnote in the source text.]

to the matter of non-voting participation in the GA for applicants excluded by Soviet veto.

#### UNITED STATES POLICIES

The US started its activities in the UN by advocating the thesis of universal membership as the ultimate goal, in 1946 even announcing readiness to overlook certain doubts about qualifications under Article 4 of Albania and Outer Mongolia and vainly proposing that all eight applicants § at that time be admitted en bloc. However, upon realization that its proposal would not be accepted, the US withdrew it and voted against the Albanian and Mongolian applications. Since then the US has followed a policy of exclusion of Soviet satellite states on the ground that they did not qualify under Article 4 of the Charter as "peaceloving" states able and willing to carry out their obligations under the Charter. But other equally important factors have been the fears that admission of these states would: (1) place upon their Communist puppet regimes seals of approbation undesirable for a variety of reasons, including possible discouragement of populations still looking with hope to the West; (2) increase Soviet obstructive capabilities in the UN; (3) be opposed by strong domestic congressional and popular opinions, and (4) create an encouragement, through admission of Outer Mongolia, for the USSR to create other sham states along its periphery.

While favoring admission of all non-Soviet applicants, the US has strongly condemned the recent Soviet package proposal as: 1) contrary to the Charter principle, supported by an ICJ opinion, that each applicant should be considered separately on its own merits, and 2) including 5 unqualified applicants while omitting other and fully qualified ones. With respect to the veto, the US has repeatedly announced that, while it would not veto any application which had received seven or more votes in the SC, it regards a recommendation on admission to be a substantive question, hence subject to veto. However, the US has not yet had to face giving practical effect to this policy because no Soviet satellite has yet received in the SC as many as seven votes.

#### SOME MAJOR DIFFICULTIES CONFRONTING THE UNITED STATES

The US desires very much to obtain admission of Japan, Italy, and other states; and their governments strongly desirous of membership have repeatedly pressed the US for aid in overcoming their frustration. Under existing membership procedures, a political settlement providing for admission of a large number of applicants, both Soviet and non-Soviet, might be the only way to achieve their admission.

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§ Afghanistan, Albania, Eire, Iceland, Outer Mongolia, Portugal, Sweden, and Trans-Jordan. [Footnote in the source text.]

Some other arguments that are made in favor of such settlement are:

- 1) Because the UN was conceived to become eventually a universal organization, continuation of the membership stalemate builds up an atmosphere of depression and frustration in the UN;
- 2) A substantial increase in membership should add to the prestige of the UN, especially as, becoming more nearly universally representative, its actions would acquire greater moral sanction;
- 3) Soviet bloc states, having accepted Charter obligations, could be made more accountable if inside rather than outside the UN; and
- 4) Admission of Soviet bloc states would bring some benighted Communists into touch with non-Communist ways and ideas, and conceivably might also strengthen the position of domestic elements in those states opposed to Moscow domination.

Some of the arguments that are made against such settlement are:

- 1) Willingness to admit further Soviet bloc states might make it more difficult to maintain support for the US position on Chinese representation;
- 2) Admission of further Soviet satellites without solid concessions by the USSR in the field of its contentions with the US would be inconsonant with the general policy laid down by the President in his speech April 16, 1953.
- 3) Admission of further Soviet bloc states might be interpreted as tacit acquiescence by the UN in their present status, and might have an unfortunate effect upon the peoples in these states opposed to the present regimes;
- 4) The admission of Outer Mongolia would serve to give some sanction to Soviet efforts to organize Asia into pseudo-"states";
- 5) It probably would be impossible to obtain Soviet agreement to admit all of the states which in the view of the US should be included in any agreement, viz, Republic of Korea;
- 6) A reapplication of Article 4 so as to bring within the UN all current applicants would provoke strong and even outraged opposition from substantial elements of the population and certain members of Congress; and
- 7) A reapplication of Article 4 might appear to the Soviet Government and others as confirmation of the proposition that persistent efforts can eventually overcome strong US objections in principle.

The (Latin American) proposals to override or ignore the Soviet veto in the UN would achieve admission for most, if not all applicants that we favor; but the majority of UN members including the US have believed that the proposals are contrary to the Charter. Furthermore, there are fears that adoption of such proposals might both lead to eventual infringement of US interests in the veto, and also provoke the USSR to withhold participation in, if not withdraw from, the UN.

#### ATTITUDES OF CERTAIN STATES

*UK-France*—These states have publicly opposed, but less forcefully than the US, a political settlement; and in the past in private dis-

cussions have indicated greater disposition than the US to explore the possibilities of a political settlement. Although expanding UN concern with colonial problems in recent years has restrained France from favoring admission of all pending applicants, most of which would vote against colonial interests, there has been a recent slight indication of renewed French interest in re-examining the problem of en bloc admission.

*Latin American States*—These states have tended to favor proposals to circumvent the Soviet veto to admit non-Soviet applicants, especially Italy; but with several exceptions they have favored exclusion of further Soviet applicants. However, many Latin American states might accept a package deal, especially if the US changed its position in order to favor one.

*Arab-Asian States*—Most of these states favor universality, as well as a political settlement making possible admission of both Soviet and non-Soviet applicants. Generally, they view the membership problem apart from the Cold War; and, overlooking the preeminent role of the US in that struggle, are inclined to blame the US for the stalemate.

*Canada*—Recently Canada has indicated that it considers the Membership question to be political in character, suggesting a willingness to weigh a package deal.

*Scandinavia*—Scandinavian Member States have generally favored universality, and, moreover, have felt that Europe is heavily under-represented in the UN. They would acquiesce in additional Soviet bloc members in order to enlarge European representation by admission of a substantial group of non-Soviet European states.

*China*—This state probably might veto any recommendation of an application by Outer Mongolia.

#### TRENDS

The US can expect strong pressure at the 8th GA to break the membership stalemate through either direct GA action in favor of selected applicants and regardless of SC action, or political agreement directed to admission of a large number of applicants, both Soviet and non-Soviet. Most likely interest will center on the latter alternative. Moreover, the intensified Soviet peace offensive will serve to increase the pressure especially if material progress is made towards resolving other Cold War matters.



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X-1

INTERNATIONAL SECRETARIATS

CHARACTER OF THE ISSUE

The international organizations which have developed since World War II are served by secretariats whose relationships to national governments have posed major problems for the United States. Some have been posed in terms of the political neutrality of the secretariat as an institution. Others have centered on the question of the loyalty to this country of US nationals employed on the secretariats. The philosophy which this nation adopted at the outset toward the role of the secretariats and their personnel has been significantly affected by the bipolarization of the world in the Cold War; current problems of individual loyalties have thrown into relief the fundamental issues which are involved. The two principal issues are taken up separately below:

*A. Role of the Secretariat*

*1. Statement of Issue*

The basic question regarding the role and functions of the secretariats is whether they should act only at the official direction of the political bodies representing the member governments, or whether they should have latitude for the exercise of independent initiative. The conflict for us is between *a*) our desire to create in the secretariats effective and vigorous instruments to forward the objectives of the organizations, and *b*) our displeasure with abuses which arise when secretariats assume excessive initiative. As a practical proposition, we are somewhat caught between *a*) our desire to minimize undesirable initiatives sponsored by unfriendly or irresponsible governments, which tend to encourage excessive secretariat initiative, and *b*) our own encouragement of certain initiatives by secretariat employees on our behalf, to serve immediate interests which we feel to be at stake.

*2. Background*

While constitutional provisions vary from agency to agency, the international secretariats were in general conceived as agents of the organizations' governing bodies composed of member states. But certain circumstances have made it possible for the secretariats to exercise an increasingly effective influence over program development. This is especially true of the specialized agencies, such as UNESCO and WHO, which do not have governmental review boards meeting between conferences. The factors responsible for this trend are: *a*) the existence of rather well-defined and continuous institutional objectives

or purposes which the secretariat can promote independently, *b*) strong personal leadership on the part of the secretary or the director-general, *c*) infrequency of and shortness of meetings of governmental bodies, *d*) lack of coordination of national policy from international agency to international agency, particularly with respect to the smaller nations, but generally a problem except in the Anglo-American bloc, *e*) inability of many governments to cope with the great volume of reports and papers prepared by the secretariats on issues before the Assemblies or Conference, with the result that often their delegations are neither briefed nor instructed on these issues and are easy prey to the lobbying of members of the Secretariat who are skilled in playing upon prejudices, ambitions and hopes, *f*) the fact that the US and others have actively encouraged the agencies' executive officers to take the initiative in promoting policies which we or others deem desirable and which have greater chance of success if not openly sponsored by the US.

### 3. *United States Policies*

For obvious reasons the US plays a role of *primus inter pares* in many international organizations. Beyond this, however, because we have the heaviest financial interest which can only be served through close attention to financial, personnel, and administrative matters in all agencies, we have taken a strong leadership role on organizational questions in the Assemblies and Conferences, and in fact have found this responsibility to be inescapable even when it would be expedient to play a passive role.

### 4. *Difficulties Facing the United States*

In many cases, US policy has been furthered as a result of secretariat initiative, particularly on technical matters, both program and administrative, where American techniques excel, and where competent secretariat officials of US nationality have a major role in secretariat planning. Generally speaking, the US has been careful to avoid seeking to influence the thinking of its nationals on secretariats, but as a matter of course, many of them in important positions have maintained a close liaison with the US delegations to their organizations.

On the other hand, particularly in the Specialized Agencies, US policy, in an increasing number of cases, has run head-on into secretariat "policy", often on matters of coordination between the UN agencies, and recently on the size of the agencies' budgets. Other heavy financial contributors, such as the United Kingdom, the Commonwealth countries, and many Western European countries, are usually persuaded by the same arguments of logic and economy which move us. Support for secretariat requests for general budget increases and for specific programs which seem to us undesirable usually forms around delegations of countries such as India, Egypt, and other

underdeveloped countries who desire the proposed services, distrust the US, and are seeking to establish their own prestige.

## B. *Conduct and Integrity of Staff Members*

### 1. *Statement of Issue*

The paramount question of the moment in this field, the answers to which will doubtless affect significantly the broader issue, is: a) how to ensure that international organizations select employees whose qualifications and integrity, as judged by their country of nationality, meets a sufficiently high standard to maintain the confidence of that country in the organization as a whole; b) how to achieve this without sacrificing the degree of independence conferred on the administrative heads in the charters and constitutions of the various organizations, which characteristically enjoin them to appoint persons who will serve only the interests of the organizations as a whole and not the exclusive interests of any one government.

### 2. *Background*

Experience with the League of Nations secretariat led the large majority of governments\* to conclude in 1945 that the interests of the new international organizations, and thus the interest of all member states, would best be secured if the secretariat personnel were oriented to a postulated "general interest" rather than to the particular interests of individual member states. Consequently, the charters and constitutions of all the UN agencies placed the responsibility for selection of personnel with the chief administrative officer, and reflected the expectation that international officials were to discharge their functions and regulate their conduct in accordance with the "general interest" (of the international organization). Thus such officials were enjoined not to receive instructions from any government in the performance of their duties.

### 3. *United States Policies*

The US interpreted its obligations under the charters and constitutions of the various organizations as requiring it to follow a "hands-off" policy with regard to influencing the selection of personnel. In a few instances US officials informally supplied information and advice upon request, but the US scrupulously avoided governmental representations that might be regarded as pressure upon the agency heads.

By 1949 information reaching the Department of State indicated that in some instances US personnel appointed by the UN agencies had a record of Communist or Communist-front activities which cast grave reflection both on their basic loyalty to the US and on their integrity and ability to fulfill their fundamental obligations to serve the pur-

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\*Yugoslavia, supported by the Soviet Union, proposed in the UN Preparatory Commission in the fall of 1945 that governments should approve the appointment of their nationals to the UN Secretariat, but this was rejected by an overwhelming majority. [Footnote in the source text.]

poses and principles of the organization. Among the specialized agencies, UNESCO presented the major problem. Since UNESCO's appointment procedures provide for consultation with member governments and national commissions on professional posts, the Department was able to advise it when it had derogatory information concerning US nationals considered for employment.

In the case of the UN, a secret arrangement was entered into whereby the Secretary General submitted the names of US nationals for a US "name check", and the Department reported to the Secretary General on persons it believed to be Communist or under Communist discipline. As opportunity permitted, the Secretary General was to ease out persons so identified. This arrangement continued in operation in the UN until January 1953, at which time Executive Order 10422 was issued, following a reexamination of policy stimulated by various US investigations. This authorized arrangements to be made with the international organizations which would enable the US to conduct complete loyalty investigations on all US nationals employed or considered for employment in such agencies and report its findings to the head of the organization.

The problem of national "loyalty" is distinct from that of the impartiality of international civil servants. The latter, a matter of professional detachment in the presence of conflicting national interests and emotions, has been envisaged, since San Francisco, on the tacit assumption that international officials are generally people of good will, whose integrity as international servants is the outgrowth of loyal service in the national community.

The significance of the step recently taken by the US and the UN lay in the fact that while previously a "loyal" attitude of American employees—if not to the cause of international cooperation, at least to their homeland—was taken for granted, by the late 1940s awareness had become general that American communists must be suspected as potentially, if not actually disloyal to their country, and likely to engage in subversive activities; potentially hostile to international causes not dominated by communists; and without common bonds of public faith connecting them with the structure and fabric of their own society and environment or any society and environment dedicated to the preservation of peace.

The problem of communists was in the center of a general trend toward bipolarization of conflicts in the world and thus in the UN. In the face of this conflict, the force of United States opinion required that civic integrity be reaffirmed as the foundation for any attachment to a "general interest" symbolized by international organization.

The developing situation had by 1951 led the US to alter its original doctrine regarding international secretariats in the case of the North

Atlantic Treaty Organization. Here US nationals not only are security cleared, but are carried on the US foreign service rolls and loaned on a reimbursable basis to the organization. Within this limitation the Secretary-General nevertheless continues to exercise the powers of direction, hiring, and firing which are consistent with the executive power. One major purpose in making these particular arrangements for US nationals (they are not applied to other nationals) relates to the salary and taxation problems, discussed in a separate paper.

While NATO represents a special coalition of selected nations sharing a specific and common interest, the experience there will still to a certain extent enable us to judge whether the maintenance of such national employment ties results in any more partiality than we now expect on the part of Americans employed in other secretariats, and whether other member governments will conclude that secretariat employees with such formal ties also serve the general interest satisfactorily.

#### 4. *Recent Developments in the United Nations*

The Secretary-General on October 20, 1952 appointed a Committee of Jurists† who advised him: *a*) that the UN should not employ persons engaging or likely to engage in subversive activities against any member state, and *b*) that he had the power to fire persons on whom the preponderance of evidence convinces him that they fell into such a category. Likewise, *c*) he was advised not to retain persons who by invoking the Fifth Amendment on questions relating to subversion created doubt as to their fitness for public service. The Jurists strongly held that it was necessary for the power of decision in such matters to reside with the Secretary General, although they recommended that he appoint a panel of advisers to assist him in carrying out his responsibility.

The Secretary General reported to the second part of the 7th GA his intention of generally following these policies, and in the plenary debate the majority view was that the independence of the secretariat required that the Secretary General continue to exercise responsibility for selection of personnel without dictation from governments. There was also general acceptance of the policy that the Secretary General should refrain from employing anyone where the preponderance of evidence indicates that the person is engaging in activities aimed at subverting the government of a member state. In this connection, no government objected to the investigations the US is making under Executive Order 10422, regarding this as a matter between the US citizens and their government.

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†E. S. Herbert (UK), William D. Mitchell, (US) and P. Veldekens (Belgium).  
[Footnote in the source text.]

There was a wide variation of opinion regarding the policy to be followed by the Secretary General in (1) cases of refusal to testify before officially constituted national agencies investigating subversive activities, (2) cases where the derogatory information relates to conduct which is not such as to constitute evidence of present subversive activity but rather the "likelihood of engaging" in such activity. In addition, many delegations doubted the power of the Secretary General to take termination action in any case that fell short of serious misconduct. As a result of strenuous US efforts, the outcome of the debate was: (1) to defeat a 12-power resolution† the effect of which would have been to deny the Secretary General power to take further action in accordance with his announced policy until the whole matter had been carefully reviewed by a small committee of the Assembly and considered by the Eighth Session, after receiving the report of such a committee; (2) to endorse a proposal of which the US was a co-sponsor that permits the Secretary General to proceed with implementation of his policy but requires him to report further developments to the Eighth Session and requests the comments thereon of the Advisory Committee on Administrative and Budgetary Questions after consultation with the Specialized Agencies.§

#### 5. *Difficulties Facing the United States*

US investigations and findings under the recent Executive Orders are related to the question of loyalty to the US Government. The UN and specialized agencies on the other hand are expected to apply a "subversive" standard which must have the same implications for nationals of all member countries.

There is little likelihood of any agency employing a US citizen against whom there is an adverse US "loyalty" finding. The US faces, however, the extremely difficult possibility that the heads of these agencies may, on the basis of their standards, decide to retain a present US employee who has failed to meet the US loyalty test. If we cannot accommodate ourselves to such a situation, if it should arise, we should probably be faced with major and possibly far-reaching policy decisions about our relationships with international organizations and their personnel.

At the 7th GA some other governments privately told us that while endorsing our principle that persons likely to engage in subversive

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† Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Saudi Arabia, Yemen. [Footnote in the source text.]

§ While the Assembly took no action to veto the policy followed to date by the Secretary General, it was evident that many delegations desired to await the outcome of cases presently being heard before the Administrative Tribunal (an independent review body to hear appeals against non-observance of the contracts of employment) before determining whether any positive directives should be given by the Assembly. Persons whose cases are now before the Tribunal were terminated by the Secretary General after refusing to answer questions relating to subversion put by the Senate Internal Security Committee. [Footnote in the source text.]

activities should not be employed, they would favor the use of covert rather than overt means to implement it. This was in view of the extreme difficulties they foresaw in carrying out the program, in an organization composed of authoritarian and non-authoritarian states, in such a way as to permit the retention of Free Czechs, Poles, etc. It is apparent that the majority of member states, as indicated in their speeches, continue to attach great importance to maintaining the international character and independence of the Secretariat as the best means of furthering the objectives of the UN and its agencies.

6. *Current Status*

Arrangements under Executive Order 10422 of January 9, 1953, as amended by President Eisenhower by Executive Order 10459 of June 2, 1953, are well advanced. Forms setting forth the required information have been submitted by about 95% of the Americans on the international secretariats, and others are now being received. There are only 5 cases of UN nationals refusing to fill out the forms. The Department has approached all the organizations to secure informal assurances that they will not employ Americans until investigations have been completed, and satisfactory assurances have been received, with slight exception, from all international agency heads. The principal problem of the moment is that no adjudications are being undertaken pending establishment by the Civil Service Commission of the new review board provided for by Executive Order 10459.

While the Department is proceeding under the Executive Orders, a bill has been introduced in the Senate which would substitute legislation for the executive agreement approach. S. 3 would make it a criminal offense, under penalty of a \$10,000 fine or 10 years imprisonment or both, for an American to accept employment with one of the UN agencies without first receiving a certificate of security clearance from the Attorney General. Americans now on the staffs would be subjected to a like penalty if they refused to supply information stipulated in the bill.

Both the Department of State and the Justice Department are on record as recommending that S. 3 not be enacted, on the argument that the Executive Order procedures should be given a fair trial. However, the measure has been approved by the Senate Committee on the Judiciary, and has been passed by the Senate on the consent calendar. The House Committee has not scheduled consideration of the measure, although Ambassador Lodge has talked informally with its leaders. It is believed quite likely that, if the legislation is passed, other governments will place such restrictions on the employment of their nationals by the UN that little actual discretion will be left to the Secretary General in personnel matters.

A/MS files, lot 54 D 291, "UNA/P master file"

*Paper Prepared by the United Nations Planning Staff, Bureau of United Nations Affairs*

CONFIDENTIAL

[WASHINGTON, undated.]

XI-1

INTER-RELATIONSHIPS OF INTERNATIONAL ORGANIZATIONS IN NON-POLITICAL FIELDS

CHARACTER OF ISSUE

Since the end of World War II the US has pursued a number of different paths in the field of international economic and social policy. It has been our stated objective to develop well-coordinated multi-lateral policies for the achievement of our purposes in these areas. To ensure consistency and economy, we have avowedly favored coordinating these policies through the UN. We have applied the same principles to the coordination of economic and social programs within the UN structure itself.

During the same period we have also supported the assumption, by regional and special-purpose organizations outside the UN, of certain economic and social responsibilities which in practice overlap those of the UN.

Without prejudice to the validity of purpose which led us to three different paths—centralization through the UN, regionalism, or *ad hoc* solutions—a serious issue is nonetheless posed by the widening gap between doctrine and practice in our efforts to achieve consistent and coordinated international economic and social policies.

Given the results of the three different approaches—i.e. the existence of a heterogeneous pattern of UN and non-UN organizations in the economic and social field—a second level of problems arises in day-to-day operations. This includes such questions as: how to exert constructive influence through various organizations; how to achieve consistent US policies in various organizations; how to avoid unnecessary international bureaucratic structure and attendant vested interests; how to mediate between those vested interests on the one hand and requirements of efficiency on the other; how to avoid inefficient competition, overlapping jurisdiction, and duplication among international organizations; how to keep the international structure responsive to changing needs and requirements; and how to justify to Congress and the public the diversity and apparent diffusion of effort to which we are a responsible party.

These problems appear in relationships: *a*) between the UN and regional organizations, *b*) among agencies within the UN system, and *c*) between UN agencies and non-UN technical and specific purpose



agencies. Because there are significant differences in the particular manner in which they arise, these three types of relationships are described separately below.

A. *Relations of UN with General or Multipurpose Non-UN International (Regional) Organizations*

1. *Problem*

The most difficult problem of relationships among international organizations involves the general purpose regional organizations, independent of or nominally related to the UN, including OAS, NATO, OEEC, the Arab League, Council of Europe, and ANZUS machinery, if it is created. Most of such organizations have been created primarily for general political or security purposes, but there is a persistent tendency to expand their functions into economic and social fields, which has resulted in overlapping jurisdiction and competition with UN bodies and some lack of coordination of policies and operations both among international organizations and within member governments.

2. *Background*

Several of these regional organizations have been created and others have expanded since the establishment of the UN. The overlapping responsibilities are particularly marked between the UN regional organizations such as ECE and ECLA and the non-UN regional organizations in the same fields such as OEEC and IA-ECOSOC. OAS, the largest of the organizations which antedates the UN, was reorganized in Bogota in 1948, with many of its economic and social functions being increased (although this development has been handicapped by lack of funds and experience). NATO and OEEC were both created under US instigation. By its very nature OEEC overlaps with ECE, both being concerned with European economic problems. Within recent years there has been considerable pressure in NATO to extend its economic and social functions. The Council of Europe is also broadening its economic and social operations.

3. *US Policies*

US policies toward the proper location or division of responsibility in this field are not clear and seem to follow the direction of betting on all horses or of treating questions on an *ad hoc* basis without thorough consideration of the effect on overall policy. In many instances yielding to various pressures the US has supported the expansion of economic and social activities in the regional organizations, e.g., OAS and OEEC, while at the same time supporting expansions in the UN system but without consideration of the longer term disadvantages or difficulties such parallel expansion might yield.

#### *4. Difficulties Facing the US*

It may be possible for us to achieve in regional organizations results not attainable in a more universal structure because the regional organization was designed to deal with relatively concrete and immediate economic problems in a restricted context. OEEC undoubtedly has been able to accomplish results which ECE could not have because of Soviet membership, e.g., establishing plans to increase and allocate Western European coal production. But the same cannot be said of other organizations, and overlapping jurisdiction often results in excessive duplication of effort not commensurate with the results attained. For instance, general conferences of ECLA and IA-ECOSOC may cover the same problems without any particular advantage from separate discussions, e.g., the discussions of price parities on exports and imports, in both organizations. The assumption by regional organizations of economic and social functions also has a tendency to encourage regional bloc psychology and voting in the UN on these issues as well as on political issues, e.g., in the ECOSOC resolution on financing of economic development. When the same problems are being discussed in various organizations there is also a difficulty of coordinating our own policy, inasmuch as different agencies of the Government carry varying degrees of influence in preparing policy toward various organizations. Finally, the fact that other governments frequently do not take a consistent line in different international organizations makes the achievement of US goals more difficult.

#### *5. Implications for UN System*

Insofar as the regional organizations develop strong programs in the economic and social field and receive relatively large amounts of money to carry those programs out, UN prestige and UN influence are correspondingly diminished. This is particularly true if the attention of the responsible officials in an important government such as the United States is directed primarily to regional organizations rather than to the UN. ECOSOC, which was intended as a world forum in which multilateral economic and social problems could be worked out, has little influence over non-UN organizations and is non-productive to the extent to which the principal efforts in this field are carried on outside the UN. If projected into the future, the development of regional economic and social programs outside the UN system might result in a virtual abdication of many of ECOSOC's functions. Another observable effect on the UN system is in some instances a tendency to regionalize activities of UN agencies primarily in order to meet the competition of regional organizations. This is particularly notable at present in the ILO.

6. The situation is one of a progressive tendency on the part of non-UN organizations to increase their economic and social functions and a corresponding diffusion of effort and lack of coordinated approach.

B. *Relations Within the UN System between the United Nations and the Specialized Agencies*

1. *Problem*

The problem of pursuing an effective integrated economic and social policy *within* the United Nations system is a product of the autonomy of the specialized agencies, the occasional overlapping of jurisdiction among various agencies, and the limited authority of the UN to exert stronger coordination or more effective supervision. This has resulted, in some instances, in unproductive competition among agencies to handle the same programs and in diminished ability of the UN system to meet current problems quickly.

2. *Background*

From the beginning, the UN system in the economic and social fields has been conceived as a series of inter-related but autonomous agencies, each created to deal with fairly well defined functional areas of activity. The United Nations is generally regarded as the political body, and the other agencies as technical coordinate arms.

Under Articles 57 and 63 of the UN Charter, ECOSOC may, on behalf of the UN, enter into agreements with the specialized agencies and may coordinate their activities through consultation and recommendations and request reports on the implementation of its recommendations. Agreements have been reached with the specialized agencies which affirm their intention of cooperating in making coordination effective and in carrying out the provisions relating to ECOSOC's responsibility for specialized agencies. UN administrative machinery has been set up to oversee the coordination process.

While the UN, through ECOSOC, thus has responsibility for coordination, it has only recommendatory authority. The relationship between the UN and the Specialized Agencies has been the subject of considerable controversy, with the United States considering the UN as the parent body responsible for setting guide lines for the agencies, and the United Kingdom, for example, insisting that since the UN and all the agencies have equal and independent status, UN's coordinating role is limited.

In the administrative field, while much remains to be accomplished, there has been a fair degree of coordination between the UN and the Specialized Agencies. This has been due to the fact that they all have some common problems for which they find it mutually advantageous to work out common solutions. The United States, United Kingdom and Commonwealth countries have taken a strong lead in all these agencies to reduce administrative overhead costs and eliminate inter-agency competition through uniformity. These efforts in cooperation

with the heads of agencies, through the Administrative Coordination Committee, have produced a joint pension system, common salary and allowance system, common financial and staff regulations, provision of services on a reciprocal basis, and the adoption of other common administrative practices.

However, the autonomy and physical separation of these agencies has necessitated the establishment in each of administrative management machinery, resulting in parallel administrative operations and expenditures. In addition to increasing the total administrative overhead in international organizations, each organization can thereby build up machinery which contributes to the power of the secretariat effectively to influence government representatives to support policies originating in the secretariat. The most significant outcome is unrelenting pressure that often results in ever-increasing budgets.

### 3. *United States Policies*

The US has supported the policy of decentralization of functions in order that technical programs could be carried forward expeditiously with a minimum of red tape and political controversy. At the same time, however, the US has been interested in seeing that available resources are allocated effectively. Toward that end, major US policies in ECOSOC have aimed at: the development of the coordination machinery of ECOSOC; effective concentration of effort and resources; and the establishment of priorities in the economic and social field. All these have been designed to strengthen the role of ECOSOC vis-à-vis the Specialized Agencies.

With a strong lead from us, the GA and ECOSOC have increasingly been reviewing the general program, administrative, and budget policies throughout the UN system with a view to better coordination of effort. This trend has been strengthened by having the Technical Assistance Fund maintained by the UN, which we strongly favored. While initially the Fund was arbitrarily divided up among the various agencies with each agency largely controlling the expenditure of its share, the US has been urging greater central control so that funds are allocated on the basis of the relative merits of projects rather than on the basis of agency claims and pressures.

### 4. *Difficulties Facing the United States*

The implementation of ECOSOC recommendations within the Specialized Agencies is often hampered because other governments do not take consistent positions, even when these policies have been supported by the same governments in ECOSOC. (It is also sometimes difficult to execute our own avowed policy of coordination because the interest of certain other US government agencies in relatively greater autonomy for the Specialized Agencies with whose subject matter they have a primary concern).

The relative influence of the US also varies from agency to agency, particularly where other governments have a particular interest in an agency, such as the UK in the ILO, and this contributes to the difficulty of carrying into actual operation the recommendations of ECOSOC. The requirement of, in effect, a second governmental review affords vested interest in the various international Secretariats opportunities to build backfires against policies which they may not approve. Insofar as there is overlapping of competence among agencies or duplication of functions, the US also bears its proportionate share of the additional expense.

#### 5. *Implication for United Nations*

The chief difficulty for ECOSOC in coordinating the activities of UN's semi-autonomous affiliates is that while it undertakes full scale debate, and decision on policies in the broad field of economic and social matters is possible, its decisions must go through a second inter-governmental review at the specialized agency level, thus also tending to encourage inter-secretariat frictions and jurisdictional problems between the various specialized agencies and with the UN.

While there has been a fair degree of administrative coordination until now between the UN and the specialized agencies, program coordination continues to be a difficult problem.

So far as the basic principle of autonomy is concerned, an advantage in having separate structures for the Specialized Agencies is the fact that the USSR and the Satellites do not, as a general rule, take part. This has freed the agencies from some of the political difficulties we encounter in the UN. However, it has also proved possible to do this within the UN itself, as the experiences of UNKRA and UNWRAP indicates.

6. Some measure of success has attended these efforts and if it proves possible through centralized secretariat and governmental control, to improve, in general, the quality and organization of services which international organizations are rendering to governments, the implications for the regular operations of the various agencies should be examined.

### C. *Relation of UN with Non-UN Specific Purpose Organizations*

#### 1. *Problem*

The problem in this area is similar to that of the relationships between the UN and its specialized agencies, with the added factors that: the UN has no authority over the non-UN agencies; there may exist simultaneous jurisdiction or overlapping jurisdiction between these bodies and UN agencies. Where important functions are primarily undertaken by non-UN agencies, there is little opportunity for adequate integration of these activities with other economic and social activities being carried on within the UN system.

## 2. *Background*

The most important examples of the non-UN specific purpose organizations are ICEM, GATT and the International Materials Conference. ECOSOC documents E/2361 and E/2361/Add 1, February 4, 1953, lists 52 such organizations, most of them highly technical. Most of these were created prior to the establishment of the UN and many of them are not participated in by the US. A number of them are also quite limited in membership or in geographic scope.

## 3. *United States Policies*

While there is a general policy to oppose the proliferation of international organizations, and a presumption that specific purpose organizations with widespread membership should be created within the UN structure, US practice has not always followed the policy. The most important of the non-UN organizations of this type—ICEM, GATT, and the International Materials Conference—were all created outside the UN under UN initiative. (GATT was created after it became apparent that the ITO, within the UN structure, would not become a reality because the US Senate was not going to ratify its Charter. ICEM was created outside the UN after the US Congress passed legislation preventing the use of US funds by a UN agency for the migration function which ICEM performs (although the ILO had prepared plans for the assumption of these functions). The International Materials Conference was established outside the UN as a commodity allocations group among the most directly concerned Western nations.

## 4. *Difficulties Facing the United States*

These agencies are carrying out significant functions which for our own political reasons we did not feel able to further through the UN, although theoretically this was possible. However, in all three instances their existence outside the UN structure makes it much more difficult to prevent competitive and uncoordinated action, although the latter represents our general policy in international organizations. The competition among the ILO, the UN High Commissioner for Refugees, and ICEM concerning their **respective policies and programs involving refugees and migration** exemplifies the difficulty created by parallel and overlapping responsibilities.

## 5. *Implications for Role of United Nations*

Inasmuch as the Economic and Social Council has competence to deal with the broad field of economic and social matters it is difficult to maintain a consistent approach to these matters when important responsibilities are placed completely outside its purview. Either the UN must play a minimal role in such an area, in which case it gives up functions we have encouraged it to assume; or it continues to attempt to deal with them, with a resultant tendency to duplication of activities. In either case, if the financial resources and primary attentions

of governments are directed outside, the UN loses a considerable amount of prestige.

6. There is a discernible tendency to rely on the establishment of non-UN agencies to meet special needs.

**E. QUESTIONS PERTAINING TO THE PROJECTED UNITED NATIONS CHARTER REVIEW CONFERENCE (1953-1954)**

Hickerson-Murphy-Key files, lot 58 D 33, "UN Charter Review Conference"

*Memorandum by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer) to the Assistant Secretary (Hickerson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] March 4, 1953.

Subject: Preliminary Planning for UN Charter Review Preparations  
*Problem:*

In view of the increasing evidence of outside interest in this problem, what internal preparations should the Department now organize, and what should it state publicly respecting future plans for Congressional and public Participation?

*Discussion:*

1. The Secretary has decided to oppose the calling of a Review Conference earlier than 1955 (attachment A), since preparations for the regular conference will occupy us until then.<sup>2</sup>

2. Because of the contemporary atmosphere, we do not welcome widespread debate on details of Charter Review for at least another year.

3. Senator Wiley's speech of March 3, 1953 (attachment B),<sup>3</sup> states that Congress should be planning for revision of the Charter. This and other indices suggest that the Department will be questioned soon about the nature of its preparations, and possibly about its attitude toward the creation of a national commission (which in the past we have opposed).

4. It is essential that the Department have a clear idea of the problems involved, the questions which will be raised, and the approach which we feel is desirable, before a widespread public debate gets underway.

<sup>1</sup> Drafted by Lincoln P. Bloomfield of UNA/P (the Planning Staff of the Bureau of United Nations Affairs).

<sup>2</sup> The reference to "the regular conference" is not clear. The attachment (Dulles letter to Senator Wiley) refers to the tenth regular session of the General Assembly, although preparation for this meeting would not begin ordinarily until 1954. The same would be true also of the projected 10th anniversary commemorative conference to meet in San Francisco in 1955.

<sup>3</sup> Not attached to file copy.

5. In the meantime, it is important that the Department have a constructive line for use during this year when questioned, particularly by members of Congress.

*Recommendations:*

1. A general position be agreed upon consisting of the following:
  - a. The Department is commencing its own study of Charter Review.
  - b. This study will take the remainder of 1953.
  - c. In 1954 the Department plans to discuss Charter Review with members of Congress and representative private citizens, on the basis of its own tentative conclusions. (This will allow at least a year and a half for public discussion).
  - d. The Department intends to recommend that the American delegation to any Charter Review Conference be broadly representative.
2. This position be submitted to the Secretary for approval and for use by Department officers in response to questions on the subject.
3. The UNA Planning Staff be authorized to undertake during 1953 the first step, i.e., identifying the problems and exploring the alternatives as a background to tentative conclusions. This would be done in close cooperation with the operating units of UNA and other interested areas in the Department.
4. Plans to be completed by the end of 1953 for submission to the Secretary regarding the machinery for Congressional and public consultation.

*Additional Attachments:*<sup>4</sup>

- C. Excerpt from Dulles' speech, Dec. 11, 1952
- D. Excerpt from Lodge's speech, Dec. 11, 1952
- E. Excerpt from article by Lodge, dated April 8, 1951, inserted in *Congressional Record*, April 9, 1951
- F. Excerpts from Dulles, *War or Peace*

Annex B

*The Secretary of State to the Chairman of the Senate Committee on Foreign Relations (Wiley)*

[WASHINGTON,] January 28, 1953.

MY DEAR SENATOR WILEY: I refer to the Department's letter dated January 15, 1953, acknowledging your letter dated January 14, 1953,<sup>5</sup> which requested the views of the Department on Senator Gillette's draft resolution S. Res. 30 urging the President to take immediate steps, under the provisions of Article 109 of the United Nations

<sup>4</sup> None printed.

<sup>5</sup> Neither attached.



Charter, to bring about the holding of a General Conference to review the Charter.

Article 109 provides that a General Conference to review the Charter "may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council", and that "if such a conference has not been held before the tenth annual session of the General Assembly, the proposal to call one shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council".

The Department has anticipated that a proposal to call a Charter Review Conference will be considered at the tenth regular session of the General Assembly, i.e., sometime during 1955. The development of an official United States position toward the question of Charter review, and toward the many individual issues involved, will require very careful and detailed preparation within the Government, including official studies, advice from members of the Congress, and private discussions with other governments. There should also be, in the judgment of the Department, full opportunity for the public to inform itself regarding the problems involved, and to express its views.

The necessity to make the most thorough preparations for a review conference suggests the wisdom of concentrating on use of the next two years to assure that there will have been adequate consideration of this matter on the part of the American Government and people.

Consequently, the Department believes that there would be no advantage in attempting to advance from its expected time of consideration the date of the General Conference as S. Res. 33 proposes.

Sincerely yours,

JOHN FOSTER DULLES

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Hickerson-Murphy-Key files, lot 58 D 33, "UN Charter Review Conference"

*Memorandum for the Files, by Lincoln P. Bloomfield of the United Nations Planning Staff, Bureau of United Nations Affairs*

CONFIDENTIAL

[WASHINGTON,] March 10, 1953.

Subject: Preparations for Charter Review Conference

At a meeting this morning in Mr. Hickerson's office attended by Messrs. Hickerson, Sandifer, DePalma, Chase, Niemeyer and Bloomfield, the attached memorandum dated March 4, 1953,<sup>1</sup> entitled "Preliminary Planning for UN Charter Review Preparations", was discussed.

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<sup>1</sup> Not printed.

Mr. Hickerson's views were as follows :

1. The recommendations which we proposed Mr. Hickerson make to the Secretary were approved and the Planning Staff will prepare a memorandum from Mr. Hickerson to the Secretary along the proposed lines.<sup>2</sup>

2. The proposed timetable was generally in order, i.e., to devote the remainder of 1953 to the development of the Department's tentative conclusions on the subject of Charter Review and to defer until 1954 consultations with members of Congress and with private citizens.

3. The Conference which we expect the General Assembly in 1955 will call would not in any event convene until some time in 1956 and preferably not until after the Presidential election in 1956, which would mean that the Conference would probably not be held until 1957.

4. The assumptions which should underlie our preliminary studies are as follows :

*a.* There will be no general war.

*b.* There will be no fundamental change in the present power lineup.

*c.* The USSR will still be a member of the UN.

*d.* In general, the present *status quo* would prevail and we would not at this juncture be planning to utilize Charter review as a means of drastically or dramatically altering it.

*e.* Our proposals, if any, would be made on the basis of our national interest and we would not be deterred from advancing them by the prospect of Soviet veto under Article 108.

*f.* Any proposal which would constructively strengthen the United Nations will probably be rejected by the Soviet Union, but this would not deter us from making it.

*g.* Our position on the veto will probably remain constant, i.e., no veto on membership and Chapter VI questions or any questions other than the use of force under Chapter VII. However, we would probably reserve our rights under Article 108 respecting amendments to the Charter in the absence of any clear-cut provisions for withdrawal.

5. Among the major questions which should engage our attention the following should have priority :

*a.* The UN Security system; under this heading we would review the failure to implement Article 43; the experience with the Uniting for Peace resolutions; as well as all other pertinent considerations.

*b.* Assuming that we are unable to come up with any more optimistic outlook on the security picture and must therefore give priority to regional organizations in the security field, what adjustments in the Charter would be necessary or desirable to institutionalize this situation?

*c.* Assuming that the Security Council will remain paralyzed by the use of the veto, the powers, structure, and relationships of the General Assembly should be reviewed with particular attention to the concurrent role of the General Assembly (and in fact of the United Nations as a whole) in the colonial, trusteeship, economic, and social fields.

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<sup>2</sup> See editorial note, *infra*.

d. The problem of weighted voting.

6. Mr. Hickerson suggested that the views of the office directors be solicited in order to ascertain the major problem areas for the purpose of Charter review. The Planning Staff explained that this had been done and that the Inventory or "new look" project now underway was being participated in actively by the operating officers and would, we hoped, furnish a number of useful insights into areas requiring concentration for Charter review.

7. It was generally agreed that rather than develop an article-by-article blueprint from the outset, we would concentrate initially on those critical areas which would furnish the most important raw material in any event for any new shapes which this project might assume.

L. P. BLOOMFIELD

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*Editorial Note* \*

In a Hickerson memorandum of March 11, 1953, Secretary of State Dulles was appraised of the essentials of UNA thinking on preliminary planning for United Nations Charter Review preparations, on a timetable projection of 1956-57 as the date of a conference. Hickerson recommended that in general consultations with members of Congress, non-governmental organizations and other governments be deferred until 1954. Hickerson informed the Secretary of State that UNA "currently is reexamining our seven years' experience in the UN in terms of outstanding problems which now confront us. From this we expect useful insights into the approach we may wish to make to Charter review." Hickerson proposed to assign the UNA Planning Staff "for the remainder of this year" to this onward review of the main questions affecting United States policy towards the United Nations. (Hickerson-Murphy-Key files, lot 58 D 33, "UN Charter Review Conference")

There is a presumption, although unsupported explicitly by available documentation, that the UNA study "Principal Stresses and Strains Facing the US in the UN" was the current review to which Hickerson had reference in this memorandum to Dulles. For documentation relating to this study, see pages 82 ff.

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Eisenhower Library, C.D. Jackson records, 1953-56

*The Secretary of State to the President's Special Assistant (Jackson)*

TOP SECRET

WASHINGTON, July 1, 1953.

DEAR C. D.: I agree with you that the forthcoming revision of the United Nations Charter provides a great opportunity. I have for

some time been giving thought as to how best to use it. Before I left the Carnegie Endowment, I got them to start a series of studies in different countries with a view to forming some idea as to what amendments member states of significance were thinking about.

Lack of law is a serious defect. At the San Francisco Conference of 1945, when the Charter was drawn up, I was responsible for getting in the clause requiring the Assembly to develop international law. However, very little has been done, because in fact most of the member states are not willing to subject themselves to law as developed and applied by an international body.

Law in the sense we use the word is a codification of moral principles. In the Soviet world, there is no such concept, because they deny the existence of moral law.

I believe that any organization which made and changed laws could not be universal, and there is at least a grave question as to whether and when Mr. Taft's idea<sup>1</sup> were actually expressed in a treaty, it would get Senate approval. The first of my books "War, Peace and Change", written in 1937, deals basically with this whole problem and the fact that, unless international law provides methods of peaceful change, then there will be violent change, because change is the one thing that can never be stopped.

I believe this whole subject deserves the consideration you suggest. I will try from my standpoint to provide it.

Sincerely yours,

JOHN FOSTER DULLES

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<sup>1</sup>The reference is to Senator Robert A. Taft and his book entitled *A Foreign Policy for Americans*. In the book Taft said of the UN Charter: "The fundamental difficulty is that it is not based primarily on an underlying law and an administration of justice under that law. I believe that in the long run the only way to establish peace is to write a law, agreed to by each of the nations, to govern the relations of such nations with each other and to obtain the covenant of all such nations that they will abide by that law and by decisions made thereunder." Subsequently in a speech to the American Bar Association, Dulles called attention to this passage in the Taft book and quoted it; for the Dulles speech, see editorial note, p. 176.

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*The Secretary of State to the Chairman of the Senate Committee on Foreign Relations (Wiley)*<sup>1</sup>

[WASHINGTON,] August 12, 1953.

DEAR SENATOR WILEY: In reply to your letter of July 29, 1953,<sup>2</sup> I have noted with satisfaction that you will be chairman of the subcommittee authorized by S. Res. 126 to study the subject of United Nations Charter review, and that you are deeply interested in making the study helpful to the United States.

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<sup>1</sup> Reprinted from the Department of State *Bulletin*, Sept. 7, 1953.

<sup>2</sup> Senator Wiley's letter is printed *ibid.*, p. 310.

I myself feel that the forthcoming revision of the United Nations Charter provides a great opportunity. I have for some time been giving thought as to how best to use it.

I continue to believe that final United States policies on this question must await full public discussion of the issues as well as consultations with members of Congress. However, I think it may be timely to state that the Department will favor the calling of the review conference when the question is put to the 1955 session of the United Nations General Assembly. I hope this information will facilitate the work of your Committee.

Sincerely yours,

JOHN FOSTER DULLES

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*Editorial Note*

The Secretary of State made public statements on August 26 and September 3, 1953, regarding the question of United Nations Charter review.

The August 26 statement was made in an address to the American Bar Association at Boston, Massachusetts, entitled "U.S. Constitution and U.N. Charter: An Appraisal". Dulles purported to demonstrate that the Charter reflected "serious inadequacies": it was a pre-atomic-age document, the Security Council veto, and the absence of an international rule of law. In connection with the latter point, Dulles cited the views of the late Senator Taft (see footnote 1, page 175, and Department of State *Bulletin*, September 7, 1953, pages 307-310).

The Dulles statement of September 3 consisted of a press conference statement made in elucidation of the Boston address. At this time, the Secretary of State said that the speech at Boston had been made "primarily to stimulate thinking by such bodies as the American Bar Association on this whole topic." Dulles reiterated his belief that the project review conference could be a conference "of very great importance". Dulles added: "I believe there are a number of respects in which the charter can be improved, but at the moment I am not prepared to take an official position indicating what the final view of the United States Government will be. We believe that this is a subject which ought to be studied well in advance, and that the study should not merely be Governmental. . . ." Dulles voiced the hope that preparation for the conference would be "throughout the world", by private organizations as well as governments. He noted finally that the Netherlands Government "quite independently of any suggestion from us and before my Boston speech, put an agenda item on this subject for discussion at the session of the General Assembly which will be convened on September 15." (Department Press Release 474, dated September 3; see Department of State *Bulletin*, September 14, 1953, page 343.)

10 files,<sup>1</sup> SD/A/C.1/433

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

SECRET

[WASHINGTON,] September 8, 1953.

PREPARATORY WORK WITH REGARD TO THE POSSIBLE HOLDING OF A GENERAL CONFERENCE OF THE MEMBERS OF THE UNITED NATIONS IN ACCORDANCE WITH ARTICLE 109 OF THE CHARTER

THE PROBLEM

[The portion of this item dealing with documentation is covered in the position paper on the Argentine item (A/2415)]<sup>2</sup>

The Netherlands government proposes that the 8th GA invite member states to submit prior to the 10th session (1955) "their preliminary views with regard to the possible revision of the Charter and tentative proposals and suggestions." The motive of the Dutch is to stimulate governments to start their preparations now, and the submission of proposals before the 1955 session is designed to furnish a suitable basis on which that GA can vote on whether to call a review conference. Although the Dutch do not intend to advance the date of the review conference itself, which they agree will probably be in 1956 or 1957, they may contribute to the confusion already existing here and abroad as to timetable. While they, like the US do not wish to encourage or engage in debate at this GA on substantive aspects of Charter review, and they thus hope their item will be treated procedurally, there is a real danger that debate on the veto, membership, etc., is inevitable under the rubric of their item.

UNITED STATES POSITION

1. The United States should support the Dutch proposal, welcoming it as consistent with the Secretary's recent efforts to stimulate thoughtful consideration by governments and particularly by peoples as to how the Charter can be improved, but making clear our understanding that the submission of proposals by mid-1955 is optional, since some governments may not be in a position to publicize their policies a year or more before the review conference itself.

2. The U.S. should favor merging this item with the Argentine item and having it handled procedurally, with substantive debate to be avoided.

3. The U.S. should oppose the creation of any UN intersessional preparatory body at this time on the ground that such a group would

<sup>1</sup> Master files of the Reference and Documents Section of the Bureau of International Organization Affairs.

<sup>2</sup> Brackets in the source text. Position paper not printed. The Argentine item proposed that the Secretary-General of the United Nations compile and publish a documentary record of the practice of U.N. organs (a legislative history of the drafting and application of the articles of the Charter).

not be useful until governments have had a chance to develop their own general positions. We should refer in this connection to the democratic process of public debate and consultation which this country will need to undergo before our government can formulate its final policies.

4. If the Secretary refers in his opening address to subjects such as voting procedures, membership, and disarmament in the context of Charter review, we should in general resist efforts by others to confuse the discussion of contemporary issues by connecting them too directly with their long-term Charter review aspects. However, the UK has indicated that it might attempt to avoid debate at this session on membership by referring to the possibilities inherent in Charter revision. While we can refer to the opportunity we will all have later to re-examine Article 4 as well as all other articles, we should in no way anticipate or prejudice any position we may wish to take later on this matter.

#### COMMENT

1. The Secretary's Boston Speech <sup>3</sup> plus his anticipated references to Charter review in his statement in the general debate will create an atmosphere of great curiosity as to U.S. positions regarding Charter revision, and will, in the light of the Dutch item, stimulate other governments to think and probably speak on the subject.<sup>4</sup> Since the U.S. has not reached any final policy decisions other than to favor the calling in 1955 of a subsequent review conference, an effort may be necessary to forestall substantive debate on such favorite topics as the veto, etc. Prior consultation will be necessary with friendly delegations to reach agreement that at this early stage the problem is purely procedural. The most authentic statement of the atmosphere in which the U.S. is thinking about the problem is contained in the Secretary's statement to the press on September 3 (State Department Press release no. 474), and this line should be used extensively in preliminary discussions as well as in our statement in committee.

<sup>3</sup> Reference is to the address made before the American Bar Association at Boston on Aug. 26, 1953, entitled "U.S. Constitution and U.N. Charter: An Appraisal." See the editorial note, *supra*.

<sup>4</sup> For the Dulles address to the General Assembly on Sept. 17, 1953, see Department of State *Bulletin*, September 28, 1953, pp. 403-408. The section on Charter revision is on p. 407. Dulles emphasized the interest of the U.S. Senate in Charter review, because of the veto problem. He also solicited the views of nonmembers of the UN (excluded because of the Soviet veto) on Charter revision.

320/9-1553 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, September 15, 1953—6:55 p. m.

Gadel 4. Re: *Charter Review* Department's initial reaction to agenda item on Charter amendment just submitted by Egyptian Del.

(Doc. A/2466) follows, although explanatory memo may cast further light when received:

1. Position paper on Dutch item (SD/A/C.1/433)<sup>1</sup> already states US opposition to creation by UN of any preparatory body for Charter review at this time. In addition to fact such body would be patently premature, we also had in mind that a "technical" body of this sort would *a fortiori* be counter-productive until basic governmental decisions provided some solid political base for drafting or interpretative operations.

2. Egyptian letter does not make clear when the proposed technical committee would be elected. Its contemplated task of studying and reporting "on the basis of proposals to be submitted by Member States" suggests that it may be related to Dutch invitation to submit such proposals prior to 1955 GA session. In any case we see no utility to setting up this or any other UN preparatory group at this session.

3. However, we should not oppose inclusion of item in agenda. Best way of handling it would be merging it with Dutch and Argentine items and seeking reach agreement among sponsors that creation of any UN body should await submission of concrete proposals by governments.

LOURIE

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<sup>1</sup> *Supra.*

320/9-2553 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 25, 1953—4 p. m.

Gadel 10. Re: *Charter Review*

1. Principal US objectives in any action on Charter review this GA session are as follows:

*a.* Stimulate international and domestic interest and preparations so that positions taken when Charter Review conference actually called will reflect careful, thoughtful and realistic appraisal of problems by maximum number of people, private groups, etc.

*b.* Avoid committing US directly or by inference to adoption of any substantive position, and avoid forecasting probable US positions.

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<sup>1</sup> Drafted by Lincoln P. Bloomfield of the United Nations Planning Staff, Bureau of United Nations Affairs. Cleared with the Deputy Director of the Office of United Nations Political and Security Affairs (Popper), the Bureau of European Affairs (Bonbright?), the Bureau of Inter-American Affairs (George N. Monsma), the Bureau of Near Eastern, South Asian, and African Affairs (Harry N. Howard), and the Legal Adviser's office (initials illegible). Approved for transmission by the Assistant Secretary for United Nations Affairs (Murphy) and signed by William Sanders, Planning Adviser, Bureau of United Nations Affairs.



*c.* Keep GA debate procedural, emphasizing that governments including US are obviously not prepared with final positions; engaging in substantive debate now would needlessly increase world tensions.

*d.* Avoid creating UN machinery in form of committees, etc., which would have nothing constructive to do until governmental positions made known.

*e.* Utilize GA resolution(s) to clarify definitively the real confusion we detect at home and abroad as to timing of Charter review process. This need, recently emphasized to Department by Senate Foreign Relations Committee staff and officers of interested private groups, suggests desirability of single resolution which has this as an important purpose.

2. As to resolution, we can envisage one which clearly spells out timetable in preamble; operative section on Dutch proposal for submission of government views would be geared to need for a base on which 1955 GA can intelligently consider convening of review conference; Argentine proposals for preparation of documentation would follow in same context. In view of Delga 14,<sup>2</sup> if separate resolutions absolutely unavoidable, would be desirable for Dutch proposal re repertory of practices to cross-refer clearly to preparation of this and related materials by Secretariat pursuant to Argentine resolution. Dutch draft resolution seems to us susceptible of improvement on these various counts. Department suggests approaching various sponsors on possibility of one consolidated resolution, using argument of need for simplicity and clarification.

3. Would appreciate Delegation views on possibility of incorporating in Dutch proposal thought contained in Secretary's opening speech re views of non-member states. Could "Member States" in penultimate sentence Dutch draft resolution be changed to read "all States"?

4. If, as Meeker reported by telephone to Bloomfield, Egyptian item is meeting negative response, US Del might consider ways of quietly interring it before it is debated, possibly by persuading Egyptians to withdraw item. Alternative possibility would be to add to principal resolution a final operative clause suggesting that 1955 GA will doubtless wish consider creation of appropriate preparatory machinery both for review conference arrangements and to consider those proposals which will have by then been submitted by governments under Dutch item.

5. Soviet bloc reaction in GA and in commie press indicates this whole question could rapidly become an East-West issue even before policies are actually formulated. This is probably inevitable, but support among our friends for the active interest we wish taken in Charter review might be enhanced by reasoned line emphasizing our desire to see if there are ways to strengthen instrument of international cooperation, our open mind as to useful improvements, our desire to

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<sup>2</sup> Not printed.

examine the views of all other members, and our consequent emphasis on purely procedural approach at this time. Where possible "Review" should be used instead of "Revision".

6. GA Del's attention invited to The Hague's despatch 306 Sept. 16,<sup>3</sup> passed to USUN, reporting Belgian displeasure with Dutch initiative at GA.

DULLES

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<sup>3</sup> Not printed.

320/10-753: Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, October 8, 1953—7:13 p. m.

Gadel 20. *Re Charter Review*

1. If Egyptians envisage technical committee as intergovernmental body with "highly political functions" (Delga 79, Oct. 7)<sup>1</sup> we are even less disposed see it created by 8th.

2. Committee's functions as reported reftel seem to us to illustrate lack of realism and practicality which characterizes Egyptian proposal.

a) Creation of special intergovernmental body to guide Secretariat in preparing documentation seems waste of time and money, full of possibilities impeding execution of a technical job by a technical staff. Department believes this sort of job requires intelligent and single-minded supervision, which Secretariat should provide.

b) Second purpose Egyptians have in mind seems even more unrealistic. For one thing Dumbarton Oaks discussions<sup>2</sup> were negotiations conducted by top level diplomats under instructions from their governments. But above all they were based on drafts which had been laboriously developed by governments as end products of internal policy formulation process. Analogy appears meaningless in present setting, at least at this stage.

3. Department heartily endorses views expressed by Governor Byrnes and Von Balluseck. We particularly agree that premature involvement in substantive debates might prejudice any orderly development of preparatory procedures including vote at 10th GA on holding of review conference itself.

4. From our standpoint it would be clearly preferable if Egyptian proposal could be dropped. US delegation's suggestion that contemplated committee be restricted to guiding Secretariat in discharging its largely mechanical tasks seems to us open to objections cited paragraph 2 a) above. It might be added that if committee were model of non-interference once Secretariat chores were programmed, it would

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<sup>1</sup> Not printed.

<sup>2</sup> For documentation on the Dumbarton Oaks conversations at Washington, August-October 1944, see *Foreign Relations*, 1944, vol. 1, pp. 614 ff.

have nothing to do and might be sorely tempted involve itself in Charter re-drafting.

5. Our second choice would be possibility suggested in Gadel 10, Sept. 25, para. 4, i.e., final operative clause in consolidated resolution to effect that 1955 GA will doubtless wish consider creation of appropriate preparatory machinery both for review conference arrangements and to give preliminary consideration governmental proposals submitted by then.

6. Our third preference would be variation on latter, leaving way open for 9th GA in 1954 to evaluate progress to date and consider best timing and method of organizing collective preparatory work.

7. Suggested draft statement for US representative sent by MISUN this afternoon. Last paragraph will require adjustment depending on solution reached re Egyptian proposal.

DULLES

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Hickerson-Murphy-Key files, lot 58 D 33, "UN Charter Review Conference"

*The Deputy Under Secretary of State (Murphy) to the  
Secretary of State*

CONFIDENTIAL

[WASHINGTON,] December 1, 1953.

Subject: Analysis of Committee Action in 8th GA on Charter Review.

The attached report (Tab A) which I thought you would be interested in looking over sums up the highlights of the Committee Six debate on Charter Review at the present General Assembly session.<sup>1</sup>

The main points of the report are that (a) the deliberate tactics of the US delegation to keep somewhat in the background on this item seem to have paid dividends; (b) our various objectives were satisfactorily achieved; (c) the committee was sharply split between governments favoring review of the Charter and those opposing it; (d) the same splits appeared within groups which usually vote together (other than the Soviet bloc); (e) through a combination of luck and good management only the Soviets were isolated in opposition in the final vote; (f) the strong disinclination by some of the leading colonial powers to face up to Charter Review probably rests on their fears that it will be used to undermine their colonial relationships.

Some of the preliminary votes were quite interesting. The lineup within various groups of states as reflected in speeches and in the

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<sup>1</sup> For the official United Nations record of this debate, see United Nations, *Official Records of the General Assembly, Eighth Session, Sixth Committee*. The classified minutes of meetings of the U.S. Delegation are in IO files, lot 71 D 440 (Eighth Session), as are also the Delegation's memoranda of conversation with other delegations.

preliminary voting is diagrammed in Annex B to the attached report. Annex A is the text of the resolution which, as you may know, was finally approved in plenary session on November 27th by a vote of 54-5.

[Attachment]

*Memorandum by Lincoln P. Bloomfield, Planning Adviser, Bureau of United Nations Affairs*<sup>2</sup>

CONFIDENTIAL

[WASHINGTON,] November 30, 1953.

Subject: Analysis of Committee Action in 8th GA on Charter Review.

The recent debate on Charter Review in the Legal Committee had some rather interesting aspects which I summarize below. Even at this preliminary stage their significance should, I think, be kept in mind as part of the general backdrop against which we will be maturing our own preparations. For brevity I have eliminated all background material in favor of the salient features of committee debate itself.

1. The overt role of the US delegation throughout the three-week debate in committee was deliberately minor, although our generally positive attitude toward Charter Review, as enunciated by the Secretary, was of course well understood. Our tactics were to work backstage, mainly through the Netherlands and New Zealand delegations which steered the six-power resolution. In retrospect, this role was effective because (a) it made liars out of the Soviets as they persisted in characterizing the various resolutions before the committee as reflecting a conspiracy led by the US, (b) on the same count the Soviet charges served to insult such sponsors of the various resolutions as Egypt and Pakistan, as well as the others (Netherlands, New Zealand, Cuba, Argentina, Canada, Costa Rica), and (c) it helped preserve our tactical freedom of action in committee.

2. US objectives in this matter were generally achieved, even down to some small details: (a) the final resolution (Annex A) contained a clear and unequivocal reference to Article 109, Charter Review, the 10th GA, etc.; (b) the Egyptian proposal for a preparatory committee was abandoned; (c) the final resolution was procedural and unprejudicial in character; (d) adequate documentation will be made available and the legislative history, about which we were not enthusiastic on grounds both of substance and economy, was rejected in favor of a comprehensive index; and (e) the Netherlands-sponsored invitation

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<sup>2</sup> Addressed to the Assistant Secretary of State for United Nations Affairs (Murphy) and the Deputy Assistant Secretary (Sandifer). (On the same date, Murphy was transferred from this position and designated Deputy Under Secretary of State.)

to governments to submit preliminary views which we had accepted only conditionally was [eliminated?].

3. The debates showed a marked diversity of views and approaches and, as we suspected would happen, often went considerably beyond procedure to the point of reflecting basic national attitudes, aspirations and fears. There were *forty-six* speeches in the general debate in committee. In the face of the splits which appeared within the free world and within blocs which usually stand together, it was rather extraordinary that in the final vote of 48-5, with no abstentions, the Soviet bloc alone was isolated in opposition to a heavy majority. The Dutch had been fearful that their proposal would drive a wedge into the free world, and it was a pleasant surprise to them and an illustration of the fundamental solidarity of the non-Communist world that at the end all but the Soviets rallied in support of the resolution.

4. The configuration of forces in the debate took the form of a spectrum, at one end of which were those countries enthusiastic for revision of the Charter and at the other end those strongly hostile to any mention of it. Within each of the several groupings the same shadings tended to appear. Perhaps the most egregious example was within the Western European group and the "old" Commonwealth. The Netherlands was bitterly opposed by Belgium and France; New Zealand and Canada appeared to be poles apart from the UK, Australia, and South Africa.

The motivation behind the opposition to Charter Review was varied. The Soviet bloc (which it will be recalled had opposed paragraph 3 of Article 109 at San Francisco on the grounds that any review conference in the future would be a club in the hands of opponents of unanimity) apparently felt their predictions were coming true, and were implacably hostile. They were joined all the way in spirit, if not in the final vote, by France, Belgium, Syria, Guatemala, and Liberia. The Syrian representative, Dr. Tarasi, made little attempt to disguise his obvious sympathy with the Communist line. Presumably Guatemala was similarly animated. However, the intensity of the French and Belgium challenges to the legality and constitutionality of preparations for Charter Review reflected deepseated apprehension that further inroads would be made in their colonial relationships. I cannot estimate the Liberian motives. These various "bitter-enders" were joined along a good part of the road by a number of others. Annex B is my rough classification of the shadings within each grouping as reflected in speeches and to some extent in the votes. I have shown at the end of Annex B the present profile of the NATO membership based on this evidence.

5. I believe some of the votes which *preceded* the final showdown were significant reflections of the real feeling of many delegations.

The sharp basic division within the committee was epitomised by the first test veto, when the Dutch invitation to governments to submit views was eliminated by 24-25 with 5 abstentions. This was a low watermark for the co-sponsors and, I might add, we worked hard to discourage their tendency to panic. However, after this controversial provision was eliminated their fortunes rose swiftly, and perhaps the most meaningful vote was on the four-power amendment to eliminate from the basic resolution any reference to Charter Review. This lost 15-28 with 9 abstentions. The 15 to eliminate were the 5 Soviets, the 4 co-sponsors of the amendment (France, Belgium, Mexico, Colombia) plus Guatemala, Iran, Liberia, Syria, Afghanistan, and Burma. The 9 abstainers were the UK, Australia, South Africa, India, Indonesia, Iraq, Israel, Saudi Arabia, and Thailand. Thus, 24 out of 52 had doubts as to any mention of Charter Review, essentially the same 24 who killed the invitation to governments to submit views.

6. As reported earlier, once the invitation was out of the way and the legislative history thrown out (on the motion of UK and Australia) and after the critical test of strength described above, only the Soviet bloc voted in the negative. In the final voting, the preamble citing Charter Review carried 36-5 with Syria, Mexico and Israel abstaining (seven others apparently did not want to be caught voting on this since there were 14 absentees, compared with only 7 absentees in the vote a few minutes later on the resolution as a whole). The preambular reference to the preparations required on the part of both governments and the SYG carried 41-5 with 2 abstentions; the preambular reference to the need for documentation 40-5 with 5 abstentions; and the remaining operative clause regarding documentation carried 44-5. The absentees on the final vote were Ethiopia (which had favored the resolution but had apparently retired in embarrassment after casting her vote the wrong way the evening before), Haiti, Lebanon, Luxembourg, Paraguay, Yemen, and Bolivia. Thus, if Ethiopia had been present, the vote would have been 49-5, and if the others had put in an appearance it might conceivably have been as high as 55-5.

7. In the plenary session on November 27th the resolution was approved 54-5-0.

8. There is good reason, in my opinion, to anticipate renewed discussion of this subject at the 9th GA, with likelihood that the proposal to establish a preparatory body will be revived.

## Annex A

RESOLUTION ON CHARTER REVIEW AS APPROVED BY THE GENERAL ASSEMBLY, NOVEMBER 27, 1953<sup>3</sup>

*The General Assembly,*

*Having regard* to the provisions of Article 109 of the Charter under which a proposal to hold a General Conference of the Members of the United Nations for the purpose of reviewing the Charter is to be placed on the agenda of the tenth annual session of the General Assembly if such a conference has not been held before that session,

*Considering* that the examination of such a proposal will require considerable preparation on the part of both the Secretary-General and Member States,

*Considering* that study of the legislative history of the Charter and of the practice followed by the various organs of the United Nations is one of the best methods of acquiring knowledge of the Charter and will greatly facilitate the General Assembly's consideration, at its tenth annual session, of the question of calling a General Conference,

*Having regard* to the memorandum by the Secretary-General (A/C.6/343),

*Requests* the Secretary-General to prepare, publish and circulate among the Member States during 1954, or shortly thereafter:

(a) A systematic compilation of the documents of the United Nations Conference on International Organization not yet published;

(b) A complete index of the documents of that Conference on the lines envisaged in part II and part III C of the memorandum by the Secretary-General;

(c) A repertory of the practice of United Nations organs appropriately indexed.

## Annex B

## SITUATION IN GROUPINGS—SHADINGS FROM PRO TO ANTI-REVISION

<i>Western Europe</i> ...	Netherlands.....	very pro
	France, Belgium.....	very anti
	Luxembourg.....	absent
<i>Scandinavia</i> .....	Norway.....	pro
	Iceland.....	voted for resolution and against amendment
	Denmark.....	cautious
	Sweden.....	very cautious
<i>Commonwealth</i> ...	New Zealand, Canada.....	very pro
	Australia.....	pro revision, but abstained on amendment
	UK, South Africa.....	very half-hearted, cautious

<sup>3</sup> Resolution 796 (VIII), entitled "Publication of documents concerning the drafting and application of the Charter: Preparatory work with regard to the possible holding of a General Conference of the Members of the United Nations in accordance with Article 109 of the Charter". For official text, see United Nations, *Official Records of the General Assembly, Eighth Session, Resolutions*, p. 51. For the legislative history, see United Nations, *Official Records of the General Assembly, Eighth Session, Annexes*, agenda items 58, 70, and 72.

<i>Latin-America</i> ---	Brazil, Argentina, Peru,	} all very pro
	Panama, Nicaragua, Chile,	
	Uruguay, Ecuador, El. Sal.---	
	Cuba, Honduras-----	generally pro
	Venezuela, Dom. Republic----	voted for res. and against amend.
	Costa Rica, Mexico, Colomb--	anti
	Guatemala-----	very anti
	Bolivia, Haiti, Paraguay-----	absent
<i>Arabs</i> -----	Egypt-----	pro
	Iraq, Saudi Arabia-----	somewhat anti
	Syria-----	very anti
	Yemen, Lebanon-----	absent
<i>Middle East</i> -----	Pakistan-----	pro
	India-----	cautious
	Afghanistan, Iran-----	favored amendment
<i>Asia</i> -----	Philippines, China-----	pro, but opposed invitation for views
	Indonesia, Thailand-----	abstained on amendment, opposed invitation for views
	Burma-----	says pro but neutral, opposed invitation for views
<i>Africa</i> -----	Ethiopia-----	pro
	Liberia-----	very anti
<i>Southern Europe</i> ---	Greece-----	pro
	Turkey-----	voted for resolution and against amendment
	Yugoslavia-----	cautious
	Israel-----	abstained on amendment
<i>U.S.</i> -----	United States-----	pro
<i>Soviet Bloc</i> -----	USSR, Ukrainian SSR, Byelorussia SSR, Poland,	} very anti
	Czechoslovakia	
<i>NATO</i> -----	US, Greece, Turkey, Norway,	} pro
	Netherlands, Iceland,	
	Canada	
	UK, Denmark, Sweden-----	lukewarm
	Belgium, France-----	anti
	Luxembourg-----	?

*Press Release No. 19 Issued by the Department of State,  
January 18, 1954*<sup>1</sup>

STATEMENT BY  
THE HONORABLE JOHN FOSTER DULLES  
SECRETARY OF STATE  
BEFORE THE CHARTER REVIEW SUBCOMMITTEE  
OF THE SENATE FOREIGN RELATIONS COMMITTEE  
MONDAY, JANUARY 18, 1954

UNITED NATIONS CHARTER REVIEW

The United Nations Charter represents man's most determined and promising effort to save humanity from the scourge of war and to

<sup>1</sup> Source text from *Press Releases of the Department of State*, January-March, 1954.



establish justice between the nations. In negotiating the Charter terms, the United States was represented by a distinguished bi-partisan delegation, largely drawn from the Congress, and the Charter was ratified by the Senate by almost unanimous vote.

The United Nations, thus launched, carried the ardent hopes of the American people, and indeed the peoples of all the world. The responsible leaders of our nation, without regard to party, have repeatedly said that the Charter represents the cornerstone of U.S. foreign policy.

It must in all frankness be recognized that the high hopes born of the San Francisco Conference of 1945 have not been fully realized. This is due to two principal causes.

In the first place, many initial hopes were exaggerated. War is not abolished, and a system of justice inaugurated, merely by strokes of the pen. If that were the case, we would have had international peace and justice long ago. Just and durable peace requires sustained and well directed efforts comparable in dedication to the efforts needed to win victory in war.

However, the written word continues to exert a peculiar fascination and there is a recurrent tendency to treat as done that which, according to a treaty, ought to be done. Hopes which had only this basis were doomed to be disappointed.

In the second place, many provisions of the Charter depended on cooperation by the so-called "great powers" and in fact the members of the Soviet Communist bloc have pursued policies which departed from the spirit, and indeed the language, of the Charter.

Nevertheless, the United Nations has a record of conspicuous accomplishment. Among major political results which flowed from its processes may be mentioned :

- The withdrawal of Soviet forces from Iran ;
- The support of Greece while under Communist attack ;
- The conclusion of a permanent armistice between Israel and the Arab States ;
- The establishment of the Republic of Korea ;
- The disposition of the Italian colonies in Africa and the creation of the State of Libya ;
- The establishment of the Republic of Indonesia.
- The organization of effective resistance to the armed aggression in Korea.

While the United States bore most of the United Nations burden in Korea, it should not be forgotten that 15 other members contributed armed forces and 46 nations made some form of contribution, either military or economic.

Thus, the United Nations became the first international organization to organize effective collective resistance to armed aggression.

The United Nations has helped to transform colonialism into self-government. The role played by the United Nations in this matter has been controversial and it is in some respects subject to legitimate criticism. Undoubtedly, however, it has exerted a useful influence in promoting peaceful rather than violent developments.

In addition to political achievements, the United Nations has provided means for economic and social developments which have benefited a large part of the human race.

In addition to its specific accomplishments, the General Assembly has served as a world forum for the presentation of different points of view. It has become a place where world opinion can register and exert a moral authority, which no nation, however powerful or despotic, publicly disdains or wholly disregards.

The greatest weakness of the United Nations—and this was foreseen at San Francisco—is the Security Council's inability to discharge its "primary responsibility for the maintenance of international peace and security". (Art. 24) It has not proved practicable for the Security Council to organize the armed forces, assistance and facilities which it was contemplated should be put at the disposal of the Security Council (Art. 43) for the purpose of maintaining international peace and security.

The Council's inability to function as designed has been primarily due to the abuse by the Soviet Union of its so-called veto power.

This same veto power has been abused by the Soviet Union to exclude from membership in the United Nations many countries fully qualified for membership under the terms of Article 4, which provides that the United Nations membership is open to all peace-loving states which accept the obligations contained in the present Charter and are able and willing to carry out these obligations.

Nations excluded by the Soviet veto are:

Austria, Cambodia, Ceylon, Finland, Eire, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, Vietnam.

## II

We are now approaching a time when in all probability there will be a review of the Charter with a view to its possible amendment. Article 109 (3) of the Charter provides that a proposal to call such a conference shall be placed on the agenda of the tenth annual session of the General Assembly, i.e., that of 1955, and present indications are that a review conference will be held.

The United States has already indicated that it expects to favor the holding of a review conference.

The Executive welcomes this coordinate action of the Senate in studying the problems which will confront such a conference.

The Executive approaches this conference with an awareness of the desirability of perfecting the Charter, but also with a determination not to lose the good that is, in the search for something better.

We have not yet taken any firm position with respect to Charter amendments. We defer that until we have further advanced our own studies, and ascertained the views of our citizenry and Congress and of other nations.

In this connection we do not forget that Charter amendments require Senate consent.

Under the circumstances, I shall limit myself to indicating some of the major questions which might be brought before the Charter Review Conference, and as to which there should be an educated public opinion.

### III

#### 1. *Universality*

It is useful that there be an organization which is, generally speaking, universal and whose processes run throughout the world. Otherwise the association takes on the character of an alliance. Of course, universality inevitably means bringing together nations whose governments may strongly disagree. This has disadvantages. But such an organization maintains contacts between potential enemies, affords opportunities to dispel unnecessary misunderstandings, and, as President Eisenhower said in his State of the Union Message on January 7, 1954, it provides "the only real world forum where we have the opportunity for international presentation and rebuttal." This process tends, though slowly, to bring about conformity to a common standard.

It is, of course, unlikely that there will be universality in the complete and literal sense of that word. Unfortunately, there are governments or rulers who do not respect the elemental decencies of international conduct, so that they can properly be brought into the organized family of nations. That is illustrated by the regime which now rules the China mainland.

Even approximate universality does, of course, carry certain disadvantages. There are bound to be differences of opinion which limit effectiveness of action.

Doubtless, at the Charter Review Conference, consideration will be given to these problems of universality or limited membership. It will perhaps be considered whether Article 4, to which I referred above, expresses the desirable standards for membership.

In this connection, it should be recalled that Articles 5 and 6 permit of suspension and expulsion, although this requires Security Council action, which in turn is subject to veto.

It seems at the present time that most of the members of the United Nations feel that it is better to have even discordant members in the

organization rather than to attempt to confine membership to those who hold the same views.

In this connection, it is to be borne in mind that few nations for long share the same views about every matter. Where they *do* share the same security views, or have regional community, they can organize themselves under Article 51 (collective security) or under the provisions of Articles 52-54 (regional arrangements).

## 2. *Security*

By the Charter (Article 24) the Security Council is supposed to exercise "primary responsibility for the maintenance of international peace and security". Can Charter changes better enable it to discharge that responsibility? Or must that primary responsibility be left to security organizations, the formation of which is authorized by Article 51? Or should greater responsibility be given to the General Assembly, where there is no veto?

In this connection I should note the "Uniting for Peace Resolution" of 1950 which puts the General Assembly in a position to play a decisive role with reference to peace and security in the event that the Security Council is paralyzed by a veto.

## 3. *Security Council*

Are the present provisions for membership and voting in the Security Council conducive to its maximum effectiveness? Should the veto power be taken away in respect of questions involving Pacific Settlement of Disputes (Chapter VI) and in respect of the Admission of New Members, as recommended by S.R. 239 (80th)—the so-called Vandenberg Resolution? Presumably, the United States would itself hesitate to go much further than this in now surrendering its "veto power".

## 4. *General Assembly Voting*

In the General Assembly, each nation has one vote—is this the best arrangement? If the General Assembly is to assume greater responsibilities, then should there not be some form of weighted voting, so that nations which are themselves unable to assume serious military or financial responsibilities cannot put those responsibilities on other nations? Should there be, in some matters, a combination vote whereby affirmative action requires both a majority of all the members, on the basis of sovereign equality, and also a majority vote, on a weighted basis, which takes into account population, resources, etc.?

## 5. *Armament*

Since the Charter was adopted there has been a vast development of possibilities of mass destruction, particularly in terms of atomic energy and nuclear weapons.

As one who was at San Francisco in the spring of 1945, I can say with confidence that had the delegates at San Francisco known we

were entering the age of atomic warfare, they would have seen to it that the Charter dealt more positively with the problems thus raised. Perhaps consideration should now be given to the creation of a special organ of the United Nations comparable to the Economic and Social Council and the Trusteeship Council to deal permanently with the problem of armament which carries so hideous a threat to the hopes of the peoples expressed in the Preamble to the Charter.

In this connection, I emphasize the President's epoch-making proposal of December 8, 1953 to the United Nations suggesting the creation of an International Atomic Energy Agency to receive contributions of normal uranium and fissionable materials and to devise methods whereby this available material would be allocated to serve the peaceful pursuits of mankind.

#### 6. *International Law*

In view of the importance of law as an accepted standard of international conduct, are the Charter provisions adequate (Article 13(1) (a)) ? These call on the General Assembly to initiate studies and make recommendations for the purpose of encouraging the progress and development of international law and its codification. However, so far little progress has been made. This is a great handicap to world order, because it means that decisions and recommendations of the United Nations are apt to be governed by considerations of political expediency rather than by accepted international law.

In this connection I recall the late Senator Taft's conviction "that in the long run the only way to establish peace is to write a law, agreed to by each of the nations, to govern the relations of such nations with each other and to obtain the covenant of all such nations that they will abide by that law and by decisions made thereunder". (*A Foreign Policy for Americans*, 1951)

Simultaneous progress on a global scale is presently impeded by a sharp cleavage with reference to the nature of law. Most of the governments of the world regard "law" as man's effort to apply moral principles to human affairs. There is thus an objective standard of justice which can be appealed to. However, one third of the world's population is ruled by those who do not recognize any moral law and look upon human "law" as a means whereby those in power achieve their objectives and destroy their enemies.

7. The foregoing are the more important Charter amendment issues which particularly concern the United States. There are doubtless other aspects which are of great concern to other countries. However, I refrain from making any statement about those matters at this time.

#### CONCLUSION

It is in my opinion important that the United States should approach this problem of Charter review with recognition that the

Charter as it is can be made to serve well the cause of international peace and justice. The defects in the Charter can to a considerable extent be corrected by practices which are permissible under the Charter. Already it is accepted practice that if a permanent member of the Security Council abstains from voting, that does not constitute a veto despite the fact that Article 27(3) provides for the "affirmative vote of seven members, including the concurring votes of the permanent members".

I have already referred to the Uniting for Peace Resolution which gave the Assembly a veto-less authority in security matters.

It is also necessary to bear in mind that much can be done within the *framework* of the Charter, but without actual dependence upon the procedures of the United Nations itself. I have referred to Article 51 which recognizes the right of collective self-defense. This has been extensively used. Many nations having similar security interests have banded together through security pacts. There are the Rio Pact, the North Atlantic Treaty, and comparable security arrangements between the United States and other countries in the Western Pacific. The Soviets have also built their own security system with a series of so-called treaties with their satellites.

Such arrangements operate free of Security Council veto, although self-defense measures are required to be reported to the Security Council.

I have stated some of the problems which will probably be raised in a 1956 Review Conference, without attempting to give categorical answers. That would, I think, be premature for me. Let me repeat, however, that while a Charter Review Conference should be welcomed as a means of strengthening the United Nations, difference of opinion about how to do this should not then be pressed to a point such that the Review Conference would result in undermining the United Nations or disrupting it. The United Nations as it is, is better than no United Nations at all.

It must be borne in mind that, under the present Charter, each of the permanent members of the Security Council has a "veto" on amendments which the General Review Conference may propose. The existence of this veto does not mean that the Review Conference is a futility. At San Francisco each of the nations which had joined to draft the Dumbarton Oaks Proposals had a "veto" over changes from these proposals. Nevertheless, they did not exercise that veto as against changes which were clearly reasonable and demanded by world opinion. We can hope that the same conditions will prevail at the prospective Review Conference. We can reasonably make our plans on the working hypothesis that no one nation will, in fact, be able arbitrarily to impose changes or to veto changes.

Let me end by reasserting my continuing faith in the United Nations. I fully share the view expressed by the Senate in its Resolution of June 11, 1948 that it is "the policy of the United States to achieve international peace and security through the United Nations". As President Eisenhower said to the Congress on January 7, 1954, "The United Nations deserves our continued firm support."

I believe that it lies within our power to advance the great objective of the United Nations provided we are patient, resourceful and resolute, and inspired by faith that man has the capacity to overcome evil with good.

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*Editorial Note*

Throughout 1954 and into 1955, looking towards the tenth regular session of the General Assembly when Charter review would become a mandatory item on the General Assembly agenda, the position of the United States Government on this matter remained fixed on the Dulles statement of January 18, 1954. The Department of State, whether counselling the United States Senate subcommittee, encouraging research and discussion by private American organizations, or consulting informally with other governments, invariably referred back to the terms set forth therein, as terms which identified not only what might be desirable in the way of Charter revision (change) but also as to what was undesirable in the way of proposed change. A recurring theme of United States Government spokesmen was the demonstrated flexibility of the United Nations in the past and the urgent need not to lose the good already in the Charter in the process of Charter review.

Certain statements, articles, and speeches by governmental officials were recorded in the Department of State *Bulletin* on this subject in 1954:

(1) Text of Statement by the United States Representative at the United Nations (Lodge), to the Charter Review Subcommittee of the Senate Foreign Relations Committee, March 3, 1954 (Department of State *Bulletin*, March 22, 1954, page 451).

(2) "The United States and Charter Review": address by David W. Wainhouse, Director of the Office of United Nations Political and Security Affairs at the University of Minnesota, April 10, 1954 (*ibid.*, April 26, 1954, page 642).

(3) "Charter Review as a Means of Strengthening the U.N.": Address by Wainhouse before the American Bar Association, Chicago, Illinois, August 17, 1954 (*ibid.*, August 30, 1954, page 296).

(4) "Charter Review—Some Pertinent Questions": Address by Lincoln P. Bloomfield, Special Assistant to the Assistant Secretary of State for International Organization Affairs, made before the American Political Science Association at Chicago, Illinois, September 10, 1954 (*ibid.*, September 27, 1954, page 446).

(5) "Some Problems of Charter Review": Address by Wainhouse before the Bay Area Citizens Committee for United Nations Charter Review, San Francisco, California, October 23, 1954 (Department of State *Bulletin*, November 15, 1954, page 737).

## II. PROBLEMS ARISING UNDER THE UNITED STATES-UNITED NATIONS HEADQUARTERS AGREEMENT OF 1947, AND RELATED MATTERS:

### A. GENERAL QUESTIONS OF UNITED NATIONS PRIVILEGES AND IMMUNITIES; THE ACCESS OF ALIENS TO THE HEADQUARTERS OF THE UNITED NATIONS

L/UNA files,<sup>1</sup> "Privileges & Immunities, General, 1944-1954"

*Memorandum by Richard J. Kerry, Administrative Attorney,  
Division of International Administration*<sup>2</sup>

[WASHINGTON,] March 28, 1952.

#### I. *Privileges & Immunities*

The Charter of the UN<sup>3</sup> provides:

##### ARTICLE 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

##### ARTICLE 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

The charters, constitutions or conventions of the Specialized Agencies contain the following provisions concerning privileges and immunities:<sup>4</sup>

1. International Monetary Fund, Articles of Agreement between the U.S.A. and other powers: Article IX.

<sup>1</sup> Files retained by the Assistant Legal Adviser for UN Affairs.

<sup>2</sup> Handwritten notation at top of page: "For McCarran from Kerry". The reference presumably is to Senator Patrick A. McCarran, Chairman of the Senate Judiciary Committee.

<sup>3</sup> Signed at San Francisco, June 26, 1945, 59 Stat. (pt. 2) 1031.

<sup>4</sup> For appropriate text citations, see Marjorie M. Whiteman, *Digest of International Law* (Washington: Government Printing Office, 1968), vol. XIII, pp. 44 and 45.



2. International Bank for Reconstruction and Development, Articles of agreement between the U.S.A. and other powers: Article VII.
3. ICAO Convention, Article 60.
4. WHO Constitution, Chap. XV: Articles 66-68.
5. UNESCO Constitution, Article XII.
6. FAO Constitution, Article XV.
7. ILO Chap. IV, Article 39 & 40.
8. WMO Convention Part XIV, Article 27.

## II. *International Character of Staff.*

The Charter of the UN provides:

### ARTICLE 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

### ARTICLE 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

The charters, constitutions or conventions of the specialized agencies (except the Universal Postal Union) contain similar provisions:

1. IMF Act XII, Section 4.
2. I.B.R.D. Article V, Section 5.
3. ICAO Article 58 & 59.
4. WHO Article 35, 37.
5. UNESCO Article VI 4 and 5.
6. FAO Article VIII.
7. ILO Article 9.
8. WMO Article 21, 22.

## III. *Privileges and Immunities—Public Law 291, 79th Congress*<sup>5</sup>

This act provides certain privileges, exemptions and immunities for international organizations as defined in section 1 of the act, for

<sup>5</sup>The International Organizations Immunities Act, Dec. 29, 1945, 59 Stat. 669.

Foreign Government representatives to such international organizations and for officers and employees of such international organizations.

The act recognizes the legal personality of international organization; confers upon the property and assets of such organizations' immunity from search and confiscation; makes the archives of such organizations inviolable and grants to such organizations same treatment with respect to customs, duties, taxes on importation, registration of foreign agents and treatment of official communications as is accorded to foreign governments. (Section 2)

The Act grants to international organizations' aliens immunity from customs duties and importation taxes on original entry. (Section 3); exempts from U.S. income taxes aliens employed by international organizations. (Section 4) International organization employees are exempted from the provisions of the Federal Insurance Contributions Act, the Federal Unemployment Tax Act (Section 4) and the Social Security Act. (Section 5)

Foreign government representatives to international organizations and officers and employees of international organizations are accorded the same treatment as is accorded foreign government officers and employees with respect to entry into and departure from the U.S., alien registration and finger-printing and the registration of foreign agents. International organization employees are immune from suit and legal process for acts performed in an official capacity. (Section 7)

Section 7 also amends the Immigration Act of May 26, 1924<sup>6</sup> by creating a new category of non-immigrants for visa and entry purposes: representatives of foreign governments to international organizations and employees of international organizations. Section 1 of the Act provides that the President may at any time revoke the designation of an organization as being entitled to privileges and immunities under the act or may extend in part only, or revoke in part, privileges and immunities under the Act.

Section 8 provides that the Secretary of State may revoke the privileges and immunities of individuals when their continued presence in the U.S. is no longer desirable.

#### IV. *Headquarters Agreement*<sup>7</sup>—*Access of Aliens to the Headquarters*

- (a) Section 11 of the Headquarters Agreement.
- (b) Section 13.
- (c) Section 6, Public Law 357, 80th Congress.

#### V. *Headquarters Agreement—Diplomatic Privileges and Immunities*

Section 15 of the Headquarters Agreement. Privileges and immunities pursuant to the foregoing included the following: General im-

<sup>6</sup> 43 Stat. 153.

<sup>7</sup> The Headquarters Agreement between the United States and the United Nations, June 26, 1947, 61 Stat. 758. For documentation, see *Foreign Relations*, 1947, vol. 1, pp. 22 ff.

munity from legal process and immunity from arrest, exemption from personal property tax, exemption from fees for drivers' license and automobile plates, exemption from federal excise taxes and, in case of UN, from New York City sales tax and New York State fuel tax.

VI. *Privileges and Immunities—General Convention*<sup>8</sup>

The general convention on privileges and immunities of the United Nations has been acceded to by 38 members, but not by the United States.

Section 18(b) of the Convention provides for exemption of salaries and emoluments of officers of United Nations from U.S. income tax. Section 18(c) provides for the exemption of officials of the UN from national service obligations. In so far as these two sections might, in the absence of a reservation, apply to nationals of an acceding nation, they represent the principal differences between the privileges and immunities of the Convention and those currently provided for by P.L. 291, 79th Congress and section 15 of the Headquarters Agreement.

<sup>8</sup>The General Convention on Privileges and Immunities of the United Nations, and related instruments, was adopted by the General Assembly in Resolution 22 (I), Feb. 13, 1946. For text see United Nations, *Official Records of the General Assembly, Resolutions Adopted during First Part of First Session*, p. 25.

315.3/2-652

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*

CONFIDENTIAL

[WASHINGTON,] February 6, 1952.

Subject: Regulation of Movement of Persons Covered by Sec. 11 of the Headquarters Agreement

At your staff meeting on January 31, 1952 you requested that a study be made of possible regulation of travel of persons covered by the Headquarters Agreement with the UN.<sup>1</sup> Attached hereto is a memorandum which considers in detail the position of delegations of UN Members, Secretariat employees, accredited correspondents and others having status under the Agreement. This memorandum reaches the conclusion that the U.S. has the right to restrict any UN aliens to the headquarters district and its immediate vicinity, but that this right should be exercised only for security reasons. It is noted that the restrictions recommended at your staff meeting on January 31, 1952 are based exclusively and plainly upon retaliatory grounds, and that

<sup>1</sup>The Jan. 31 discussion and the Secretary's request arose out of the Department of State's consideration at this time of the question of instituting reciprocal travel restrictions on Soviet personnel assigned to the Soviet Embassy in Washington and certain other Soviet official personnel in Washington and at the United Nations in New York. The issue was first discussed at the Secretary's daily meeting on Jan. 29, at which time the Executive Secretariat submitted a discussion paper on the subject with the draft of a proposed note to the Soviet Embassy, neither printed (Secretary of State's memoranda, lot 53 D 444). (The record of the Secretary's daily meeting is in lot 58 D 609.)

it is in fact desired to avoid any implication that they have a security purpose. It is therefore recommended that no restrictions or travel regulation be imposed, at the present time, upon Soviet nationals having status under the Headquarters Agreement.

I understand that it is the intention of the draft note which was considered at the January 31 staff meeting that the proposed travel regulations, if placed in effect, would not apply to any Soviets in Washington who have status under the Headquarters Agreement. At the present time M. A. Federov, a TASS correspondent, is the only person having such dual status. To date, however, no effective means has been perceived of preventing the Soviets from increasing the number of persons having dual status if they should decide to do so.

The imposition of restrictions upon persons coming under the Headquarters Agreement would unquestionably produce adverse reactions among many friendly UN delegations and Secretariat employees. The failure to impose restrictions on UN Soviets when the travel of Soviets in Washington is being regulated will unquestionably produce unfavorable comment in some quarters in Congress and in some sections of the press and the public. It does not seem possible to assess the magnitude or effect of such reaction. It is recommended, however, in the event travel restrictions are imposed as proposed at the January 31 meeting, that the reasons for not imposing similar regulations or restrictions on UN Soviets be fully explained to the press.

Mr. Bohlen, Mr. Fisher and Mr. Barbour concur.

[Attachment]

CONFIDENTIAL

#### REGULATION OF MOVEMENT OF PERSONS HAVING STATUS UNDER THE HEADQUARTERS AGREEMENT

Sec. 11 of the Headquarters Agreement provides that "the federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district . . ." of representatives of Members of the UN and specialized agencies, Secretariat employees of the UN and specialized agencies, experts performing missions for the UN or specialized agencies, representatives of the press and other information agencies accredited by the UN or by a specialized agency, representatives of NGO's recognized in accordance with the UN Charter and persons invited to the headquarters by the UN or specialized agencies on official business.

Sec. 13(d) provides that:

"Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there."

Sec. 13(e) provides that:

“The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.”

It would appear that Sec. 11 read in conjunction with the pertinent paragraphs of Sec. 13 would be sufficient to negate any United States obligation to permit access to the United States at large.

The UN Secretariat has, however, in the past contended that the United States does not have the right to restrict delegations of members and Secretariat employees. The contention is based upon provisions of the General Convention on Privileges and Immunities which grant to representatives of members and to officials of the Secretariat “freedom from immigration restrictions.” This contention is dependent upon a construction of the words “freedom from immigration restrictions” in which the United States does not concur. It also appears to ignore the fact that the United States has not acceded to the General Convention or views that Convention as creating obligations which the United States does not recognize. Furthermore this contention is dependent upon the fact that the UN in construing the obligations of the United States with respect to the admission and residence of aliens has never recognized Sec. 6 of the Headquarters Agreement.

Sec. 6 of P. L. 357, 80th Congress, which authorized the President to accept the Headquarters Agreement, provides:

“Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed in a supplementary agreement between the Government of the United States and the United Nations in pursuance of section 13(3)(e) [*sic*] of the agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries . . .”

The legislative history of Sec 6 indicates that the first sentence is to be read disjunctively, i.e., that it reserves to the U.S. the right to do two things:

- (1) to safeguard its security, and
- (2) completely to control the entrance of aliens into any territory of the U.S. other than the headquarters district and its immediate vicinity.

This construction means that:

- (1) the U.S. may deny access to the headquarters to aliens for security reasons, and

(2) the U.S. controls the entrance of aliens into the U.S. at large "*completely*", i.e., the U.S. may act in its own discretion in denying to aliens the right to enter the U.S. outside the headquarters district and its immediate vicinity.

The UN Secretariat would not concur in the foregoing. While Sec. 11 and 13 of the Agreement clearly contemplate the right of the U.S. to control the entry of aliens into the U.S. at large, at least in some cases, the UN has contended that the U.S. does not have such a right in all cases. The UN has always avoided giving any recognition, whether express or implied, to Sec. 6.

The Headquarters Agreement was brought into effect by an exchange of notes of November 21, 1947. The U.S. note states:

"Pursuant to instructions from my Government, I have the honor to inform you that the Government of the United States of America is prepared to apply the above mentioned Headquarters Agreement subject to the provisions of Public Law 357."

The U.S. position is that the Agreement is to be read together with Sec. 6. In view of the language of the U.S. note, it is difficult to see how the UN position that Sec. 6 does not have legal effect could prevail if a case were taken to arbitration in accordance with Sec. 21 of the Agreement.

The UN would probably contend that the Headquarters Agreement requires the U.S. to give equal treatment to delegations of all Members. There is no express provision in the Agreement to this effect and it is difficult to see how it could be sustained, as a matter of law, at least insofar as the question of access to the U.S. at large is concerned. The concept of equal treatment, to the greatest extent possible, is probably implicit in the fundamental purpose of the Agreement and the U.S. as a matter of policy has always sought to avoid distinctions in the treatment of delegations. The Department has also, in the past, avoided giving different treatment to delegations for the purpose of assisting the achievement of bilateral diplomatic objectives. So long as this policy is adhered to UN delegations would be restricted in their movements only for security reasons.

The provisions of the Headquarters Agreement are the same in the case of Secretariat employees, representatives of non-governmental organizations and persons invited by the UN to the headquarters on official business as in the case of delegation members.

Two considerations, however, indicate the desirability of treating Soviet and Satellite nations of the Secretariat with even greater circumspection than delegation members. (1) Some Soviet and Satellite nationals of the Secretariat are not sympathetic to the present regimes in their countries. They should not be classed with those Secretariat employees who are loyal to the Soviet and Satellite regimes. (2) The U.S. should act in each individual case on a presumption, until re-

butted, that the individual concerned will be loyal to his obligations as an international civil servant.

In the case of correspondents, representatives of non-governmental organizations and invitees of the UN, communists who could not qualify for official visas and were therefore inadmissible under the Immigration Laws have been admitted by the Attorney General under the so-called Ninth Proviso.<sup>2</sup> In each case, since the enactment of the McCarran Act,<sup>3</sup> in which the Attorney General has admitted such a communist, he has restricted him to New York City and Long Island. No other definition of the area comprising the "immediate vicinity" of the headquarters has ever been applied.<sup>4</sup>

<sup>2</sup> This has reference to the Immigration Act of Feb. 5, 1917, 39 Stat. 874.

<sup>3</sup> The Internal Security Act of Sept. 23, 1950, 64 Stat. 987.

<sup>4</sup> A note on this matter was delivered to the Soviet Embassy on Mar. 10, 1952.

L/UNA files, "Privileges & Immunities, *Laissez-Passer*"

*Memorandum by H. A. Linde of the Office of the Assistant Legal Adviser for United Nations Affairs to Charles Runyon, Attorney Adviser in That Office*

[WASHINGTON,] February 4, 1952.

Subject: Passport requirement for entry of "3(7)" aliens

1. The actual rule of law which clearly expresses and formalizes the passport requirement seems to be a regulation which appears both as 8 CFR § 176.106 and as 22 CFR § 42.106:

42.106 *Documentary requirements for nonimmigrants.* With the exceptions hereinafter provided, and with such other exceptions as the Secretary of State may authorize in individual cases under Executive Order No. 8766 of June 3, 1941 (3 CFR, 1943 Cum. Supp.), a nonimmigrant must present an unexpired passport. A nonimmigrant seeking to enter the United States under section 3 (1), 3 (2), 3 (3), 3 (6), or 3 (7) of the act must also present a passport visa unless he is a nonimmigrant who may be issued, and who presents, a limited-entry certificate, a transit certificate or visa, or a nonresident alien's border-crossing identification card.

A related regulation in each case defines "passport" and "passport visa". 8 CFR § 176.101 and 22 CFR § 42.101:

42.101 *Definitions.* As used in this part, the term:

(e) "Passport" means a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality or, in the case of an alien unable to obtain such a document, a travel document in the nature of a passport issued by a duly authorized official and showing the bearer's identity and nationality.

(f) "Passport visa" means a stamp which includes the word "seen", placed by a consular officer on an alien's passport or other appropriate document, showing that the bearer is entitled to proceed to a port of entry in the United States to apply for admission in a status specified in the passport visa. The term "non-immigrant visa" is also used synonymously with the term "passport visa."

2. Authority for the issuance of these regulations are 8 U.S.C. § 222, 458 and 22 U.S.C. § 223.

8 U.S.C. 222. *Rules and regulations.*

The Commissioner of Immigration and Naturalization, with the approval of the Attorney General, shall prescribe rules and regulations for the enforcement of the provisions of this chapter; but all such rules and regulations, insofar as they relate to the administration by consular officers, shall be prescribed by the Secretary of State on the recommendation of the Attorney General.

8 U.S.C. 458. *Administration and enforcement of registration law.*

(a) The Commissioner, with the approval of the Attorney General, is authorized and empowered to make and prescribe, and from time to time to change and amend, such rules and regulations . . .<sup>1</sup> as he may deem necessary and proper in aid of the administration and enforcement of this chapter . . . except that all such rules and regulations, insofar as they relate to the performance of functions by consular officers or officers or employees in the Postal Service, shall be prescribed by the Secretary of State and the Postmaster General, respectively, upon recommendation of the Attorney General.

22 U.S.C. 223. *War-Time restrictions; generally.*

When the United States is at war or during the existence of the national emergency proclaimed by the President on May 27, 1941, or as to aliens whenever there exists a state of war between, or among, two or more states, and the President shall find that the interests of the United States require that restrictions and prohibitions in addition to those provided otherwise than by sections 223-226b of this title be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or Congress, be unlawful—

(a) For any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President shall prescribe; . . .

3. Historically, it is the last quoted statute which has been the source of the passport requirement. A sequence of Executive Orders governing documents required of aliens entering the United States is set forth in *Immigration and Neutrality [Nationality] Laws and Regulations* (1944 ed.), pp. 204-269. The original passport requirement was imposed in 1917 by a joint order of the State and Labor Departments antedating § 223 of Title 22. After the enactment of the statute, however, subsequent Presidential proclamations and orders were made with reference to the authority granted thereby.

<sup>1</sup> Ellipses in this document are in the source text.



The first regulations under the statute were issued by Ex.O. 2932 of August 8, 1918. They confirmed the passport visa requirement of the Joint Order. "Passport" was defined to include "any document in the nature of a passport issued . . . by a foreign government, which shows the identity and nationality of the individual . . ."

After a series of amendments to the order of 1918, new regulations made under the statute were issued by Ex.O. 4027 of June 14, 1924; Ex.O. 4125 of January 12, 1925; Ex.O. 4476 of July 12, 1926; Ex.O. 4813 of February 21, 1928; Ex.O. 5426 of August 20, 1930; and Ex.O. 5869 of June 30, 1932. All of these provided, as to non-immigrants, that "with the exceptions hereinafter specified, they must present passports or official documents in the nature of passports issued by the governments of the countries to which they owe allegiance, duly visaed by consular officers of the United States".

A significant innovation was made by Ex.O. 6986 of March 9, 1935, also based on § 223, which changed the relevant regulation to read:

1. Non-immigrants must present unexpired passports or official documents in the nature of passports issued by the governments of the countries to which they owe allegiance or other travel documents showing their origin and identity prescribed in regulations issued by the Secretary of State, and valid passport visas . . .

This provision was confirmed by Ex.O. 7865 of April 17, 1938; Ex.O. 8029 of Dec. 27, 1938; Ex.O. 8430 of June 5, 1940; and Ex.O. 8766 of June 3, 1941. (Note that this last order is cited in Reg. 106, above, for the Secretary of State's authority to make exceptions).

4. Authority to issue additional rules under the above orders was throughout given to the Secretary of State and the officer charged with administering the Immigration laws, first the Secretary of Labor and later the Attorney General. However, the new wording initiated with the order of 1935 indicates that responsibility for passport regulations under § 223 was delegated specifically to the Secretary of State. The present regulations also were issued by the Secretary of State (June 13, 1946; 11 F.R. 8904) upon recommendation by the Attorney General "insofar as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned".

5. It has been established since the opinion of the Legal Adviser (Mr. Gross) of May 24, 1948—reaffirmed September 13, 1948—that the requirement of a national passport or other evidence of deportability as a prerequisite of entry of aliens covered by Section 11(1) of the Headquarters Agreement must, when a passport or other such evidence is not available, be regarded as an "impediment" within the meaning of Section 11. There should be no doubt that to arrest entering international organization personnel, take away their identification papers, and release them on parole is equally an "impediment". In addition to the cited legal opinion, a good argument has been made that it would

be contrary to Article 100 of the Charter to condition the entry privileges of UN officers on their remaining in the good graces of their national governments. (See Memorandum of Meeting of March 23, 1948).<sup>2</sup>

6. *Conclusions.* If we take as established from the above (1) that the United States is obligated to admit UN personnel without national passports and without "technical arrest" or similar equivocal status, and (2) that the Secretary of State has the authority and responsibility to deal with the passport requirement by rules or regulations, the problem is what action this Department can appropriately take to assure the unimpeded entry of Section 11(1) aliens without affecting any more than absolutely necessary of the normal procedures and operations of the immigration laws. One possibility which has been mentioned is to make ad hoc "emergency" exemptions or waivers under Part I, § 5 of Ex. O. 8766, referred to in Reg. 106, above. The objections to this alternative need not be spelled out here. Another alternative might be considered:

The regulations as presently written already contemplate the substitution for national passports—"in the case of an alien unable to obtain such a document"—of "a travel document in the nature of a document issued by a duly authorized official and showing the bearer's identity and nationality". In view of what has been stated above about the origins of this provision and the Secretary of State's responsibility for its administration, it should be possible by an informal interpretative ruling to establish that in the cases of "international organization aliens" who are unable to obtain national passports, a travel document in the nature of a passport, issued by a duly authorized official of the international organization and showing the bearer's identity, nationality, and status in the organization, satisfies the definition of "passport". The requirement of some authoritative document identifying the alien, as an alternative to a national passport, could not reasonably be regarded as an impediment under Section 11, as the United States must be able to establish an alien's right to claim the benefits of the section at all. It should be possible to qualify the UN *laissez-passer* as such a document, provided it would contain a statement of the bearer's nationality.

\* \* \* 3

*Addendum:*

The assurance of eventual departure, as a condition of the admissibility of non-immigrant aliens, is required by 8 U.S.C. § 215, which reads:

The admission to the United States of an alien excepted from the class of immigrant by clauses (1)-(6) or (7) of section 203 of this title . . . shall be for such time and under such conditions as may be by regulation prescribed . . . to insure that, at the expiration of such time or upon failure to maintain the status under which admitted, he will depart from the United States . . .

<sup>2</sup> Not found in Department of State files.

<sup>3</sup> Asterisks in this document are in the source text.

This section could be the basis for very stringent requirements, but the text clearly shows that it is not self-executing. The regulations promulgated by the Attorney-General (Nov. 28, 1950; 15 F.R. 8106) applying the section with reference to 3(7) aliens are found in Part 123 of 8 CFR. The following are relevant:

§ 123.1 *Definitions*. As used in this part, the term:

\* \* \*

(b) "Foreign government representative" means an alien who is a representative of a foreign government in or to an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288), or a member of the immediate family of such representative and is in possession of a visa entitling him to apply for admission to the United States as a nonimmigrant under the provisions of section 3(7) of the Immigration Act of 1924, as amended (43 Stat. 154, 59 Stat. 669; 8 U.S.C. 203), and the presentation of such visa at a port of entry of the United States shall be considered prima facie evidence of such status: *Provided*, That the term "member of the immediate family" as used in this paragraph shall mean a close alien relative by blood or marriage of such representative who is regularly residing in the household of such representative.

(c) "Officer" means an alien who is an officer or employee of an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act or a member of the immediate family of such officer: *Provided*, That the term "member of the immediate family" as used in this paragraph shall mean a close alien relative by blood or marriage of such officer who is regularly residing in the household of such officer.

\* \* \*

§ 123.2 *Qualifications*. The conditions under which an alien may be admitted to the United States as a foreign government representative, or officer, or attendant, shall be that he:

(a) Presents whatever document or documents are required by the applicable Executive order or orders or by Part 176 of this chapter, or any other applicable regulations prescribing the documents to be presented by aliens entering the United States. If in the case of an attendant a valid passport is required, such passport must be valid for at least 60 days longer than the period of admission, as prescribed in § 176.500 of this chapter.

(b) Establishes, if he is an attendant, that he will leave the United States within the period of his admission or any authorized extension thereof, and that he has the ability to leave.

\* \* \*

§ 123.3 *Authority to admit*. If an alien who is qualified under the provision of § 123.2 presents to the examining immigrant inspector at a port of entry of the United States a valid passport visa issued to the

alien as a non-immigrant by a United States diplomatic or consular officer under the provisions of section 3(7) of the Immigration Act of 1924, as amended, the immigrant inspector shall accept the United States diplomatic or consular officer's classification of the alien and admit the alien unless specifically directed to the contrary by his superior officer after consultation with the Department of State. In the case of such direction, the immigrant inspector shall, except as otherwise provided in Parts 174 and 175 of this chapter, hold the alien for hearing before a board of special inquiry.

§ 123.4 *Time for which admitted.* (a) A foreign government representative or an officer shall be admitted for so long a period as he shall maintain his status as a foreign government representative or an officer.

\* \* \*

Far from imposing—independently of other rules discussed previously—a requirement that representatives or officers present national passports, these regulations—particularly § 123.2 (a) and (b) distinguishing between such personnel and “attendants”—indicate that the qualifications determined by the other regulations (Part 176) are to control.

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L/UNA files, “Privileges & Immunities; Entry, Transit, Travel—1946.—”

*Memorandum by Charles Runyon, Attorney Adviser, Office of the Assistant Legal Adviser for United Nations Affairs, to the Director of the Office of Security and Consular Affairs (Boykin)*

WASHINGTON, March 6, 1952.

Attached for clearance is the revised text of a letter to Justice,<sup>1</sup> signed for the Secretary by the Acting Legal Adviser, which sets out the construction of the passport regulations under which consuls have in fact approved visas in cases of UN officers and employees lacking valid national passports, and which construction, as a matter of law and correct reading of the current regulations, is a correct construction.

You will recall that at a meeting in your office on Friday, February 29, you and Mr. L'Heureux, Chief of the Visa Division, agreed that the Department should transmit such a construction of its regulations for the guidance of the Immigration and Naturalization Service should the Department of Justice and the Service raise no legal objection and should they agree to act in accordance with the construction and to eliminate the practice of “detention and parole”. It was agreed at the meeting in your office that the correctness of the practice and construction involved would be confirmed to our Consular officials.

The present wording has been discussed with the Chief Counsel of the Immigration and Naturalization Service<sup>2</sup> and with Mr. Herzog Plaine of Justice and will be satisfactory to them. Justice has fur-

<sup>1</sup> *Infra.*

<sup>2</sup> L. Paul Winings.

ther reached agreement with us that in the cases referred to there is no bar to admission deriving solely from lack of evidence of future ability to gain admission to a foreign country, and this conclusion of law is specifically recited in the attached letter.

I realize that the Visa Division holds strong views to the effect that in most, if not all, cases of persons falling in categories (1)-(7) of the exceptions to "immigrant" status set out in 22 USC § 203 there should, as a matter of policy, be a showing of probable ability to gain admission to a foreign country. The present letter would make a specific qualification to such a policy only in relation to the officers and employees referred to in the second part of § 203(7).

I trust that on the basis of the express limitations set out in this memorandum and embodied in the present letter itself, you will initial and approve the present letter so that we may formally confirm to Justice and Immigration the understanding reached with them and secure the elimination of the harmful and futile practice of "detention and parole" which in fact does *not* assure admissibility of aliens to other countries but does place it in the power of the Soviet Union and its satellites unjustly to penalize their nationals who work for the United Nations when those nationals lose favor with the Communist political machine.

The need for an immediate and effective solution of this problem, which was first formally presented to Justice in January of 1951, seems obvious, and is emphasized by the expected return to the United States of Assistant Secretary General Kerno of the UN on March 9. I understand that Mr. Kerno has not been granted a renewal of his passport by the Communist Government of Czechoslovakia.

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L/UNA files, "Privileges & Immunities; Entry, Transit, Travel—1946.—"

*Draft of Letter From the Secretary of State to the Attorney General of the United States (McGrath)*<sup>1</sup>

[WASHINGTON,] March 6, 1952.

MY DEAR MR. ATTORNEY GENERAL: In a number of instances in the recent past a misunderstanding seems to have arisen concerning the adequacy of the documentation of alien officers and employees of the United Nations who have arrived at ports of entry bearing "3(7)" visas issued on the strength of documents which do not include national passports. As a result, the inspection and admission of these aliens have been deferred, and they have been paroled, pending determination whether their documents satisfy the requirements of the relevant regulations.

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<sup>1</sup> Source text was attached to Runyon memorandum, Mar. 6, *supra*. The letter apparently was sent on Mar. 7.

Passports are required of aliens entering this country by virtue of regulations issued by the Secretary of State under Executive Order 8766 of June 3, 1941. The current regulations define "passport" to mean "a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality or, in the case of an alien unable to obtain such a document, a travel document in the nature of a passport issued by a duly authorized official and showing the bearer's identity and nationality." [22 CFR § 42.101(e) ; 8 CFR § 176.101(e).] <sup>2</sup>

Officers and employees of the United Nations are international civil servants, who are obligated by Article 100 of the Charter of the United Nations to remain independent of their national governments. Careful adherence to this obligation of independence could suffice to subject some to the deprivation of their national passports. The fact that several of the detained persons are Czechs illustrates that a restrictive reading of the regulations to require national passports would merely accomplish the objective of Soviet satellite governments to prevent, by denial of passports, the continued work abroad of nationals who will not support the policies of the present regimes. To aid these governments towards that objective would not only violate international obligations but would also be inconsistent with the policy of the United States generally towards individuals who may be political victims of totalitarianism.

The regulation quoted above contemplates the possibility that an alien may be unable to obtain a national passport. It has not been construed to deny a "3(7)" visa, for lack of a national passport, to an alien who cannot obtain such a document and whose documents otherwise show his identity, nationality and status with the international organization.

The need for resolution of the "detention and parole" problem has again become particularly acute with the return of officers and employees of the Secretariat who have recently been abroad in the performance of their duties for the United Nations. With reference to the cases of United Nations personnel now or in the future raising this problem, therefore, this letter will confirm that the definition of Section 101(e) is satisfied, as to officers and employees of the United Nations unable to obtain national passports, by a travel document (the currently used *laissez-passer* or other travel document) issued by the United Nations establishing the alien's present status with that organization and which shows, or which is presented together with an expired national passport, certificates or affidavits certified by or sworn before authorized officials or other official documents which

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<sup>2</sup> Brackets in the source text.

show the alien's identity and nationality. It has been recognized that no bar exists to the admission of such aliens solely because their travel documents may not evidence ability to gain future admission to another country.

It is understood that the present letter will remove the doubts giving rise to the procedure of detention and parole in the cases above referred to and will result in its discontinuance. If in a specific case there should remain a doubt whether the documents underlying an alien's "3(7)" visa entitle him to admission under this construction, this Department would welcome an opportunity to consult and to assist towards clarifying the application of the regulations.

Sincerely yours,

For the Secretary of State:  
JACK B. TATE  
*Acting Legal Adviser*

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L/UNA files, "Privileges & Immunities; Entry, Transit, Travel—1946—"

*The Assistant Attorney General of the United States (Duggan) to  
the Deputy Legal Adviser of the Department of State (Tate)*

WASHINGTON, April 1, 1952.

DEAR MR. TATE: This acknowledges receipt of your letter of March 7, 1952 in which you describe, for the Secretary of State, the travel documents that may be regarded as acceptable for officers and employees of the United Nations seeking to enter the United States in connection with their employment. As the representatives of the Department of State were previously advised, this Department recognizes that under Executive Order 8766 the responsibility for defining passports and other travel documents is reposed in the Secretary of State. The regulations issued by the Secretary of State and adopted by the Immigration and Naturalization Service, 22 C.F.R. 42.101 and 8 C.F.R. 176.101, have provided some guidance as to the travel documents that generally are deemed acceptable. Your letter furnishes further guidance as to additional types of travel documents that may be appropriate in relation to officers and employees of the U.N.

The Immigration and Naturalization Service has instructed its officers to follow the formulations of the Secretary of State, expressed in your letter, regarding the travel documents that are to be regarded as acceptable for officers and employees of the U.N. I assume that those formulations are being communicated to the consular officers and other officials of the Department of State, so that the policies applied in these cases will be consistent.

Sincerely yours,

JOSEPH C. DUGGAN

USUN files,<sup>1</sup> "IO, Privileges & Immunities, Delegations (Apr. 1949-1955)"

*Memorandum of Conversation, by Albert F. Bender, Jr.,<sup>2</sup> of the  
Mission at the United Nations*

CONFIDENTIAL

NEW YORK, May 16, 1952.

Subject: Visa Application by Jiri Stary, Representative of Czechoslovakia to ECOSOC.

Participants: Mr. A. H. Feller,<sup>3</sup> UN Legal Department  
USUN—Albert F. Bender, Jr.

Yesterday Feller asked me to come to his office to discuss this matter. He said that he was anxious to know how the U.S. Government intended to proceed should it find it necessary to deny Stary's visa application. I said that at the present time I could not answer his question for no decision had as yet been reached concerning the issuance or denial of the visa.

Feller said that he hoped that if the U.S. found it necessary to deny the visa, it would not find it necessary to invoke the Section 6 reservation of the Headquarters agreement. He said that he hoped that the Department realized that such an action would cause real difficulty for the UN. He said that he believed that the Secretariat would eventually be compelled to contest the U.S. position and request arbitration. In such an arbitration proceeding he believed it most unlikely that the State Department interpretation of the Section 6 reservation would be upheld, that is, he did not believe that the reservation would be read as entitling the U.S. to bar persons covered by Section 11 of the Agreement from the Headquarters District on the basis that such action was necessary to safeguard the national security. He said that if the reservation were interpreted in line with State Department views, it would vitiate the entire Headquarters Agreement.

We then discussed the possibility of justifying the denial of Stary's visa on the basis of the principle of Section 13 of the Agreement dealing with the deportation of persons covered by Section 11 who abuse their privileges of residence. Feller said that he thought that such a course of action would make it much more easy for the Secretariat to go along with us. He said that it was clear that there was a gap in the Agreement, and that the framers thereof had not envisaged a case such as Stary's. He said that while the decision would be a close one, he did not think he could take the position that Stary, if he had abused his privileges of residence while here previously, was entitled to a "second bite" at the host country. He felt that if we did base our

<sup>1</sup> Files of the United States Mission to the United Nations, New York; specifically the USUN Reference Section file.

<sup>2</sup> Bender was Special Assistant to Richard S. Winslow, Secretary-General of the United States Mission to the United Nations.

<sup>3</sup> Feller was General Counsel and Principal Director, Legal Department, Secretariat of the United Nations.



action on Section 13 we should follow by analogy the procedures set forth in that Section with reference to deportation proceedings.

Feller said that, because of the SYG's present strong feelings against the Czechoslovakian Government, he would not take the initiative in contesting U.S. action with reference to Stary whether it was based on the Section 6 reservation or on Section 13. The Secretariat's hand would be forced, however, if ECOSOC requested the SYG for a report, as it had done in previous cases. Feller believed that the SYG would act only on the basis of such a request for a report, or on the basis of a Resolution of ECOSOC or the GA.

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USUN files, "IO, Privileges & Immunities, Delegations (Apr. 1949-1955)"

*Memorandum of Conversation, by Albert F. Bender, Jr., of the  
Mission at the United Nations*

CONFIDENTIAL

NEW YORK, June 10, 1952.

Subject: USUN Note of June 10, 1952 to SYG UN re Denial of Visa to Jiri Stary.

Feller advised me this afternoon that he had received our note mentioned above and that he was very much distressed by it. He said that he simply could not understand why we insisted upon raising the issue of the Section 6 reservation to the Headquarters Agreement. He said that it almost looked as if we were trying to line up 59 countries against the U.S. He said that in his opinion recourse to Section 6 was wholly unnecessary in view of the possibility of relying upon Section 13 of the Agreement, and that he frankly believed it was a "bone-head play".

I advised Feller that I had previously communicated to the Department his feeling that it would be unwise to rely upon Section 6 in connection with the Stary case, but that the Department had nevertheless reached a decision to the contrary.

Feller said that he had not yet discussed with Lie what action would be taken on the basis of our note. He said that the Secretariat obviously could not acquiesce in our position with reference to Section 6. He said that if ECOSOC called upon the Secretariat for an opinion, the Secretariat would have to take a position contrary to that of the U.S. with reference to reliance upon Section 6. He said that if this did not happen, he believed that the SYG UN would at least wish to address a note to the U.S. Government reserving his position with reference to the application of Section 6. He said that the SYG UN might well be subject to severe criticism if he did not do this and further, that his failure to take such action would undoubtedly be construed by the U.S. Government at some future date as acquiescence in its position.

Feller said that he was quite certain that our note would receive no present distribution by the Secretariat, and that the Czech delegation would not be advised of its receipt. I told him that it appeared possible that the Czech Government might shortly give some publicity to the matter because of the presentation of a note by our Embassy in Prague concerning our position on Stary. I said that, if this occurred, the Department would wish to release in Washington a copy of our note to the SYG UN, and that I would advise him immediately if there were any intention of doing this.

Feller said that he would let me know of any further thoughts the Secretariat might have on the subject.

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USUN files, "IO ; Privileges & Immunities, Delegations (Apr. 1949-1955)"

*The Secretary-General of the United Nations (Lie) to the Acting United States Representative at the United Nations (Gross)*<sup>1</sup>

No.: LEG 240/2/01(1)

NEW YORK, June 16, 1952.

The Secretary-General of the United Nations presents his compliments to the Acting Representative of the United States of America to the United Nations and has the honour to acknowledge the receipt of his note UN-2002/133 of 10 June 1952, concerning the application by Mr. Jiri Stary for a visa to proceed to the Headquarters of the United Nations as a member of the Czechoslovakian Delegation to the fourteenth session of the Economic and Social Council.

The Secretary-General takes note of the opinion of the Secretary of State that, had Mr. Stary not left his prior post on the permanent staff of the Czechoslovakian Representative to the United Nations and departed from the United States on 31 October 1951, it would now have been necessary to require, in accordance with the provisions of Section 13 of the Headquarters Agreement, that he depart from the United States. The Secretary-General is unable to take any position as to the applicability of Section 13 of the Headquarters Agreement in the present case, since he is in receipt of no official information from the Government concerned.

It is noted that the Secretary of State also considers that, in refusing a visa to Mr. Stary, the United States is acting within the authority which it reserved to itself by the provisions of the United States Representative's note of 21 November 1947, making the United States acceptance of the Headquarters Agreement subject to Section 6 of Public Law 357 to the effect that nothing in the Agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely

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<sup>1</sup> Source text attached to USUN memorandum (Bender) to Department of State (Ingram-UNI), June 17, 1952 (USUN files).

to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity. In this connection, however, the Secretary-General notes that, in the event that this provision had been intended to constitute a reservation, it was never considered by the General Assembly nor accepted by it. Accordingly, whether or not it has the effect of conditioning obligations under the Headquarters Agreement is a question for the General Assembly, which adopted the Agreement and authorized the Secretary-General to bring it into force.

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USUN files, "IO, Privileges & Immunities, Delegations (Apr. 1949-1955)"

*Memorandum by Albert F. Bender, Jr., of the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

[NEW YORK, July 1, 1952.]

Subject: Jiri Stary Case—Effect of Section 6 Reservation to Headquarters Agreement

*Problem:*

USUN and the Department presently face the problem of what action, if any, is to be taken in view of the exchange of notes, dated respectively June 10, 1952 and June 16, 1952 between USUN and the SYG UN, concerning the denial of a visa to Jiri Stary, a Czech representative to ECOSOC. USUN's note, based upon the Department's instructions, advised the SYG UN that in denying the visa, the U.S. acted within the authority reserved to it by the provisions of USUN's note to the SYG UN of November 21, 1947, making the U.S. acceptance of the Headquarters Agreement subject to Section 6 of PL 357-80th Congress. The SYG UN's reply noted that, if Section 6 had been intended as a reservation to the Headquarters Agreement, it had never been considered by the GA nor accepted by it and accordingly, whether or not it conditioned U.S. obligations under the Headquarters Agreement was a question for the GA.

*Recommendations:*

1. A reply to the SYG UN's note of June 16, 1952 should be deferred for the present to ascertain whether the Czech Government intends to raise the issue in ECOSOC.

2. If the Czechs raise the issue in ECOSOC, a reply should be made to the SYG UN's note of June 16 pointing out that U.S. action in denying a visa to Stary is based upon Section 13 of the Headquarters Agreement wholly apart from the Section 6 reservation, and concentrating on the justification of the visa denial under Section 13. With

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<sup>1</sup> Forwarded by Bender on July 1 under cover of a memorandum to Kerry of the Division of International Administration (USUN files).

reference to the Section 6 reservation, the reply should state that the U.S. is prepared to discuss fully with the SYG UN the interpretation and effect of that Section.

3. If the issue is not raised by the Czechs during the ECOSOC session, a reply should be made to the SYG UN's note of June 16 after the close of the session, suggesting the need for consultation and discussion of the interpretation and effect of the Section 6 reservation.

*Discussion:*

The recent exchange of communications between USUN and the SYG UN, dated respectively June 10 and June 16, 1952, re the application of the Section 6 reservation to the Headquarters Agreement to the case of Jiri Stary, a Czech representative to ECOSOC, raises a serious problem.

USUN's note, charging that Stary had engaged in espionage activities when previously in the U.S. as a member of the Czech Permanent Delegation to UN, stated in accordance with the Department's instructions: "The Secretary of State also considers that in refusing a visa to Mr. Stary, the U.S. is acting within the authority which it reserved to itself by the provisions of the U.S. Representative's note of November 21, 1947, making the U.S. acceptance of the Headquarters Agreement subject to Section 6 of PL 357-80th Congress." The note earlier stated "Section 6 of PL 357-80th Congress provided in substance that nothing in the Headquarters Agreement shall abridge, diminish or weaken the right of the U.S. to safeguard its security."

The SYG UN's reply took note of USUN's reference to the Section 6 reservation and stated "In this connection, however, the SYG notes that, in the event that this provision had been intended to constitute a reservation, it was never considered by the GA nor accepted by it. Accordingly, whether or not it has the effect of conditioning obligations under the Headquarters Agreement is a question for the GA, which adopted the Agreement and authorized the SYG to bring it into force".

USUN's note to the SYG also made reference to Section 13 of the Headquarters Agreement indicating that, if Stary were at present in the U.S., it would now be necessary to require, in accordance with the provisions of that Section, that he depart from the U.S. because of his abuse of his privileges of residence while here.

The SYG's reply noted this reference to Section 13 and stated that "The SYG is unable to take any position as to the applicability of Section 13 of the Headquarters Agreement in the present case, since he is in receipt of no official information from the Government concerned".

Although the Czech government has been informed of the denial of Stary's visa in a note almost identical with that sent to the SYG UN, it has not and perhaps will not make an issue in the UN of the denial

of a visa to Stary. The Government did file an official protest with the Embassy in Prague almost two months ago charging that the failure to issue a visa constituted a violation of the Headquarters agreement and of the Charter, but no publicity was given to it. There has been some publicity given in the Washington, but not New York, newspapers and on the radio to our note of June 10 to the SYG UN, but as yet no publicity has been given to the SYG UN's note of June 16.

It appears advisable to await possible action by the Czech Government during the ECOSOC session before replying to the SYG UN's note of June 16. A reply at this time might give rise to further publicity and induce the Czechs to take action in ECOSOC which they otherwise would not take. The U.S. position in ECOSOC has already been prejudiced by the discussion of visa problems of ECO representatives, and further discussion of such problems in that forum should be avoided, if at all possible.

A reply will obviously have to be made to the SYG UN's note of June 16 if the Czech Government raises the issue in ECOSOC. Feller (US) has previously advised that he believed the Secretariat could go along with a contention that the denial of Stary's visa could be justified upon the principle of Section 13 of the Agreement which provides that a person such as Stary may be required to leave the U.S. for abuse of his privileges of residence. In his note of June 16, the SYG UN specifically left open the question of the applicability of this section to the instant case "since he is in receipt of no official information from the Government concerned". Accordingly it seems advisable, should the Czechs raise the issue in ECOSOC, to reply to the SYG UN's note of June 16 by concentrating on the justification of U.S. action under Section 13 and advising the SYG UN that the U.S. is prepared to discuss with him the interpretation, application and effect of the Section 6 reservation. For reasons stated below, such consultation is necessary in any case.

Should the ECOSOC session conclude without such a protest, it appears desirable to make a reply at that time. The Department has taken the position with the Congress that Section 6 is effective as a reservation and does condition U.S. obligations under Sections 11 and 13 of the Agreement. In my opinion, the Department would be subject to Congressional criticism at a later date if it did not pursue the matter further after having received the SYG UN's note. In any case, clearly the matter at issue is so important that an attempt ought be made in the near future to resolve it with the SYG UN, by negotiation if possible, or failing that, by arbitration.

To understand the matter at issue between the U.S. and the SYG UN, it is necessary to review the history of the negotiation of the Headquarters Agreement.

[Here follows a lengthy exposition of the negotiation of the Headquarters Agreement and the events bringing it into effect.<sup>2</sup>]

In view of the history of the negotiation of the Headquarters Agreement and of the notes bringing it into effect it would appear that one of the following situations exists:

a. It is the Department's position as I understand it that the Headquarters Agreement is in effect and the obligations of the U.S. contained in Sections 11 and 13 of the Agreement (not to impose impediments to transit to or from the Headquarters District of certain categories of aliens regardless of laws and regulations of the U.S. relating to the entry of aliens) are conditioned by the provisions of Section 6 of PL 357. This position is based upon the Department's belief that the legislative history of Section 6 indicates a Congressional intent to condition U.S. obligation under Section 11 and 13 of the Agreement, upon the fact that the provisions of Section 6 were specifically called by the SYG to the attention of the GA which approved the Agreement, and the fact that Ambassador Austin's note of November 21, 1947 specifically stated that the U.S. was prepared to apply the Headquarters Agreement "subject to the provisions of PL 357".

b. The position of the SYG UN as I understand it is that the language of Section 6 is such that on its face it indicates no intention on the part of the U.S. to reserve the right to deny access to the Headquarters District should it believe its security was endangered and, accordingly, Section 6 does not condition obligations contained in Section 11 and Section 13 of the Agreement. The SYG UN presumably will claim that neither he nor the GA had cognizance of or was bound by the legislative history of Section 6 in the Congress, and that both he and the GA were entitled to rely upon a normal reading of the language of Section 6 when approving and bringing the Agreement into effect. Accordingly even though Section 6 was called to the attention of the GA which approved the Agreement and even though Ambassador Austin's note contained the above-mentioned reference to PL 357, the Agreement came into effect with the exchange of notes without any reservation by the U.S. conditioning its obligations under Sections 11 and 13 of the Agreement. The SYG UN has support for his position in the fact that the U.S. Representative in the Sub-Committee of Committee 6 of the GA opposed any discussion of the effect of Section 6 on the Agreement, and no attempt was made by the U.S. to make clear the position which it now asserts either in Committee 6, in the Plenary or in Ambassador Austin's note.

c. If the U.S. insists that its interpretation of Section 6 was made clear to the GA when the Agreement was approved and to the SYG UN when notes were exchanged bringing the Agreement into effect, and if the SYG UN maintains his position that this interpretation was not understood by the GA or himself, then it can be argued that there never was a meeting of minds and that the Agreement has never become effective. This is clearly a position which neither the SYG nor the Department would want to have established.

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<sup>2</sup> For documentation on these matters, see *Foreign Relations*, 1946, vol. 1, pp. 60-116, and *ibid.*, 1947, vol. 1, pp. 22 ff.

The SYG UN's note of June 16, 1952 appears to be incorrect in stating that whether or not Section 6 had the effect of conditioning the obligations of the U.S. under Sections 11 and 13 of the Agreement is a question for the GA. Presumably, if the SYG UN cannot be convinced by consultation of the soundness of the U.S. position, there should then be sought a decision by an appropriate tribunal with respect to the combined legal effect of the enactment of PL 357, the approval of the Agreement by the GA and of the exchange of notes purporting to bring the Agreement into effect. Such a legal determination could be had under the arbitration provisions of Section 21 of the Agreement. Although Section 6 is not a part of the Agreement as signed, nevertheless its invocation by the U.S. has now given rise to a "dispute between the UN and the U.S. concerning the interpretation or application of this Agreement" within the meaning of Section 21. This Section, of course, provides for arbitration only where such a dispute "is not settled by negotiation or other agreed mode of settlement".

It is my personal opinion that a court of arbitration might well refuse to uphold the position of the Department. I think it is clear that the arbitrators would consider the legislative history of Section 6 to be irrelevant since the Congressional intent claimed by the Department to be disclosed by that history was never brought officially to the attention of the SYG UN or of the GA when the Agreement was approved and brought into effect. Accordingly, only the language of Section 6 would be considered by an arbitration panel. While Section 6 does state that "nothing in the Agreement shall be construed as in any way diminishing, abridging or weakening the right of the U.S. to safeguard its own security . . .", it contains in the same sentence a specific clause dealing with the reservation by the U.S. of its right to control the entrance of aliens. The right reserved is that "completely to control the entrance of aliens into any territory of the U.S. *other than* the Headquarters District and its immediate vicinity as to be defined and fixed in a supplementary agreement between the Government of the U.S. and the UN in pursuance of Section 13(3) (c) of the Agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries". (Underlining inserted.) In view of this language it might well be held that Section 6 did not evidence as intent to reserve any right of the U.S. to control the entrance of aliens into the Headquarters District, its immediate vicinity and areas to be traversed in transit. Further, in view of the specific language in Section 6 dealing with the control of the entrance of aliens, it would be unusual statutory construction to read into the general provision reserving the right "to safeguard its own security" an intent relating to the control of entrance of aliens. Full effect could be given to this general provision as relating to

matters other than the control of the entrance of aliens. It is conceivable that the security of the U.S. might be threatened by the manner in which UN attempted to exercise rights granted to it in provisions of the Headquarters Agreement other than those of Sections 11 and 13, for example, the provisions of Section 4 permitting the UN to establish and operate short wave radio broadcasting facilities, and the provisions of Section 5 permitting the UN to establish and operate an airdrome.

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A/MS files, lot 54 D 291 (V), "Passports" <sup>1</sup>

*The Acting Legal Adviser (Tate) to the Deputy Under Secretary of State for Administration (Humelsine)*

[WASHINGTON,] June 20, 1952.

Subject: The Requirement of "Passports" for International Organization Officials

The requirement that non-immigrant aliens who seek entry into this country must present "passports" has created difficulties for a number of officers of international organizations, primarily from countries in Eastern Europe, whose official duties require their travel to and from the United States, but who are denied renewal of their passports by the present governments of their countries of nationality. Having only expired, or no, national passports along with their visas, such aliens have been detained at the port of entry and technically "paroled" into the United States by the Immigration and Naturalization Service, supposedly pending clarification of the adequacy of their documents.

The regulations define "passport" as:

" . . . a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality, or, in the case of an alien unable to obtain such a document, a travel document in the nature of a passport issued by a duly authorized official and showing the bearer's identity and nationality." 22 CFR § 42.101 (e) ; 8 CFR § 176.101 (3).

On March 7, 1952, with the concurrence of Mr. Boykin and Mr. L'Heureux of your area and of UNI, I wrote to Assistant Attorney General Duggan to confirm the understanding reached informally with the Immigration and Naturalization Service that, as to officers and employees of the United Nations unable to obtain national passports, the above definition is satisfied by certain other documents. This letter was acknowledged by a reply dated April 1, 1952, which stated

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<sup>1</sup> Consolidated administrative files of the Department of State as maintained by the Management Staff for the years 1949-1953.



that the formulation in the letter would be followed by the Immigration and Naturalization Service.

Because inability to obtain or renew national passports confronts personnel of other international organizations than the United Nations (e.g., the Bank and the Fund), doubts concerning the adequacy of their travel documents have continued to create problems for the Immigration and Naturalization Service. Accordingly, a further letter was prepared in my office giving INS confirmation that the interpretation of our passport regulation set forth in the letter of March 7 applies equally to officers of other international organizations within the terms of Section 3(7) of the immigration law. We have been so far unable, however, to secure clearance for this letter in CON or VD, with the result that it has not yet been possible to send any communication to the INS on the International Bank case now before it, and concerning which the Service has renewed its inquiry.

The immigration laws and regulations of the United States are the same for personnel of the UN and of other public international organizations. To my knowledge there is no new factor in the situation since March to call for a change in the position we took then. I propose, therefore, that we proceed now to confirm that position to INS in the case of international organizations other than the UN, so that the unnecessary and embarrassing problem of these admissions on "parole pending inspection" can be eliminated.

JACK B. TATE

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A/MS files, lot 54 D 291 (V), "Passports"

*Memorandum of Telephone Conversation, by the Assistant Legal Adviser for United Nations Affairs (Meeker)*

[WASHINGTON,] July 1, 1952.

Subject: Passports for 3(7) aliens.

I called Mr. Winings this morning to inquire whether the Immigration and Naturalization Service might not consider that our understanding concerning passports, in the case of United Nations officials, would apply by strict analogy in the case of an officer of the International Bank who is unable to obtain a passport but possesses a *laissez-passer* and either an expired national passport or other official documents showing his identity and nationality.

Mr. Winings said he recalled very clearly the discussions which had been held between officers of the Department of State and the Department of Justice earlier this year on the subject, and he recalled that the Department of Justice had then taken the position that the passport regulations were regulations which the Department of State itself

made and interpreted; on that basis the Immigration and Naturalization Service had accepted the interpretation of the regulations relating to UN officials.

Mr. Winings inquired how much of an extension would be involved if the interpretation of the passport regulations were applied by analogy to the officials of UN specialized agencies. I told him that we had considered this question and had concluded (a) that it would not affect all of the classes of persons entitled to come to the United States under the Headquarters Agreement, and (b) that the number of international officials involved would be very small, since most of the specialized agencies had their headquarters outside the United States and in any event very few of their officials were unable to secure passports.

Mr. Winings asked whether the Department of State had sent to the Department of Justice any communication regarding application of the passport regulations interpretation to specialized agency cases. I told him that the Department had not, and that the purpose of my telephone call was to see if the matter might not be dealt with on an informal basis. He said that he could not give an immediate answer, and that he would want to talk with policy officers of the Immigration and Naturalization Service. He thought they might wish to have a formal communication from the Department of State. Mr. Winings said he would let us know in a few days.

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L/UNA files, "Privileges & Immunities; Entry, Transit, Travel—1946—"

*Memorandum of Conversation, by the Assistant Legal Adviser for United Nations Affairs (Meeker)*

WASHINGTON, July 8, 1952.

Subject: Passports for 3(7) aliens.

Participants: Mr. Gordon, Office of General Counsel, Immigration and Naturalization Service;  
Mr. Meeker, L/UNA.

Mr. Winings asked Mr. Gordon to get in touch with me concerning my conversation last week with Mr. Winings, in which I asked whether the Immigration and Naturalization Service would consider that our understanding concerning passports in the case of UN officials would apply by analogy in the case of officers of specialized agencies who are unable to obtain passports but possess *laissez-passeurs* and either an expired national passport or other official documents showing identity and nationality.

Mr. Gordon said that he and Mr. Winings had discussed this matter with administrative officials in the Immigration and Naturalization Service. The conclusion had been reached that the cases of specialized

agency officials in this category would be few and, it was expected, were likely to cause little difficulty. Mr. Gordon said that therefore the Immigration and Naturalization Service would have no trouble in agreeing with us that the same interpretation should be applied with respect to specialized agency officials as was agreed earlier this year with respect to UN officials. However, Mr. Gordon recalled that the understanding between the Departments of State and Justice concerning interpretation of the passport regulations had been intentionally limited to the case of UN officials. The Immigration and Naturalization Service, therefore, felt it should have a further communication from this Department covering the situation of specialized agency officials. He said that the passport regulations were regulations of the Department of State, and that while the INS was prepared to accept our interpretation of the regulations it wished to have some written record of the interpretation made by the State Department.

Mr. Gordon suggested that, to expedite the matter, the State Department send a further communication to the Commissioner of Immigration and Naturalization, for the attention of the General Counsel.

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum by Marcia Fleming of the Office of the Assistant Legal Adviser for United Nations Affairs to the Director of the Office of International Administration and Conferences (Ingram)*

[WASHINGTON,] July 1, 1952.

Subject: Use of Franking Privilege by Latin American Delegations to the United Nations

In accordance with your request, we have considered the question raised by Mr. Monsma (ARA) whether or not the Latin American delegations to the UN are entitled to the franking privilege under the Postal Convention of the Americas and Spain.

Our files show that this question was carefully considered last year. On July 10, 1951, L/UNA concurred, as did L/A and the Post Office Department, in a memorandum which Mr. Kerry (UNI) addressed to Mr. Hickerson, wherein it was concluded that the Latin American delegations to the United Nations were not entitled to the franking privilege under this Convention. It was generally agreed that the grant of the franking privilege for the "correspondence of members of the diplomatic corps of the signatory countries" of this Convention did not extend to members of delegations to the UN. We see no reason to change our position with respect to this question.

From a policy standpoint, moreover, we can well appreciate UNA's position that all delegations to the UN must be treated alike. To accord the franking privilege to a third of the delegations would

place this government as host in a most untenable position with the other delegations. This is particularly true because we most probably could not obtain the franking privilege for these other delegations.

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum by the Director of the Office of Regional American Affairs (Cale) to the Director of the Office of International Administration and Conferences (Ingram)*

[WASHINGTON,] July 25, 1952.

Subject: Use of Franking Privilege by Latin American Delegations to the UN.

Following receipt of your memorandum of July 2<sup>1</sup> concerning use of the franking privilege by Latin American delegations to the UN, we have very carefully reconsidered this matter and can come to no other conclusion but that it would be very undesirable to tell the Latin American delegations at the UN which are now reportedly using the franking privilege that they must discontinue its use.

We believe that such action would seriously affect cooperative working relations with the Latin American delegations on substantive matters at the forthcoming General Assembly and other UN meetings.

As you know we have also been apprehensive that if the Latin American delegations at the UN were denied the franking privilege, the next step might be to deny the privilege to delegations to the Organization of American States. Although the OAS privileges and immunities bill has now passed Congress we still feel that to deprive the Latin American delegations to the OAS of the franking privilege would have a serious effect on our relations with the other American Republics in the OAS. Because of lack of necessary legislation we were not able for many years to give the special ambassadors to the OAS appropriate privileges and immunities. If, now that the privileges bill has passed, we were to withdraw the franking privilege, they would have difficulty in escaping a feeling that we were intentionally trying to spite them. Incidentally, when ARA agreed to deferment of the question until after the 81st Congress it was specifically understood that ARA's concurrence in such a deferment did not carry with it an implication that we would agree to withdrawal of the franking privilege if the privileges and immunities bill passed.

L/UNA's memorandum of July 1 indicates that they "see no reason to change our position with respect to the question". ARA believes that the foregoing considerations are sufficiently weighty to merit a reconsideration of the position. ARA recommends that the Legal Ad-

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<sup>1</sup> Not found in Department of State files; presumably it incorporated the substance of the L/UNA memorandum of July 1, *supra*.

viser's office be asked to carefully re-examine the question with a view to determining whether it would not be possible to interpret the postal convention in such a way that the Latin American delegations to the UN would be regarded as entitled to use the franking privilege.

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum by the Assistant Legal Adviser for Inter-American Affairs (Whiteman)*

[WASHINGTON,] August 14, 1952.

USE OF FRANKING PRIVILEGE BY DELEGATIONS FROM THE AMERICAN  
REPUBLICS TO THE UNITED NATIONS

I have been asked to review the matter of whether or not delegations from the American Republics to the United Nations are entitled to the franking privilege under the Postal Convention of the Americas and Spain.

While under international law the property of a foreign state is not subject to taxation, postal fees are not in the nature of taxes but rather in the nature of charges for services rendered. Also, under international law, a receiving state has the obligation freely to permit and protect official communications of diplomatic missions. There is, however, no obligation for the receiving state to extend the franking privilege to diplomatic missions. Whether diplomatic officers are entitled to the franking privilege is therefore to be determined by reference to applicable provisions of treaties, if any, or to domestic law, or both. There is no authority under which foreign diplomatic officers in the United States may, in the absence of an agreement, use the frank in connection with the despatch of mail.

The Act approved December 29, 1945, "To extend certain privileges, exemptions, and immunities to international organizations and to the officers and employees thereof, and for other purposes", Pub. L. 291, 79th Cong., 1st sess., 59 Stat. 669, contains provisions in Section 2 that—

"(d) Insofar as concerns . . .<sup>1</sup> the treatment of official communications, the privileges, exemptions, and immunities to which international organizations shall be entitled shall be those accorded under similar circumstances to foreign governments."

By Section 9 of the Act it is provided that the benefits provided for therein "shall be granted notwithstanding the fact that the similar privileges, exemption, and immunities granted to a foreign government, its officers, or employees, may be conditioned upon the existence of reciprocity by that foreign government". Accordingly, the official communications of the United Nations as a "designated" organization

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<sup>1</sup> Ellipses are in the source text.

under the Act are entitled to such treatment as the United States accords to foreign governments under similar circumstances and without regard to reciprocity. Foreign governments generally are not entitled to the franking privilege.

Article 5 of the Headquarters Agreement for the United Nations, signed June 26, 1947, TIAS 1676, provides with respect to "Resident Representatives to the United Nations" that they—

"shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it."

By Joint Resolution of August 4, 1947, the Congress authorized the President to bring the Headquarters Agreement into effect, thus approving this executive agreement. Pub. L. 357, 80th Cong., 1st sess. From this it appears that "Resident Representatives", as defined in the Headquarters Agreement—and they are defined—are entitled to the "same privileges" as the United States accords to accredited diplomatic envoys, subject to the same conditions and obligations. But the United States does not extend the franking privilege generally to diplomatic envoys accredited to it. It extends the privilege pursuant to treaty obligations.

So far as non-resident representatives to the United Nations are concerned, Section 11 of Article IV of the draft General Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly February 13, 1946, but as yet unapproved by the United States, would stipulate:

"Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

\* \* \* \* \*

"(g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from exercise [excise] duties or sales taxes."

Section 16 of Article IV provides that "In this article the expression 'representatives' shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations." It is unnecessary to dwell on the scope of these provisions for the reason that the Convention is not legally in effect. Even if it were, it would not include the franking privilege as diplomatic envoys generally do not in the absence of specific treaty provision enjoy the franking privilege.

\* Asterisks in this document are in the source text.

Under the Pan American Postal Union Convention, signed at Buenos Aires September 15, 1921, 42 Stat. 2154, provision was made in Article 6 for granting the franking privilege to members of the Diplomatic Corps of the Contracting Parties. The Convention signed at Madrid November 10, 1931, for the Postal Union of the Americas and Spain, likewise contained provision for the extension of the franking privilege to members of the Diplomatic Corps, among others. 47 Stat. 1924. The Convention for the Postal Union of the Americas and Spain, revised from time to time, was last revised at Madrid November 9, 1950.

Article 14 of the 1950 Convention for the Postal Union of the Americas and Spain, TIAS 2286, contains the following provisions with reference to the franking privilege:

"1. The contracting parties agree to grant the franking privilege in their domestic service and in the Americo-Spanish service:

\* \* \* \* \*

"b) To correspondence of members of the Diplomatic Corps of the signatory countries.

"c) To official correspondence which Consuls and Vice Consuls acting as Consuls send to their respective countries; to that which they exchange among themselves; to that which they address to the authorities of the country in which they are accredited and to that which they exchange with their respective Embassies and Legations, provided reciprocity exists.

\* \* \* \* \*

"e) To the official correspondence sent and received by the Pan American Union in Washington.

\* \* \* \* \*

"5. The exchange of correspondence of the Diplomatic Corps, between the Secretariats of State of the respective countries and their Embassies or Legations, will be reciprocal between the contracting countries, and will be effected in open mail or by means of diplomatic pouches, in accordance with the provisions of Article 107 of the Regulations of Execution. These pouches will enjoy the franking privilege and all the safeguards of official despatches.

"6. The franking privilege dealt with in this Article does not apply to the air service nor to the other special services existing in the Americo-Spanish regime or in the domestic regimes of the Contracting countries."

By Article 14 it is accordingly provided that members of the Diplomatic Corps of the Contracting Parties shall reciprocally be granted the franking privilege for all correspondence generally, and not merely "official correspondence" as designated for Consuls and Vice Consuls, and that the franking privilege shall also be granted to the official correspondence sent and received by the Pan American Union in Washington. The privilege does not extend to the air service nor to other special regimes existing in the Americo-Spanish regime or in the domestic regimes of the contracting countries.

Accordingly, "All correspondence (official and personal) of members of the diplomatic corps of Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Spain, Uruguay, and Venezuela" is entitled to admission in the domestic and international mails by surface means free of charge. United States Official Postal Guide, July 1951, Part I, Ch. III, Art. 72; and Part II, Ch. II, Art. 31, Sections 37.1 to 37.21, Postal Laws and Regulations, 1948.

By the Act approved July 10, 1952, "To extend certain privileges to representatives of member states on the Council of the Organization of American States", Pub. L. 486, 82d Cong., 2d sess., it is provided that the President is authorized to extend, or to enter into an agreement extending, "to the representatives of member states (other than the United States) on the Council of the Organization of American States, and to members of their staffs, the same privileges and immunities, subject to corresponding conditions and obligations, as are enjoyed by diplomatic envoys accredited to the United States."

On July 22, 1952, the Bilateral Agreement between the Organization of American States and the Government of the United States of America, was signed, under Article 1 of which it is provided:

"The privileges and immunities which the Government of the United States of America accords to diplomatic envoys accredited to it shall be extended, subject to corresponding conditions and obligations:

"a) To any person designated by a Member State as its Representative on the Council of the Organization of American States;

"b) To all other permanent members of the Delegation regarding whom there is agreement for that purpose between the Government of the Member State concerned, the Secretary General of the Organization, and the Government of the United States of America."

It certainly was not intended by the drafters of the United Nations Headquarters Agreement that there should be a differentiation as between classes of diplomatic envoys to the United Nations (representatives of members of the Postal Union for the Americas and Spain and non-members of the Union) in the type of diplomatic privileges which they should enjoy. The United States draftsmen did not so intend. And there is nothing to indicate that the Congress of the United States in approving the Headquarters Agreement so intended.

The Convention for the Postal Union of the Americas and Spain was revised in November 1950, and there is nothing to indicate that the drafters of the Agreement intended that the provision granting the franking privilege reciprocally to members of the Diplomatic Corps of the signatory countries should be understood to refer to representatives to the United Nations. A similar provision had been in the preceding agreements relating to the Postal Union of the Americas and



Spain and to the earlier Pan American Postal Union. The language was not changed with the advent of the United Nations having its site located in the United States. In addition, the Convention for the Postal Union of the Americas and Spain contains an express provision with reference to the franking privilege and the Pan American Union. Further, for the United States to assume the cost of paying for the postal services for the representatives of the other States Parties to the Convention so far as their representation in the United Nations is concerned, would place an inequitable burden on one member of the Postal Union of the Americas and Spain. Presumably this was not intended. Finally, the granting of the franking "privilege" is not to be lightly read into a Convention by implication, as it involves a serious financial burden on the part of the United States.

For all these reasons, it seems doubtful that the Department should take the position that the resident representatives of the American Republics to the United Nations are entitled to the franking privilege.

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315.4/10-1452

*The Secretary of State to the Attorney General of the United States  
(McGranery)*

[WASHINGTON,] October 14, 1952.

MY DEAR MR. ATTORNEY GENERAL: The enclosed copy of a communication from the Secretary General of the United Nations, dated August 4, 1952, addressed to the Permanent Representative of the United States to the United Nations, concerning Section 247 of the Immigration and Nationality Act (P.L. 414, 82d Congress),<sup>1</sup> is forwarded to you for your consideration in regard to the actions to be taken by you under the above-mentioned provision.

Section 247 (b) of the Act provides that status as an immigrant can be maintained by an employee of the United Nations who has been lawfully admitted for permanent residence in the United States, and who presently "requests that he be permitted to retain his status as an immigrant and who, in such form as the Attorney General may require, executes and files with the Attorney General a written waiver of all rights, privileges, exemptions, and immunities under any law or any executive order which would otherwise accrue to him because of the acquisition of an occupational status entitling him to a non-immigrant status under paragraph 15 (A), 15 (E), or 15 (G) of Section 101 (a)."

As the Secretary General points out, it is necessary to distinguish between privileges and immunities which accrue to the employee in his personal capacity and which can be waived by the employee, and those which accrue to the employee in his official capacity and which can be

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<sup>1</sup> Approved June 27, 1952; 66 Stat. 163.

waived only by the international organization itself. In regard to the first category, it may be surmised that Section 247 does not require the waiver by immigrant alien employees of any privileges or immunities enjoyed by employees who are United States citizens.

The fact that most privileges and immunities are contained in the second category follows from the very nature of the privileges and immunities themselves. This is particularly true in regard to immunity from legal process relating to the official acts of an international organization. This Department concurs in the assumption by the Secretary General that "no waiver by any such individual officer or employee will be deemed to constitute in any way a waiver of rights, privileges, exemptions, or immunities which accrue not to him personally but to the United Nations as an international organization."

In order that a clear distinction be maintained between privileges and immunities which may and which may not be waived by an employee in his individual capacity, the following draft of a waiver is submitted for consideration by the Department of Justice in carrying out its functions under Section 247(b) of the Immigration and Naturalization Act:

I, \_\_\_\_\_, an employee of \_\_\_\_\_, which has been designated as an "international organization" under the provisions of the International Organizations Immunities Act (P. L. 291, 79th Congress), hereby waive all rights, privileges, exemptions, and immunities which accrue to me individually as an employee of said international organization. This does not constitute a waiver of any right, privilege, exemption or immunity which can only be waived by the organization itself, and in particular it does not constitute a waiver in regard to an immunity from legal process relating to official acts of the organization.

Sincerely yours,

For the Secretary of State:  
ADRIAN S. FISHER  
*The Legal Adviser*

320/10-1552

*The Secretary of State to the Embassy in South Africa*

CONFIDENTIAL  
No. 10

[WASHINGTON,] October 31, 1952.

The Secretary of State refers to the Embassy's despatch No. 232, October 15, 1952<sup>1</sup> regarding the issuance of a visa to the Reverend Michael Scott to permit him to attend sessions of the General Assembly of the United Nations. The Embassy requests background information for guidance in answering questions that may arise on this case.

<sup>1</sup> Not printed.

It will be recalled that the problem of the issuance of a visa to Mr. Scott last arose in 1950 when he wished to attend the Fifth General Assembly. It was determined at that time that he was not admissible to the United States under the immigration laws. The Office of the Legal Adviser in an opinion dated September 26, 1950 took the position that Section 11(4) of the Headquarters Agreement obligates the United States to permit the entry of representatives of non-governmental organizations only when they have come to consult with ECOSOC or its subsidiary bodies or in accordance with the arrangements made by ECOSOC for such consultation but not to attend meetings of the General Assembly. Mr. Scott therefore was not eligible for a visa as an NGO representative. Section 11(5) of the Headquarters Agreement, however, makes provision for the entrance of persons coming to the United Nations on official business when invited by the United Nations. Mr. Scott was finally invited by the Fourth Committee to attend its sessions and the United States was obligated to issue a visa to him as an invitee.

When Mr. Scott applied at Embassy London in August 1952 for a visa to attend the current session of the General Assembly, he again was found inadmissible under the immigration laws.

However, recent resolutions passed by the General Assembly and ECOSOC deal with the invitation of NGO's to attend public sessions of the General Assembly.

General Assembly Resolution 606 (VI) authorizes the Secretary General, upon request by ECOSOC or its Committee on Non-governmental Organizations, to make arrangements to enable the representative designated by any non-governmental organization having consultative status to attend public meetings of the General Assembly whenever economic or social matters are discussed which are within the competence of the Council and of the organization concerned". ECOSOC Resolution of June 25, 1952 "requests the Secretary General to invite each such [non-governmental] <sup>2</sup> organization in categories A and B to send its representative to attend public meetings of the General Assembly at which economic and social matters within its competence are discussed".

Invitations were extended in August 1952 by the Secretary General to such non-governmental organizations, including the International League for the Rights of Man. The League designated Mr. Scott as its representative, who then had the status of an invitee and was eligible for a visa under Section 11(5) of the Headquarters Agreement.

Considerable agitation had occurred in connection with Mr. Scott's admissibility in 1950, and it was the opinion of the Department that similar public interest would be taken in the case this year, particular-

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<sup>2</sup> Brackets in the source text.

ly if any public discussion should take place concerning the United States attitude toward his admissibility. It was assumed that, if he were denied a visa on other grounds, the Fourth Committee would again issue him an invitation to attend its sessions, in which case a visa would have to be issued. Such a course, however, might involve public discussion in the United Nations which would be embarrassing to the United States.

In view of these considerations, therefore, and in view of the fact that Mr. Scott comes within the provisions of Section 11(5) of the Headquarters Agreement, the Department requested the Attorney General to authorize his admission under the Ninth Proviso.

On October 9, 1952, the Attorney General authorized Mr. Scott's temporary admission in transit to the United Nations Headquarters site, subject to the following conditions: 1) that he will proceed directly to New York City or Lake Success, New York and will not go outside of New York City or Long Island, New York except as may be necessary incident to his departure from the United States; 2) that he will remain in the United States no longer than is necessary for the purpose for which he is admitted to the United States; 3) that upon the expiration or cancellation of any invitation by the United Nations he will depart forthwith from the United States; 4) that in case of abuses of his privileges of residence in the United States by activity in this country outside his official capacities he will not be exempt from the laws and regulations of the United States regarding the continued residence of aliens.

Should questions on this subject arise, the Embassy may, in its discretion, point out that Mr. Scott is inadmissible into the United States as a visitor under the immigration laws. A person representing a non-governmental organization which has been invited by the United Nations to come to the United Nations Headquarters, however, is entitled to entry under Section 11(5) of the Headquarters Agreement, and the United States is thus obligated to issue a visa to such invitee for the purpose of transit to the United Nations Headquarters.

The South African Embassy at Washington has been informed of the substance of the foregoing paragraph.

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315.4/12-1952

*The Acting Secretary of State to the Attorney General of the United States (McGranery)*

[WASHINGTON,] December 19, 1952.

MY DEAR MR. ATTORNEY GENERAL: On October 14, 1952, the Legal Adviser of this Department sent you a letter in regard to your func-

tions under Section 247 of the new Immigration and Nationality Act (P.L. 414, 82nd Congress). That section reads as follows:

Sec. 247. (a) The status of an alien lawfully admitted for permanent residence shall be adjusted by the Attorney General, under such regulations as he may prescribe, to that of a nonimmigrant under paragraph (15) (A), (15) (E), or (15) (G) of section 101(a), if such alien had at the time of entry or subsequently acquires an occupational status which would, if he were seeking admission to the United States, entitle him to a nonimmigrant status under such sections. As of the date of the Attorney General's order making such adjustment of status, the Attorney General shall cancel the record of the alien's admission for permanent residence, and the immigrant status of such alien shall thereby be terminated.

(b) The adjustment of status required by subsection (a) shall not be applicable in the case of any alien who requests that he be permitted to retain his status as an immigrant and who, in such form as the Attorney General may require, executes and files with the Attorney General a written waiver of all rights, privileges, exemptions, and immunities under any law or any executive order which would otherwise accrue to him because of the acquisition of an occupational status entitling him to a nonimmigrant status under paragraph (15) (A), (15) (E), or (15) (G) of section 101 (a).

The Legal Adviser, in his referenced letter, made a suggestion that the waiver contemplated in Section 247 (b) should be put in such form as to specifically distinguish between privileges and immunities which accrue to the individual and those which accrue to the foreign government or international organization. Representatives of this Department have been informed by the General Counsel of the Bureau of Immigration and Naturalization, Mr. Winings, that no such distinction will be made, and that it is intended to issue the waiver in a paraphrased version of the general language of Section 247 (b) itself.

This Department has received numerous inquiries from foreign governments, international organizations, and individuals who will be affected by Section 247 of the Act. In general, they seek clarification of the meaning of the language in Section 247(b). The foreign governments and international organizations are interested, among other things, in the effect of the contemplated waivers upon immunity of their officers and employees from suit for official acts, and the relation of the waiver to Section 116(h) of the Internal Revenue Code. There have been a myriad of questions in regard to the future immigration status of aliens who elect not to sign the waiver, but who wish to return to an immigrant status after termination of their employment by a foreign government or international organization. In addition, this Department has certain questions in regard to the privileges and immunities which are guaranteed under treaties, rather than under domestic laws or executive orders.

As a matter of sound administrative practice and in justice to the individuals concerned, it would seem highly preferable to have these questions answered before requiring that an immigrant elect whether or not to execute a waiver. In addition, such a course would obviate a great deal of unnecessary tension between this Government and foreign governments and international organizations. Therefore, I strongly urge you to delay issuing an Order under Section 247 which will make an adjustment in status until answers to the more important questions have been given.

In the next few days the Legal Adviser to this Department will send to you a legal memorandum covering the major points mentioned above. If you agree with the memorandum, it is hoped that you will adopt it in whole or in part as the basis for a formal Opinion on the subject.

Sincerely yours,

DAVID BRUCE

320/12-2352

*The Deputy Attorney General of the United States (Malone) to the Deputy Legal Adviser of the Department of State (Tate)*

CONFIDENTIAL

WASHINGTON, December 23, 1952.

DEAR MR. TATE: Reference is had to your letter of November 24, 1952<sup>1</sup> concerning the Reverend Michael Scott whose temporary admission in transit to the United Nations Headquarters Site at New York was authorized under the Ninth Proviso to Section 3 of the Immigration Act of February 5, 1917, as amended, notwithstanding his inadmissibility as one who had been a member of the Communist Party. This authorization was given for the sole purpose of permitting him to participate in the present session of the General Assembly of the United Nations on the recommendation of the Secretary of State that Mr. Scott's admission for that purpose would be in the national interest.

As you have pointed out, since Mr. Scott's arrival here, several individuals and organizations have sought his services as a public speaker and have requested this Department to lift the restrictions placed on Mr. Scott's admission which confine his activities to those within his official capacities with the United Nations. In each instance, it has been found necessary to deny these requests.

In accordance with your suggestion, I have reviewed our position with regard to these requests for Mr. Scott's services as a speaker. In doing so I have had in mind, as you have suggested, that a ruling that Mr. Scott may not undertake the engagements offered him without violating the terms of his admission may meet with criticism from some sources and that to authorize these engagements subject to this

<sup>1</sup> Not found in Department of State files.

Department passing on his speeches in advance would be equally controversial. Indeed, forceful criticism of the Department's action might also result if these engagements were authorized under any circumstances.

After consideration of all the facts I have concluded that, in view of the nature of the ground which makes Mr. Scott an inadmissible alien, no change would be warranted in the position of the Department that Mr. Scott be required to adhere strictly to the terms of his admission which preclude any activities not within his official capacities with the United Nations.

You have also requested advice as to what the Department of State may say in reply to an inquiry received from the Right Reverend Horace W. B. Donegan, Bishop of New York, concerning an invitation extended to Mr. Scott to preach at services at the Cathedral of St. John the Divine. For your guidance in that respect, there is enclosed a copy of a letter from the Commissioner of Immigration and Naturalization to Mr. Roger Baldwin, Chairman of the Board of Directors of the International League for the Rights of Man, which responds to a request for authorization for Mr. Scott to speak at the Cathedral of St. John the Divine, as well as other places.

Sincerely,

ROSS L. MALONE, JR.

315.4/1-553

*The Acting Assistant Attorney General of the United States (Lyons)  
to the Legal Adviser of the Department of State (Fisher)*

WASHINGTON, January 5, 1953.

DEAR MR. FISHER: I enclose herewith a copy of a letter dated December 30, 1952, from the Attorney General to Secretary of the Treasury John W. Snyder in his capacity as Chairman of the National Advisory Council on International Monetary and Financial Problems. This letter deals with the regulation and form of waiver for the effectuation of section 247 of the Immigration and Nationality Act (P.L. 414, 82d Congress), as related to alien employees of certain international organizations in the United States; and I believe will serve to answer your letter on the same subject addressed to the Attorney General on October 14, 1952, which has been under consideration by the Immigration and Naturalization Service, and which was referred just a few days ago to this office after discussions by members of your staff and of the Treasury Department with the General Counsel of the Immigration and Naturalization Service.

While your letter related to alien employees of the United Nations, and the Secretary of the Treasury was concerned with alien employees of the International Monetary Fund and the International Bank for

Reconstruction and Development, I believe we can assume that the problems are the same and that the view and suggestion of the Attorney General can apply equally to the situation discussed in your letter.

Sincerely yours,

ELLIS LYONS

[Enclosure]

*The Attorney General of the United States (McGranery) to the Chairman of the National Advisory Council on International Monetary and Financial Problems (Snyder)*

WASHINGTON, December 30, 1952.

MY DEAR MR. SECRETARY: This is to acknowledge your letter of December 4, 1952,<sup>1</sup> relating to the waiver of rights, privileges, exemptions, and immunities by alien employees in the United States of the International Monetary Fund and the International Bank for Reconstruction and Development, which waiver will be required under section 247 of the Immigration and Nationality Act (P.L. 414, 82d Cong.).

Section 247 of the act provides substantially that an alien, who was admitted to this country for permanent residence and is an employee of an international organization, shall have his status adjusted to that of a nonimmigrant unless he executes and files with the Attorney General a written waiver of all rights, privileges, exemptions, and immunities under any law or executive order which would otherwise accrue to him because of his occupational status.

You have expressed concern that the regulation or form of waiver for the effectuation of this section should make it clear that the waiver is not intended to apply to any right, privilege, exemption, or immunity which can only be waived by the employing organization itself. In addition, I understand that members of your Department and of the State Department met with the General Counsel of the Immigration and Naturalization Service on the same subject, and made the point that the foreign missions and international organizations affected desire assurance that the waiver of rights, privileges, exemptions, and immunities by the officer or employee of the mission or organization will in no wise affect the rights, privileges, exemptions, and immunities which accrue to the mission or organization, as distinguished from those which accrue to the individual officer or employee thereof.

The new regulation, which will become effective in this matter on December 24, 1952 (Title 8, Part 247), follows the language of the statute; and the waiver form pursuant to the regulation (Form I-508,

<sup>1</sup> Not found in Department of State files.



copy of which is attached) does likewise, with neither of them including any attempt at interpretation. On the face of the statute, of the regulation, and of the waiver form, I see nothing which affects the international organization, as such, or its rights, privileges, exemptions, and immunities. Hence, I see no compelling need at this time for alterations or interpretations in the regulation or the waiver form, unless we have not understood the possible damaging implications that might follow from the execution of one of these waiver forms by an alien employee of one of the international organizations.

I would therefore suggest, if you or members of your staff are aware of or foresee any concrete situations in which the international organizations will be unintentionally prejudiced by the regulation or the waiver form, that you set these situations out specifically for us to consider and, if need be, to remedy the unintended results.

I trust that this procedure will meet with your approval and the approval of the National Advisory Council on International Monetary and Financial Problems.

Sincerely,

[JAMES P. McGRANERY]

[Subenclosure]

FORM I-508

WAIVER OF RIGHTS, PRIVILEGES, EXEMPTIONS AND IMMUNITIES  
(UNDER SECTION 247 (b) OF THE IMMIGRATION AND NATIONALITY ACT)

File No. \_\_\_\_\_

Date \_\_\_\_\_

I, \_\_\_\_\_, believing that I have an occupational status entitling me to a nonimmigrant classification under paragraph 15(A), 15(E), or 15(G) of Section 101(a) of the Immigration and Nationality Act and desiring to acquire and/or retain the status of an alien lawfully admitted for permanent residence, hereby waive all rights, privileges, exemptions and immunities which would otherwise accrue to me under any law or executive order by reason of such occupational status.

Witness: \_\_\_\_\_

\_\_\_\_\_

Budget Bureau No. 43-R-347

L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum for the Standing Committee, Interdepartmental  
Committee on Internal Security (ICIS)*<sup>1</sup>

SECRET

[WASHINGTON,] February 10, 1953.

In its report to the ICIS of January 11, 1951, the Standing Committee recommends that the Departments of State and Justice re-examine proposed unilateral definition or delimitation of the "headquarters site and its immediate vicinity" of the United Nations with a view to limiting the area drastically in the interest of protecting the security of the United States against aliens "actually or potentially" dangerous when coming to such an area but who might not constitute a serious threat to our internal security if they could be confined to a more restricted area in the United States.

Section 101(a) (15) (G) of Public Law 414 of the 82nd Congress, known as the Immigration and Nationality Act of 1952, defines the class of non-immigrant alien destined to an international organization. There is no limitation on the area within the United States in which such non-immigrant alien may travel once he gains entry into the United States. The privileges, exemptions and immunities of such aliens are set forth in the International Organizations Immunities Act (8 U.S.C. 203). Section 6 of the Joint Resolution by which Congress consented to the Headquarters Site Agreement between the United States and the United Nations provides that nothing in the agreement shall be construed as in any way diminishing, abridging or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity as to be defined and fixed in a supplementary agreement between the United States and the United Nations and such areas as it is reasonably necessary to traverse in transit between the United Nations and foreign countries. The pertinent statutes and resolutions, above referred to, other than the Immigration and Nationality Act of 1952, are set forth in the report to the ICIS of January 11, 1951.

Since the adoption of the recommendation by ICIS, State and Justice Department representatives have conferred from time to time to re-examine the definition of the "headquarters site and its immediate vicinity." No resolution of the problem has been achieved, however, through these conferences. It is reported that the United Nations officials will refuse to confer regarding the immediate vicinity of the

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<sup>1</sup> Submitted as proposals of the "conferees" of the Justice Department to the ICIS; see last paragraph of this memorandum. The source text was attached to the draft Hickerson memorandum of Mar. 6, *infra*.

The Interdepartmental Committee on Internal Security was established in 1949 to coordinate all activities in the broad field of internal security, except certain intelligence activities.

headquarters site of the United Nations until the Senate shall take action on the proposed Convention relating to privileges and immunities of the United Nations personnel.

Security considerations strongly suggest a drastic limitation of the area in which personnel attached to the United Nations may reside or travel while in attendance at or employed by the United Nations. The investigative efforts of this nation have been thwarted or seriously impeded, for example, by the purchase by the Soviet Union of a large estate on Long Island outside the boundaries of the city of New York. Surveillances of every type have been thwarted by the care with which personnel favorable to the Soviet Union have been able to take advantage of the Soviet estate on Long Island to avoid detection. There have been several investigations of espionage activities engaged in by United Nations personnel which have been rendered far more difficult because of the wide area that has to be covered in any such operation. While it is possible to limit the travel of diplomats of Soviet and Soviet-bloc nations assigned to Washington, there is no limitation at the present time on the travel of any Soviet or Soviet-bloc personnel or Communists of other nations who are assigned to the United Nations. The security problem applies not only to Soviet and Soviet-bloc delegates and employees at the United Nations but also to such of the delegates and employees from other countries who are Communists.

A drastic limitation of the immediate vicinity of the headquarters site of the United Nations which for security reasons should mean the Borough of Manhattan would, it is realized, seriously interfere with the activities of persons favorable to the United States. It is believed, for example, that several of the British delegates or employees live in surrounding counties such as Westchester. There is no reason, however, why persons engaged in activities inimical to the United States should be allowed freedom to travel or reside where they wish. If the desired objective, therefore, cannot be achieved without undue interference with persons and nations friendly to the United States, it is suggested that some other means must be examined by which the objective can be achieved.

It is proposed, therefore, that the ICIS give serious consideration to recommending that legislation be sponsored which will require that persons who fall within the category of Section 101(a)(15)(g) of the Immigration and Nationality Act be issued visas limiting them to travel within the city in which the international organization meets and for travel to and from that city from the port of entry. In the case of the United Nations, such a visa would be valid only for travel within the Borough of Manhattan of the City of New York. The Secretary of State should have the discretion, however, to issue visas to such non-immigrant aliens as he has at the present time or, in the

alternative, the limited type of visa herein suggested. By this method the Secretary of State, acting through appropriate consular representatives abroad, could issue the limited visa to any suspected individual, including all persons from the Soviet Union and from Soviet dominated countries and the present type of non-immigrant visa to all persons from friendly nations concerning whom there is no reason to suspect that they might engage in activities inimical to the security of the United States. Such legislation should apply not only to persons to whom the visas are to be issued in the future but to all persons at present in the United States who fall within the category of Section 101(a)(15)(g) of the Immigration and Nationality Act, giving such persons, of course, a reasonable period of time within which to obtain the new visa. Furthermore, any violation of such visa limitations should be a ground for immediate deportation.

These proposals are forwarded on behalf of the Justice Department conferees and although these proposals have been discussed informally within the Department, there has been no opportunity to obtain a Departmental policy at this time and they are, therefore, submitted as the proposals of the Department's conferees.

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum by the Assistant Legal Adviser for United Nations Affairs (Meeker)*<sup>1</sup>

[WASHINGTON,] February 27, 1953.

Subject: Section 247 of the Immigration and Nationality Act of 1952

1. During the last few days, the Legal Department of the United Nations Secretariat has brought to the attention of the U.S. Mission in New York some additional instances of difficulty arising out of Section 247 in the Immigration and Nationality Act of 1952. The Legal Department states that in the last ten days three individuals covered by Section 11 of the Headquarters Agreement have been refused regular entry into the United States because they would not sign the waiver form (I-508) under Section 247. These three cases occurred at New York. Two of the individuals are Secretariat employees: Mrs. Lucienna Erville and Mr. Lyulph Stanley; the third is a member of the Belgian Mission in New York, Mr. Jacques Errera. In each of these cases, after considerable delay, the individuals were admitted upon signing a parole agreement. Under the parole agreement the in-

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<sup>1</sup> Addressed to the Legal Adviser (Phleger) and the Deputy Legal Adviser (Tate).

dividual is subject to call, to periodic reporting to the immigration authorities, and to subsequent hearing. In the cases of Mrs. Erville and Mr. Errera, hearings before a board of inquiry have been scheduled for Monday, March 2, and Wednesday, March 4. It is not known what action will be taken at these hearings.

The United Nations Legal Department has also called to the attention of the U.S. Mission in New York this case of Mrs. Erika Kuepfer, a Secretariat employee. Mrs. Kuepfer, holding a valid reentry permit, presented herself at Miami on February 7, 1953 for admission to the United States. She was denied admission unless she would execute a waiver form. She asked to sign a parole agreement instead, but was informed that it would be necessary to detain her until she executed the waiver. Mrs. Kuepfer and her husband were thereafter confined in a Miami hotel until she would sign Form 508. She asked to write upon the form a reservation of the position of the Secretary-General, her husband having telephoned to UN officials in New York. Mrs. Kuepfer was not permitted to write this reservation on the form, but was told that a statement in this regard would be appended to the form on a separate sheet of paper.

2. Yesterday a Mr. MacDonald of the Department of Justice telephoned me regarding Section 247. He said that he was in Hersel Plaine's office over there, and that the State Department's correspondence on the subject of Section 247 was assigned to him. He wished to ask various questions about the State Department memorandum attached to our letter of January 8.<sup>2</sup> He said that the issues were very difficult and that he did not know what could be done in replying to the State Department's letters. He said that for the moment he could only refer the tax aspect of the matter to the Treasury, to ascertain their views.

I asked Mr. MacDonald if the Justice Department could not hold up the enforcement of Section 247 until they had given us answers as to the effect which waivers under the section would have. He said this seemed to him a reasonable procedure, but that he was not in a position to do anything in this regard. I said that the Department of State urgently needed answers to the questions which we had posed earlier, in order that the situation might be clarified for the foreign governments and international organizations concerned, since we were receiving an increasing flow of protests from the latter. Mr. MacDonald said that he did not see any answer, and thought that perhaps the best thing would be for all individuals simply to sign the waiver, with the effects and consequences of the waiver left for determination in subsequent litigation.

LEONARD C. MEEKER

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<sup>2</sup> Neither found in Department of State files.

L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson)*

[WASHINGTON,] March 6, 1953.

Subject: Possible Restriction of Alien Personnel at the United Nations

I am attaching a draft letter to the Attorney General prepared for the signature of General Smith, together with a copy of the tentative Justice Department proposal for the restriction of "international organization" aliens, particularly at the United Nations, to which the draft letter is addressed. The Justice Department memorandum has been under study within the Department and the United States Mission to the United Nations, and was the subject of a meeting in my office with Messrs. Tate and Meeker of L, Mr. Barbour of EE, and Mr. Ylitalo of CON.

The draft letter to the Attorney General is not intended to represent a State Department position which has been agreed to at this time, as the aforementioned meeting served only to clarify the issues involved and not to secure agreement on a given course of action. However it does represent an approach which this Bureau is prepared to support, and I would like to see if you will agree that it is adequate as a basis for discussion with the Under Secretary. If this is agreed to, and if the Under Secretary should determine that this is the position for the Department to take, he may wish to send a letter on this order or, alternatively, to discuss the matter orally with the Attorney General.

JOHN D. HICKERSON

[Attachment]

*The Acting Secretary of State to the Attorney General of the United States (Brownell): Draft Letter*

MY DEAR MR. ATTORNEY GENERAL: Officers of the Department of Justice who are concerned with your Department's participation in the deliberations of the Interdepartmental Committee on Internal Security (ICIS) have developed a memorandum, dated February 10, 1953, for the Standing Committee on the subject of restrictions for United Nations personnel. This memorandum recommends for ICIS consideration that legislation be sought to authorize the issuance of visas, in the case of the United Nations, which are valid only for admission to the United Nations Headquarters District in New York and the immediate vicinity, and that such visas be issued in the future

to persons whose freedom of movement should be restricted for reasons of security. The proposal states, in part:

“Security considerations strongly suggest a drastic limitation of the area in which personnel attached to the United Nations may reside or travel while in attendance at or employed by the United Nations. The investigative efforts of this nation have been thwarted or seriously impeded, for example, by the purchase by the Soviet Union of a large estate on Long Island outside the boundaries of the City of New York. Surveillances of every type have been thwarted by the ease with which personnel favorable to the Soviet Union have been able to take advantage of the Soviet estate on Long Island to avoid detection. There have been several investigations of espionage activities engaged in by United Nations personnel which have been rendered far more difficult because of the wide area that has to be covered in any such operation.”

The memorandum of February 10 makes it clear that the proposal is put forward on behalf of the Department of Justice conferees, and is not submitted as a proposition of departmental policy. We in the Department of State greatly appreciate having the benefit of these preliminary views of the officers of your Department and have given the proposal careful consideration. As a result of this consideration, we would like to ascertain if it is the formal conclusion of the Department of Justice that restrictions should be imposed on the movements of certain foreign delegation and Secretariat personnel at the United Nations.

As you know, the only foreign personnel at the United Nations who have been restricted to date have been a limited number of correspondents, invitees and representatives of non-governmental organizations, otherwise inadmissible, who have been issued visas under the discretionary authority of the Attorney General. In Washington there has been no restriction of foreign diplomatic personnel on security grounds, the existing regulations with respect to the travel of personnel of the missions of the Soviet Union, Hungary and Rumania having been adopted as measures of retaliation. For the United States to enter upon a policy of general restrictions at the United Nations will have repercussions on our relations with other members of the United Nations the full measure of which cannot be gauged at the present moment. At the same time, if it is the considered opinion of the Department of Justice that confinement of the movement of certain persons to a limited geographic area is essential to the conduct of investigations and surveillance operations necessary in the interest of national security, the Department of State will concur wholeheartedly in the imposition of such restrictions.

If restrictions are to be imposed, however, it is the opinion of the Department of State that an effective program of restriction can be entered upon without recourse to legislation as contemplated in the Department of Justice memorandum. The proposal put forward in the

memorandum would have the Administration request special legislation requiring that aliens falling within Section 101 (a) (15) (g) of the Immigration and Nationality Act, i.e., members of the delegations of foreign governments to an international organization and alien personnel of the secretariats of international organizations, and members of their families and servants, be issued visas limiting them to travel within the city in which the international organization meets and travel to and from that city and the port of entry. In the case of the United Nations, it is proposed that the "city" be considered as the Borough of Manhattan of the City of New York. No suggestion is made as to the appropriate area in the cases of the International Monetary Fund, the International Bank for Reconstruction and Development, the Organization of American States, and the Pan American Sanitary Bureau, all of which have their headquarters in Washington. The memorandum further suggests that the Secretary of State would be authorized to make exemptions in individual cases.

The legislative approach embodied in the memorandum would appear to have serious shortcomings. It makes no provision for the restriction of persons already admitted to the United States. If restrictions were to be imposed prior to admission only, the delays in the issuance of visas which would result would not purchase the degree of protection desired, inasmuch as the relevant security information would, in many cases, be developed after admission.

As stated above, it is the view of the Department of State that adequate authority already exists for the imposition of restrictions, and the delay which would be involved in the introduction and consideration of legislation can and should be avoided if restrictions are deemed to be necessary. In the case of the United Nations this authority is contained in the provisions of Public Law 357, 80th Congress. While the authority is not as explicit in the case of the organizations headquartered in Washington, we are confident that any necessary restrictions here could be applied and enforced without great difficulty. It is assumed that any cases deemed to require restriction would be occasional only, inasmuch as Czechoslovakia is the only Iron Curtain country holding membership in an organization located in Washington. In any event, it is our understanding that the immediate question exists with respect to the United Nations alone.

In the imposition of restrictions at the United Nations or elsewhere, the Department of State would expect the Department of Justice to notify it of those persons who should be restricted. While the Department of Justice would undoubtedly wish to apply the restriction uniformly to all persons within certain categories, such as delegations of Iron Curtain countries, it may be helpful toward an understanding that the restrictions are for the purpose of security rather than retaliation if they are generally considered as applying to in-



dividuals. While the Department of State would appreciate being informed of the particulars of each case requiring restriction which falls outside certain group categories, it would not propose to pass upon determinations of the Department of Justice in any way. Once a policy of restriction is decided upon, foreign policy considerations do not operate to make a distinction as between individual cases, and any distinction should be based on security considerations alone. For its part, the Department of State would attempt to keep the Department of Justice advised of any information pertinent to the determinations to be made by the Department of Justice.

The determinations of the Department of Justice that certain persons or groups of persons should be restricted would be conveyed by the Department of State, through the United States Mission to the United Nations in New York, to appropriate authorities at the United Nations. In the case of members of an international secretariat, their families and servants, the appropriate authority would be the Secretary General. This would also be true in the case of invitees, representatives of non-governmental organizations, and correspondents. In the case of members of delegations, their families and servants, the appropriate authority would be the chief of delegation. The Department of State would also notify the authorities of the conditions of restriction and the procedures whereby authority might be requested of the Department of Justice for travel outside the area of restriction. If the restrictions, once imposed, should be violated in any respect, this would be considered an abuse of privileges of residence within the meaning of Public Law 357 and the individual would lose his exemption from the laws and regulations regarding the continued residence of aliens. As it is assumed that any person restricted would be one not normally admissible under the provisions of Public Law 414, 82nd Congress, the removal of his exemption would make him subject to deportation.

If restrictions are imposed on persons at the United Nations in New York, the reliability of our statements to the effect that they are imposed on security grounds may be publicly challenged when it is recognized that comparable restrictions are not to be imposed on all diplomatic missions of Iron Curtain countries here in Washington. We would therefore wish to have the assistance of the Department of Justice in the development of such information as may be made public with respect to the differences in the security situation as between New York and Washington.

for signature of General Smith

S15.4/3-1753

*Minutes of Conference Held at the Department of Justice,  
Washington, March 17, 1953*<sup>1</sup>

Subject: Waiver of Privileges Under Section 247 of the Immigration and Nationality Act (Public Law 414, 82d Congress)

Participants: *Department of State:*

S/S-PR—Mr. H. Charles Spruks

Mr. Milton Mitchell

L/UNA—Mr. Bernard Fensterwald, Jr.

L/A—Mr. Eugene J. Skora

*Department of Justice:*

Mr. J. Lee Rankin

Mr. Ellis Lyons

Mr. Ronald MacDonald

Mr. Herzel H. E. Plaine

Mr. Reitzel (Immigration & Naturalization Service)

*Department of the Treasury:*

Mr. George Bronz

and for

*Bureau of Internal Revenue—*

Mr. Herbert J. Allen

Mr. A. J. Iscovitz

Mr. Maurice Lewis

Mr. Charles Potzler

Mr. Joseph Crockett

Mr. Skora opened the meeting with a restatement of the problem, emphasizing particularly the questions of immunity from suit, tax exemption on official salaries, and the question of the applicability of section 247 to international agreements. Stress was placed on the urgent need for a ruling by the Attorney General, in view of the scores of inquiries from foreign governments and international organizations and because of the actual cases which have arisen as a result of the requirement of waiver as a prerequisite for a reentry permit for an immigrant temporarily leaving the country.

Mr. Fensterwald added that it was unconscionable to require immigrants to execute a waiver, the effect of which is in doubt, and that foreign governments were not now permitting their employees to sign until the effect is clarified, particularly with respect to immunity from suit.

Mr. Rankin inquired regarding the views of the Department of State and was informed that the Department's position, as stated in its letter of January 9, 1953 to the Attorney General, was that the law did not require a waiver of privileges which inure to a government or

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<sup>1</sup> Drafted by E. J. Skora of L/A.

to an international organization and that perquisites accorded by international agreements were not intended to be affected.

Mr. Rankin indicated an opinion that the law was intended to waive all benefits which an immigrant enjoyed by virtue of his employment with a government or international organization without any hair-splitting as to whether the employer or the immigrant employee was the prime beneficiary of the privilege. Mr. Rankin expressed doubt as to whether the Attorney General should render any ruling on the inquiries. It was his belief that the questions could be settled only by a court and that even if the Attorney General should render an opinion it would be subject to reversal by a court; that if a ruling were to be rendered it would of necessity be a liberal rather than a limited construction of the law in order to protect the Department of Justice. It may be desirable, he said, for each Department of the Government to administer those privileges which fall within its province.

Mr. Allen of the Bureau of Internal Revenue stated, in response to an inquiry by Mr. Rankin, that Internal Revenue had been studying the tax problem and while no conclusion had been reached, he was of the opinion that in the absence of a treaty provision, tax exemption provided by section 116 (*h*) of the Internal Revenue Code was waived. He had not reached any conclusion regarding the effect of the section on treaty provisions according tax exemptions.

Mr. Lyons of the Department of Justice said he construed the intent of Congress, in enacting this section, to place immigrants on a plane with United States nationals. Any perquisites which are enjoyed by United States nationals would continue to be enjoyed by an immigrant after executing a waiver. He was of the opinion that it was immaterial whether the privilege flowed from a statute or a treaty; the intent of Congress was to relate immigrants to the status of citizens.

Mr. Skora was asked what privileges are enjoyed by United States citizens employed by foreign governments or international organizations and he replied that immunity from suit was probably the only privilege accorded generally but there may possibly be treaties which accord citizens special treatment, although he was unaware of any such treaty.

Mr. Rankin then stated he realized the Department of State was in a difficult position and that the Department of Justice would try to be of assistance; that Justice would attempt a reply to the letter of the Department of State<sup>2</sup>, from the standpoint of an intent of Congress to relate the status of immigrants to the status of citizens; that the intent of Congress to affect treaty provisions would be investigated; however, if it is determined that treaty provisions are affected, that Justice would probably rule that section 247 is not inconsistent

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<sup>2</sup> Presumably the letter of Jan. 8, 1953; see the memorandum by Meeker, Feb. 27, 1953 p. 239.

with nor abrogates any treaty provisions since the immigrant can continue to enjoy treaty privileges by not executing the waiver and suffering the loss of immigrant status.

Mr. Lyons asked that the Department of State furnish a list of privileges which are accorded United States citizens.

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340.1 AGB/3-1653 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL  
PRIORITY

NEW YORK, March 16, 1953—4:05 p. m.  
[Received 4:39 p. m.]

562. For the Secretary from Mrs. Hahn. Re visa application by NGO representative to attend Committee on Status of Women.

Re our conversation this matter last Friday, problem of pending Luckock visa raised at close of meeting of status of women committee this a.m. by Poland with support by USSR and Byelo-Russia. Attack dignified but very firm and charged violation Article 74 rules functional committee as well as Headquarters Agreement.

Polish representative requested reply in committee within 24 hours and request repeated by chair. SYG UN preparing note (see USUN 563) <sup>1</sup> for transmittal US today requesting comment for use tomorrow morning's meeting when appears certain question will be raised again by Soviets.

In view of fact this is third time visa case involving similar circumstances has been raised this committee and in view fact various friendly delegates including UK, France, Dominican Republic (newly elected chairman committee), and Cuba have today requested expeditious and if possible, favorable action by US, important US have answer at latest by opening of meeting Tuesday a.m. If answer negative, delegation requests be furnished statement setting forth explanation US position this matter, taking into account alleged violations headquarters agreement. Otherwise delegation believes US role in committee entire session will be extremely difficult. [Mrs. Hahn.]

LODGE

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<sup>1</sup> Not printed.

340.1 AGB/3-1653: Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, March 16, 1953—6:52 p. m.

PRIORITY

345. For Hahn.

1. Dept informed Attorney General has refused application Ninth Proviso permitting Mrs. Luckock enter US to attend present session Status Comm as Representative WIDF. UN Secretariat will be informed as soon as formal notice received.

2. If and when issue raised in Status Comm from whatever source, you are requested make following statement:

“I have communicated with my Govt in Washington and hope to be informed soon with respect to this case. However, I must point out that the question of whether a particular representative of an NGO in consultative status with the Economic and Social Council is to be admitted to this country is a legal question beyond the competence of this or any other Commission of the Economic and Social Council to decide. Further, this Commission cannot decide what position the SYG shall take in representing the UN on a question such as this. Under the Headquarters Agreement, the matter is one for discussion between the SYG and the US authorities. Under these circumstances it would be fruitless and premature for me to engage in any discussion of the issue at this time and place.”

3. If Rule 74 of the Rules of Procedure of Functional Commissions is invoked you should point out that issue does not relate to question whether NGO representatives are authorized to sit as observers at public meetings but whether under Headquarters Agreement a particular representative is to be admitted to US which is a matter beyond the competence of the Commission.

4. If a resolution is introduced stating it as view of Commission that the presence of a representative of WIDF would be helpful to Commission at its present session you should vote against on grounds that ever since 1948 WIDF has made no constructive contribution to work of Status Commission.

5. If any other type of resolution is introduced please seek further instructions from Dept.

DULLES

840.1 AGB/3-1853 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*CONFIDENTIAL  
PRIORITY

NEW YORK, March 18, 1953—1:22 p. m.

566. Re visa application by NGO representative to attend Commission on Status of Women:

Re USUN telegrams 562 and 563<sup>1</sup>, at meeting Status of Women Commission this a.m., Polish delegation followed by delegations Byelorussia and USSR again raised question failure to issue visa to Luckock. Pointed out that at Monday meeting statement by US representative re matter had been requested within 24 hours and that 2 days had now elapsed. US representative stated her Government giving matter attention and she hoped to be able to make statement shortly. After further statement by Polish delegate, chairman (Bernardino, Dominican Republic) intervened and promised statement to Commission within 24 hours. USSR delegate agreed to await such statement by chairman, but made clear would expect definitive statement tomorrow.

Soviets and satellites have adopted new and effective public relations tactic. While charging US action violates Headquarters Agreement and threatens independence UN, statements dignified and moderate in tone. No attack against US representative, but attitude her Government deplored. Representatives important American women's organizations have indicated to USDel they are upset and disturbed at position US Government this matter.

Hogan (UN Secretariat) has advised that report failure to issue Luckock visa carried BBC last night.

LODGE

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<sup>1</sup> Telegram 563 not printed.

315.3/3-1953

*Memorandum of Telephone Conversation, by the Assistant Secretary  
of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] March 19, 1953.

Subject: Marguerette Luckock Visa Case

Participants: Mr. Rogers—Deputy Attorney General  
UNA—Mr. John D. Hickerson

Upon the basis of Mrs. Hahn's telephone conversation with Mr. Rogers, Deputy Attorney General, yesterday evening concerning the Luckock case, Mr. Hickerson called Mr. Rogers this morning. We had understood from the report of Mrs. Hahn's conversation given to Mr.

Kotschnig that Mr. Rogers had not fully understood the requirements of the Headquarters Agreement and of the possible consequences of a refusal in this case, particularly the possibility of arbitration being requested by the Secretary General of the United Nations.

Mr. Rogers told Mr. Hickerson that subsequent to his telephone conversation with Mrs. Hahn he had reviewed the case again and had discussed it with the Attorney General. It had been decided that no change would be made in the Attorney General's decision transmitted to us by letter denying the request for Ninth Proviso action. The Attorney General is especially concerned by the association of applicant Luckock with the Rosenberg case and of the possible consequence of agitation in this country resulting from her admission. He said they were quite prepared to face the consequences of arbitration if it should be demanded by the Secretary General.

The Attorney General's decision should accordingly be transmitted to the Secretary General and Mrs. Hahn authorized to make whatever statement is required in the Commission on the Status of Women.

J[OHN] D. H[ICKERSON]

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340.1 AGB/3-2553 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL  
PRIORITY

NEW YORK, March 25, 1953—11:25 a. m.

578. For the Secretary. The first case in which the US has refused entry to the UN Headquarters District to a representative of a non-governmental organization with consultative status has just arisen from a decision of the Attorney General which precludes the granting of a visa to Margarett Luckock, a Canadian national designated by a Communist-dominated group, WIDF (see Deptel 348 of March 19). The implications of this decision in our relations with the UN I should like to set out:

1. Since Section 11 of the Headquarters Agreement between the US and UN provides that federal authorities shall not impose any impediment to transit to or from the Headquarters District by certain representatives of NGO's, of whom Luckock is one, recognized by the UN for purposes of consultation, the Attorney General has rested his decision in this case on Section 6 of the joint resolution of the 80th Congress, Public Law 357, which provides, in part, that nothing in the Headquarters Agreement shall be construed as abridging the right of the US to safeguard its own security and completely control the entrance of aliens into any territory of the US other than the Headquarters District and its immediate vicinity.

2. Since Margarett Luckock is in all probability an alien inadmissible under the Immigration and Nationality Act, in order for her

to obtain a visa it would be necessary for the Attorney General to approve, under Sec 212(D) (3) of the act, a recommendation of the Secretary of State that she be admitted. In cases of this sort in the past, such approval has been given.

In the present case, however, the Attorney General has refused approval of a recommendation for admission. Finding that Mrs. Luckock is excludable under Section 212(A) (29) of the act as a person who would probably engage in subversive activities after entry into the US. Such a finding precludes approval under Section 212 (D) (3).

3. The SYG UN has in a note dated March 19 (mytel 569) called to my attention Luckock's entitlement to be admitted to the US under the provisions of Section 11 of the Headquarters Agreement. It has previously been the position of the SYG that Section 6 is not a valid reservation by the US to Section 11 of the Headquarters Agreement. Since the US in denying a visa to Luckock is relying on the determination of the Attorney General that she is excludable under Section 212 (A) (29) and that the denial of her admission falls under Section 6 of the joint resolution and arises out of the right of the US to safeguard its own security, I am wondering what facts, if any, we will be able to make available to the SYG in support of this finding. I think it is of some political importance to explain the reasons for this decision to friendly UN delegations as well as to the SYG.

4. In the light of the difference of opinion between the US and the SYG on the scope of Section 6 of the joint resolution in relation to Section 11 of the Headquarters Agreement, it may well be that the US will be drawn into arbitration of this question under Section 21 of the Headquarters Agreement which provides that any dispute concerning interpretation or application of the agreement shall be referred for final decision to a tribunal of three arbitrators. If this should occur, it might be particularly important to have available the facts on which the decision of the US is based, excluding Luckock pursuant to Section 6. This also raises the question, of course, what the position of the US would be in the event of an adverse decision arising out of such arbitration.

5. Another possible course of action other than excluding this alien, such as the imposition of restrictions on her movements and unofficial activities has, I assume, been considered and rejected.

6. If it is to be a general policy, broader than the instant case, for the Attorney General to give wide application to the provisions of Section 212(A) (29) of the Immigration and Nationality Act, this fact will have an important effect upon US-UN relations which probably should be considered at this time.

In conclusion, the Luckock case is being exploited in the Commission on the Status of Women in which the USRep, Mrs. Hahn, is finding the US position under daily attack. Any tentative or partial answers on some of the points raised above would help Mrs. Hahn in setting forth the rationale of the US position, although she and I understand that technically the legal questions are for discussion and negotiation between the US and the SYG UN.

LODGE



L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum by the Assistant Legal Adviser for United Nations  
Affairs (Meeker) to the Legal Adviser (Phleger)*

SECRET

[WASHINGTON,] March 26, 1953.

Subject: Headquarters Agreement with the United Nations

In the Headquarters Agreement with the United Nations, the United States has engaged to permit certain classes of individuals to come into the United States in order to go to the United Nations in New York. Section 11 of the Agreement defines these classes. The President was authorized to bring the Headquarters Agreement into effect by Public Law 357 of the 80th Congress. Section 6 of that public law provides, in part:

"Nothing in the Agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, . . ."

Section 212(a) of the Immigration and Nationality Act sets forth 31 categories of inadmissible aliens. Three of these categories are based on security criteria: Section 212(a)(27), 212(a)(28), and 212(a)(29). Section 212(d)(3) of the Immigration and Nationality Act authorizes the Attorney General to waive the grounds of inadmissibility for non-immigrant aliens other than the grounds set forth in subparagraphs (27) and (29).

In the past, a number of aliens entitled to enter the United States under Section 11 of the Headquarters Agreement have been inadmissible under Section 212(a)(28) of the Immigration and Nationality Act. In these cases, the Department of State has recommended that the Attorney General waive the inadmissibility, on the ground that such waiver in the particular case was in the national interest. Although at times there have been delays in securing a decision, the waivers have, in the end, been granted.

Two very recent cases, however, have been handled differently, raising problems. A Canadian national, Mrs. M. R. Luckock, sought to enter the United States to attend a meeting of the United Nations Commission on the Status of Women, under Section 11(4) of the Headquarters Agreement. She sought to come as a representative of the Women's International Democratic Federation, a Communist-dominated organization. She appeared to be inadmissible under Section 212(a)(28) of the Immigration and Nationality Act. This Department requested the Department of Justice to waive her inadmissibility. The Department of Justice, for the first time, denied the request, stating that the information forwarded to Washington by the consul

showed that Mrs. Luckock fell within Section 212(a) (29) of the Immigration and Nationality Act. The information forwarded by the consul had covered two points: (1) Mrs. Luckock held hostile views toward the United States Government, and (2) at a public meeting in Canada, she sponsored a resolution criticizing the course of the Rosenberg spy case. Mr. Hickerson and Mrs. Hahn (our representative on the Status of Women Commission) talked by telephone with Mr. Rogers, the Deputy Attorney General, about the Luckock case, but apparently did not discuss the legal aspects under the Immigration and Nationality Act and the Headquarters Agreement.

A French national, Madame M.-C. Vaillant-Couturier, is now seeking to come to the United States for the April meeting of the United Nations' Economic and Social Council, again under Section 11(4) of the Headquarters Agreement. Like Mrs. Luckock, Madame Vaillant-Couturier would be a representative of the W.I.D.F. The Department's visa office has informed UNA of its determination that Madame Vaillant-Couturier falls within Section 212(a) (29) of the Immigration and Nationality Act, and of its decision not to request a waiver of inadmissibility by the Department of Justice. From the facts available to this Office, it is not clear whether the view of the visa office is based on Madame Vaillant-Couturier's status with the W.I.D.F., or on additional facts. Unless a recommendation is made to the Department of Justice, the applicant will not receive a visa and will not be admitted to the United States.

As you know, this type of problem under the Headquarters Agreement has given concern to Ambassadors Lodge and Wadsworth in New York. Attached to this memorandum is a telegram of yesterday from Ambassador Lodge.<sup>1</sup> There are difficult legal problems involved in individual cases, both under the Headquarters Agreement with the United Nations and under the Immigration and Nationality Act. These problems need to be carefully considered in each case, in order that the United States make a disposition which would leave us in a strong position if the case were later to be taken to arbitration by the United Nations under Section 21 of the Headquarters Agreement.

I suggest that careful consideration needs to be given to this type of case at two stages: (1) when this Department is considering whether to recommend to the Attorney General that inadmissibility under Section 212(a) (28) be waived, and (2) in discussing the matter with the Department of Justice after the State Department has recommended a waiver of inadmissibility. In the first stage, it is not satisfactory for the visa office alone to make a determination; there needs to be consultation among the Departmental offices concerned, including the Office of the Legal Adviser. In the second stage, the Department of Justice

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<sup>1</sup> Not attached; presumably telegram 578, Mar. 25, *supra*. Meeker also enclosed copies of the Headquarters Agreement and the Immigration and Nationality Act.

should not be put in the position of having to make a decision on waiver without the benefit of discussion with officers of this Department, including officers in L. If you agree, we should suggest to the visa office and to UNA the holding of appropriate consultations at both stages. In this way, I believe, the best application of the Immigration and Nationality Act would be secured, and we would minimize the possibilities of future arbitral difficulty under the Headquarters Agreement.

LEONARD C. MEEKER

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340.1 AGB/3-2853

*The Legal Adviser (Phleger) to the Deputy United States Representative at the United Nations (Wadsworth)*

SECRET

[WASHINGTON,] March 28, 1953.

MY DEAR AMBASSADOR WADSWORTH: Mr. Tate, the Deputy Legal Adviser, conferred this morning with Mr. Rogers, the Deputy Attorney General, concerning the case of Mrs. M. R. Luckock, about which we have talked on the telephone and which was the subject of a telegram from the United States Mission on Wednesday.

Mr. Tate discussed with Mr. Rogers at some length the questions referred to in the Mission's telegram, covering Sections 11(4) and 21 of the Headquarters Agreement, Section 6 of Public Law 357 (80th Cong.), the relationship among subsections 212(a) (27), (28), and (29) of the Immigration and Nationality Act, and the effort of the United States to terminate the consultative status of the WIDF. Mr. Tate recalled the past experience with cases of this sort, and the question raised by the Mission whether the viewpoint of the Department of Justice in the Luckock case reflected a changed United States policy toward the application of the Headquarters Agreement.

Mr. Rogers said that the Department of Justice would wish to consider the Luckock case further before giving us an answer; in particular, he wished to raise it again with the Attorney General. Mr. Rogers said that, if the Department of Justice adhered to its position concerning Mrs. Luckock, he would write to the Department of State a letter setting forth as fully as possible within the limitations of security the reasons for the Department of Justice decision that Mrs. Luckock could not be admitted to the United States.

We expect to hear from Mr. Rogers in a few days.

Sincerely yours,

HERMAN PHLEGER

340.1 AGB/3-1353: Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*CONFIDENTIAL  
PRIORITY

NEW YORK, March 31, 1953—7: 15 p. m.

589. Re Luckock visa case ECOSOC accepted without vote, US stating abstention for record, Polish proposal include in agenda new item "admission of rep of WIDF for participation in Committee Status Women, in accordance with resolution approved by status committee" (see our telegram 583, March 26).<sup>1</sup>

President ECOSOC will meet Wed, April 1, with Picot and top legal personnel UN secretariat to decide on his and SYG's procedures. New item likely taken up formally in Council on Thursday morning. No clear indication regarding future course Soviets but may urge referral issue to GA.

Whatever US decision, essential US able Thursday state US position. Strong feelings in other delegates and negative US decision likely impair US relations friendly delegates. As stated our telegram 583, such negative decision likely seriously jeopardize US effort withdraw consultative status WIDF.

LODGE

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<sup>1</sup> Not printed.

L/UNA files, "Privileges &amp; Immunities, General, 1944-1954"

*The Secretary-General of the United Nations (Lie) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

No: LEG 240/2/03

NEW YORK, 7 April 1953.

SIR: I have the honour to invite your attention to my note relating to the United States Immigration and Nationality Act and dated 4 August 1952,<sup>2</sup> to which no reply has been received.

I there referred to two legal questions of importance to the United Nations which were posed by the terms of Section 247 of that Act. That Section requires the Attorney General of the United States to adjust to the appropriate non-immigrant (international organization) status any officer or employee of the United Nations who has been admitted to the United States for permanent residence. I therefore stated the understanding of the United Nations that, although the Section did not in terms appear intended to affect privileges and immunities accorded to an international organization rather than to the individual as such, nevertheless the Act would not be interpreted

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<sup>1</sup> Transmitted to the Department of State under cover of USUN despatch 112, Apr. 9, 1953, not printed (L/UNA files).

<sup>2</sup> Not printed.

in any manner inconsistent with the legal status, privileges and immunities owing to the United Nations under the Charter, in particular as might relate to the immunity from legal process for acts performed in the course of official duty as already accorded without regard to nationality or residence by Section 7(b) of the International Organizations Immunities Act.

I likewise recalled that the exemption from income taxation on the salaries and emoluments paid by the United Nations was understood to have been accorded for the benefit of the Organization and not for the relief of the individual, and that the General Assembly had so regarded this exemption when calling for its extension to all the staff without respect to nationality. Any action by United States authorities to treat the tax exemption accorded by Section 4 of the International Organizations Immunities Act as capable of being waived by the individual seeking to retain his personal status as a permanent resident in the United States must be expected to impose an additional financial burden on the United Nations, by application of the tax reimbursement policies established by the General Assembly. You will therefore understand why it remains necessary for me to receive an assurance that the Section in question will not be interpreted in such manner as to affect the resources of the United Nations or to require specific budgetary action and other internal administrative adjustments.

My note of 4 August 1952 was written at a time when the Immigration and Nationality Act had not yet come into force, and it expressed the hope that some appropriate action could be taken in the preparation by the Attorney General of the Regulations to be issued under Section 247, in order to make plain the protected status of the Organization. Since that date, however, the Act has entered into force and the Regulations have appeared and been brought into effect without clarifying in any way the scope of the Section. Moreover, the provisions for the waiver of all privileges and immunities have been applied against affected members of the staff of the United Nations in a sufficient variety of situations that it is no longer consistent with the effective functioning of the Organization for me further to defer their execution of the waiver on the grounds that it was first desirable to seek an explanation from the United States authorities of the intent and legal effect of this legislative requirement. Thus, for example, departures from the Headquarters on travel affecting the operations of the United Nations have been seriously delayed because the immigration authorities of the United States have declined to issue re-entry permits to staff having permanent residence status unless they first executed the waiver in the general and inclusive language used by the Act.

I am therefore authorizing members of the staff under certain conditions to execute the waiver if required by the appropriate authorities.

I do this with every confidence that your Government will not apply its legislation in such manner as to impinge upon the legal status already granted the Organization as such, and this action does not constitute in any sense a waiver on behalf of the United Nations of any privilege, immunity, exemption or facility to which it might hereafter lay claim in any specific situation. It is the position of the United Nations that it would be a violation of Article 105 of the Charter for any governmental authority to treat the immunity from legal process relating to acts performed by an employee in his official capacity as waivable by the individual without the express authority in each instance of the Organization as such. This plainly conforms with the language of Section 7(b) of the International Organizations Immunities Act itself. Therefore, the authority which I now propose to give to staff members to execute the waiver relates only to any personal privileges and immunities contemplated by Section 247 which they may enjoy, and in no way relates to the immunity from legal process.

Finally, unless I should receive an authoritative indication from you to the contrary, I shall not be in a position to advise the staff members affected that by reason of such a waiver federal income taxes are payable by them on the salaries paid them by the United Nations. This is for the reasons already stated, and in the meantime there has come to my attention no amendment to the Internal Revenue Code, or to Regulations issued thereunder, on which I might rely as in any way altering the exclusion from income taxation on such salaries which was expressly written into law by Section 4 of the International Organizations Immunities Act amending the Internal Revenue Code.

Accept, Sir, the assurances of my highest consideration.

TRYGVE LIE

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*Text of United Nations (ECOSOC) Doc. E/2397, April 10, 1953*

ADMISSION OF REPRESENTATIVES OF NON-GOVERNMENTAL  
ORGANIZATIONS ENJOYING CONSULTATIVE STATUS

MEMORANDUM BY THE LEGAL DEPARTMENT

1. This memorandum is transmitted in compliance with the request, made on 9 April 1953 at the 679th plenary meeting of the Economic and Social Council, for a legal opinion on the extent to which the denial by the United States of the applications by two representatives of non-governmental organizations for transit to the Headquarters District is consistent with the terms of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations.

*A. Summary of Facts*

2. In accordance with resolution 288(X) concerning consultative arrangements with non-governmental organizations, adopted by the Economic and Social Council under the authority of Article 71 of the Charter, the Women's International Democratic Federation, a non-governmental organization in consultative relationship with the Council in Category B, designated Mrs. Margarete Rae Luckock as its representative to attend the seventh session of the Commission on the Status of Women, which adjourned on 3 April 1953, and thereafter to attend the current session of the Economic and Social Council. The World Federation of Trade Unions, a non-governmental organization in consultative relationship with the Council in Category A, designated Mr. Jan Dessau as its representative to attend the current session of the Council. Both representatives made application for a visa at appropriate United States Consulates and the Secretariat of the Economic and Social Council made notification to the United States Mission to the United Nations of these applications, in accordance with established procedures.

3. The representative of the United States reported to the Economic and Social Council at its 679th plenary meeting on 9 April 1953 that his Government had found it impossible to grant these applications. He explained the position of his Government as follows:

"In denying these applications, my Government has found it necessary to invoke the right to safeguard its security which it reserved to itself in Section 6 of the Joint Resolution (Public Law 357) of the 80th Congress, which authorized the United States to enter into the Headquarters Agreement, and in the note of its Representative, dated November 21, 1947, bringing the Headquarters Agreement into effect."

*B. Provisions of the Headquarters Agreement*

4. Section 11(4) of the Headquarters Agreement provides:

"The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of . . . (4) representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter . . .".

5. Section 13(a) of the Headquarters Agreement reads as follows:

"(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible."

6. These are the only provisions in the Headquarters Agreement bearing upon the right of transit to the Headquarters District on the part of properly designated representatives of non-governmental organizations. Nothing in the text of the Headquarters Agreement re-

serves to the United States the authority to deny a visa to any of the classes of persons specified in Section 11. Indeed, Section 13 (*d*) specifies that, *except* as provided above, “. . . the United States retains full control and authority over the entry of persons or property into the territory of the United States. . .”.

*C. Joint Resolution of the 80th Congress*

7. By Joint Resolution (Public Law 357-80th Congress) the Senate and House of Representatives of the United States Congress authorized the President of the United States to bring the Headquarters Agreement into effect on the part of the United States.

8. Section 6 of the Joint Resolution stated that nothing in the Agreement should be construed as in any way diminishing, abridging or weakening the right of the United States to safeguard its own security and completely to control the entry of aliens into any territory of the United States other than the Headquarters District and its immediate vicinity, and such areas as it was reasonably necessary to traverse in transit between the same and foreign countries.\*

9. The Secretary-General of the United Nations was authorized to bring the Headquarters Agreement into force by the General Assembly, which approved the text of the Agreement in its resolution 169 (II). But in the event that the provision in section 6 of the Joint Resolution had been intended by the United States to constitute a reservation, it was never made known to the General Assembly as such, and it was never considered by the General Assembly nor accepted by it.

10. It is an established principle of international law that a reservation to a bilateral treaty or agreement is in effect a proposal to amend the text of the agreement and must therefore be accepted by the other party if it is to have any effect. David Hunter Miller, for example, in his well-known work on “Reservations to Treaties”, after reviewing the history of qualifying declarations in United States treaty practice, states (p. 76), “One conclusion supported by *all* of the foregoing precedents is that the declaration, whether in the nature of an explanation, an understanding, an interpretation, or reservation of any kind, *must be agreed to by the other Party to the treaty . . .*

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\*“Sec. 6. Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed in a supplementary agreement between the Government of the United States and the United Nations in pursuance of section 13 (3) (*e*) of the agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries. Moreover, nothing in section 14 of the agreement with respect to facilitating entrance into the United States by persons who wish to visit the headquarters district and do not enjoy the right of entry provided in section 11 of the agreement shall be construed to amend or suspend in any way the immigration laws of the United States or to commit the United States in any way to effect any amendment or suspension of such laws.” [Footnote in the source text.]



Accordingly, in a treaty between two Powers only, the difference between a reservation of any nature and an amendment, is purely one of form." (Author's emphasis.)

11. Pursuant to its section 28, the Headquarters Agreement was brought into force by an exchange of notes between the Secretary-General and the representative of the United States. The United States note, dated 21 November 1947, added :

"Pursuant to instruction from my Government, I have the honor to inform you that the Government of the United States of America is prepared to apply the above-mentioned Headquarters Agreement subject to the provisions of Public Law 357."

This observation is in general terms and did not make reference to any reservation. It was made subsequent to the final adoption of the Agreement by the General Assembly. For these reasons, and because it appeared in a formal note of entry into force, it did not give notice to the Secretary-General that the United States might claim the authority to restrict transit to and from the Headquarters District.

12. Finally, even if the United States had intended to formulate a reservation, it would not appear from a reading of section 6 of the Joint Resolution that it could have application to the present cases. It refers to control by the United States of the entrance of aliens into any territory of the United States *other than* the Headquarters District, its immediate vicinity, and the necessary area of transit.

#### D. *Conclusion*

13. It appears from the foregoing that persons falling within the classes referred to in section 11 of the Headquarters Agreement are entitled to transit to and from the Headquarters District, and that this right of transit has not been made the subject of any reservation.

14. Should the United States adhere to its position, it is clear that there would then exist a dispute between the United Nations and the United States concerning the interpretation or application of the Headquarters Agreement. The Council will note that section 21 of the Headquarters Agreement establishes the procedures for handling any such dispute. If the dispute is not settled by negotiation or other agreed mode of settlement, it "shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice."

340/4-1453 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*CONFIDENTIAL  
PRIORITY

NEW YORK, April 14, 1953—5 p. m.

613. Re ECOSOC item 34. Re USUN 607 and Deptel 389.<sup>1</sup> USDel has today discussed procedure for handling item 34 ECOSOC plenary a. m. tomorrow with President of Council and with French, UK, Swedish and Indian dels. Believes debate re political and legal aspects problem can be minimized and drastic measure such as resolution of protest or censure, or transfer item to GA, can be avoided if USDel speaks first along lines indicated below. Swedish representative has indicated he prepared to follow US statement with suggestion council await outcome discussion between SYG UN and US Government, or other action appropriate under Headquarters Agreement. French delegate has indicated will support Swedish position and move to adjourn debate. French delegate also speaking with Poles in effort dissuade them from presenting resolution re item. UKDel endeavoring dissuade Uruguayans from following instructions to vote for transfer item to GA.

Should resolution along lines Swed's position be brought to vote, USDel prepared abstain as interested party.

Proposed US statement as follows:

"The items before us deal with the inability of certain individuals to obtain visas in order to gain entrance to this country for the stated purpose of attending meetings of this council or its commissions as representatives of their respective NGOS. In a larger sense however, it deals with a disagreement between the Legal Department of the Secretariat and the US Government as to the nature and extent of the obligations undertaken by my government in entering into the Headquarters Agreement. In the opinion of my del, Mr. President, little can be gained by a debate in this body concerning this disagreement. The problem here is essentially juridical in nature and I submit that in section 21 of the Headquarters Agreement there exists clear and adequate machinery for the settlement of disputes between the UN and the host country concerning the interpretation and application of the agreement. My government has no intention of contravening any part of this agreement and will continue to recognize the validity of its provisions, including the reservation expressed by the 80th Congress in PL 357. Accordingly my government is prepared to enter into conferences and negotiations with the SYG concerning this matter and, should such negotiations fail to achieve agreement, is prepared to cooperate in the next step, that of arbitration.

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<sup>1</sup> The ECOSOC item and the reference telegrams all dealt with the concern felt at the United Nations over U.S. refusal to grant visas to Mrs. Luckock and Mr. Dessau of the NGO. The reference telegrams are in Department of State file 340/4-1053.

Therefore, Mr. President, without presuming to suggest an unwilling silence on the part of my colleagues in this matter, I submit that a protracted debate today can serve only to raise unnecessarily the temperature of our climate here, and suggest that an immediate beginning of the conferences referred to above would be of far greater practical value.

Request Department's comments prior plenary 10:30 a. m. tomorrow.  
LODGE

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L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum Prepared in the Office of the Assistant Legal Adviser  
for United Nations Affairs (Meeker): Part I*

[WASHINGTON,] April 15, 1953.

I. *The Secretariat's Legal Contentions*

On April 10, 1953 the Secretariat issued a memorandum (E/2397), prepared by its Legal Department, upon the legality of the United States action in refusing to grant visas to two NGO representatives under Section 11(4) of the Headquarters Agreement. The memorandum was drawn up at the request of ECOSOC in connection with the applications for admission to the United States of Mrs. Luckock and Mr. Dessau. The memorandum makes two main submissions: that the reservation to the original Agreement made in Public Law 357, 80th Congress, was never made effective and that, in any event, it would not be applicable to the cases at hand.

In regard to the first point, paragraph 9 of the Secretariat memorandum states:

"But in the event that the provision in Section 6 of the Joint Resolution had been intended by the United States to constitute a reservation, it was never made known to the General Assembly as such, and it was never considered by the General Assembly nor accepted by it."

The referenced Joint Resolution is S.J. Res. 144, 80th Congress, which was enacted as Public Law 357, 80th Congress. It is difficult to see how a contention can be made that the reservation was never made known to, considered by, nor accepted by the General Assembly.

The complete text of Public Law 357, 80th Congress, was published in the official records of the Second Session of the General Assembly, 6th Committee, as Appendix I to Annex 11 (pp. 333 *et seq.*). Appendices II and III to the same Annex consist of an exchange of letters between the Legal Adviser to the State Department and the Assistant Secretary-General in charge of the Legal Department of the United Nations. Both of these letters make specific reference to Public Law 357. In addition, the report by the Secretary-General to the Assembly on the proposed Agreement (A/371), the document which formed

the basis of study by Subcommittee 1 of Committee 6, contains this passage:

“As a result of the President’s approval on 4 August, this Joint Resolution became Public Law 357 (Appendix 1). Both the joint resolution and Public Law 357 refer to the interpretation placed on the Agreement by Congress, in particular to the right of the United States to control the entry of aliens into the territory of the United States. In this connection it would appear desirable to draw the General Assembly’s attention to section 6 of Public Law 357.”

Subcommittee 1 of Committee 6 was not only well aware of the reservations, but devoted a great deal of serious debate to them. Mr. Fahy, the United States representative on the Subcommittee, reiterated time and again in the most unequivocal terms that the President was empowered to sign the Agreement on behalf of the United States only subject to the reservations specified in Public Law 357. Certain members of the Subcommittee had doubts whether the General Assembly should authorize the Secretary-General to effectuate an agreement containing these reservations. Paragraph 4 of the interim report of the Subcommittee, as drafted by Mr. Beckett of the United Kingdom (Doc. A/C.6/SC.4/W.12), contained the statement that:

“. . . it was neither necessary nor appropriate for the United Nations to take official cognizance of this Resolution of Congress on the ground that the Agreement alone contained the obligations between the parties and that the actual contents of the Resolution of Congress was a ‘domestic’ matter for the United States.”

This point was consistently refuted by Mr. Fahy, and after much debate the statement as drafted by Mr. Beckett was deleted from the Subcommittee’s report, and nothing to this effect was contained therein or in the full Committee’s report to the Assembly (A/427).

In addition, paragraph 9(g) of the interim report of the Subcommittee stated that the exchange of notes “should not contain any other matter having any effect by way of interpretation or otherwise on the provisions of the Headquarters Agreement.” This was obviously unacceptable to the United States, and at its Tenth Meeting, at the suggestion of the Canadian representative, the Subcommittee decided to delete this language from its report (see UN Press Release GA/L/79 of 16 Oct. 1947).

As the Secretariat memorandum points out in paragraph 11, the Headquarters Agreement was brought into force by an exchange of notes. The United States note, dated November 21, 1947, stated that “the Government of the United States of America is prepared to apply the above mentioned Headquarters Agreement subject to the provisions of Public Law 357.” The records of the Department show that there had been discussion with the Secretary-General over the proposed use of the terms “in accordance with” and “subject to”. The

United States had insisted upon the words "subject to" as having a more precise legal meaning. The Secretary-General acquiesced on this point.

Paragraph 10 of the Secretariat memorandum states that a reservation must be accepted by the other party if it is to have any effect. It quotes David Hunter Miller to this effect. There would seem to be no question as to the truth of this axiom. However, the real question at issue is not that one, but the question of whether, in this particular case, the United Nations did accept the reservation. In other words, the question is one not of the necessity of acceptance but of the fact of acceptance.

Acceptance of a reservation can be made in a number of different ways and can be evidenced by several different types of action. Characterizing the "subject to" clause in the United States note of November 21, 1947 as an "observation", the Secretariat memorandum states:

" . . . This observation is in general terms and did not make reference to any reservation. For these reasons, and because it appeared in a formal note of entry into force, it did not give notice to the Secretary-General that the United States might claim the authority to restrict transit to and from the Headquarters District."

There is nothing general about the proviso clause of the United States note. It specifically refers to "the provisions of Public Law 357". Both the Secretary-General and the General Assembly were fully and officially cognizant of the exact provisions of that Law. Also, the section 6 reservation was not adopted by Congress "subsequent to the final adoption of the Agreement by the General Assembly." It was approved by Congress on August 4, 1947. As the exchange of letters between Mr. Fahy and Mr. Kerns shows, the Secretariat was formally and effectively notified of the exact nature of the Congressional action in August of 1947. The Secretary-General called the specific attention of the Assembly to the reservations in his Report to the Assembly on the proposed Agreement (A/371, 3 Sept. 1947). The reservations were fully considered by the Subcommittee of Committee 6 *before* either the Sixth Committee recommended or the General Assembly adopted the Agreement. The United States representative on the Subcommittee repeatedly stressed that the President was authorized to sign the Agreement only subject to the reservation. Considering that this knowledge was made known to the Subcommittee, the Committee and the Assembly, and in view of the fact that the Secretary-General was authorized to sign on behalf of the United Nations without further negotiations with the United States, it is difficult to see how a contention can be made that the Assembly was not aware of and did not accept the reservation. Having been made perfectly aware of the reservation, if the Assembly did not wish to accept it, the Assembly

would have instructed the Secretary-General not to sign the Agreement but to negotiate further with the United States. However, this is not what it did, and the Secretary-General accepted the United States note of November 21, 1947 including the proviso clause. The reservation was incorporated by reference into, to use the Secretariat's language, "a formal note of entering into force". It is hard to conceive of a more effective way of accepting a reservation.

Even if one were to make the argument that as of the date of the entry into force of the Agreement the United Nations had not accepted the reservation which had been added by the United States, the application of the Agreement for a period of more than five years would certainly constitute an acceptance. In this respect the law of treaties is very similar to the law of contracts: acceptance can be evidenced by practice as well as by formal agreement. *In any event, if the practice over the last five years does not constitute acceptance, the only conclusion possible is that there is no agreement between the United States and the United Nations regarding the headquarters. If the United Nations has not in fact accepted the reservations of the United States, there has been no meeting of the minds of the two parties and no agreement exists today.*

In this connection it is interesting to note the comment upon this subject which was made by David Hunter Miller, who was quoted in paragraph 10 of the Secretariat memorandum. His comment in fact is contained in the omitted portion of the paragraph quoted by the Secretariat and which is indicated by ". . .". It reads: "In default of such acceptance, the treaty fails, as in the case of the Naturalization Treaty with Turkey of 1874 . . ." David Hunter Miller, *Reservations to Treaties*, p. 76.

Paragraph 12 of the Secretariat memorandum states that :

"Finally, even if the United States had intended to formulate a reservation, it would not appear from a reading of section 6 of the Joint Resolution that it could have application to the present cases. It refers to control by the United States of the entrance of aliens into any territory of the United States *other than* the Headquarters District, its immediate vicinity, and the necessary area of transit."

This would seem to ignore the previous part of section 6, which reads as follows :

"Nothing in the Agreement shall be construed as in any way diminishing, abridging or weakening the right of the United States to safeguard its own security and . . ." (Underscoring supplied).

It is necessary both to consider this part of the reservation and to assign it some meaning. To ascertain its meaning it is helpful to consider the legislative history of the reservation.

The second part of the reservation, which deals with the entrance of aliens into United States territory outside the Headquarters District, was added by the United States Senate. It is more in the nature of an understanding than a reservation, in that it merely restates the provisions already contained in Article 13 (*d*) of the Agreement. It will be readily admitted that there is nothing in the Headquarters Agreement which obligates the United States to give free access to areas outside of the Headquarters District and its immediate vicinity, nor which prevents the United States from completely controlling the admission of aliens into the general territory of the United States. When the House of Representatives considered the Joint Resolution as approved by the Senate, it felt that a definite reservation was needed regarding the safeguarding of the national security of the United States. It was the opinion of the House that the United States must have at least some control over the entrance of aliens into the Headquarters District and its immediate vicinity, this control to be limited by the strict requirements of national security. To reiterate, this limited control extends to the Headquarters District as well as to the remainder of the United States from which we can exclude aliens for a number of reasons aside from requirements of national security.

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L/UNA files. "Headquarters Agreement—Immigration (McCarran Act, etc.)"

*Memorandum Prepared in the Office of the Assistant Legal Adviser  
for United Nations Affairs (Meeker) : Part III*

[WASHINGTON, April 15, 1953.]

### III. *Operation of Section 11 of the Headquarters Agreement*

It is the United States position, as shown earlier [Part I],<sup>1</sup> that provisions of the Section 6 reservation in Public Law 357 (80th Congress) qualify the obligations set forth in the Headquarters Agreement. As the result of Section 6, the United States is not obligated to admit to the United States (for transit to and from the Headquarters District and its immediate vicinity) all aliens covered by Section 11. There are exceptions. For example, an espionage agent would be excludable under Section 6. There are other types of cases which would be exceptions also.

The Immigration and Nationality Act, in Section 212 (*a*), specifies a number of categories of persons who are ineligible to receive visas and excluded from admission into the United States. In the present context, categories 27, 28 and 29 of Section 212 (*a*) are particularly relevant. It is to be noted that the Attorney General has discretion, under

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<sup>1</sup> Brackets in the source text. Part II has not been found in Department of State files.

subsection 212(*d*)(3), to authorize the admission of aliens falling into category 28, as in the case of other inadmissible categories except categories 27 and 29. Where an alien covered by subsection 11(3), 11(4) or 11(5) of the Headquarters Agreement falls into category 28, the procedure is for the Secretary of State to request the Attorney General to exercise his authority under subsection 212(*d*)(3) of the Immigration and Nationality Act. Aliens covered by subsections 11(1) and 11(2) of the Headquarters Agreement, who come within the terms of subsection 101(*a*)(15)(G) of the Act, are not ineligible to receive visas and be admitted to this country because they come within the provisions of subsection 212(*a*)(28) of the Act. In this connection, subsections 102(2), 102(3) and 212(*d*)(2) of the Act are relevant.

When Congress enacted the Immigration and Nationality Act, it recognized that certain aliens who would be otherwise inadmissible to the United States, under the terms of subsection 212(*a*)(28), would be admitted on recommendation of the Secretary of State and decision of the Attorney General because such persons were seeking to come to the United Nations under the Headquarters Agreement. However, subsections 212(*a*)(27) and 212(*a*)(29) provide for the unconditional exclusion of certain categories of aliens. The fact that in these cases the Attorney General is without discretionary authority to admit an alien temporarily under subsection 212(*d*)(3) despite his inadmissibility indicates the gravity of the security considerations where these two provisions apply. It likewise indicates that these provisions cover very limited classes of aliens, with respect to whom there is very serious information of a security nature.

The United States believes that the Immigration and Nationality Act can and should be given effect consistently with the Headquarters Agreement. Congress has regarded the two as compatible, and not conflicting, instruments. Furthermore, in giving effect to the Immigration and Nationality Act, the United States will take into account the consideration that aliens covered by Section 11 are seeking to come to the United Nations and not to travel the United States at large, and the consideration that, where necessary, geographical and other conditions can be imposed on their entry.

There have been given above [Part II]<sup>1</sup> the facts underlying the United States Government's conclusion that the Luckock and Dessau cases came within the provisions of subsection 212(*a*)(29) of the Immigration and Nationality Act. It is important to emphasize that these cases do not represent a new departure in American policy. The reasons for their exclusion are personal to them, indicating that the individuals personally would be a threat to United States security if they were to come to this country. They are special cases, each resting on its particular facts.



The United States considers that an alien coming within subsection 212(a) (28) of the Immigration and Nationality Act, and not subsection 212(a) (27) or 212(a) (29), is to be admitted to the United States if his entry is covered by Section 11 of the Headquarters Agreement, and that the reservation contained in Section 6 of Public Law 357 does not afford a ground for excluding such an alien. Subsections 212(a) (27) and 212(a) (29) of the Immigration and Nationality Act cover cases of inadmissibility to the United States where very serious security considerations are present. In deciding whether a case comes within either category 27 or category 29, the United States will take most careful account that these categories cover only very limited types of cases and of the circumstances (length of stay, purpose, conditions on entry) of the applicant alien's intended trip to the United Nations. The United States considers that an alien ineligible to receive a visa and excluded from admission under subsection 212(a) (27) or 212(a) (29) of the Immigration and Nationality Act is an alien whom the United States is entitled to exclude under the Section 6 reservation to the Headquarters Agreement.

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315/4-2353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, April 23, 1953—noon.

635. Subject: Headquarters Agreement Negotiations. Re: Tuesday telephone conversation Sandifer-Hall.

To avoid embarrassment in ECOSOC, USUN under Secretariat pressure agreed to be able to respond to ECOSOC that meetings underway. Accordingly scheduled meeting held Wednesday p. m., Secretariat presented suggested agenda. USUN and Secretariat agreed on following procedural points:

1. No chairman required.
2. Summary minutes to be prepared by member UN Secretariat but to be used as record only after approval by both parties negotiation.
3. Procedure to permit exchange written memoranda in lieu of oral statements where negotiations will be facilitated thereby.
4. Discussions initially to focus on principles rather than specific cases and effort to be made to avoid involvement any cases arising social commission other upcoming meetings. Secretariat to survey possible cases that may arise next few weeks with view to avoiding involvement of negotiations.

USUN declined lacking instructions to discuss Secretariat proposals for inclusion substantial points agenda beyond:

1. Agreeing negotiations entail continuing relationships US and UN.

2. Noting negotiations had to be approached highest level political and policy consideration in mind.

Copy of draft Secretariat agenda will be forwarded Department. Next meeting tentatively set for 3 p. m., Monday. USUN cautioned heavy schedule responsible Washington officials appearances appropriations committees on UN and State Department items might delay formulation and despatch instructions to USUN.

LODGE

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USUN files, IO, "Privileges & Immunities, Delegations"

*Memorandum by the United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[NEW YORK,] April 28, 1953.

*Possible Restriction of Alien Personnel at the United Nations.*

I have reviewed this question in some detail with the Mission staff. The basic assumptions which we have agreed on are as follows:

1. Action must be taken wherever necessary to safeguard the internal security of the United States against any clearly demonstrated actual or potential dangers.
2. The steps taken to safeguard the internal security should be such as to create the minimum possible disturbance and dislocation of our relationships with other free governments and international organizations and we should wherever possible be able to demonstrate a clear security requirement underlying any such restrictions.
3. Restrictions which apply to the Soviet Union and its satellites should be undertaken only after calculation of the probable consequences and possible retaliatory action.

The Mission is obviously not competent to judge the nature of the dangers to the internal security of the United States and the character of restrictions necessary to deal with these dangers. The Mission does have some concern, however, with the second and third assumptions above.

The United States brings to bear in the United Nations a major part of its foreign policy. It is a significant forum in which the United States and other governments of the free world can contrast their actions against the actions and words of the U.S.S.R. In the months to come I anticipate that it will be an increasingly important arena in the struggle for world peace; thus, any restrictions which are to be applied at the United Nations Headquarters should be framed with the following considerations in mind.

A. The United States needs the support and assistance of other delegations and members of the Secretariat for its foreign policy. If

general restrictions or individual restrictions are imposed without adequate safeguards, we may lose some of that support.

B. In recent speeches United States spokesmen have contrasted the restrictions and extreme security measures of the Soviet Union with the great traditions of freedom of the United States and other countries of the free world. This has been effective propaganda. It would lose some of its effectiveness if restrictions are applied.

C. In applying restrictions to the U.S.S.R. and other Soviet delegations care should be exercised that the Soviets are not given an opportunity to play the martyrs. Denial of the use of the Glen Cove facilities during the summer months might have this effect.

D. Restrictions applied at the present moment to the Soviet delegations might also be misinterpreted by some delegations as being deliberately provocative and as contradicting the President's speech.

E. The imposition of general restrictions at this time, when the U.S. is attempting to settle a "dispute" with the SYG UN concerning the application and effect of the Section 6 "security reservation" to the Headquarters Agreement, may prejudice the attempt at settlement and deepen the concern which a number of friendly Delegations have already evidenced re the tightening of U.S. control over persons coming to the Headquarters District on official business.

F. If security is the reason for action then, as I have previously stated, exactly parallel treatment should be afforded delegations in New York and the diplomatic establishments in Washington.

Beyond these few points which I would wish to have the Department consider in reaching the final decision, I can add only our desire to cooperate fully with the security agencies of the Government in their effort to insure the internal security of the United States.

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L/UNA files, "Privileges & Immunities, General, 1944-1954"

*The Attorney General of the United States (Brownell) to the  
Secretary of State*

WASHINGTON, May 1, 1953.

MY DEAR MR. SECRETARY: This is in response to requests from the former Legal Adviser of your Department, Mr. Adrian S. Fisher, and from the present United States Representative to the United Nations, Ambassador Henry Cabot Lodge, Jr., asking for advice on the effect of waivers executed under section 247 of the Immigration and Nationality Act (66 Stat. 163, 218; P.L. 414, 82d Cong.).

Under section 247,\* the Attorney General is required to adjust the status of an alien lawfully admitted for permanent residence, and

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\*"Sec. 247. (a) The status of an alien lawfully admitted for permanent residence shall be adjusted by the Attorney General, under such regulations as he may prescribe, to that of a nonimmigrant under paragraph (15) (A), (15) (E), or (15) (G) of section 101 (a), if such alien had at the time of entry or subsequently acquires an occupational status which would, if he were seeking admis-

thereby enjoying immigrant status, to that of a nonimmigrant in one of three specified classes under section 101(a) of the Act† (roughly, accredited foreign government official, representative to or official of an international organization, or treaty trader), if the alien at the time of entry or thereafter acquires an occupational status which, were he seeking admission to the United States, would entitle him to a non-immigrant status in one of the three classes. The Attorney General's order of adjustment terminates the alien's immigrant status.

sion to the United States, entitle him to a nonimmigrant status under such sections. As of the date of the Attorney General's order making such adjustment of status, the Attorney General shall cancel the record of the alien's admission for permanent residence, and the immigrant status of such alien shall thereby be terminated.

(b) The adjustment of status required by subsection (a) shall not be applicable in the case of any alien who requests that he be permitted to retain his status as an immigrant and who, in such form as the Attorney General may require, executes and files with the Attorney General a written waiver of all rights, privileges, exemptions, and immunities under any law or any executive order which would otherwise accrue to him because of the acquisition of an occupational status entitling him to a nonimmigrant status under paragraph (15) (A), (15) (E), or (15) (G) of section 101 (a).” [Footnote in the source text.]

†Section 101 (a) (15) of the Act defines the term “immigrant” to mean every alien except an alien who is within one of the classes of nonimmigrants described in subsections (A) to (I), inclusive, of that section. The three subsections referred to in section 247 read as follows:

“(A) (i) an ambassador, public minister, or career diplomatic or consular officer who has been accredited by a foreign government recognized *de jure* by the United States and who is accepted by the President or by the Secretary of State, and the members of the aliens immediate family;

(ii) upon a basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized *de jure* by the United States, who are accepted by the Secretary of State, and the members of their immediate families; and

(iii) upon a basis of reciprocity, attendants, servants, personal employees, and members of their immediate families, of the officials and employees who have a nonimmigrant status under (i) and (ii) above;

(E) an alien entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national, and the spouse and children of any such alien if accompanying or following to join him: (i) solely to carry on substantial trade, principally between the United States and the foreign state of which he is a national; or (ii) solely to develop and direct the operations of an enterprise in which he has invested, or of an enterprise in which he is actively in the process of investing, a substantial amount of capital;

(G) (i) a designated principal resident representative of a foreign government recognized *de jure* by the United States, which foreign government is a member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669), accredited resident members of the staff of such representatives, and members of his or their immediate family;

(ii) other accredited representatives of such a foreign government to such international organizations, and the members of their immediate families;

(iii) an alien able to qualify under (i) and (ii) above except for the fact that the government of which such alien is an accredited representative is not recognized *de jure* by the United States, or that the government of which he is an accredited representative is not a member of such international organization, and the members of his immediate family;

(iv) officers, or employees of such international organizations, and the members of their immediate families;

(v) attendants, servants, and personal employees of any such representative, officer, or employee, and the members of the immediate families of such attendants, servants, and personal employees;” [Footnote in the source text.]

However, as provided in section 247(b), the alien may avoid the loss of and retain his immigrant status, even though he is in one of the three classes of occupations, if he files with the Attorney General a written waiver of "all rights, privileges, exemptions, and immunities under any law or any executive order" which would otherwise accrue to him because of his occupational status. The Attorney General's regulations (Title 8, Part 247, effective December 24, 1952, 17 F.R. 11520) and the prescribed waiver (Form I-508) follow the quoted language of the statute; and the general question is, what are the rights, privileges, exemptions, and immunities surrendered by the immigrant alien who is in one of the three occupational classes and files a waiver? More specifically, as Ambassador Lodge's inquiry indicates, the chief concern, in the case of international organizations like the United Nations, is the effect of such waivers on the immunity of officials of the organization from legal process relating to acts performed by them in their official capacity, and the immunity of employees from income taxation on salaries paid by the organization.

The Congress in drafting section 247, and in the legislative history of the Immigration and Nationality Act, made no attempt to list the rights, privileges, exemptions, and immunities it had in mind. However, it did leave in the legislative history, an indication of the kind of rights and privileges it felt should be and would be waived by the immigrant alien employed by an international organization or a foreign diplomatic mission if he wished to retain both his immigrant status and his occupation. Based upon these references, we are in a position to offer some general advice on the effect of a waiver under section 247(b), but must leave to future administrative or judicial rulings the precise effect of individual waivers in the variety of situations that may arise.

The bill which became the Immigration and Nationality Act (H.R. 5678, 82d Cong.) was one of a number introduced as the result of an investigation and study of the entire immigration and naturalization system by the Senate Committee on the Judiciary, pursuant to Senate Resolution 137 of the 80th Congress. In its report on the investigation made to the 81st Congress, the Committee considered the status of the various classes of nonimmigrants and made five recommendations for changes in the immigration laws relating to accredited officials of foreign governments and representatives and officials of international organizations. These recommendations, it stated, would not "in its opinion jeopardize the conduction (sic) of the foreign relations of the United States." S. Report 1515, 81st Cong., page 523. The fifth of these recommendations read as follows:

"5. It is also recommended that provision be made for the adjustment of the status of a lawfully admitted permanent alien resident to that of a nonimmigrant admitted under the foreign government official or international organization category where the alien acquires

an occupational status which would entitle him to such nonimmigrant status if he were applying for admission. The subcommittee recommends that since such persons acquire the wide privileges, exemptions, and immunities applicable to such aliens under our laws, they should not have the privilege of acquiring citizenship while in that occupational status." S. Report 1515, 81st Cong., page 525.

This recommendation might have been carried out by including a provision of law depriving of their immigrant status immigrants who acquired the privileges, exemptions, and immunities attached to their occupations. Instead, the 82d Congress took a less severe course and, in adopting section 247, gave immigrants in those occupations a choice of retaining privileges and surrendering immigrant status or of waiving privileges and keeping immigrant status.

In so doing, both the House and Senate Committees said: "In section 247, the Attorney General is required to adjust the status of immigrants who, subsequent to entry, acquire an occupational status which would entitle them to a nonimmigrant status. . . . This is intended to cover the situation where aliens who have entered as immigrants obtain employment with foreign diplomatic missions or international organizations or carry on the activities of treaty traders. Normally, they would be classified as nonimmigrants and because of the nature of their occupation, would be entitled to certain privileges, immunities, and exemptions. The committee feels that it is undesirable to have such aliens continue in the status of lawful permanent residents and thereby become eligible for citizenship, when, because of their occupational status they are entitled to certain privileges, immunities, and exemptions which are inconsistent with an assumption of the responsibilities of citizenship under our laws. Such an adjustment shall not be required if the alien executes an effective waiver of all rights, privileges, exemptions, and immunities under any law or any Executive order which would otherwise accrue to him because of his occupational status." H. Report 1365, 82d Cong., pp. 63-64, S. Report 1137, 82d Cong., page 26. (Underscoring supplied.)

In other words, the concern was that the assertion of certain privileges and exemptions by immigrants, who were employed by international organizations and foreign missions but who entered this country ostensibly with the idea of becoming citizens, was inconsistent with their proposed assumption of the responsibilities of citizenship; accordingly such privileges should not be available to them. At the same time, the Congress disclaimed any intention of jeopardizing conduct of the foreign relations of the United States (*supra*, S. Report 1515, 81st Cong., page 523), which includes not jeopardizing the lawful activities of the international organizations and foreign missions located here, who normally engage Americans as well as aliens to conduct their business. In some instances our laws, granting the necessary pro-

tections and privileges for these organizations and missions and their employees, draw no distinctions between American and alien employees, treating all alike; in other cases, the privileges granted are not available to Americans but only to the non-citizen employees. Hence it is clear that the Congress intended to deprive immigrant aliens employed in the international organizations and foreign missions of the privileges and exemptions resulting from the occupational status which would not be equally available to American citizens similarly situated. Conversely, it was not the intention of the Congress to require immigrants in these occupations to surrender privileges which American citizens similarly employed may assert. Obviously, if American citizens may lawfully exercise such privileges, the privileges would not appear to be inconsistent with the responsibilities of citizenship.

The Congress might have discriminated entirely against immigrants in favor of citizens, but it did not do so. On the contrary it sought, by the election offered under section 247, to place immigrants and citizens in the specified categories of employment on an equal footing by denying to immigrants special privileges, exemptions, and immunities not available to citizens similarly employed.

For example, section 116(*h*) of the Internal Revenue Code, 26 U.S.C. 116(*h*), exempts from federal income taxation the compensation of an employee of an international organization if the employee is not a citizen of the United States. Thus, under this section of the law, American citizen employees of international organizations do not enjoy exemption from federal income taxes. Hence, to the extent that the federal income tax exemptions of employees of an international organization rest upon section 116(*h*) of the Internal Revenue Code, American citizen employees individually bear an obligation of citizenship (the payment of taxes) which immigrant employees, who are potential citizens, heretofore had no need to bear as individuals (disregarding any equalization of pay that the employer organizations may attempt to work out). Therefore, the tax exemptions under section 116(*h*), claimable by an immigrant alien in one of the specified occupations, is an exemption which he waives when he files the waiver under section 247 of the Immigration and Nationality Act.

A converse example, in the matter of legal process, is section 7(*b*) of the International Organizations Immunities Act, 22 U.S.C. 288d, under which officers and employees of international organizations shall be immune from suit and legal process relating to acts performed by them in their official capacity and falling within their functions as such officers or employees, subject to waiver of the immunity by the international organization. In the case of the United Nations, these privileges together with the others in the Act became effective pursuant to Executive Order 9698 of February 19, 1946, 11 F.R. 1809. No distinction is made in the statute between citizen and non-citizen

employees of the international organization. Hence it would appear that an immigrant alien employee of the United Nations who properly claims the immunity from suit and legal process for official acts allowed under section 7(b) asserts no greater privilege than would an American citizen employee similarly situated. Accordingly, the waiver of immunities under section 247 of the Immigration and Nationality Act by the immigrant employee of the United Nations would not appear to be a waiver of the immunity from suit and legal process to which section 7(b) of the International Organizations Immunities Act entitles him.

Application of the foregoing principles in interpreting waivers under section 247, on a case-by-case basis as different situations arise, should accomplish the objective laid down by the Congress. It should result in placing the employee of an international organization or foreign mission, who happens to be an immigrant, in a position of parity with his fellow American employee of the same organization by allowing the immigrant employee no greater privileges in connection with the employment than an American citizen similarly employed. In maintaining his immigrant status and preparing for American citizenship, the immigrant employee of the international organization or foreign mission will not be asserting privileges which he could not obtain and assert were he an American citizen in the same employment. Whatever rights remain and accrue to him as a result of the occupational status will be consistent with his "assumption of the responsibilities of citizenship under our laws."

Sincerely,

HERBERT BROWNELL, JR.

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L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum Prepared Jointly by the Department of State and the  
Department of Justice*<sup>1</sup>

[WASHINGTON, May 4, 1953.]

POSITION PAPER

The Secretary of State refers to the action of the United States in withholding the issuance of visas to certain aliens seeking to enter the United States ostensibly for the purpose of acting as consultants on behalf of certain non-governmental organizations before the Economic and Social Council.

It is the position of the Government of the United States that the Headquarters Agreement between the United States and the United Nations was brought into force on November 21, 1947 by, and in ac-

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<sup>1</sup> Transmitted to Ambassador Lodge in New York, under cover of letter dated May 1 from Donald B. Lourie, Under Secretary of State for Administration.



cordance with the terms of, the notes exchanged on that date between the United States Representative and the Secretary General. As specifically stated in the note of the United States Representative, the Agreement was brought into effect subject to the provisions of the Joint Resolution of the Congress of the United States (Public Law 357, 80th Congress), by which the Government of the United States stated its understanding of, or its reservation to, the approval of the Agreement. The United States Representative had no authority to conclude the Agreement upon any other basis and in fact he did not do so, as he clearly specified in his note of November 21, 1947 that he was bringing the Agreement into effect subject to the provisions of Public Law 357.

Section 6 and other parts of the Joint Resolution of the Congress of the United States (Public Law 357) are therefore, so far as the Government of the United States is concerned, to be considered as integral parts of the Agreement, in so far as its meaning and application are concerned. On the other hand, if the contention of the Legal Staff of the United Nations should prevail, and it should therefore be concluded that the United Nations has never accepted the provisions of Section 6 of the Joint Resolution (Public Law 357), it would necessarily follow that there was never actually a meeting of the minds necessary to the conclusion of a valid contract or agreement and that no Headquarters Agreement actually exists in law or in fact.

Section 6 of the Joint Resolution constitutes an interpretation, an understanding, and a reservation on the part of the United States with respect to the whole of the Agreement and not to any one part thereof, in so far as the security of the United States is concerned. It applies, therefore, not only to the provisions of the Agreement relating to the issuance of visas and to the admission of aliens into the United States, but also to other provisions of the Agreement, including that part providing for the arbitration of disputes or differences arising under the Agreement, which affect the security of the United States, and there is no legal obligation whatever resting or imposed upon the United States under the Agreement to submit to arbitration any question affecting our security when determined in accordance with existing laws of the United States. Any other construction of the Agreement would disregard the plain language of the Congress of the United States in Section 6 of the Joint Resolution and would be tantamount to holding that the right of the United States to safeguard its own security has been weakened, abridged, or diminished notwithstanding the clear language of Section 6 to the contrary.

The Representative of the United States may assure the Secretary General that the Government of the United States has no desire or intention to exclude from its national territory any alien who is coming in transit to the Headquarters District of the United Nations

in the United States exclusively on official business of, or before, the United Nations. Except for the provisions relating to the protection of our national security, the United States has exempted, and is prepared to continue to exempt, such aliens from the excluding provisions of our immigration laws. Mere membership in the Communist Party, for example, has never been considered by the United States to constitute a proper basis for the exclusion of an alien coming to the United Nations. The number of alien Communists who have been permitted to enter the United States for United Nations purposes, many of whom are still in the United States under the auspices of the United Nations, should constitute ample evidence of the views and practices of the United States with respect to its security in the light of the Headquarters Agreement, including Section 6 of the Joint Resolution. On the other hand, when there is in any alien's case clear and convincing evidence that the alien is coming to the United States for a purpose outside the scope of his proper activities within one of the five categories described in Section 11 of the Headquarters Agreement, and the competent authorities of the Government of the United States are satisfied that the admission of the alien would be prejudicial to the national security, the Government of the United States must invoke its sovereign right to exclude such alien from the United States. If the United States were estopped from exercising such authority its right to safeguard its own security would be impaired and this would be contrary to the terms of the Joint Resolution of Congress by which the Government of the United States agreed that the Headquarters of the United Nations could be located in the United States.

The pertinent provisions of the domestic law of the United States relating to the exclusion of aliens on grounds affecting the national security may be found in Section 212(a) (27), (28), and (29) of the Immigration and Nationality Act. It is submitted that there is nothing in the Charter of the United Nations or in the Headquarters Agreement which could reasonably be construed as requiring the United States to admit an alien who falls within the provisions of Section 212(a) (27) or (29) of the Act, as the activities envisaged in in these provisions of law are not within the scope of the legitimate activities of any alien who is seeking to enter the United States in transit to the Headquarters of the United Nations as provided in Section 11 of the Headquarters Agreement. So far as Section 212(a) (28) of the Act is concerned, those aliens who are covered by Section 11 (1) and (2) of the Agreement are exempt from exclusion, while those aliens who fall within the provisions of Section 11(3), (4), and (5) of the Agreement can be admitted only within the discretion of the Attorney General of the United States and under such terms and conditions as he may deem to be necessary to safeguard the security of the United States. Each such case is carefully and meticulously considered

and reviewed by the top-ranking officers of the Government of the United States. The conclusion that such an alien must be excluded from the United States is never lightly reached but is the result of the most earnest consideration by the competent high-level authorities in the Government of the United States.

The Government of the United States does not consider that it is under any legal obligation to submit to the United Nations, or to any other authority, the nature or source of information of a classified nature which forms the basis of its conclusions in an individual alien's case, as the submission of such classified information is not only prohibited by the laws of the United States but the submission of such information to any other authority for review and consideration would be derogatory to, and inconsistent with, the sovereign right of the United States to safeguard its own security. The extreme liberality of treatment accorded by the United States to the thousands of aliens who have come to the United States for purposes connected with the United Nations should constitute ample evidence that the United States, as host to the United Nations, does not desire to act arbitrarily or wrongfully in exercising its prerogatives.

While the Government of the United States does not recognize any obligation to submit the facts in the cases of aliens from whom visas were withheld the representatives of the United States may be prepared to discuss the methods and procedures by which the Government of the United States arrived at the decision to withhold the visas, in order that the representatives of the United Nations may be convinced that such action was not arbitrary or capricious but was determined to be required only from the standpoint of the security of the nation, which is consistent with one of the fundamental purposes for which the Government of the United States and other Members created the United Nations, namely, the promotion of national and international security and the peace of the world.

315.3/5-1953

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*Memorandum by the United States Representative at the United Nations (Lodge)*<sup>1</sup>

[NEW YORK,] May 19, 1953.

Subject: Access by Aliens to the Headquarters of the United Nations—Related Problems—Working Paper for Discussion Purposes.

I carefully considered the helpful draft position paper dated May 4, 1953,<sup>2</sup> prepared by the Departments of State and Justice, setting forth

<sup>1</sup> Addressed to the Attorney General (Brownell) and Under Secretary of State Lourie. Transmitted under cover of a letter from Lodge to Lourie, May 21, 1953, not printed (315.3/5-1953).

<sup>2</sup> Presumably the joint memorandum, *supra*.

the basis for the withholding of visas from two aliens seeking access to the United Nations Headquarters District ostensibly on official United Nations business. Subsequently I discussed the problem with Secretary General Dag Hammarskjold.

The Secretary General's position as stated to me is as follows:

"It is my understanding that the principle which should govern all classes of persons coming into the Headquarters on United Nations business is that no solution will ever be practical and lasting if it does not take into account both the necessity of the right of access being free from determination by any single government and the necessity that the security of the country where the Headquarters is established should not be endangered."

Mr. Hammarskjold is prepared to agree with the essential point in our position, viz., that the United States has the right to take the steps necessary to safeguard its security. He has at the same time, however, made it perfectly clear that he cannot accept the interpretation of Section 6 of the Joint Resolution (PL 357—80th Congress) set forth in the position paper. He relies heavily on the 1947 Senate and House reports concerning that Resolution to support his contention (a) that the Congress never intended that Section 6 have the meaning we presently attribute to it, and (b) that such an interpretation was never made known to the 1947 General Assembly. My own reading of these reports and of the General Assembly records leads me to the conclusion that, if this matter goes to the General Assembly as it will if we force this issue, a persuasive case can be made in support of the Secretary-General's position. I, therefore, recommend that we not force the issue, particularly in view of the extent to which Mr. Hammarskjold appears prepared to go along with us as a practical matter, apart from the legal interpretation of the Section 6 reservation.<sup>3</sup>

Since Mr. Hammarskjold, within the limitations indicated, is prepared to agree to practical steps aimed at protecting the security of the United States against persons seeking access to the Headquarters District ostensibly on official United Nations business, I recommend a policy along the lines indicated below. This policy, I believe, is basically consistent with the draft position paper.

1. *Denial of admission to the United States to persons covered by Section 11 of the Headquarters Agreement and whose admission threatens United States security.*

A. *Principles which should govern.*

In a limited number of cases the United States will wish to prevent the entry of an individual to the United States because of clear evidence that his admission is an active threat to United States security

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<sup>3</sup> Marginal notation: "OK".

or that he is not actually coming to the United States primarily on United Nations business.

As is rightly indicated in the position paper, admission should be denied to persons covered by Section 11 of the Headquarters Agreement only in cases in which there is *clear and convincing evidence* that such persons are coming to this country for a purpose not required by United Nations business and which, in the opinion of the United States is undesirable or may even threaten its security. Mr. Hammarskjold, I am certain, will agree to this position provided that he is offered an opportunity to participate in the determination that the persons in question are coming for a purpose not directly connected with United Nations business. I believe he will agree, on the other hand, that a determination that the purpose in question is undesirable or constitutes a threat to United States security is wholly for the United States itself to make, provided I can be supplied enough information to satisfy myself and thus assure him that clear and convincing evidence does exist—information which I have been *extremely unsuccessful in getting so far*.

*B. Application of Principles.*

The application of these principles will vary somewhat with the class of persons involved.

*(1) Secretariat and Specialized Agency Employees, Accredited Correspondents and Representatives of Non-Governmental Organizations.*

In the case of persons falling within these classes, I suggest that the United States ought to be prepared to show to the Secretary-General, for his confidential information, the evidence in its possession indicating that the persons in question are coming to this country for a purpose not directly connected with United Nations business. If the evidence is clear and convincing, as it obviously would be, I feel certain that Mr. Hammarskjold will raise no question as to the denial of admission.

*(2) Governmental Representatives.*

In cases of this type, the Secretary-General has made it clear that he does not wish to be placed in a position between the United States and the Government concerned. In such cases, I suggest that the United States deal directly with the Governments involved, just as has been done in the past, and simply notify the Secretary-General of such negotiations.

*(3) Official Invitees of the United Nations.*

There is not much likelihood of major problems in this field if the United States representatives in the United Nations are kept informed of the facts since the United States, as a member of all important United Nations bodies, can by its vote and its prestige normally control the issuance of invitations. Further, the United States presumably would never wish to be in a position of denying admission to persons formally invited by United Nations bodies and, if a problem case did arise, we could undoubtedly handle the matter by the use of restrictions along the lines indicated below. In the case

of persons invited by the Secretary-General himself, the United States would of course deal directly with the Secretary-General, as in the case of Secretariat employees, correspondents and representatives of Non-Governmental Organizations.

*C. These principles are consistent with Immigration and Nationality Act.*

I do not believe the foregoing principles would conflict with the application of Sections 212(a) (27) and (29) of the Immigration and Nationality Act of 1952. I suggest that it is appropriate to apply those Sections to persons covered by Section 11 of the Headquarters Agreement only if there is clear and convincing evidence of the existence of the facts referred to in those Sections, namely, an intent to engage in subversive activities or a probability that such activities will occur.

*D. Co-ordination with United States Mission in cases of denial of admission.*

I recommend further that there be no denial of a visa or entry to persons covered by Section 11 of the Headquarters Agreement before this office has been apprised of the proposed action and reasons therefor, and has had opportunity to comment concerning the United Nations reaction which may be anticipated as the result of such denial. Of course, in cases in which, as indicated above, evidence upon which the denial is based is to be shown to the Secretary-General, no denial should occur until after I have received the evidence and taken up the matter with the Secretary-General.

*2. Admission of persons covered by Section 11 of the Headquarters Agreement concerning whom there is some—but not clear and convincing—evidence of an intent or a probability of engaging in subversive activities.*

*A. Principles to be applied.*

I suggest that cases of this kind be handled by a restriction upon the unofficial activities of the persons in question, and a restriction of their movement and residence to the Headquarters District and its immediate vicinity, as contemplated by the Headquarters Agreement. These restrictions and limitations should be made known to the individual involved at the time of the issuance of a visa or at the latest at the time of entry, and the individual should make a specific undertaking to abide by them. It should also be made clear to the individual that a violation of his undertaking will be considered an abuse of privilege of residence, and that he will be required in such cases immediately to leave the United States.

I anticipate that such restrictions and limitations need to be applied in only a relatively few cases judging from the small number which have arisen in the past. It is true that the enforcement of restrictions will require the expenditure of a certain amount of manpower and

money, but I believe that the cost will be justified by the necessity of respecting the obligations of host country which the United States assumed by the Joint Resolution of the Congress.

*B. Definition of Headquarters District and its immediate vicinity.*

The application of this suggestion of course depends upon a definition of the Headquarters District and its immediate vicinity. The Secretary-General is prepared to agree to such a definition immediately. The area to be defined must be small enough to make practical the enforcement of the limitations and restrictions imposed but must, at the same time, contain ample facilities for residence and for access to the offices of the several Delegations to the United Nations. Accordingly, I recommend a definition of the area as that segment of the Borough of Manhattan between 28th Street and 96th Street, bounded by the East and Hudson Rivers.

*C. Co-ordination with United States Mission when restrictions are to be applied.*

I recommend that this office be notified of any case in which it is proposed to impose restrictions so that it may comment, as appropriate, concerning the reaction which may be anticipated from such action.

3. *Admission of Communists and Fellow Travelers covered by section 11 (3), (4) and (5) of the Headquarters Agreement where there is no evidence apart from Party membership or affiliation of an intent or a probability to engage in subversive activities.*

*A. Expediting handling of such cases.*

The Department's position paper makes it clear that there is no intent on the part of the United States to bar aliens coming to the Headquarters District on official business merely because of their Communist Party membership or affiliation. However, since the admission of such persons falling within Section 11 (3), (4) and (5) of the Headquarters Agreement is barred in the first instance by Section 212(a) (28) of the Immigration and Nationality Act, these persons can be admitted only by special action by the Attorney General under Section 212(d) (3) of the Act on the basis of a recommendation by the Secretary of State or the Consular officer concerned. In view of the United States position on this matter mentioned above, I suggest that the Secretary of State make a blanket recommendation that all cases of this type be promptly turned over to the Attorney General under Section 212(d) (3). Such a blanket action should serve to expedite the handling of these cases. I suggest further that the Attorney General designate a particular officer in the Department of Justice to deal with all such cases for him, also for the purpose of expediting action. It is desirable that United States representatives in various United Nations bodies not be embarrassed unnecessarily by delays such as have occurred in the past in the processing of cases of this kind. Delay is clearly disadvantageous to us.

*B. Imposition of restrictions in such cases.*

I understand that the existing visa regulations already provide for the issuance of restricted visas to persons of this type, and suggest that their residence and movements also be confined to the area mentioned in the preceding section. (Section 2 B)

4. *Difficulties which have arisen in the securing of visas by persons seeking entry into the United States on United Nations business.*

From time to time our attention is called to cases in which the issuance of visas to United Nations personnel appears to be unnecessarily delayed, or in which United Nations personnel are subjected to what appears to be improper questioning by Consular officers. Such occurrences are unnecessary irritants in our relations with the Secretary-General of the United Nations and, in some cases, with Member Governments, and should be avoided if at all possible. I suggest that the visa regulations be reviewed with this problem in mind, and that Consular officers be instructed to give special care and consideration to applications by persons coming to the United States on United Nations business.

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815.3/5-2153

*Memorandum by the Administrator of Security and Consular Affairs (McLeod) to the Under Secretary of State for Administration (Lourie)*

WASHINGTON, May 26, 1953.

Subject: Memorandum from Ambassador Lodge, accompanying his letter of May 21, 1953,<sup>1</sup> regarding otherwise excludable aliens coming to the United Nations.

The following comments are offered on the memorandum above mentioned:

1. The Government of the United States has no desire to exclude aliens coming to the headquarters district of the United Nations, except upon the security grounds specified in the Immigration and Nationality Act. That Act specifies thirty-one general classes, some of which are subdivisible into a number of subclasses, of aliens who are ineligible to receive visas and are excludable from the United States at our ports of entry. Only three of these classes are applicable to some of the cases of aliens coming to the United Nations. (See Sections 102 and 212(a) (27), (28), and (29) of the Act.) None of the other twenty-eight categories of excludable aliens are generally applicable to aliens coming to the United Nations. Congress has spelled out in the Act what it meant by the security reservation contained in Section 6 of the Joint Resolution of August 4, 1947 (Public Law 357) approving the

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<sup>1</sup> *Supra.*



Headquarters Agreement. (See Senate and House Reports on the Immigration and Nationality Act.)

2. On the question whether the standard of evidence should be "clear and convincing", as suggested in Ambassador Lodge's memorandum, it may be pointed out that the Immigration and Nationality Act and the previous law specifies that visas shall be withheld if the responsible consular officer "knows or has reason to believe" that a visa applicant is ineligible to receive the visa. This obviously does not envisage the necessity of any concurrence by the Secretary of State or the Secretary-General of the United Nations. However, the Secretary of State will exercise his general administrative supervision over all phases of the work of our consular offices to see that they do not act arbitrarily or otherwise abuse their authority.

3. The re-definition and delimitation of the area to be known as the "immediate vicinity" to the Headquarters District of the United Nations is now under consideration by the Interdepartmental Committee on Internal Security, which is considering a possible delimitation as the Borough of Manhattan in the City and State of New York, excluding therefrom any airports or docks, wharves, or piers.

4. The remaining portions of the memorandum involve questions which should be considered and discussed with the Attorney General before any conclusion is reached.

SCOTT McLEOD

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L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum by the Assistant Legal Adviser for United Nations Affairs (Meeker) to the Legal Adviser (Phleger)*

WASHINGTON, May 27, 1953.

Subject: Ambassador Lodge's proposals for dealing with visa cases under Headquarters Agreement

The paper forwarded by Ambassador Lodge to Mr. Lourie in anticipation of Friday's meeting with the Attorney General states some constructive practical suggestions for dealing with cases where the United States, for reasons of national security, doubts that certain aliens covered by the Headquarters Agreement can be admitted to this country.

Particularly on the procedural side, Ambassador Lodge's paper recommends steps which would go far to eliminate delays and friction in visa cases.

On substance, the paper proposes that an alien covered by the Headquarters Agreement be excluded only if (a) it is clearly shown that he is coming to this country for a purpose not connected with United Nations business and (b) the United States Government determines that this non-United Nations purpose requires his exclusion. Under

the first issue, (*a*), Ambassador Lodge would have the United States show the evidence to the Secretary-General in order to persuade him. Under the second issue, (*b*), the opinion of this Government would be conclusive. It seems likely that in many, if not most, cases the evidence bearing on (*a*) and the evidence bearing on (*b*) would be the same or closely intertwined. However, if the security officers of this Department and the Department of Justice believe that evidence bearing on (*a*)—perhaps paraphrased and shown on a confidential basis—can be made available to the Secretary-General without compromising sources or otherwise injuring security interests, Ambassador Lodge's proposal offers a practical solution under which decisions on what action is required to protect this country's security would be kept within the United States Government; persuasion of the Secretary-General would be limited to the factual issue of the purpose of the alien's travel.

The paper forwarded by Ambassador Lodge, in stating the criteria referred to in the preceding paragraph, employs varying formulae. At some points the element of "undesirability" is mentioned as an alternative to "security" requirements in connection with the United States Government's appraisal of the purpose of an alien's travel. The additional element of desirability versus undesirability seems off the mark in considering implementation of the Headquarters Agreement and protection of this country's security. Further, it would seem advisable to use consistent and uniform language in stating the criteria wherever they appear.

At one point the paper refers to an opportunity for Mr. Hammarskjöld "to participate in the determination that the persons in question are coming for a purpose not directly connected with United Nations business": I doubt whether this statement is advisable from the United States point of view and also whether the Secretary-General would be willing to assume openly a share in the responsibility for determining that a particular alien shall or shall not be admitted to this country. It would seem more accurate to describe this part of the process contemplated by Ambassador Lodge as the showing of evidence to the Secretary-General to persuade him of our version of the facts in a particular case.

In the section on the Immigration and Nationality Act (page 4 of Ambassador Lodge's paper) there is an abbreviated reference to "subversive activities" under subsections 212(*a*) (27) and (29) of the Act. The Department of Justice may feel this needs spelling out.

For convenience, there is attached a redraft of certain paragraphs from Ambassador Lodge's paper, to take care of the three matters just referred to.

LEONARD C. MEEKER

## [Attachment]

A. *Principles which should govern.*

In a limited number of cases the United States will wish to prevent the entry of an individual to the United States because of clear evidence that he is coming to this country for a purpose which is not legitimately connected with United Nations business and which, in the opinion of the United States, poses a threat to this country's security.

As is rightly indicated in the position paper, admission should be denied to persons covered by Section 11 of the Headquarters Agreement only in cases where there is *clear and convincing evidence* that such persons are coming to this country for a purpose which is not legitimately connected with United Nations business and which, in the opinion of the United States, poses a threat to this country's security. Mr. Hammarskjold, I am certain, will agree to this position provided arrangement is made for the United States to show him the evidence that the persons in question are coming for a purpose not legitimately connected with United Nations business. I believe he will agree, on the other hand, that a determination that the purpose in question poses a threat to United States security is wholly for the United States itself to make, provided I can be supplied enough information to satisfy myself and thus assure the Secretary-General that this is so—information which I have been *extremely unsuccessful* in getting so far.

B. *Application of principles.*

The application of these principles will vary somewhat with the class of persons involved.

(1) *Secretariat and Specialized Agency Employees, Accredited Correspondents and Representatives of Non-Governmental Organizations.*

In the case of persons falling within these classes, I suggest that the United States ought to be prepared to show to the Secretary-General, for his confidential information, the evidence in its possession indicating that the persons in question are coming to this country for a purpose not legitimately connected with United Nations business. If the evidence is clear and convincing, as it obviously would be, I feel certain that Mr. Hammarskjold will raise no question as to the denial of admission in any case where the United States considers that the purpose so shown poses a threat to this country's security.

\* \* \* 1

C. *These principles are consistent with Immigration and Nationality Act.*

I do not believe the foregoing principles are in conflict with subsections 212(a) (27) and (29) of the Immigration and Nationality Act of

<sup>1</sup> Asterisks are in the source text.

1952. I believe that those subsections, properly applied, would exclude persons covered by Section 11 of the Headquarters Agreement if there is clear and convincing evidence on the matters referred to in those subsections—namely, intention to enter the United States to engage in activities covered by subsection 212(a) (27), or probability of engaging in activities covered by subsection 212(a) (29).

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L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum by the Under Secretary of State for Administration (Lourie) to the United States Representative at the United Nations (Lodge)*

WASHINGTON, May 29, 1953.

Subject: Implementation of the Headquarters Agreement and Section 6 Reservation

The following brief statement, based on the very helpful analysis and suggestions contained in your memorandum of May 19, 1953, sets forth our understanding of procedures which can usefully be followed in dealing with the access provisions of the Headquarters Agreement where a security problem exists.

1. It is highly desirable for you to agree with Mr. Hammarskjold on a practical working solution of the question of access by aliens to the United Nations headquarters, rather than to dispute with the Secretary-General, and the Organization at large, legal questions concerning the effect and scope of the Section 6 reservation.

2. In cases where an alien covered by Section 11 of the Headquarters Agreement applies for a visa and the consular officer considers that the alien is or may be excludable under subsections 212(a) (27), (28) or (29) of the Immigration and Nationality Act, the consular officer will refer the matter to the Department of State. No visa will be denied by a consular officer prior to such reference.

3. Within the Department, a conclusion will be reached whether the applicant alien falls within any of the three subsections referred to above, and, if so, which one. If the Department concludes that the applicant is not covered by any of these subsections, the consular officer will be so advised. If the Department concludes that the applicant alien is covered by subsection 212(a) (28), the Department will consider recommending to the Attorney General that he exercise his discretion to admit the alien. The consular officer will be informed of the conclusions reached in Washington by the Departments of State and Justice. No visa will be denied in a case under Section 11 of the Headquarters Agreement without the case having been referred to the Secretary or Acting Secretary for review.

4. When it is determined that a visa will be denied on security grounds (for example, because the Department of State or the Department of Justice considers that the applicant alien is covered by subsection 212(a) (27) or (29) of the Immigration and Nationality Act), the Department will communicate to you the reasons for this action. You would then be authorized in your discretion to discuss the alien's case with the Secretary-General, making known to him the substance of the information on which this Government based its decision to deny a visa. The information so given to the Secretary-General would need to be limited in such a way as not to disclose the source of the information. The Department would send its communication to you as soon as possible after the decision to deny a visa, and in any event before the visa is denied by the consular officer. As stated in your memorandum of May 19, you would not discuss with the Secretary-General the cases of governmental representatives, but of other aliens covered by Section 11 of the Headquarters Agreement.

5. In the event of an alien receiving a visa and subsequently being denied admission at the port of entry in the United States, or being subjected to unanticipated conditions of admission, the Department of Justice would make available the reasons for such action, which you would then be authorized in your discretion to make known to the Secretary-General in substance, without compromising sources of information.<sup>1</sup>

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<sup>1</sup> Uninitialed notation at end of memorandum: "Hq Dist & immed. vicinity: US to impose unilateral territorial restrictions in selected 3, 4, & 5 cases (28-96 [Streets?], 9th Av to E[ast] R[iver]., minus Mad[ison] Sq[ua]re Garden & Columbus Circle—exact boundaries to be worked out by security officers)."

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815.8/6-153

*Memorandum for the Files, by Harris H. Huston, Special Assistant to the Under Secretary of State for Administration*

[WASHINGTON,] June 1, 1953.

Subject: Implementation of the Headquarters Agreement and Section 6 Revision

On May 29, 1953 a meeting was held in the Office of the Attorney General which was attended by the following:

*Representing the Department of Justice:*

Herbert Brownell  
 J. Lee Rankin  
 Charles Metzner  
 Thomas Donegan  
 Robert Minor  
 William E. Foley

*Representing the United States Delegation to the United Nations:*

Henry Cabot Lodge  
James J. Wadsworth  
William Hall

*Representing the Department of State:*

Donold B. Lourie  
Herman Phleger  
Leonard C. Meeker  
Scott McLeod  
Ray Ylitalo  
Robert Alexander  
Harris Huston

The group reviewed a memorandum prepared for [by?] Mr. Lourie for the benefit of Ambassador Lodge which discussed the procedures to be followed in dealing with the access provisions of the Headquarters Agreement, where a security problem exists.<sup>1</sup> This group was in complete agreement that the memorandum was a satisfactorily expressed practical solution. The Attorney General indicated he was entirely in agreement with the provision that the Department of Justice furnish Ambassador Lodge the essential information.

It was decided that an area of restriction placed upon a visiting alien would be referred to as a "restricted area" rather than as a "Headquarters area". It was explained that in general terms, this would be an area bounded on the west by 9th Avenue; on the north by 98th Street; on the east by the west side of Franklin D. Roosevelt Drive (except the United Nations Building), and on the south by 24th Street. It was understood that the U.S. Ambassador to the United Nations would simply state what the boundaries were to be in each individual case rather than negotiate as to what they should be. It was agreed that individual cases would directly affect the definition of the restricted area and that it could be modified with changing conditions.

It was further agreed that Ambassador Lodge should receive prompt notice in case a visa is to be withheld. This prompt notice would serve as a red light that the visa was being held up. It was further agreed that the Attorney General should be promptly notified. Mr. Alexander explained that an Operations Circular would be issued concerning this.

Mr. McLeod pointed out that this was a practical solution to the problem and that the arrangement was to be in effect only so long as Ambassador Lodge and Secretary General Dag Hammarskjold occupied their respective positions, and in the event other individuals replaced them, new arrangements should be made. All present accepted this interpretation.

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<sup>1</sup> *Supra.*

It was agreed that the discussions by Ambassador Lodge with the Secretary General Dag Hammarskjold would be handled orally by Ambassador Lodge.

It was agreed that in connection with these matters, Ambassador Lodge should deal with Tom Donegan, in so far as the Department of Justice is concerned, and with Mr. Lourie or Mr. McLeod, in so far as the Department of State is concerned.

HARRIS H. HUSTON

315.3/6-153

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, June 1, 1953.

DEAR DON: I have sent the Attorney General a copy of the attached paper stating the agreements we reached Friday with the request that he notify me of any points on which it does not represent his understanding.

I would appreciate your doing the same. If I do not hear from you within the week, I shall assume that I am free to proceed with my oral discussions with Mr. Hammarskjold using this paper and, of course, the earlier position paper from the Department as the basis for these discussions.

May I again thank you, Mr. Phleger and Mr. McLeod for your understanding of the problems facing us here and for your assistance in achieving a satisfactory solution.

I am particularly pleased that you will give future cases your personal attention. As you know I am only concerned that we should be certain that decisions are promptly taken and soundly based.

I am certain that our agreement on Friday will aid me in doing a more effective job of representing the interests of the United States at the United Nations and will help to fulfill the obligations which this country assumed under the unanimous invitation to the United Nations issued by both houses of the Congress in 1947.<sup>1</sup>

Sincerely yours,

HENRY CABOT LODGE, JR.

[Attachment]

*Points Agreed upon with Respect to the Implementation of the Headquarters Agreement and Section 6 Reservation in a Meeting held in the Attorney General's Office, May 29, 1953.*

1. It is highly desirable for you to agree with Mr. Hammarskjold on a practical working solution of the question of access by aliens to

<sup>1</sup> Uninitialed notation at head of the letter: "D[onold] B. L[ourie] said no reply necessary. Matter handled in meeting with Amb. Lodge."

the United Nations headquarters, rather than to dispute with the Secretary-General, and the Organization at large, legal positions of each side concerning the effect and scope of the Section 6 reservation.

2. In cases where an alien covered by Section 11 of the Headquarters Agreement applies for a visa and the consular officer considers that the alien is or may be excludable under subsections 212(a) (27), (28) and (29) of the Immigration and Nationality Act, the consular officer will refer the matter to the Department of State. It shall promptly notify the Attorney General and the Ambassador at the United Nations of the cases.

3. Within the Department, the consul's conclusion will be reviewed as to whether the applicant alien falls within any of the three subsections referred to above, and, if so, which one. If the Department concludes that the applicant alien falls within subsection 212(a) (28) only, the Department will consider recommending to the Attorney General that he exercise his discretion to admit the alien. The consular officer will be informed of the conclusions reached in Washington by the Departments of State and Justice. No visa will be refused in a case under Section 11 of the Headquarters Agreement without the case having been referred to the Secretary or Acting Secretary for review.

4. When it is determined that a visa must be refused on security grounds (for example, because the Department of State or the Department of Justice considers that the applicant alien is covered by subsection (a) (27) or (29) of the Immigration and Nationality Act), the Department will communicate to you the reasons for this action. You would then be authorized in your discretion to discuss the alien's case with the Secretary-General, making known to him the substance of the information on which this Government based its decision to deny a visa. The information so given to the Secretary-General would need to be limited in such a way as not to disclose the source of the information. The Department would send its communication to you as soon as possible after the decision to deny a visa, and in any event before the visa is denied by the consular officer. As stated in your memorandum of May 19, you would not discuss with the Secretary-General the cases of governmental representatives, but of other aliens covered by Section 11 of the Headquarters Agreement. In a few cases it may be impossible to disclose any information to the Secretary-General but in these cases the United States Ambassador at the United Nations shall be fully informed so that he can personally assure the Secretary-General that clear and convincing information supporting the determination exists.

5. In the event of an alien receiving a visa and subsequently being denied admission at the port of entry in the United States, or being subjected to unanticipated conditions of admission, the Department of



Justice would make available to you promptly the reasons for such action, which you would then be authorized in your discretion to make known to the Secretary-General in substance, without compromising sources of information.

6. In the present policy of restriction of certain individuals a specific area in the vicinity of the headquarters will be extended to cover other individuals following under Section 11 who would otherwise be inadmissible. The standard area for application of restrictions will be bounded as follows: Beginning at the southwesterly intersection of 97th Street and Franklin Delano Roosevelt Drive, thence running southerly along the west curb of Franklin Delano Roosevelt Drive to the northwesterly intersection of Franklin Delano Roosevelt Drive and 48th Street, thence running easterly to the East River, thence running southerly along the west bank of the East River to a point directly east of the southwesterly intersection of Franklin Delano Roosevelt Drive and 42nd Street, thence westerly to the southwesterly intersection of Franklin Delano Roosevelt Drive and 42nd Street, thence running southerly along the west curb of Franklin Roosevelt Drive to the northwesterly intersection of Franklin Roosevelt Drive and 26th Street, thence westerly along the north curb of 26th Street to the northwesterly intersection of 26th Street and 1st Avenue, thence northerly along the west curb of 1st Avenue to the northwesterly intersection of 1st Avenue and 28th Street, thence westerly along the north curb of 28th Street to the northeasterly intersection of 28th Street and 9th Avenue, thence running northerly along the east curb of 9th Avenue to the southeasterly intersection of 49th Street and 9th Avenue, thence easterly along the south curb of 49th Street to the southeasterly intersection of 49th Street and 8th Avenue, thence northerly along the east curb of 8th Avenue and Central Park West to the southeasterly intersection of Central Park West and Transverse Road No. 4 which crosses Central Park, thence easterly along the south curb of Transverse Road No. 4 and 97th Street to the point and place of beginning. The limitation of the movement of individuals who are restricted to this standard area shall not be deemed to prevent these individuals from having access by the most direct route from this area to offices of the Immigration and Naturalization Service at 70 Columbus Avenue.

No formal agreement for this purpose will be negotiated. However, the Secretary-General will be informed of this standard area and necessary steps will be taken to make the information available to the general public. In a limited number of cases, in each of which specific notice will be given to the Secretary-General, it may be necessary to circumscribe further the standard area. These decisions will be taken on specific grounds and where possible the Secretary-General will be informed in advance.

315.3/6-2453

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, June 24, 1953.

DEAR DON: Enclosed is a letter which Secretary General Hammarskjold handed to me today, together with the revised copy of the statement which we had given him and which was in furtherance of the procedure agreed upon by the State Department and the Justice Department. He discussed this matter with me at lunch and gave me at that time his letter and revised text.

You will see that the crux of the matter is in the language which he has added to the last paragraph—in particular the interpretation of “may” in the sentence reading “It is recognized that those rights may be exercised by granting a visa valid only for transit to and from the Headquarters District and for sojourn in its immediate vicinity.” You will note that Hammarskjold’s letter interprets this to mean “may only”; whereas we would, I should think, want to interpret this in a permissive character as merely indicating one of a number of procedures which were open to us.

I intend therefore to write him a letter, a copy of which I attach herewith,<sup>1</sup> which places our interpretation on his language.

Sincerely yours,

HENRY CABOT LODGE, JR.

[Enclosure]

*The Secretary-General of the United Nations (Hammarskjold) to the United States Representatives at the United Nations (Lodge)*

CONFIDENTIAL

UNITED NATIONS, New York, 22 June 1953.

MY DEAR LODGE: I have now had an opportunity to consider in detail the position of the Secretary-General in case of a solution of the Headquarters Agreement along the lines of your draft of points which might be included in a statement to be made by me to the Economic and Social Council.<sup>2</sup> I think we need not consider our positions very far apart, although, as I indicated in our conversation, there still remain a few points to be settled between us.

I should state at once, and I am sure you will agree, that in negotiating under the Headquarters Agreement I am necessarily bound by its terms, as I of course have no authority to reach an accord with you which would alter existing provisions of an Agreement to which the United Nations as an Organization is a party.

<sup>1</sup> Not printed; but see the letter from Lodge to Hammarskjold, July 2, 1953, p. 296.

<sup>2</sup> No draft as such has been found.

Because of this limitation on my authority, the following questions are raised in my mind when going deeper into those aspects of the problem to which I referred when we met last time.

Suppose that there arises in the future, along the lines of your suggestion, a "case involving a serious problem with respect to the admission to the United States of persons coming to the Headquarters District" and that you "consult with me and keep me as fully informed as possible". Let us further suppose that in this particular case I find myself in agreement with your evaluation of the information provided. I am not clear as to how our consensus as to that information "whether transmitted to me in confidence or not" will enable me to render to the organ of the United Nations principally concerned (whether it be the General Assembly, the Economic and Social Council, or another) an accounting for the ensuing decision of the United States to deny a visa—or how it would protect the United States from being accused of taking unilateral action against the principles of the Agreement. Our view of the facts would settle the problem only if the Secretary-General had been given authority in this respect.

It seems to me that either the organ concerned, or perhaps the Government principally affected, would still be able to refer to the fact that the right of "*entry* of aliens" to the Headquarters District provided in Section 13 is unqualified, and that only "the *residence* of aliens" is properly subject to the requirement of departure in case of activities abusing the privileges of residence.

On the opposite hypothesis, suppose that after the most earnest consultation we could not reach an agreement either as to your evaluation of the information at hand or else as to the adequacy of that information. How should we get out of such a situation?

The heart of the matter, at the present stage, seems to me to be that in either case, whether I agreed with the information or not, the very limited authority of the Secretary-General under the Headquarters Agreement could not be considered as extending to claiming before the organ concerned that the mere fact of consultation, though carried out in the best of good faith, should have the legal effect of authorizing an exclusion from access to the Headquarters not authorized by the Agreement itself.

As both the text and the history of the Agreement convince me that I would not have the authority to negotiate under Section 21 a settlement which had the effect of amending Section 13 (i.e., which would substitute for the right of deportation a right of exclusion, and would also substitute a prediction of possible or probable abuse of privileges for proven "activities" in abuse of the privileges of residence), I feel that, on the basis of your suggestion, we should try and solve the problem by moving closer to the technical construction of the security safeguards in the Agreement. As you will remember, the Agreement is

express (and Congress was no less express) in specifying that the United States is provided with two safeguards for its security: the right to restrict to the Headquarters District and its immediate vicinity the visas of persons entitled to access under the Agreement; and deportation in case any such persons abuse their privileges in activities outside their official capacity. Having this in mind, I offer by way of annex some adjustments to your draft which would serve to bring it into better conformity with the main requirements, while remaining true to the basic principles on which we are fully agreed.

Yours very sincerely,

DAG HAMMARSKJOLD

[Subenclosure—Annex]

CONFIDENTIAL

[NEW YORK,] 22 June 1953.

POINTS WHICH MIGHT BE INCLUDED IN STATEMENT TO BE MADE BY  
SYG UN TO ECOSOC

I and my representatives have, during the past weeks, discussed with the Representative of the U.S. to the UN and members of his staff problems which have arisen in connection with the application for admission to the U.S. by persons desiring to come to the Headquarters District. Although the discussions commenced on the point of the legal interpretation of certain provisions of the Headquarters Agreement and of the U.S. authorizing legislation, it quickly became evident in the course of the discussions that there was agreement concerning the basic principles to be applied to the problems which had arisen, and that only matters of procedure required detailed attention. The procedural aspects have now been settled in a manner which in practice should assure the mutual satisfaction of the parties concerned.

The basic principles which have been recognized are the following: it is certain that the provisions of the Headquarters Agreement cannot be permitted to serve as a cover to enable persons in the U.S. to engage in activities, outside the scope of their official functions, directed against the host country. It is equally certain that in view of the nature of the obligations undertaken by the U.S. as host country when entering into the Headquarters Agreement, it must not arbitrarily and for reasons known only to itself make decisions to exclude persons falling within the categories set forth in Section 11 of the Headquarters Agreement, although it clearly has the right to deport such persons for abuse of privileges of residence under the Agreement.

Accordingly, procedures have been devised to make certain that, should there arise in the future any case involving a serious problem with respect to the admission to the U.S. of persons coming to the Headquarters District, the matter will receive the most prompt and careful consideration at the highest levels, and that the U.S. will con-

sult with me and keep me as fully informed as possible to assure that the decision made is in accord with the rights of the U.S. Government to protect its own security under the Agreement. It is recognized that those rights may be exercised by granting a visa valid only for transit to and from the Headquarters District and for sojourn in its immediate vicinity. It is further recognized that to implement that right the U.S. has authority to define (a) "the immediate vicinity" of the Headquarters and the necessary routes of transit, (b) activities outside the scope of official functions which would constitute an abuse of the privileges of residence, and (c) the time and manner of expiration of the visa following the completion of the official functions.

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L/UNA files, "Headquarters Agreement—Section 6"

*The United States Representative at the United Nations (Lodge) to the Secretary-General of the United Nations (Hammarskjöld)*

NEW YORK, July 2, 1953.

MY DEAR HAMMARSKJÖLD: This letter is in further reference to our conversation on June 23rd [24?] (and your letter dated June 23 [22?])<sup>1</sup> relative to the statement which you propose to make to the Economic and Social Council, a copy of which you handed to me and which is attached herewith.<sup>2</sup>

Upon further reflection I find that, while I do not agree in full with the statements in your letter of transmittal, I really cannot add anything to what I said when you first showed me the paper—that the clarification which you have added accurately depicts many of the procedures which are open to the United States and that, by virtue of this fact, the addition of your language is in the interests of clarity and completeness and actually improves the statement. I am glad, therefore, to say that I see no objection to your making the statement as you are planning to do it.

With best wishes,

Sincerely yours,

HENRY CABOT LODGE, JR.

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<sup>1</sup> See Lodge letter of June 24, with attachments, *supra*.

<sup>2</sup> Not attached to source text, but see subenclosure of correspondence cited in previous footnote.

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815.3/7-753

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, July 7, 1953.

DEAR DON: Enclosed is the latest letter from Secretary General Hammarskjöld—in reply to my own of July 2, 1953—concerning the

statement he proposes to make before the Economic and Social Council on the problem of access to the Headquarters District.

You will note that he appears to concede the point I made in my letter to him, namely, that his statement sets out "*many* of the procedures which are open to the United States". He states that "there might possibly be other procedures open to the United States which would be consistent with the Headquarters Agreement".

Hammar skjold states that in the absence of further word from me he assumes that I accept—in the light of his interpretation of his authority under the Headquarters Agreement—that portion of his statement that the United States will consult with him and keep him as fully informed as possible to assure that decisions concerning the entry of aliens are made in accord with the right of the United States Government to protect its own security under the Headquarters Agreement. Hammar skjold's interpretation of his authority, as stated in his letter<sup>1</sup> which I transmitted to you on June 24th, is that he has no power to enter into any arrangements with the United States which will alter the provisions of the Headquarters Agreement, that is, increase the rights of the United States or decrease those of the United Nations. I think this interpretation is correct, as is Hammar skjold's assumption that his stated position is acceptable to us.

Unless you advise me that the Department feels differently, I do not propose to reply to Hammar skjold's letter of July 3rd.

I understand that you are considering the instructions to be sent to our ECOSOC Representative at Geneva concerning the position he ought to take there with respect to Hammar skjold's statement when it is submitted to ECOSOC. I believe it would be a mistake for our Representative to become involved in any discussion concerning this statement, and strongly urge that he be instructed to refrain from all comment, formal or informal, with respect to it.

Sincerely yours,

HENRY CABOT LODGE, JR.

[Enclosure]

*The Secretary-General of the United Nations (Hammar skjold) to the United States Representative at the United Nations (Lodge)*

UNITED NATIONS, NEW YORK, 3 July 1953.

MY DEAR LODGE: I thank you for your letter of 2 July 1953, in which you tell me that you see no objection to my making the statement to the Economic and Social Council in the form in which I sent it to you by my letter of 22 June.

In your letter you mention in passing that you do not agree in full with the statements in my letter of transmittal. You also say that you

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<sup>1</sup> Dated June 22, p. 293.

accept my addition to the text as setting out "many of the procedures which are open to the United States". There might possibly be other procedures open to the United States which would be consistent with the Headquarters Agreement. But these two passages in your letter might be read as implying some reservations regarding my basic position, as expressed in my letter and draft statement of 22 June. However, I presume that—as you have not found it called for to elaborate your views—you accept what is summarized in the last paragraph of my statement—that is, that the United States "will consult me and keep me as fully informed as possible to assure that the decision is made in accord with the rights of the United States Government to protect its own security under the (Headquarters) Agreement"—in the light of my interpretation of my authority under the Headquarters Agreement as stated in my letter of transmittal, especially in the last paragraph. The text of my statement as it now stands will undoubtedly give rise to many questions in the Economic and Social Council. An interpretation of the statement in accordance with this conviction of mine as to the limits of my rights, is, of course for me, the basis on which I shall have to defend my view that the matter has now been settled "in a manner which in practice should assure the mutual satisfaction of the parties concerned."

If I do not hear from you, I shall take it that my assumption is correct and under these circumstances my replies to the Members of the Economic and Social Council will be in accordance with my position as I have already stated it to you.

Yours sincerely,

DAG HAMMARSKJOLD

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315.3/7-953 : Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

PRIORITY

NEW YORK, July 9, 1953—6 p. m.

12. For Lourie from Wadsworth (limit distribution). Following is text of communication and enclosure dated July 8 addressed by SYGUN to Lodge which I discussed with you on telephone today :

"I am sorry indeed to have to revert to the question of the Headquarters Agreement, but, in going over the text of my statement to ECOSOC, I have observed a couple of points which, to my mind, make necessary some minor amendments to the text. I send you a copy of the 'points which might be included' as I would like to have them finally drafted. The amendments are underlined.

"By way of explanation of the amendments now suggested, I would like to say that the amendment in the first line of the last paragraph is purely formal and is intended to get rid of a phrase which was adequate for the original draft, but now is not very good as an introduc-

tion to what follows. The other amendments represent in my view only clarifications of what must already be taken for granted.

"Of course, this whole statement of the results of our common sense approach is somewhat in the nature of a gentleman's agreement. It has been clear to me that you intend to treat any future cases in such a way that we shall get decisions in due time. I am also confident that, when you define the 'immediate vicinity', this will be done after consultation with us and in a spirit true to the purpose of the Headquarter's Agreement.

"I feel sure, however, the points covered in the amendments—along with several others—will be raised in ECOSOC discussion. I then shall have to state what is my interpretation of your intentions. If the text remained without the amendments I am now proposing, I would be in a somewhat ambiguous and weak position, as some del might retort that the agreement as I described it was not brought out in the text. For that reason, interpreting your intentions as I do, I feel that it would be both to your and to our advantage to make the text quite clear on the points mentioned. I draw your attention, however, to the fact that the text as amended may be said to have legal consequences which the previous text did not have as it explicitly makes both the question of time and the question of the principles guiding the definition of the 'immediate vicinity' of the headquarters area, etc., issues which can be subject to arbitration. But, of course, they are so on the basis of our agreement, independently of what we say in the statement; at all events, if my understanding of your intentions is correct, the amendments would not introduce any new element, as I take it for granted that on such legal issues, where you feel that it would be fitting for you to consult me if any case arises, you would not object to a common appeal to arbitration if we could not agree.

"I need not stress that what I propose does not express any distrust. It is just because of my trust in your attitude to this whole issue that I feel that the clarifications suggested should not present any difficulty for you".

*Enclosure:*

Points which might be included in statement to be made by SYG UN to ECOSOC:

"I and my representatives have, during the past weeks, discussed with the representative of the US to the UN and members of his staff problems which have arisen in connection with the application for admission to the US by persons desiring to come to the headquarters district. Although the discussions commenced on the point of the legal interpretation of certain provisions of the Headquarters Agreement and of the US authorizing legislation, it quickly became evident in the course of the discussions that there was agreement concerning the basic principles to be applied to the problems which had arisen, and that only matters of procedure required detailed attention. The procedural aspects have now been settled in a manner which in practice should assure the mutual satisfaction of the parties concerned.

"The basic principles which have been recognized are the following: It is certain that the provisions of the Headquarters Agreement cannot be permitted to serve as a cover to enable persons in the US to engage in activities, outside the scope of their official functions, di-



rected against the host country. It is equally certain that in view of the nature of the obligations undertaken by the US as host country when entering into the Headquarters Agreement, it must not arbitrarily and for reasons known only to itself make decisions to exclude persons falling within the categories set forth in Section 11 of the Headquarters Agreement, although it clearly has the right to deport such persons for abuse of privileges of residence under the agreement.

“Accordingly (procedures have been devised) (begin underline) it is intended (end underline) to make certain that, should there arise in the future any case involving a serious problem with respect to the admission to the US of persons coming to the headquarter’s district, the matter will receive the most prompt and careful consideration at the highest levels, (begin underline) that timely decisions will be made, (end underline) and that the US will consult with me and keep me as fully informed as possible to assure that the decision made is in accord with the rights of the US Government to protect its own security under the agreement. (Begin underline) Subject to the purposes of the Headquarters Agreement, (end underline) it is recognized that those rights may be exercised by granting a visa valid only for transit to and from the headquarter’s district and for sojourn in its immediate vicinity. It is further recognized that to implement that right, (begin underline) and subject to the Headquarters Agreement, (end underline) the US has authority to define (a) ‘the immediate vicinity’ of the headquarters and the necessary routes of transit; (b) activities outside the scope of official functions which would constitute an abuse of the privileges of residence, and; (c) the time and manner of expiration of the visa following the completion of the official functions.”

In our view, changes proposed by Hammarskjold are acceptable. Our position this matter remains as stated in Lodge’s letters to you dated June 24 and July 7.

Would appreciate your comments.

WADSWORTH

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L/UNA files, “Headquarters Agreement—Section 6”

*Memorandum by the Assistant Legal Adviser for United Nations Affairs (Meeker) to the Deputy United States Representative at the United Nations (Wadsworth)*

[WASHINGTON,] July 22, 1953.

Subject: Draft Report by the Secretary-General to ECOSOC

We received yesterday the new draft report<sup>1</sup> of the Secretary-General, on visa matters, which you sent down from New York for our comments. We have gone over the paper, and the interested areas of the Department (Mr. Lourie’s office, UNA, and the Legal Adviser’s Office) have the following suggestions to make:

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<sup>1</sup> Not found in Department of State files. There is a copy of an undated draft in the L/UNA files with the date “17 July 1953” handwritten in; but this is obviously in error as it incorporates changes proposed in the instant memorandum.

1. In the third paragraph of the draft report, there is a statement which begins "Subject to the Agreement, the United States also has the authority to make any reasonable definition . . ." In an earlier letter of transmittal, Secretary-General Hammarskjold stated that the words "Subject to the Agreement" had the effect of making definitions subject to arbitration under Section 21. We did not concur in this, and in view of the history which has gone before, believe that the expression "Subject to the Agreement" should be omitted from the present draft or replaced by a neutral expression such as "In accordance with the Agreement".

2. In the third sentence of the next paragraph of the Secretary-General's draft report, coverage is limited to "a representative of a nongovernmental organization". This is too narrow, since such cases might cover newspaper correspondents, invitees, or others. Accordingly, we think the expression should be modified to read "a person covered by Section 11 of the Headquarters Agreement" or, simply, "an alien".

3. The first and last sentences of that same paragraph in the Secretary-General's report give rise to some difficulty. We don't think there is a sufficient measure of agreement to warrant saying, at the beginning of the first sentence, "It is agreed that". This is the Secretariat's statement, and we think that quoted words should be omitted. In the last sentence of the paragraph the Secretary-General's theory of security cases under the Headquarters Agreement is attributed to "the United States representatives". It would be more accurate to rephrase the last sentence in either of the following alternative ways:

(a) "Such cases would appear to be outside the scope of the Headquarters Agreement.", or

(b) "The United States representatives hold that in such cases the United States Government is entitled to refuse a visa."

4. As you indicated yesterday, some of the statements late in the report, concerning arbitration and concerning the necessity of reference to the General Assembly, are unfortunate and undesirable. We think that the last two sentences in the fifth paragraph of the Secretary-General's report and the last two sentences of the sixth paragraph should be omitted. This material is not only objectionable in its substance but also strikes a dissonant minor chord on which to end the report. We would strongly urge a revision of the last paragraph of the Secretary-General's draft report along the following lines:

"In giving this account of the negotiations to the Economic and Social Council, I have therefore to report that there is a measure of agreement which may help to remove difficulties over the matter in the future, and I venture to express the hope that any remaining questions will be resolved satisfactorily in the application of the Head-

quarters Agreement or in further negotiations with representatives of the United States.”

This would seem not only an acceptable approach from the United States point of view, but also a statement which would clearly preserve the Secretary-General's position in the event that the hope expressed by him should not materialize. He could then, of course, refer the matter to the General Assembly or seek arbitration. Since this would be true whether or not the Secretary-General makes any express reference to it in his report, we hope very much that he will be willing to eliminate from the draft report the references to arbitration and to General Assembly decision.

5. The changes suggested above have been formulated not in terms of what we would consider to be the ideal report of the Secretary-General, but rather as alterations which would make it possible for the U.S. Delegation at ECOSOC in Geneva to acquiesce in the Secretary-General's report.

6. In view of the implications of this whole matter for the operations of the Department of Justice under the Immigration and Nationality Act, it would seem desirable for Ambassador Lodge to inform Attorney General Brownell concerning the proposed report of the Secretary-General to ECOSOC before the report is finalized.

LEONARD C. MEEKER

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340/7-2453 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*<sup>1</sup>

CONFIDENTIAL

NEW YORK, July 24, 1953—8 p. m.

36. Regarding proposed statement by SYG to ECOSOC on Headquarters Agreement.

SYG and I agreed today on following text for his statement before ECOSOC. This agreement was reached subject to his assurance that if a proposal is made in Council for reference this question to GA, he will strongly oppose it and with understanding on my part that if question is raised with respect arbitration of disagreements under headquarters agreement that SYG is free to express his opinion that arbitration applies to all sections of the agreement.

I consider this is a satisfactory solution and strongly recommend that appropriate instructions be issued to our ECOSOC delegation to support SYG's statement before ECOSOC. I believe statement by SYG and his general intentions are such that position of US fully

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<sup>1</sup> Repeated to Geneva to the U.S. Delegation to ECOSOC on July 27, with the concurrence of USUN.

safeguarded and I believe further that agreement between SYG and myself is such that we should experience no further serious difficulties.

Progress report by the Secretary General to the Economic and Social Council on negotiations with the United States of America concerning the interpretation of the Headquarters Agreement:

“Although the negotiations with the United States on the interpretation and application of the Headquarters Agreement are not yet concluded, it is appropriate that a brief report be made on the matter to the Economic and Social Council.

It will be recalled that earlier this year the United States, invoking a reservation it claimed to have made in becoming party to the Headquarters Agreement, declined to grant visas for transit to United Nations headquarters to representatives of two non-governmental organizations in consultative relations with the Economic and Social Council. On 9 April 1953, the Council requested a legal opinion on the matter. A memorandum by the legal department (E/2397), issued the next day, concluded that under section 11 of the Headquarters Agreement representatives of non-governmental organizations with consultative status were entitled to transit to and from the headquarters district, and that this right had not been made the subject of any reservation. The Council later included an item on the provisional agenda of its sixteenth session relating to a report on the result of my negotiations with the United States.

Since then, I and my representatives have been carrying on discussions of the problem with the permanent representative of the United States and his staff. It was recognized from the outset that the provisions of the Headquarters Agreement should not be permitted to serve as a cover to enable persons in the United States to engage in activities, outside the scope of their official functions, directed against the security of that country. It was also recognized that under the agreement, and subject to its purposes, the United States can protect its security by granting visas valid only for transit to and from the headquarters district and sojourn in its immediate vicinity, in accordance with section 13(e); the United States also has the authority to make any reasonable definition consistent with the purposes of the agreement of the ‘immediate vicinity’ of the headquarters district, of the necessary routes of transit, and of the time and manner of expiration of the visa following the completion of official functions. As provided in section 13(b), the United States can carry out deportation proceedings under its law and regulations against persons admitted under the Headquarters Agreement who abuse the privileges of residence in activities in the United States outside their official capacity.

In the case of aliens in transit to the headquarters district exclusively on official business of, or before the United Nations, the rights of the United States are limited by the Headquarters Agreement to those mentioned. However, other cases may arise, the treatment of which under the agreement will raise questions. I refer to cases in which there is clear and convincing evidence that a representative of a non-governmental organization is coming to the United States purportedly for United Nations business but also, or primarily, for a purpose outside the scope of such activities, and where further the competent authorities of the Government of the United States are satisfied that

the admission of that person would be prejudicial to the national security of the United States. In the opinion of the United States representatives, such cases are outside the scope of the Headquarters Agreement, and they therefore hold that in such cases the United States Government is entitled to refuse a visa.

The United States representatives have assured me that, if in the future there should arise any serious problem with respect to the application in special cases of provisions concerning access to the headquarters district or sojourn in its vicinity, the matter will receive the most prompt and careful consideration at the highest levels, that timely decisions will be made, and that the United States will consult me and keep me as fully informed as possible, in order to assure that the decision made is in accordance with the rights of the parties concerned.

Also from the United Nations point of view it should be recognized that a person should be excluded from the host country if there is clear and convincing evidence that he intends, in bad faith, to use his trip as a cover for activities against that country's security. This particular problem may well not have been studied and resolved when the headquarters agreement was drafted. However I would consider it proper for me to accept a method of application of the Headquarters Agreement which is in accordance with the interpretation put forward by the United States representatives only if such method of application had been explicitly authorized by the competent organ.

In giving this account of the negotiations to the Economic and Social Council, I have therefore to report that there is a measure of agreement which may help to remove difficulties over the matter in the future, and I venture to express the hope that any remaining questions will be resolved satisfactorily in the application of the Headquarters Agreement or in further negotiations with representatives of the United States."

LODGE

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340/7-2453 : Telegram

*The Secretary of State to the Consulate General at Geneva*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 29, 1953—12:23 p. m.

Socec 30. Re USUN's 36, July 24, repeated Geneva Dept's 33, July 27, regarding proposed statement by Secretary General to ECOSOC on Headquarters Agreement.

Delegation should take following position :

1. After Secretary General's report presented, US Representative should make short bland statement of gratification that negotiations had progressed so satisfactorily and join in Secretary General's expression of hope any remaining problems this matter will be resolved in further discussions on application of Headquarters Agreement.

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<sup>1</sup> Drafted and approved by George M. Ingram, Director of the Office of International Administration and Conferences. Cleared with L, VO, O, UNA, UNE, and USUN.

2. If possible US statement should be timed so as to minimize necessity answering questions. If Delegation pressed formally or informally to answer questions, should state negotiations conducted by US permanent Representative at Headquarters with Secretary General, note Secretary General states negotiations not yet concluded, and Delegation not in position to discuss specifics. Should express thought that any remaining questions could be dealt with in further negotiations between US permanent Representative and Secretary General.

3. If proposal made in Council for reference visa matter to General Assembly, Delegation should join Secretary General in strongly opposing.

4. If proposal made in Council to place item on future agenda Council, Delegation should not oppose but should make clear that another substantive report by Secretary General not necessarily called for and item might be disposed of by statement by Secretary General that practical solution achieved and system operating smoothly.

While issue should be avoided if possible, if Delegation forced to respond to question whether Secretary General's report should be read to mean US now considers it did not make reservation, Delegation should state it is not aware of any change in US position on this subject.

Position paper with background material follows via airpouch.<sup>2</sup>

DULLES

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<sup>2</sup> Not printed.

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315.3/9-953: Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, September 9, 1953—6 p. m.

169. Reference: Restriction movements of personnel re Deptel 94. In absence Ambassador Lodge who conducted negotiation [,] following represents USUN summary discussions to date subject question with SYG. Only discussion with SYG related to this question arose from meeting of Ambassador Lodge, Attorney General and Mr. Lourie in Washington, May 29. SYG indicated his direct concern was solely Secretariat, non-governmental organization personnel. He stated any restriction delegation personnel was question between delegations and US Mission with respect to restriction NGO personnel which was specific question discussed, Hammarskjold agreed unwise negotiate supplementary agreement under headquarters agreement and accepted defined area agreed at meeting May 29.

In accordance with general understanding, Ambassador Lodge indicated application of restrictions would be exceptional although

more frequent than in the past and would be based on specific security or subversive threat to US rather than general policy applied to all members of Secretariat of particular classes or nationality. SYG requested that he be advised of any major changes in this policy or any changes in boundary of area.

In accordance general desire to keep SYG fully informed on developments this subject and to assure maximum support our policies, urge that any restrictions which are proposed to be applied to Secretariat and NGO personnel be discussed with him prior to their announcement and imposition.

Assume Department will advise USUN well in advance application any additional restrictions and bear in mind psychological effect application such restrictions during GA session.

WADSWORTH

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315.3/9-1153

*The Under Secretary of State for Administration (Lourie) to the Attorney General of the United States (Brownell)*

SECRET

[WASHINGTON,] September 11, 1953.

MY DEAR MR. ATTORNEY GENERAL: The Reverend Guthrie Michael Scott, who was the subject of the Department's letter dated October 6, 1952 and of a communication from the Immigration and Naturalization Service dated October 13, 1952,<sup>1</sup> has applied at the American Embassy at London, England, for a visa to proceed to the United Nations Headquarters, New York, New York, for the purpose of attending the eighth regular session of the General Assembly of the United Nations which will convene on September 15, 1953.

Under date of August 20, 1953 the Department was informed by the United States Mission to the United Nations that the *International League for the Rights of Man*, an organization which has been granted category B consultative status by the Economic and Social Council of the United Nations, has appointed the Reverend Mr. Scott as its representative to the eighth regular session of the General Assembly of the United Nations and, accordingly, he is to be considered as coming within the provisions of Section 11 (5) of the Headquarters Agreement.

The Reverend Mr. Scott previously entered the United States on several occasions, the most recent being in 1952 when his temporary admission was authorized on October 9, 1952 pursuant to the authority contained in the Ninth Proviso to Section 3 of the Immigration Act

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<sup>1</sup> Neither printed; see Department of State instruction 10, Oct. 31, 1952, to the Embassy in South Africa, p. 229.

of February 5, 1917, as amended it having been found that he was inadmissible into the United States under Section 1(2) of the Act of October 16, 1918 as amended because of former voluntary membership in the Communist Party of Great Britain.

The Embassy at London has submitted a report indicating that Mr. Scott, born at Lowfield Heath, England on July 30, 1907, is a British subject, unmarried, whose present address is "Little Gardens" Layer de le Haye near Colchester, Essex, England. The report further states that he has resided in: Great Britain, South Africa, India, Switzerland and the United States, that he is a clergyman in the Church of England; a Director of the Africa Bureau; that he served in the Royal Air Force in 1940-41 and that he desires to be in the United States for the opening of the eighth regular session of the General Assembly on September 15, 1953.

The report from the Embassy further indicates that Mr. Scott's ineligibility to receive a visa is based on the same grounds as in 1950 and 1952, i.e., former membership in the Communist Party.

The Embassy at London also advised that Mr. Scott had declined to state, on grounds of principle, with what organizations he had been affiliated and that he also declined, for the same reason, to swear that he is not and never has been a member of the Communist or other totalitarian parties. The Department considers, since the replies to the question of affiliation would tend, at most, to make Mr. Scott ineligible to receive a visa under Section 212(a)(28) of the Immigration and Nationality Act, which the Department considers him to be on the basis of adequate security information on file, that his failure to answer is not material.

At the time Mr. Scott's application for a visa was under consideration by the Department in 1952, the Federal Bureau of Investigation and the Central Intelligence Agency furnished the Department with reports concerning this subject. . . . The Department understands that these agencies also furnished these reports directly to you.

State Department files reveal no information of a security nature tending to show anything not indicated in the aforementioned reports.

In view of the fact that Mr. Scott comes within the provisions of Section 11(5) of the Headquarters Agreement, it is requested that you exercise your discretionary authority for his temporary admission under Section 212(d)(3) of the Immigration and Nationality Act.

In as much as Mr. Scott desires to be present when the eighth session of the General Assembly convenes, on September 15, 1953, the Department would appreciate your urgent attention in this matter.

Sincerely yours,

DONOLD B. LOURIE



320/9-1453: Telegram

*The Secretary of State to the Department of State*

CONFIDENTIAL

NEW YORK, September 14, 1953-5 p. m.

Delga 2. Attendance of alien NGO representatives at United Nations General Assembly.

Regarding USUN telegram number 174, September 10, United Nations NGO section, in requesting status report regarding visa application Reverend Michael Scott, advised USUN today that Scott only alien NGO representative formally designated to attend 8th General Assembly.

United Nations notified by WFTU that, because of WFTU Congress meeting Vienna in October, no representative would be sent from abroad to attend General Assembly and that WFTU would be represented here by Eleanor Kahn. United Nations in receipt some correspondence from Congress of Canadian women, affiliate of WIDF, implying Mrs. Margareta Luckock might attend Session as WIDF representative, but as yet no such designation received from WIDF.

In view foregoing, Scott may be only NGO visa case this General Assembly.

DULLES.

315.3/9-1653: Telegram

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, September 16, 1953.

DEAR DON: I understand that on September 15th the Department of State authorized the issuance of a visa to the Reverend Michael Scott concerning whom I wrote to you on September 1st. I am told that this authorization was based upon a decision made by the Attorney General, to whom the matter was referred by you on September 11th, that Scott might be admitted on United Nations business. Without, of course, commenting on the individual in question, I want to express my appreciation to you personally for the prompt action which you took when the case had reached your attention.

However, I am concerned to note that the Department of State required from August 25th to September 11th to transmit the Scott case to the Attorney General for his decision concerning Scott's admission. I venture to suggest that you and Mr. McLeod might wish to inquire into the reasons for the time involved in reaching a decision on this case in the Department. Although in this instance we managed to attain a decision within the time limits, thanks in the main to the

Department of Justice and your own prompt action, in the future we might not be so fortunate.

Sincerely yours,

HENRY CABOT LODGE, JR.

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L/UNA files, "Headquarters Agreement—Section 6"

*Memorandum by the Deputy United States Representative at the United Nations (Wadsworth) to the Under Secretary of State for Administration (Lourie)*

SECRET

[NEW YORK,] November 30, 1953.

Subject: Visa Application of Anwar Youseff Elmeshry, UN Secretariat Recruit.

Attached is a copy of a file<sup>1</sup> I have received from Ingram (OIA) concerning this matter. The file deals with an Egyptian national being recruited by the UN Secretariat, and for whom the UN has requested a visa from the Cairo Consulate by telegram dated October 20, 1953. A copy of this telegram was forwarded by USUN to Maney (VO) on October 21st.<sup>2</sup>

The file indicates that the Cairo Consulate considers that there are reasonable grounds to believe that the subject is inadmissible to the U.S. under Section 212(a) (29) of the Immigration and Nationality Act, and that by OMV 4 of November 4th the Consulate has requested the Department's advisory opinion concerning the matter. This file also contains a memorandum dated November 19th from Maney (VO) to Ingram (OIA) and Chase (SCA)<sup>2</sup> stating that VO concurs in the Consulate's finding of inadmissibility and recommending that the UN Organization be requested to cancel the subject's appointment as a staff member. This recommendation appears, from Ingram's memorandum of November 25th<sup>2</sup> addressed to me, to be concurred in both by OIA and SCA. No clearance with the Legal Adviser's office or other office is indicated.

It has been my understanding that one of the decisions taken at the meeting held on May 29, 1953 in the Attorney General's office, and in which you, Ambassador Lodge and myself participated, was that a final finding of inadmissibility of persons covered by the Headquarters Agreement such as the subject would be taken only at the highest level and would have to be concurred in by the Secretary or Acting Secretary of State. Accordingly I assume that the finding in the instant case is only preliminary and has not yet been reviewed within the Department.

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<sup>1</sup> Not attached to source text.

<sup>2</sup> Not found in Department of State files.

You will also recall that in our discussions with Secretary General Hammarskjold concerning the application of the Headquarters Agreement we assured him that decisions concerning the necessity for exclusion of certain persons covered by the Headquarters Agreement, including Secretariat officials, would be taken only after consideration of the case at the highest levels within the U.S. Government. Accordingly it appears unwise and inappropriate to request that he withdraw the appointment of the subject on the basis of the preliminary finding made in this case. This is especially true because of the fact that the subject is head of the Foreign Relations Department, Egyptian State Broadcasting, and thus presumably has the backing of the Egyptian Government for his candidacy for a Secretariat job. Further, we assured the Secretary General that we would furnish him with such information as possible to support any finding of inadmissibility which was made and, in the present case, we have not been authorized to transmit any supporting information.

In view of the delay which has already occurred, I would hope that you can give urgent consideration to this matter so that a final decision concerning the subject's admissibility or inadmissibility can be made promptly. In this connection, UN officials have informally advised USUN of the Organization's urgent need for the subject's services. (USUN Tel No. 269, Nov. 23, 1953).<sup>3</sup>

I am not in a position to pass on the merits of this case, but it does appear on one reading that it ought to be possible to obtain additional information concerning the subject's alleged Communist Party membership, if necessary going directly to the Egyptian Foreign Office on a confidential basis.

My only other suggestion with reference to the merits of the case is that it appears possible that the Cairo Consulate is equating Communist Party membership, which is dealt with by subparagraph (28) of Section 212(a) of the Immigration and Nationality Act, with inadmissibility under subparagraph (29). It is my understanding that this is not the intention of the Act for, if it were, then no nationals of Communist Bloc Governments could be admitted to this country as Secretariat officials. I think it would be helpful to have the Legal Adviser take a look at this.

Finally, should it be decided that we ought to attempt to dissuade the Secretary General from this appointment, I trust that we will be furnished with information which we can submit to the Secretary General in support of our position.

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<sup>3</sup> Not printed.

L/UNA files, "Headquarters Agreement—Section 6"

*The Under Secretary of State for Administration (Lourie) to the Attorney General of the United States (Brownell)*<sup>1</sup>

SECRET

WASHINGTON, December 30, 1953.

MY DEAR MR. ATTORNEY GENERAL: I refer to a meeting which was held with Ambassador Lodge in your office on May 29, 1953 to consider procedures to be followed in dealing with the cases of aliens seeking admission to the United States in connection with the work of the United Nations. It was agreed at that time that close liaison should be maintained between the Departments of State and Justice with respect to any cases where questions of the admissibility of an alien under United States law were presented. I am writing to you now about such a case in order to secure a concert of views between our two Departments.

In November 1953 the Department of State was informed by our Mission in Cairo that Anwar Youseff El Meshry, an Egyptian national, had applied for a non-immigrant visa for the purpose of proceeding to the United Nations to take up a position as information officer within the United Nations Secretariat. The Mission in Cairo also reported that the United Nations had requested, in a telegram dated October 21, 1953, that G-4 visas be issued to Mr. El Meshry and his family.

Information available to the Department of State indicates: that Mr. El Meshry is a member of a Communist group in Egypt; that officials of the Egyptian Ministry of Interior had recommended his dismissal from a position with the Egyptian State Broadcasting because of this membership, but that no action was taken or is contemplated concerning the dismissal recommendation; that Mr. El Meshry has participated in four Communist-sponsored world-wide conferences; that he has written at least two anti-American articles appearing in an Egyptian newspaper.

On the basis of the above information, it is the view of this Department that Mr. El Meshry falls within the class of aliens defined in subsection 212(a)(28) of the Immigration and Nationality Act of 1952, but that he does not fall within the classes defined in subsection 212(a)(27) or subsection 212(a)(29) of the Act. It has been considered in the Department of State that, in the light of Section 102(3) of the Immigration and Nationality Act, it is necessary to interpret subsections 212(a)(27) and 212(a)(29) of the Act in relation to subsection 212(a)(28), and as defining classes of aliens with respect to whom there is more seriously derogatory information than that covered in subsection 212(a)(28). To construe subsection 212(a)(27) or subsec-

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<sup>1</sup> Drafted by the Assistant Legal Adviser for UN Affairs (Meeker).

tion 212(a)(29) as applying to aliens who were Communists and engaged in the regular activities of Communist Party members would bar completely from entry the members of Soviet-bloc delegations to the United Nations and many Soviet-bloc nationals employed by the Secretariat. It is not believed that the statute should be so interpreted, in view of its provisions such as those contained in subsection 101(A)(15). Subsections 212(a)(27) and 212(a)(29) are believed to apply to cases where more than Communist Party membership and the usual activities incident to such membership are involved. Espionage, sabotage, and conspiracy to bring about violent overthrow of the Government are examples of the type of threat to the national security evidently covered by the two subsections in question.

I would appreciate hearing from you at your early convenience whether you agree with the above stated views concerning the case of Mr. El Meshry, so that we might know in advance whether the Department of Justice would take the same view as this Department of the facts now known concerning Mr. El Meshry, upon the latter's arrival at a port of entry in the event a visa is issued to him. This Department would be happy to make available to you any relevant file materials which would be of assistance in your consideration of the matter.

Sincerely yours,

DONALD B. LOURIE

**B. UNITED STATES CONCERN WITH THE COMPOSITION OF THE STAFF OF THE UNITED NATIONS SECRETARIAT; PROBLEMS ARISING FOR THE UNITED STATES OUT OF DECISIONS RELATING THERETO, MADE BY THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL (1953) AND THE INTERNATIONAL COURT OF JUSTICE (1954)**

315.3/10-652

*The Secretary of State to the Attorney General of the United States (McGranery)*<sup>1</sup>

[WASHINGTON,] October 6, 1952.

MY DEAR MR. McGRANERY: The Secretary General of the United Nations has advised the United States representative to the United Nations that a number of United States nationals employed on the United Nations Secretariat have been subpoenaed to appear before a Federal Grand Jury now sitting in New York. The Secretary General has also stated that certain Secretariat employees have already appeared before the Grand Jury pursuant to these subpoenas and that the Grand Jury has inquired into matters pertaining to their discharge of their official duties at the United Nations. While he does not wish to interfere in the exercise by the Grand Jury of its legitimate

<sup>1</sup> Drafted by Richard J. Kerry of the Division of International Administration and H. Linde of the Staff of the Assistant Legal Adviser for UN Affairs (Meeker). Cleared by Meeker and the Director of the Office of International Administration and Conferences (Ingram).

functions, the Secretary General is concerned lest those employees in the Organization who are still to appear before the Grand Jury will be asked such questions in violation of the privileges and immunities of the Organization.

The Department of State is therefore bringing this matter to your attention at the present time in the hope that appropriate clarifying instructions may be issued to the United States Attorney in New York concerning the matter. This Department, of course, recognizes that United States citizens should not be able to avoid inquiry by a grand jury by reason of United Nations employment when the inquiry relates to matters outside the scope of their official functions. Accordingly, while protecting the regular and legitimate processes of the Grand Jury, this Department hopes that instructions may be issued to the United States Attorney to confine the questioning of United Nations Secretariat personnel to matters outside the scope of their official duties.

In a letter dated July 15, 1952, Mr. Jack B. Tate, the then Acting Legal Adviser of the Department, transmitted to you the Secretary General's letter of June 13, 1952 to Ambassador Gross setting forth the position of the United Nations with respect to certain requests which the Grand Jury was then making to the United Nations officials.<sup>2</sup> In transmitting this letter Mr. Tate stated: "The power of the United States investigatory bodies to question United Nations employees is of course also circumscribed by Articles 100 and 105 of the Charter and by the International Organizations Immunities Act."

It is therefore hoped that appropriate instructions may be issued to the United States Attorney in New York which would at the same time assure the legitimate scope of Grand Jury inquiry into the activities of United Nations employees while avoiding inquiry into matters falling within the official functions of United Nations officials. In this way, I believe we may avert the eventuality of the United Nations instructing its employees to claim the immunities of the organization when they are testifying before the Grand Jury. It would be in the interest of the United States relations with the Organization and with friendly Member States to resolve this question without resort by the United Nations to a strict legal position.

Sincerely yours,

For the Secretary of State:

ADRIAN S. FISHER  
*The Legal Adviser*

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<sup>2</sup> Neither printed (315.3/6-1752).

315.3/9-2552

*The Secretary of State to Senator Alexander Wiley*<sup>1</sup>

[WASHINGTON,] October 12, 1952.

MY DEAR ALEX: I have your letter of September 25.<sup>2</sup> As you observe, the United Nations alone is responsible for the selection of the personnel, of whatever nationality, that it employs. It was decided at the outset that this should be so. It was believed that, if individual staff members were to be beholden to their individual governments with respect to their service on the United Nations Secretariat, it would be impossible for the staff to effectively support the Secretary General in his capacity as the administrative representative of the member governments as a whole. This concept is embodied in specific provisions of the United Nations Charter itself.

It follows that United States nationals on the Secretariat do not represent the United States but are representatives of the United Nations insofar as their official capacity is concerned. The United States, as every other Member Government, is restrained from seeking to instruct the Secretary General and members of his staff, and these officials in turn are pledged not to seek or receive instructions from any government or external authority.

It is within the context of this sort of relationship between the United States Government and the United Nations that you ask if the Department has impressed upon the administrative officials of the United Nations our attitude toward the employment of Communists. I would like to assure you that we have taken utmost care to impress upon the administrative officials of the United Nations that the employment of United States nationals who are Communists is not in the best interests of the United Nations. Accordingly, we make known to the administrative officials of the United Nations such information as is at our disposal on American citizens whom we know to be employed and contemplated for employment by the United Nations. The use made by the Secretary General of such information as he secures from this Government is, of course, a matter for him to decide.

Inasmuch as Communist governments are members of the United Nations, there will inevitably be nationals of these governments, who are Communists, on the Secretariat. At the present time, nationals of Iron Curtain countries on the United Nations Secretariat in New York number less than one hundred persons, which is less than 4 per cent of the total staff. The Yugoslav members of the staff account for

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<sup>1</sup> Drafted by the Director of the Office of International Administration and Conferences (Ingram). Cleared with the Legal Adviser (Fisher), the Assistant Secretary for UN Affairs (Hickerson), the Acting Assistant Secretary-Congressional Relations (Brown), and Everard K. Meade, Jr., Special Assistant to the Deputy Under Secretary-Administration (Humelsine).

<sup>2</sup> Not printed (315.3/9-2552).

about ten positions in addition to those filled by nationals of Iron Curtain countries. We do not send to the United Nations any classified information. Accordingly, the Communist employees of the Secretariat do not have access to secret United States information.

The above figures of less than one hundred persons representing less than 4 per cent of the United Nations staff exaggerate the significance of Iron Curtain nationality representation on the Secretariat in New York. A considerable portion of these Iron Curtain nationals are citizens of Czechoslovakia and Poland who were engaged by the United Nations before their countries were taken over by the present Soviet puppet regimes, and remain loyal to a free Czechoslovakia and a free Poland.

I would like to repeat that the officials of the United Nations are fully aware that we do not regard the employment of United States citizens who are Communists as being in the best interests of the Organization or of this Government. I do not see how a person who owes allegiance to the Cominform and its leaders in Moscow can be expected to be a devoted employee of an international organization which is resisting Communist impelled aggression on the battlefields of Korea. I therefore feel that there is no occasion for the employment by the United Nations of persons loyal to the Cominform beyond those necessitated by the requirements of nationality distribution on the staff.

The United States Government has done and will continue to do everything possible, within the framework of the relations between a Member Government and the United Nations laid down by the Charter, in assisting officials of the United Nations to identify those persons who would appear to be unfit for duty with the United Nations.<sup>3</sup>

Sincerely yours,

DEAN ACHESON

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<sup>3</sup> Notation at bottom of concluding page: "Original handed to Senator Wiley at his meeting w/the Sec'y at 10:45 a. m. 10/13/52 in New York."

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315.3/10-2752

*The Attorney General of the United States (McGranery) to the Secretary of State*

WASHINGTON, October 27, 1952.

MY DEAR MR. SECRETARY: Your letter of October 6, 1952 relating to the questioning of United States nationals employed by the United Nations Secretariat by the Federal Grand Jury now sitting in New York has been the subject of conferences between the Deputy Attorney General and the Legal Adviser of the Department of State.



I am advised that as a result of these conferences suitable arrangements have been made with reference to the subject matter of your letter and that no further action on the part of this Department is required at the present time.

Sincerely,

JAMES P. McGRANERY

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820/10-2852: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 28, 1952—8:12 p. m.

Gadel 25. *Personal for Hall. No distribution USUN.* Dept authorizes del consult with SYG with view drafting appropriate and mutually acceptable amendments to staff regulations to grant SYG greater discretionary authority to deal with problems of US Communists in Secretariat with special ref Administrative Tribunal obstacle. Final draft proposal to be submitted Dept for approval.

FYI, Dept considered including ref this authorization in press release today but deleted on assumption del might prefer NY release. Statement released here as fol:

*Verbatim Text*

“The Charter of the United Nations provides that the staff shall be appointed by the Secretary General under regulations established by the General Assembly. It also provides that the Secretary General shall not seek or receive instructions from any government, and enjoins Member Nations to respect the exclusively international character of his responsibilities. Accordingly, the United States Government does not attempt to instruct the Secretary General as to whom he may employ or may not employ; it neither recommends United States citizens for employment nor gives loyalty or security clearance to those employed.

“At the same time, the Department of State has made known to the Secretary General its view that the employment of United States citizens who are Communists is not in the best interest of the United Nations, and the Department has long had assurance of the Secretary General’s agreement to this principle. Under a confidential arrangement with the Secretary General the Department of State, drawing upon its access to information held by the security agencies of the United States Government, has for some time been of assistance to the Secretary General in identifying United States citizens, employed or contemplated for employment, who would appear to be Communists.”

BRUCE

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<sup>1</sup> Drafted by the Director of the Office of International Administration and Conferences (Ingram). Cleared with the Assistant Secretary for UN Affairs (Hickerson), the Deputy Assistant Secretary (Sandifer), the Deputy Legal Adviser (Tate) and Everard K. Meade, Jr., Special Assistant to the Deputy Under Secretary for Administration (Humelsine).

315.3/12-652

*The Secretary-General of the United Nations (Lie) to the United States Representative at the United Nations (Austin)*

PERSONAL AND CONFIDENTIAL

NEW YORK, 3 December 1952.

MY DEAR SENATOR AUSTIN: You are aware of my great concern over recent disclosures regarding U.S. citizens on my staff charged with having engaged in subversive activities and of the measures I have taken to meet this problem in a manner satisfactory to both the United Nations and its host country.<sup>1</sup>

I should like to express my appreciation to you for the assistance given to me by the U.S. Mission in regard to this problem and in particular for having made available to me the official records of the Senate Internal Security Sub-Committee relating to personnel of the Secretariat. I have found these records most helpful.

In this morning's paper I have read the presentment of the Federal Grand Jury "on disloyalty of certain U.S. citizens at the United Nations" which was submitted to the U.S. District Court yesterday. This presentment, as you are no doubt aware, contains a number of conclusions involving serious charges against members of the staff of the United Nations who are not specifically identified.

Although these conclusions bare directly on my responsibility as Secretary-General I have not received the records of the Grand Jury proceedings, nor have I received official information setting forth the facts on which the conclusions of the Grand Jury have been based. I am sure you will agree that in view of the conclusions made public there should be made available to me either the records of the Grand Jury relating to personnel of the United Nations, or, if this cannot be done, an official statement of the specific evidence on which the conclusions of the Grand Jury have been based. I wish to assure you that any such information declared to be confidential will be held by me in strict confidence.

In this connection I should like to draw your attention to the recent opinion submitted to me by a commission of eminent jurists which recommended that if the Secretary-General is satisfied that he has reasonable grounds for believing that a member of the staff is engaged

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<sup>1</sup> On Oct. 11, 1952, Secretary-General Lie stated publicly his policy on the personnel question; he did not want Americans in the UN Secretariat who were disloyal to the United States, nor had he ever knowingly employed such Americans.

On Oct. 23, Lie announced his intention to submit the personnel problem to a group of jurists from three Member countries "for advice".

At approximately the same time Lie suspended certain U.S. personnel of the Secretariat who had refused to answer questions of the Senate Subcommittee.

The background of these events is outlined comprehensively in the Secretary-General's "Report . . . on Personnel Policy", UN Doc. A/2364, Jan. 30, 1953. For this and texts of related items, including the "Opinion of the Commission of Jurists, 29 November 1952", see United Nations, *Official Records of the General Assembly, Seventh Session, Annexes*, agenda item 75.

or is likely to engage in activities regarded as disloyal by the host country the officer concerned should no longer be employed in that country.

The Commission pointed out that where such allegations have been made against a staff member a full inquiry by the Secretary-General is required and that in such an inquiry it would be highly desirable if the Member State in question could give the Secretary-General not only the general conclusions but also the evidence upon which the Member State has come to that conclusion. They state in this connection "to put the Secretary-General on inquiry and to withhold the evidence places him in a position of great embarrassment". It is recognized by the Commission of Jurists that the information received would have to (be) kept confidential if the Member State so requests.

In view of the wide publicity given to the conclusions of the Grand Jury I consider it highly desirable, indeed essential in fairness to me and my staff, that the evidence for the conclusions be made available to me as quickly as possible. I should be most grateful for your assistance in this respect.

Sincerely yours,

TRYGVE LIE

315.3/12-652

*The Acting Secretary of State to the Attorney General of the United States (McGranery)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] December 6, 1952.

MY DEAR MR. ATTORNEY GENERAL: Transmitted herewith is a copy of a letter the Secretary General of the United Nations has addressed to Ambassador Austin requesting that evidence be made available to him upon the basis of which he could reach his own independent conclusions concerning the continued employment of persons who have appeared before the Grand Jury.

You will recall that on October 9, 1952 officers of the Department of State conveyed to officers of your Department Mr. Lie's oral request that certain information concerning the testimony of UN employees before the Grand Jury be made available to him, and the reply made on your behalf that Rule 6(e) of the Federal Rules of Criminal Procedure prohibited the disclosure to Mr. Lie of the information.

I am sure you will agree, as you did on that occasion, that it would be highly desirable to furnish Mr. Lie the information he has requested and that you fully appreciate his request. In the event, however, that this request should be subject to the same reply which you previously

<sup>1</sup> Drafted by Richard J. Kerry of the Division of International Administration and the Director of the Office of International Administration and Conferences (Ingram).

made, I would like to suggest another possibility appropriate to his purposes. The names of the persons appearing before the Grand Jury are known to you. Much information concerning them is available from sources other than the Grand Jury hearings, most particularly in investigative files of the Federal Bureau of Investigation. We would, therefore, appreciate your considering what evidence, from any sources, you might make available to the Secretary General. The foregoing would apply not only to those persons who have appeared before the Grand Jury but with respect to any other employees of the United Nations, concerning whom you may have in investigative files of your Department information which you consider significant in this consideration. I would note that there are presently still in full employment status on the United Nations rolls certain persons with respect to whose continued employment the Department of State has commented adversely to the United Nations.

You may wish to consider whether you would want to make such evidence or reports as you could furnish to the Secretary General of the United Nations available directly to him or through this Department.

Sincerely yours,

DAVID BRUCE

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315.3/1-853

*The Secretary of State to the United States Representative at the United Nations (Austin)*

No. 153

[WASHINGTON,] January 9, 1953.

The Secretary of State requests that the United States Representative to the United Nations transmit the following communication to the Secretary General of the United Nations:

I have been requested by the Secretary of State to advise you of the issuance of an Executive Order "Prescribing Procedures for Making Available to the Secretary General of the United Nations Certain Information Concerning United States Citizens Employed or Being Considered for Employment on the Secretariat of the United Nations," signed by the President of the United States on January 9, 1953. A copy of the Order is enclosed.<sup>1</sup>

The Executive Order is intended to enable the Government of the United States to do all that it properly can to assure the achievement of the mutual objective of the Secretary General and the United States to assure that the United Nations shall not employ or continue in its employment United States citizens who are engaged, have been engaged, or are likely to be engaged in any subversive activities against the United States.

My Government wishes to initiate at once the procedures provided by the Order, and its representatives would like to work out the de-

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<sup>1</sup> Not printed. See Executive Order 10422 (18 *Federal Register* 239).

tails of the necessary arrangements with your designees at their earliest convenience. In the meantime, I would like to request that appointment action be withheld on any pending appointments of United States citizens.

It is to be hoped that this action by the President of the United States will be accepted as further evidence of the importance which this Government attaches to the United Nations as an instrument for the promotion of international peace and security, and of its desire to strengthen the United Nations so that it can fulfill the purposes of the Charter effectively in accordance with its principles.

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315.3/1-2853

*The Assistant Secretary of State for United Nations Affairs (Hickerson) to the Chairman of the Senate Foreign Relations Committee (Wiley)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] January 28, 1953.

MY DEAR SENATOR WILEY: With further reference to your interest in the question of the loyalty of Americans on the staffs of international organizations, I would like to report to you on the progress that has been made in implementing Executive Order 10422. The Executive Order was signed on January 9, and immediately upon its issuance the United States Mission to the United Nations transmitted a copy to the Secretary General of the United Nations. The Department had previously kept Mr. Lie fully informed concerning the development of the Order, and had shown him a final draft of the Order prior to its formal issuance. In his communication, the United States Representative stated that the United States wished to initiate at once the procedures provided by the Order, and requested that, in the meantime, the further appointment of United States citizens be deferred.

On January 12, representatives of the Civil Service Commission, the Department of State and the United States Mission met with the Secretary General and members of his staff in New York for a preliminary discussion of the arrangements and procedures to be worked out for the application of the Executive Order to Americans on the United Nations staff or considered for employment. Mr. Lie, while noting that he could take no conclusive action pending the outcome of the discussion of the Report of the United Nations Commission of Jurists at the February session of the General Assembly, expressed a desire to cooperate fully with the United States Government and agreed to the application of the Executive Order procedures, in fact, at this time.

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<sup>1</sup> Drafted by George M. Ingram of UNA :OIA ; cleared by CON, A, URS, UNE, AV, AR, and by telephone with the Departments of Agriculture and Labor and the Public Health Service.

As a first step in the implementation of the Executive Order, the agreement of the Department of Justice was secured to the release to the Secretary General, on a confidential basis, of certain information concerning ten United States nationals, still on the Secretariat, on whom the Department of State had commented adversely under the previously existing arrangement. This information was transmitted as information submitted under the provisions of Part I, paragraph 6, of the Executive Order, i.e., as information developed in the course of investigations in progress and made available to the Secretary General for his use in terminating or suspending or taking other appropriate action in respect to the person in question. Since that time, two of the ten have been terminated, and one will be on compulsory leave until the date of his retirement, May 15, 1953. The status of the other seven continues to be under active consideration by the Secretary General.

Simultaneously with the above, the Department of State, with the concurrence of other interested departments in every instance and acting through its representatives at the seats of the organizations, transmitted copies of the Executive Order to the executive heads of the several Specialized Agencies. The Department requested that they enter into an arrangement with the United States for the application of the Executive Order to their United States employees as provided by Part III of the Order, and further requested that they suspend the further recruitment of Americans pending the working out of the necessary procedures.

This approach to the heads of the Specialized Agencies was, in effect, a second step to that already taken when the Department communicated to them your concern over the reported infiltration of the organizations by subversive Americans. Negotiations with the executive heads of the Specialized Agencies are now in progress. The executive heads of the agencies have, without exception, agreed to cooperate with the United States Government. We have secured the informal agreement of the great majority, and expect to secure the agreement of the balance of the agency heads to the principle of suspending the further employment of United States citizens pending the working out of necessary procedures under the Executive Order. A "freeze" on the employment of Americans is for all practical purposes in effect at the present time, the only exception being certain cases where the agencies have committed themselves to an individual long under consideration for employment and where particular commitments have been made to certain Member Governments that expert assistance will be provided which can only be provided by such persons.

While these negotiations have been in progress, the Department has initiated consultation with the representatives of certain key Member States of the United Nations for the purpose of gaining their

support for the acceptance of the conclusions of the Commission of Jurists at the forthcoming session of the General Assembly. These discussions are underway both here in Washington and in New York, and will be undertaken as well by United States diplomatic representatives abroad at the seats of the various governments.

With respect to the provision of funds necessary to finance the investigations to be undertaken by the Civil Service Commission and the Federal Bureau of Investigation under the provisions of the Executive Order, a supplemental request for an appropriation of \$1,000,000 to the Civil Service Commission has been submitted to the Congress (House Document 66). The bill provides that funds required by the Federal Bureau of Investigation will be secured by allocation from the Civil Service Commission. The appropriation of new money in this manner will be necessary for implementation of the Executive Order, and only when experience has been gained will it be possible to determine whether this appropriation will be adequate. As a beginning step, however, the Civil Service Commission has certain funds which it can use to undertake initially the investigations required.

Following the meeting in New York on January 12, the Civil Service Commission has bent every effort toward securing agreement within the Executive Branch as to the internal procedures necessary to effectively discharge the responsibilities of the United States Government under the Executive Order. These procedures have now been agreed to by all parties concerned, the Civil Service Commission, the Loyalty Review Board, the Federal Bureau of Investigation and the Department of Justice, the Department of State and the Bureau of the Budget. The Commission has done a particularly noteworthy job in developing a basic personal information form, to be used in connection with the fingerprint form, which should greatly expedite the provision of the necessary information by the international organizations and its handling within the United States Government.

The representatives of the Civil Service Commission, the Department of State and the United States Mission to the United Nations have scheduled a meeting today with the Secretary General of the United Nations for the purpose of providing the United Nations representatives with copies of the forms, and explaining the details of the procedure, in order that they may undertake immediately the provision of the necessary information with reference to persons on the staff concerning whom question has already been raised. It is our intention that the procedure to be finally agreed upon at this forthcoming meeting will be applied not only to the staff under the immediate direction of the Secretary General, but to United States personnel of the United Nations International Children's Emergency Fund, the United Nations Korean Reconstruction Agency, and the

United Nations Relief and Works Agency for Palestine Refugees in the Near East.

In this connection, the most urgent attention will be given to the seven persons still on the staff concerning whom the Department had previously made representations, together with certain other persons on whom derogatory information is now available. The Department has been informed by the United Nations that the Advisory Panel of the Secretary General will be unable to reach a conclusion with respect to these seven cases until there has been a full investigation under the terms of the Executive Order.

I believe the paragraphs above represent a complete, but necessarily summary, account of our work to date in bringing the provisions of the Executive Order into practical effect. If there is anything I can add to this, please let me know as I and members of my staff would be most happy to discuss with you any questions you may have.

You have inquired previously as to whether or not any secret arrangements comparable to that which existed with respect to the United Nations have existed as between the Executive Branch and any of the Specialized Agencies. An arrangement somewhat comparable to the United Nations arrangement has existed with respect to UNESCO, the specialized agency for which the Department has very much the same sort of comprehensive responsibility, in terms of United States relationships, as it has in the case of the United Nations. An account of this arrangement is presented in an attachment hereto.

In the case of the FAO, the WHO and the International Civil Aviation Organization, there has been no comparable arrangement either on the part of the Department of State or the other Federal agencies at interest, the Department of Agriculture, the Public Health Service or the Civil Aeronautics Administration. The same may be said of the International Telecommunications Union. In the case of the World Meteorological Organization and the Universal Postal Union, there are no United States employees. With respect to the International Labor Organization, I believe you may have already been in touch with the Department of Labor. Similarly, I understand you have been in contact with the Treasury Department with respect to its relationships to the International Monetary Fund and the International Bank for Reconstruction and Development.

While the Department of State has had an arrangement with only one Specialized Agency, UNESCO, it also had an arrangement with the United Nations Korean Reconstruction Agency, which is under the direction of Mr. Donald Kingsley. This arrangement was arrived at directly with the Agent General, Mr. Kingsley, inasmuch as the



agency has independent appointive authority. The nature of the arrangement is described in the attached separate statement.<sup>2</sup>

Finally, reference is made to your previous inquiry concerning the extent to which passport controls have in fact affected employment of U.S. nationals by the Specialized Agencies. The Passport Office of the Department has advised that inasmuch as its files are alphabetical it has been necessary to rely upon the memory of the officers responsible for the particular operations involved. On the basis of the recollection of these officers there has not been a case of denial of a passport to any Specialized Agency employee other than the case to which you yourself referred. Cases of the withdrawal or non-renewal of a passport to a U.S. national abroad and employed by a Specialized Agency are limited to the cases of UNESCO employees referred to in the attached statement about UNESCO.<sup>3</sup>

Sincerely yours,

JOHN D. HICKERSON

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<sup>2</sup> Not printed; a copy of this statement entitled "Employment of U.S. Nationals by the UN Korean Reconstruction Agency" is attached to the source text.

<sup>3</sup> Not printed; a copy of this statement entitled "Employment of U.S. Nationals by UNESCO" is attached to the source text.

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815.3/1-2953

*The United States Representative at the United Nations (Lodge) to the President*<sup>1</sup>

NEW YORK, January 29, 1953.

MY DEAR MR. PRESIDENT: In the three days I have been on duty as the United States Representative to the United Nations, one of my first objectives has been to assure that prompt and effective actions are taken to investigate and report on the loyalty of United States citizens employed in the United Nations Secretariat.

I have obtained the Secretary General's assurance that he will turn over to this Mission within the next week or ten days the full information required by the Federal Bureau of Investigation and the Civil Service Commission for investigation of United States citizens employed in the United States by the United Nations. Submission of information on employees stationed outside the United States will require a somewhat longer time. Completed information on a number of individuals will reach the Civil Service Commission and the Federal Bureau of Investigation by the end of this week.

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<sup>1</sup> Source text is accompanied by a covering memorandum from Lodge to the Under Secretary of State for Administration, Donald Lourie, also dated Jan. 20, 1953, which reads: "Dr. Mr. Lourie: For your information I enclose herewith a copy of a letter which I have sent to the President in connection with funds for F.B.I. investigation of United Nations personnel. With best wishes, I am, . . ."

I understand that the Civil Service Commission and the Federal Bureau of Investigation have only the most limited funds to initiate this work. There are some 2,000 cases to be dealt with in the United Nations and I understand from the Department of State that there are approximately 1,500 cases in the other international agencies. The investigation and review of these 3,500 individual cases will require substantially larger amounts than are currently available. The Bureau of the Budget on January 19 approved a supplemental appropriation request, recorded in House Document 66, in the amount of \$1,000,000 to start the program.

I understand that the Congress does not intend to take any action on this request unless you indicate your support for the program. I consider action by the Congress on this appropriation of the greatest urgency if we are to be able promptly to assure the people of the United States that the United States citizens employed in the United Nations are loyal to our country.

Accordingly, I recommend that you urge the Congress to act on this appropriation request immediately so that we can go forward with the task of strengthening the United Nations.

Faithfully yours,

HENRY CABOT LODGE, JR.  
*Chief, United States Mission  
to the United Nations*

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315.3/2-553: Circular airgram

*The Acting Secretary of State (Matthews) to Certain Diplomatic  
and Consular Offices*<sup>1</sup>

SECRET

WASHINGTON, February 5, 1953—5:35 p.m.

The General Assembly during the first part of its Seventh Session decided, on the initiative of the Secretary General as prompted by several delegations, to include in its agenda for the second part of the session a full discussion of the current personnel policies governing the United Nations Secretariat. Pursuant to this decision the Secretary General has prepared a report on United Nations personnel policy to be used as a basis for this debate.

This decision of the Assembly is a direct result of investigations conducted by United States authorities during the past year of charges of infiltration of the United Nations Secretariat by subversive U.S. citizens. It is anticipated that the question of personnel policy will

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<sup>1</sup> Drafted by the Chief of the Division of International Administration (Henderson) and the Director of the Office of International Administration and Conferences (Ingram). This circular airgram was sent to 62 Foreign Service posts around the world.

be one of the major issues to be considered by the second part of the Seventh Session of the General Assembly.

For this reason arrangements have been made to supply the diplomatic posts in countries primarily concerned with full documentation on this issue. The position paper setting forth the position of the United States Government will be forwarded as soon as it is available.

Copies of the report of the Secretary General, which contains a copy of the letter from Ambassador Austin transmitting the Executive Order to the Secretary General and the Secretary General's reply, the report of the Commission of Jurists appointed by Mr. Lie to advise him on this question, and statements by former Secretary Acheson and Assistant Secretary Hickerson before committees of Congress, and a copy of the Executive Order issued by President Truman on January 9, 1953 are being pouched to you.

A Federal Grand Jury sitting in New York City initiated investigations of United States Communist infiltration of the United Nations Secretariat in the summer of 1952. This Grand Jury investigation, which has so far resulted in no indictments but which produced a presentment critical of the United Nations and the Department of State, has been supplemented by investigations of two sub-committees of the judiciary committees of the Congress. These investigations have dealt with the problem of United States nationals employed by the United Nations who are believed to be engaged in, or to have been engaged in, or who are likely to be engaged in, activities regarded as subversive by the United States Government.

In the course of proceedings before the Grand Jury and hearings of the Internal Security Subcommittees, a number of witnesses, some of whom were employed by the United Nations, took recourse to the Fifth Amendment and refused to answer questions, on grounds of self incrimination, concerning past and present membership in the Communist Party and past and present participation in espionage and subversive activities. As a result of these developments the Secretary General first suspended or placed on leave, and then dismissed, a number of United States nationals employed by the Secretariat.

These dismissals and the public investigations provoked a number of questions from other delegations as to the propriety of such actions in the light of the United Nations Charter (primarily Articles 100 and 101) and the pertinent Staff Regulations.

When the failure of United States nationals to respond to questions was first publicized, Mr. Lie appointed a group of jurists of high professional standing to assist him in deciding on these questions. This group was composed of Mr. William Mitchell, former Attorney General under President Hoover; Professor Veldekins, well known Belgian professor of international law; and Sir Edwin Herbert, former

Director of Censorship in the wartime British Government and presently a private attorney of international repute. Mr. Lie placed before these jurists a series of questions with respect to United Nations staff members of United States nationality. The report of the jurists, as amended by them, will undoubtedly play a significant part in the forthcoming debates of the Assembly. This report and the related report of the Secretary General will provide a frame of reference for the debates and will constitute important factors in the future actions of the Secretary General.

When the Seventh Session of the General Assembly reconvenes on February 24, consideration of the Jurists' report and the report of the Secretary General will be the subject of prolonged discussion.

The Department would request, therefore, that you familiarize yourself with the issues involved, and be in a position to discuss generally with officials of the Government to which you are accredited the importance which the United States attaches to the elimination of subversive United States nationals from the United Nations Secretariat. This airgram is designed to provide the preliminary basic information needed to undertake such discussion at your discretion. Further suggestions as to precise representations to be made will be furnished later in the event the Department decides this is desirable.

#### *Discussion*

At the time of the creation of the United Nations, the United States, as a matter of basic policy, strongly supported the adoption of provisions in the United Nations Charter, and later in the United Nations Staff Regulations, which would guarantee to the Organization a free hand in the selection of personnel, and would safeguard the Organization from undue influence by Member States in this regard. In the discussions of the Preparatory Commission and the early General Assemblies, the independence of the Secretary General in employing staff was stressed as one of the factors required in developing an international secretariat of the highest integrity.

In consequence, the United States has followed the practice of not recommending its citizens for employment, nor has it cleared them for employment, by the United Nations. In the fall of 1949, however, the Department became concerned about the possible infiltration of the United Nations Secretariat by United States citizens who are Communists, or who are subject to Communist discipline.

It accordingly entered into a secret arrangement with the Secretary General of the United Nations whereby adverse comment was made on certain United States citizen employees, and upon a number of prospective employees.<sup>2</sup> Because of United States restrictions on the release

<sup>2</sup> No documentation on this "secret arrangement" has been found in the 1949 or later Department of State files. Later in 1953, Department officials were actively engaged in an effort to clarify the origins of this important understanding.

of classified information such comment could only be made in the most summary terms. At that time the Secretary General believed that he did not have authority to dismiss any employees on the ground of Communist affiliation. Accordingly, wherever the employment of United States Communists was terminated by the Secretary General, such action had to be taken on the basis of some authority which the Secretary General believed he possessed under the Staff Regulation.

The significance of the Report of the Commission of Jurists is that, for the first time, there is an impartial and responsible pronouncement to the effect that the Secretary General can and should rid the United Nations Secretariat of United States citizens who engage in subversive activities against the United States. Following this the Department initiated, and the President issued, Executive Order 10422 on January 9, 1953.

It appears that as a consequence of public reports of a plan to revise the existing federal loyalty program, some procedures of the Order may have to be altered. You will be advised as to the exact nature of any changes as soon as they are made. However, you should proceed at your discretion with discussions on the basis of Executive Order No. 10422.

The issuance of Executive Order 10422, while calling for a loyalty determination on United States citizens who are or may become international civil servants, does not constitute a fundamental change in basic United States policy toward the selection of United States personnel by international organizations. It specifically recognizes the right of the heads of these organizations to make the final decision as to employment or termination. At the same time, the United States considers that it is appropriately in its interests to attempt to assure that no United States citizen be employed if he is believed to be engaged, or is likely to be engaged in activities regarded as subversive by the United States Government. Consideration of past activities of this nature would necessarily be an important factor in any determinations made by the United States in this regard. Consistent with, and in response to the Jurists' conclusions and recommendations, the Executive Order provides for the supplying of information to the Secretary General on persons decided upon adversely by the United States as a result of a United States investigation and review.

It is important to note in this connection that there is a distinction between the criteria of the Executive Order on the one hand, and of the Secretary General on the other, in arriving at conclusions in individual cases. The United States would first come to a determination as to whether there is a reasonable doubt as to loyalty to the United States. The Secretary General, operating under the terms of the recommendations of the Jurists, would base his decision on whether there are reasonable grounds for believing that the individual is, or is likely to be

engaged in subversive activities against the United States. It is our expectation and hope that the information supplied by the United States will be such as to persuade the Secretary General that the individual on whom the United States has commented adversely does not measure up by the standards he must apply as well. Consequently the action to be taken by the Secretary General will be based upon somewhat different standards than those of the United States. This will help persuade other Member States that the United States is not attempting to destroy the personnel independence of the Secretary General under the United Nations Charter.

Should the General Assembly not permit an arrangement which would achieve the elimination from the Secretariat of subversive United States citizens, it seems inevitable that the United States Congress will act to withhold United States financial support, or enact legislation to make it illegal for United States citizens to accept United Nations employment without United States clearance. A bill imposing criminal penalties on any United States citizen accepting United Nations employment without such clearance has been introduced in the United States Senate. It is necessary that every effort be made to avoid severe United States unilateral action, if this is possible. It is for these reasons that the Department attaches such great importance to the action to be taken by the Seventh General Assembly when it reconvenes next month.

For your information, several delegations to the first part of the Seventh Session of the General Assembly were most anxious to discuss the Jurists' report prior to the recess on December 22. Such discussions were postponed as a result of a plea made by the President of the Assembly, the Chairman of the Fifth Committee, and the Secretary General. In a joint statement these three officials pointed out that Governments should have adequate opportunity to review the Jurists' report in detail. They stressed that the Secretary General should be provided time to develop in detail the course of action he would propose to follow on the result of the advice of the Jurists, should the Assembly indicate its approval thereof. Statements made by several delegations in regretfully agreeing to this postponement indicate considerable reservation on their part as to the wisdom and desirability of complete acceptance by the United Nations of the Jurists' conclusions. Most significant among these were India, Canada, the Netherlands, Egypt, Belgium, Sweden, Mexico, and France. Several members of a number of delegations also privately indicated their dislike for the Jurists' recommendations on the basis that it would make personnel on the United Nations staff so subject to the dictates of their own Governments that it would be impossible to recruit and maintain an independent body of personnel which could be expected to carry out efficiently the tasks of the UN Secretariat.

Advance indications of the attitudes of other Member States, leads the Department to believe that a majority of them will be persuaded to support the Jurists' recommendations only if they become convinced that this is the only way to insure continued support of the United Nations by the United States.

At the moment the details of placing the Executive Order into full effect are being worked out. The Secretary General and his assistants have demonstrated a spirit of cooperation during meetings held with representatives of the Department and the United States Civil Service Commission for this purpose. It is significant to note, however, that he has not publicly committed himself to postponing any further appointments of United States citizens until the Executive Order is in full operation. This assurance was requested in the Department's formal transmittal of the Executive Order to the Secretary General. His formal reply welcomed the assistance provided under the terms of the Executive Order, but made no reference to the requested assurance regarding new employment. This is because of the need for consideration of this matter by the General Assembly. In the meantime, the Department is pressing ahead to put the arrangement authorized by the Executive Order into full effect. In view of this it would be especially unfortunate if the General Assembly were to reject the Jurists' report.

MATTHEWS

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IO files, SD/A/288

*Position Paper Prepared in the Department of State for the United States Delegation to the Second Part of the Seventh Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] February 18, 1953.

REPORT OF THE SECRETARY GENERAL ON PERSONNEL POLICY

THE PROBLEM

The question of the current personnel policies governing the United Nations Secretariat was included in the agenda of the Seventh Session of the General Assembly at the request of the Secretary General. Inclusion of this item is a direct result of (1) investigations conducted by United States authorities during the past year of charges of infiltration of the United Nations Secretariat by United States Communists and subversive United States citizens, and (2) the opinion rendered by the Commission of Jurists appointed by the Secretary General to advise him concerning the issues arising out of these investigations.

The Secretary General has prepared a report on United Nations personnel policy (A/2364) to be used as a basis for the General Assembly debate. This report is based on the conclusion of the Commission of Jurists that the Secretary General already has authority to terminate or refuse to hire staff members who are subversives. The report states that the Secretary General "should not retain a staff member in the employment of the United Nations if he has reasonable grounds for believing that the staff member is engaging or is likely to engage in subversive activities against any Member government", and that he should not retain a staff member who has taken recourse to the privilege against self-incrimination in official inquiries concerned with subversion. The Secretary General further reports on the advisory panel that he has established to advise him on the cases referred to it by him. The report makes it clear that the final determination must and should rest with the Secretary General.

On its part, the United States, using the opportunity presented by the report of the Commission of Jurists, has promulgated Executive Order 10422, which calls for the investigation by United States Government agencies (Civil Service Commission and the FBI) of all present United States employees in the United Nations and all prospective United States employees. The purpose is to provide the Secretary General with the information he needs to exercise his authority. The Secretary General has agreed to cooperate, and as a result, personnel data and fingerprint forms are being completed by United States nationals now on the Secretariat and are being forwarded to the United States Government for processing. Should the United States Government loyalty-security practices be changed, consequential changes will be made in the Executive Order.

In the minds of many delegations, the activities of the United States are jeopardizing the independence of the international secretariat, and the United States delegation can expect them to be highly critical of the Secretary General's report, the report of the Jurists, and the action of the United States.

#### RECOMMENDATIONS

1. The Delegation should do all in its power to insure that the General Assembly approves the policies which the Secretary General proposes to follow, or, if this is not possible, notes the report without comment. This is essential in order that the United States may proceed with the investigation of current and future United States employees of the United Nations.

2. The Delegation should urge the consideration of this item early in the session and, in any event, before the appointment of a new Secretary General is considered.



## DISCUSSION

The report of the Secretary General presents (1) a complete history of development of the present personnel policies and practices in the United Nations, (2) an account of how the question of subversive activities of staff members became an issue, and (3) his proposals for dealing with this issue. The essence of the policy he intends to follow is, as stated above, that he "should not retain a staff member in the employment of the United Nations if he has reasonable grounds for believing that that staff member is engaging or is likely to engage in subversive activities against any Member government," and that he should not retain a staff member who has taken recourse to the privilege against self-incrimination in official inquiries concerned with subversion. This policy is based on the conclusions of the Commission of Jurists. In accordance with the Jurists' advice, the Secretary General assumes that this policy can be carried out within the present Staff Regulations, either under his specific termination powers or under implied powers deriving from the fact that the activities described above constitute a violation of the fundamental obligations placed upon staff members in Articles 1.4 and 1.8.

In order to carry out his responsibilities in this matter, the Secretary General reports that, again acting on the advice of the Jurists, he has appointed an advisory panel. The Secretary General indicates that the terms of reference of this panel will be established after the Assembly has dealt with his report, but that in preparing the terms of reference, full consideration will be given to the requirement of due process of law. The panel consists of:

- Chairman of the Panel—Mr. Leonard W. Brockington, of Canada, appointed in his individual capacity
- Members
- Mr. Ralph Bunche, Principal Director, Department of Trusteeship and Information from Non-Self-Governing Territories.
  - Mr. Tor Gjesdal, Principal Director, Department of Public Information
  - Mr. Gustavo Martinez-Cabanas, Deputy Director-General, Technical Assistance Administration
  - Mr. Constantin A. Stavropoulos, Principal Director in Charge of the Legal Department

These policies which the Secretary General intends to follow give reasonable assurance that he will not retain or employ subversive United States nationals. It must be recognized, of course, that these policies employ criteria different from those now used or likely to be

used by the United States Government in its own loyalty-security program. It is the hope and expectation of the United States, however, that the information supplied by it in respect of United States Government nationals will be such as to convince the Secretary General that any individual on whom the United States Government has made an unfavorable finding on the basis of United States standards does not measure up to the standards which the Secretary General must apply.

The United States is giving its support to the report of the Secretary General in the belief that it offers a feasible means of accomplishing U.S. objectives without either violating the Charter obligation to respect the independence of the Secretary General or jeopardizing the long-range U.S. interest in maintaining a secretariat responsible to the United Nations rather than to individual member governments.

Even so, indications from other governments are that the standards and procedures which the Secretary General proposes to use and U.S. actions and objectives will be under heavy attack. Under these circumstances, it appears that maximum United States effort and the full influence of the present Secretary General will be needed to prevent rejection of, or undesirable reservations to, the present report.

In its advocacy of the policies contained in the report of the Secretary General, the US Delegation will need to keep the following points in mind:

1. Executive Order 10422, which is included in the Secretary General's report, will be before the Assembly as representing the methods and procedures which the U.S. Government proposes to follow in submitting comments and making information available to the United Nations on U.S. nationals. Since the release of the report, it has become known that the Federal loyalty-security program will be revised. The development of this new program may not be sufficiently well advanced at the time of General Assembly discussion of this issue to permit the United States to explain its internal procedures. In particular, the extent to which or manner in which the new procedures will provide for hearings and appeals is unknown. The tactic of the Delegation can only be to shift the discussion of the Assembly and concern of other delegations away from processes which the U.S. Government employs in arriving at its decision, and in developing information to be supplied to the UN, and toward the standards and procedures which the Secretary General will employ to guard against the employment of subversives.

2. It is believed that the standards which the Secretary General proposes to follow and the procedures he has established are capable of providing the necessary protection to the interests of both the member governments and the employees. The test will be, of course, in the body of doctrine developed by the Secretary General and whether he distinguishes between sober representations of the U.S. Government and unsound representations of other governments. If the Secretary General applies his proposed standards faithfully, there should be no unwarranted dismissals of persons who are only out of favor with present governments. If the Administrative Tribunal

should challenge the authority of the Secretary General to act in accordance with the policies contained in his report, the United States would support the recommendations of the Jurists that the Secretary General should refuse reinstatement and pay indemnities. Further, the United States would, in such an event, support revision of the staff regulations and the Tribunal regulations to insure that the Secretary General could proceed to carry out the policies outlined in his report without incurring unnecessary expense.

3. While the report of the Secretary General does not rest its case on the host country relationship, the report of the Commission of Jurists does lay a great deal of stress on this relationship. As a result, there may be a tendency for some of the governments supporting the Secretary General's report to build their justification around the particular situation which exists in the United States and the special consideration which may be due the host government of the United Nations. The Delegation should do everything possible to insure that this argument does not become a significant part of the legislative history of whatever action is taken by the General Assembly. The United States considers that the conclusions of the Jurists and the Secretary General should be applied in the Specialized Agencies in order to insure that subversives are not employed by such agencies. Efforts to obtain such application would be seriously handicapped if the basis for UN action rested, to any considerable degree, upon the special relationship which must exist between the United Nations and the United States, as host country.

4. Emphasis should be laid on US hope that by following the policies outlined in the report, the Secretary General will assure the development of a secretariat of high competence and integrity, meriting confidence of all governments. Care should be taken, however, to avoid any impression, particularly as regards aliens, that the United States proposes to rely solely on the personnel policy of the Secretary General to handle any case of a staff member actively engaged in espionage, as the United States can, take action to safeguard security under domestic laws and the Headquarters Agreement.

It is desirable from the United States point of view to dispose of the personnel issue before the question of the appointment of the Secretary General is discussed. Mr. Lie's conclusions on the personnel question are generally satisfactory to us and we consider that successful and expeditious handling of this problem requires consideration of his recommendations before his influence is in any way diminished. If a new Secretary General should be appointed before the personnel item is dealt with, the settlement of this whole problem may be jeopardized or at best delayed for a considerable period, pending a report by the new Secretary General.

Material suitable for possible use by the Delegation in debate on the item has been assembled by the Department and is being made available under separate cover.

315.3/2-2153 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, February 21, 1953—8:21 p.m.

319. Following, for your information, is history of negotiations with specialized agencies on subject of arrangements under Executive Order 10422. Generally speaking, there has been much more difficulty in negotiating with the heads of the specialized agencies than with the Secretary General of the United Nations on this matter. Reasons for this are many, among which are (1) most of organizations are located outside the United States and not only is there no host government relationship involved, but also the full impact of the problem from the point of view of the United States has not been absorbed by them; (2) individual agency heads do not feel bound in any way by the report of the Commission of Jurists because they had nothing to do with the Commission's establishment; (3) the technical agencies pride themselves in their supposed divorcement from political considerations; (4) a backwash of criticism against Lie for cooperating so fully with the United States before GA consideration has reached them; (5) some of the agencies have executive boards or councils which have some responsibilities in respect to personnel matters, and executive heads hesitate to act without their sanction; (6) relatively short term experts are important aspect technical assistance programs and freeze on employment will allegedly seriously cripple technical assistance programs. Department, however, acting through its representatives in Paris, Geneva, Rome, and Montreal, and in some cases direct contact with agency heads in Washington, has taken strong position this matter and believes satisfactory arrangements will be concluded.<sup>2</sup> Situation in each agency is as follows:

FAO. Satisfactory arrangement has been effected. DG Dodd,<sup>3</sup> after demurring for a time on including TA experts under system, has agreed completely with our requests, has frozen all appointments pending receipt of U.S. findings. FAO is handling all forms, using U.S. citizens in senior positions administer procedure rather than regular hierarchy. Fingerprinting in Rome done by Embassy, in Washington in regional office quarters by Department of Agriculture technicians. Forms now on way to Department all employees Rome not on leave or travel status, and being sent out by FAO to persons in

<sup>1</sup> Drafted by James F. Anderson, Acting Assistant Chief of the Division of International Administration and cleared by Joseph S. Henderson, Chief of the Division of International Administration.

<sup>2</sup> See the Position Paper prepared in the Department of State, *supra*.

<sup>3</sup> Director-General of the Food and Agriculture Organization, Norris E. Dodd.

field. Dodd has stated to Department that in his view a subversive American cannot exercise international responsibilities for FAO, and has agreed terminate employees upon U.S. adverse finding, providing information to back it up made available to him.<sup>4</sup> Dodd fortunately in U.S. discussed matter with Hickerson.<sup>5</sup>

WHO. As indicated your telegram 534, February 18, situation unsatisfactory.<sup>6</sup> When Department first asked DG Chisholm<sup>7</sup> to suspend hiring U.S. nationals pending receipt U.S. clearance, (December 1952) prior issuance Executive Order, he strongly objected, stating he would have to have Executive Board approval such procedure. After issuance Order, and after telephone conversations with U.S. Surgeon General,<sup>8</sup> he appeared agree U.S. request. However, he refused participate in distribution forms, and has informed staff and others he will not await U.S. findings on short-term experts. U.S. Representative has now been instructed deliver formal U.S. note requesting full cooperation and stating continued U.S. support may be at stake. Chisholm has previously stated he has no authority participate in procedures and may turn whole matter over to Executive Board or Health Assembly.<sup>9</sup> Forms have been distributed directly to headquarters personnel by U.S. Representative Geneva and fingerprinting going forward in Consulate.

ILO. Agreement reached on suspension hiring pending receipt investigations and DG Morse<sup>10</sup> fully cooperative on substance of arrangement. However, takes same view as Chisholm regarding monitoring compliance of staff members with procedures. As in case WHO, strong formal letter now on way Geneva for immediate delivery. Assistant Secretary Labor Kaiser, leaving today ILO Governing Body

<sup>4</sup> General documentation concerning the efforts of the United States to implement Part III of Executive Order 10422 concerning U.S. citizens who were employees of FAO is found in the 398.03, FAO file for 1953. For an outline of the specific arrangement alluded to here, see 315.3/2-1153.

<sup>5</sup> Memorandum of conversation between State Department officials and FAO officials in Washington on Feb. 11, 1953 is found in the Hickerson-Murphy-Key files, lot 53 D 33, "Memoranda of conversations".

<sup>6</sup> Documentation concerning the attempts of the United States to implement Executive Order 10422 in the World Health Organization is found in the 398.55 WHO files and in the 315.3 files.

<sup>7</sup> Director-General of the World Health Organization, Brock Chisholm of Canada. A report of the Dec. 8, 1952 meeting with Chisholm on the U.S. request that he agree to U.S. clearance procedure is found in telegram 340 from Geneva. (398.55 WHO/12-952)

<sup>8</sup> Dr. Leonard A. Scheele.

<sup>9</sup> Chisholm outlined his position on the implementation of Executive Order 10422 in a letter to John D. Hickerson, Assistant Secretary for United Nations Affairs, dated Feb. 25, 1953. Chisholm stated *inter alia*: "Nor is it possible for me to take official action to insure that all employed or to be employed U.S. citizens complete forms for the purpose of the Government of the United States. I have no sanctions which could be employed to enforce such action. Furthermore, I should, of course have to provide the same service for all eighty-two members of the Organization, or any of them which requested such action." (Hickerson-Murphy-Key files, lot 58 D 33, "Letters")

<sup>10</sup> David A. Morse, Director-General of the International Labor Organization.

session, will also discuss with Morse. Forms have been distributed directly to headquarters personnel by U.S. Representative and fingerprinting going forward in Consulate.<sup>11</sup>

UNESCO. All hiring U.S. citizens frozen, and acting DG Taylor<sup>12</sup> agreed to substance of arrangement, but in concert with Chisholm, Morse reluctant monitor compliance of staff members with procedures. Strong formal letter requesting cooperation this matter presented Taylor in Washington Friday. Forms distributed to individual staff members at headquarters by liaison officer Paris Embassy and Embassy also fingerprinting. Sizeable number already received by Department. Three staff members refused fill out forms, citing Staff Association resolution asking acting DG to withhold cooperation US this matter until after UNGA debate. Letter to Taylor emphasizes dire consequences his failure to enforce their compliance.<sup>13</sup>

ICAO. All hiring US citizens frozen, and Chairman and SYG agree substance of arrangement, but US Representative has assumed operation distribution of forms to both headquarters and handful field employees and arranging fingerprinting headquarters staff.<sup>14</sup>

ITU. At time issuance of Order, US citizen Gross was in charge Geneva staff as SYG Mulatier absent at meeting.<sup>15</sup> Gross agreed cooperate, Mulatier, antagonistic to US any event, upon return less cooperative, but hiring US citizens apparently frozen, and regulations require receipt of comment from Member State before hiring professional grade staff. US Representative distributing forms to staff members, as Mulatier refused do so. Formal letter identical to that sent WHO, ILO, being forwarded.<sup>16</sup>

WMO. Only one US citizen locally recruited employed. SYG Swoboda<sup>17</sup> cooperative, but acting in concert other Geneva agency heads on position on procedures. Letter from Hickerson also being sent to Geneva.<sup>18</sup>

<sup>11</sup> For documentation on the efforts of the United States to implement Executive Order 10422 in the International Labor Organization, see the 398.06 ILO files.

<sup>12</sup> Acting Director-General of the United Nations Educational, Scientific and Cultural Organization, John Wilkinson Taylor of the United States.

<sup>13</sup> Letter of Feb. 20, 1953 from John D. Hickerson (398.43 UNESCO/2-2153). For specific documentation on the efforts of the United States to come to an acceptable agreement with the Director-General of UNESCO as regards procedures under Executive Order 10422, see 398.43 UNESCO series.

<sup>14</sup> Secretary-General of the International Civil Aviation Organization, Carl Ljunberg of Sweden. The U.S. Representative was Rear Adm. Paul A. Smith.

<sup>15</sup> Gerald C. Gross, Assistant Secretary of the International Telecommunication Union. Léon Multatier was the Secretary-General.

<sup>16</sup> The form letter mentions the "extreme importance" Secretary Dulles "attaches to obtaining the full cooperation of all the heads of the Specialized Agencies" and asks for agreement by these heads that they will not employ any person who is shown to be, or likely to be engaged, in subversive activities against the United States (315.3/2-2453).

<sup>17</sup> Acting Secretary-General of the World Meteorological Organization, Gustave Swoboda.

<sup>18</sup> Not printed (315.3/2-2553).

Bank and Fund. General agreement on substance of arrangement reached, but negotiations have been continuing on procedures. No forms distributed as yet, as agencies were seeking delay until new US federal procedures known. Representatives both agencies told Friday by Hickerson this unacceptable, and have agreed to start operations. Letters from Hickerson similar to others mentioned above will be delivered Monday.<sup>19</sup>

Arrangements with thirty-six other international organizations in which US participate and which have international staffs are at various stages of negotiation.

DULLES

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<sup>19</sup> Not printed (315.3/2-2153).

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Hickerson-Key-Murphy files, lot 58 D 33, "Personnel question"

*Memorandum of Conversation, by the Special Assistant on United Nations Affairs, Bureau of European Affairs (Allen)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] March 27, 1953.

Subject: Personnel Resolution

Participants: Representatives of European Delegations (listed below)  
W. P. Allen

The following delegations are prepared to co-sponsor the present US draft resolution on personnel<sup>2</sup> provided a respectable number of Western European, Latin American and Commonwealth Delegations do so: Belgium (van Langenhove), Netherlands (von Balluseck), Sweden (Lundgron), Norway (Engan), Luxembourg (Kremer). According to Ambassador Jooste the South African Delegation will *not* co-sponsor the resolution no matter what other Delegations join since they feel very strongly that the provisions regarding a report and recommendations to the next GA are very undesirable. Ambassador Munro (N.Z.) and Mr. Forsyth (Australia) expressed serious misgivings concerning the same paragraphs but promised to advise us as soon as possible in the morning whether, despite these, they would be prepared to join in co-sponsoring.

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<sup>1</sup> Although source text does not indicate the city of origin, the letterhead reads: "United States Delegation to the General Assembly." A notation on the source text under the dateline reads: "(Typed March 28, 1953)."

<sup>2</sup> On Mar. 28, Representative Henry Cabot Lodge delivered a lengthy statement to the General Assembly entitled "Maintaining Charter Standards for International Civil Servants" in which a draft resolution on the subject was formally presented to the General Assembly by Lodge on behalf of his Government and those of the United Kingdom and France. The Resolution was subsequently adopted by the General Assembly on Apr. 1 by a vote of 41 to 13 with 4 abstentions. The text of the Lodge statement and the Resolution on Personnel Policy approved by the General Assembly on Apr. 1 is printed in the Department of State *Bulletin*, Apr. 27, 1953, pp. 620-623. See also the letter from Lodge to Lourie, Apr. 7 *infra*.

Hickerson-Murphy-Key files, lot 58 D 33, "Letters"

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*<sup>1</sup>

NEW YORK, April 7, 1953.

DEAR DON: Herewith is a report of what we have accomplished so far as regards the matter of American personnel in the United Nations.

When I presented my credentials on January 26th I told the Secretary General the personnel situation was one of the prime causes of American lack of confidence in the United Nations, that it deserved the highest priority.

On the following day I called again with two thousand forms to be filled out by the American employees, and the day thereafter the employees were being lined up in the corridors and being fingerprinted. Attached is a tabulation showing what has been accomplished to date.<sup>2</sup>

I also issued an order to all employees of the United States Mission on this subject, a copy of which is attached.<sup>2</sup>

I have informed the Chairman of the Senate Internal [Security] Subcommittee, the Senate Judiciary Committee, the Senate Foreign Relations Committee, the Senate Permanent Investigating Subcommittee, the House Foreign Affairs Committee, the House Committee on State Department Appropriations, and the House Un-American Activities Committee, and the reaction has been extremely favorable.

I attach samples of the fingerprint form,<sup>2</sup> the principal form and the instructions.

The General Assembly on April 1 approved the resolution, copy attached,<sup>3</sup> which we co-sponsored with twelve other delegations on this question by a vote of 41 in favor, 13 against and 4 abstentions. The resolution gives the Secretary General sufficient authority to deal with this problem between now and the fall session of the General Assembly. We defeated a proposal of the Arab-Asian group which would have stopped any further dismissals under Mr. Lie's policy by a vote of 21 in favor, 29 against and eight abstentions.

I intend to discuss this question with Mr. Dag Hammarskjold, the Secretary General elect, at the earliest opportunity to insure his full understanding of the problem and support for the procedure we have underway.

Sincerely yours,

HENRY CABOT LODGE, JR.  
*Ambassador*

<sup>1</sup> Copies to Messrs. Hickerson, Ingram, and Secretary-General Hammarskjold.

<sup>2</sup> Not printed.

<sup>3</sup> Not printed, but see footnote 2, *supra*.



315.3/5-2053 : Telegram

*The Ambassador in Sweden (Butterworth) to the Department  
of State*

RESTRICTED

STOCKHOLM, May 20, 1953—11 a.m.

1218. UN Secretary General Hammarskjold said at well-attended press conference in Stockholm yesterday that he had previously been misunderstood or misquoted on his attitude toward question of UN personnel policy. He said he shared his predecessors standpoint but wishes to go farther by emphasizing that UN servants must not actively engage in any political activity whatsoever that does not concern UN proper; on this point he would make no distinction between "subversive" and other political activities. "I am personally inclined to apply this principle very strictly. It is essential that all UN member states have full confidence in Secretariat's impartiality, and this in final analysis will depend on the individual UN employee. Personnel will have to choose whether to serve UN's cause or other interests." Asked whether application of such principles would not make it difficult to find qualified persons willing to set aside all national and ideological interests to serve UN exclusively he said he had no fears on this point.

Concerning Alva Myrdal affair he said whole question of UN delegates visa rights would be straightened out with US authorities upon his return to New York.<sup>1</sup>

BUTTERWORTH

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<sup>1</sup> Mrs. Myrdal was a Swedish sociologist and director of the Social Science Department of UNESCO. She was denied official permission to enter the United States as a visitor on official UN business and was admitted on a restricted parolee basis on Mar. 19, 1953. (*New York Times*, Apr. 30, 1953, 17:1, May 2, 1953, 8:2, Aug. 1, 1953, 4:4.)

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*Editorial Note*

The International Organizations Employees Loyalty Board was established by Executive Order 10459 (18 F.R. 3183) on June 2, 1953. This Executive Order amended Executive Order 10422 (18 F.R. 239) of January 9, 1953. The Board (commonly referred to as the "Gerety Board" after its first chairman) was established in the Civil Service Commission to inquire into the loyalty to the Government of the United States of citizens of the United States employed, or considered for employment by international organizations of which the United States was a member and to make advisory determinations under the standards set forth in Part II of the Order (i.e. "reasonable doubt") for transmission by the Secretary of State to the executive heads of the international organizations. According to a letter from J. Lee

Rankin, Assistant Attorney General, Office of Legal Counsel to Donald B. Lourie, Under Secretary of State for Administration, dated May 5, 1953, the new Executive Order was drafted in Rankin's office. A copy of Rankin's letter is in Department of State file 315.3/5-1153.

The International Organizations Employees Loyalty Board was officially formed in July 1953 under the Chairmanship of Pierce J. Gerety. The other members of the Board were George J. Kaufman, H. S. Waldman, Lawrence Gilman, H. Grady Gore and Dr. Edward L. Trask.

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315.3/6-853 : Circular airgram

*The Secretary of State to All Diplomatic and Consular Offices*

CONFIDENTIAL

WASHINGTON, June 8, 1953—6:20 p.m.

Subject: Investigations of U.S. Citizen Employees, International Organizations, Executive Order 10422

Executive Order 10422 establishes the requirement for the investigation of the backgrounds of all U. S. citizens employed by international organizations. The Department has been given the responsibility of covering all foreign leads in these investigations.

Procedures have been instituted to direct these leads to Foreign Service posts through established security channels. The Office of Security in the Department is presently forwarding all foreign leads in these cases to the responsible Regional Security Headquarters or Resident Regional Security Officer which in turn refers these leads to the Post Security Officers concerned within their respective regions. Since Resident Regional Security Officers function in the capacity of Post Security Officers, these investigations are handled directly by them.

The purpose of this Airgram is to bring to the attention of the Chief of Missions and Principal Officers, the extreme importance and urgency which exists to the coverage of these leads and the submission of investigative reports of the results. It is requested that all Chiefs of Missions and Principal Officers impress upon their Post Security Officers the necessity for immediately complying with investigative requests from Regional Security Headquarters on these cases.

The Regional Security Headquarters will give the post all the necessary guidance and instructions for the expeditious handling of these cases.

DULLES

Hickerson-Murphy-Key files, lot 58 D 33, "Memoranda—Ambassador Lodge"

*Memorandum by the Deputy United States Representative at the United Nations (Wadsworth) to the United States Representative at the United Nations (Lodge)*

SECRET

NEW YORK, August 7, 1953.

Subject: Proposal by Mr. Roy Cohn to Mr. Frank Begley re McCarthy Subcommittee Hearings Involving UN Personnel

Mr. Hammarskjold asked me to remain after I officially transmitted the text of the Armistice Agreement with annexes. He told me that Mr. Roy Cohn, of the McCarthy Subcommittee, had approached Frank Begley, who is head of the security force at the UN Secretariat, and proposed that the McCarthy Subcommittee would hold a series of hearings to which they would call various employees of the Secretariat. Mr. Begley indicated he would have to report this approach to Hammarskjold, which he did.

Mr. Hammarskjold left no doubt whatever in Begley's mind that a short-cut approach from a Senatorial Committee to a Secretariat employee could not be tolerated. He instructed Begley to inform Cohn that the Secretary General could not under existing agreements deal with representatives of the U.S. Government otherwise than through the regular channels; namely, the United States Mission to the United Nations.

He wished us to know about this oblique approach in the event something might come up in the future.

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Hickerson-Murphy-Key files, lot 58 D 33, "Security"

*Memorandum for the Files, by William L. Franklin of the Office of Security*

CONFIDENTIAL

[WASHINGTON,] August 11, 1953.

Subject: Transmission of Information under Executive Orders 10422 and 10459 by the Civil Service Commission's International Organizations Employees Loyalty Board <sup>1</sup>

On August 5, 1953, Mr. George Ingram, Director, Office of International Administration, Mr. Joseph S. Henderson, Chief of the Division of International Administration and William L. Franklin, Special Assistant to the Director, Office of Security, had an informal meeting with the members of the International Organizations Employees Loyalty Board of the Civil Service Commission to discuss the nature and types of information to be transmitted under the Executive Orders.

<sup>1</sup> For information on the referenced Executive Orders, see the editorial note, p. 340.

The Board pointed out that it was adopting its procedures and establishing its policies of operation. It requested information on the types of cases that it would be called upon to consider so that it would be in a position to formulate its policy. Mr. Ingram was the chief spokesman.

Two general types of cases were described by Mr. Ingram. He pointed out that the Board would be called upon to consider cases on employees and cases on applicants for employment. Mr. Ingram explained these cases would cover the United Nations organizations in New York and the separate specialized international agencies, such as UNESCO, WHO, etc. He differentiated between the problems involved in the cases of employees versus applicants. He called attention to the fact that in taking action against an employee the Secretary General of an international organization had to consider decisions reached by administrative tribunals or executive boards and in some instances he was bound by them. He said that the administrative tribunals of the United Nations in the past had ruled against the Secretary General's dismissal of a person unless that individual received a lump sum settlement of his contract with the organization. However, Mr. Ingram also pointed out that as a result of the International Jurists Report of December 1952, the Secretary General of the United Nations in cases involving disloyalty of American citizens, can remove those persons from their positions without being bound by the decision of the administrative tribunal. To give the Secretary General the support he needs, Mr. Ingram pointed out that any information the Board had to support extreme political activity, subversion, or the likelihood of a person's engaging in subversive activity would contribute to the success of the Secretary General's getting rid of undesirable Americans employed in staff positions, etc.

Upon hearing this, the Board concluded that it would be the policy to transmit interim derogatory information in employee cases when it appeared unlikely the completion of an investigation would not alter the adverse findings during an earlier stage of the investigation. Therefore the Department may not expect to receive very much information at an interim stage of an employee investigation from the International Organizations Employees Loyalty Board.

On applicants, Mr. Ingram pointed out that the same questions did not arise. He explained that the Secretary General had more freedom of action and if an applicant being investigated was productive of derogatory information, the receipt of that information by the Secretary General might result in the investigation being cancelled with the selection of another applicant, free of derogatory information, for the position.

The Board indicated it would adopt a less restrictive policy with respect to applicants. In the event that findings during an interim

stage of an investigation warrant the transmission of information, the Board will act on that information to inform the Secretary General.

The question of suitability information was discussed. Mr. Ingram stated the Secretary General of each international organization would appreciate receiving this information. The Board also was informed that it was informally agreed that suitability information would be transmitted by the Board when the Federal Bureau of Investigation, Civil Service Commission and the Departments of Justice and State considered the amendment to Executive Order 10422. The Board agreed to make suitability information available to the international organizations.

Before transmitting information through the Secretary of State to the Secretary General, the Board raised the question as to the desirability of establishing an informal liaison group with the Department of State for the purpose of assisting the Board in making the determination of certain types of information to be transmitted to the Secretary General. The answer given was that in compliance with the Executive Orders the Department of State, to avoid any possibility of exceeding its authority of remaining merely a channel of transmission, would not desire the establishment of this informal working group. The Board then indicated it recognized its responsibility to make final determinations in the cases referred to it without the advice and assistance of the Department in deciding upon the information to be transmitted.

Another question the Board raised was what precautionary steps would be taken by the State Department's Office of Security to insure that the information transmitted by the Board for the Secretary General would not be prejudicial to the security interests of the United States. The answer given was that the Department would presume the Board had made that determination and would not transmit information of an internal security nature which should not be received by the Secretary General. It was suggested that investigative agencies submitting reports to the Board in all probability would identify any information which would be prejudicial to the security interests of the United States if transmitted to the Secretary General. However, on this point the Board was informed a new question had been raised and would be brought to the attention of proper officials.

The question of associations with the employees of the Department of State and other branches of the Government by subversive Americans employed by international organizations was discussed. Mr. Ingram explained that in the event an employee or applicant of international organizations with subversive tendencies should be associated with the employees of the Department of State or of other Executive Branches of the Government, that the names of such Federal employees should not be made known to the Secretary General. If the

Board felt it was pertinent to call these associations to the attention of the Secretary General, Mr. Ingram indicated this could be done merely by stating that the United Nations employee was associated with employee of the Federal government who would come within the purview of Executive Order 10459. The Board agreed to delete from the summaries of information the names of any Federal employees who might be associated with subversive Americans employed by international organizations.

In cases in which derogatory information had been developed but was later overcome by favorable information the Chairman ruled that a summary of the derogatory information would not be submitted if clearance was granted. He explained the Board's practice would be merely the giving of a clearance in this type of case without reference to the derogatory information. On the other hand he explained that summaries of derogatory information with adverse findings against an individual would be transmitted.

The Board asked about those employees of international organizations who had refused to fill out the necessary form required for the investigation under the Executive Order. Mr. Ingram replied there were four individuals known to have refused to fill out the necessary form. Both he and the security office's representative explained that steps were being taken to have these persons investigated in accordance with the Executive Order.

The procedures outlined by the Board and the position taken by the Department's representative were discussed in general with Mr. Ylitalo<sup>2</sup> following the meeting with the Board. Mr. Ylitalo indicated that the positions taken and the proposed policies of the Board were in keeping with the Department's understanding of the responsibilities imposed by the Executive Order.

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<sup>2</sup> Raymond J. Ylitalo, Special Assistant to the Administrator, Bureau of Security and Consular Affairs.

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315.3/8-1453

*The United States Representative at the United Nations (Lodge) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, August 14, 1953.

DEAR DON: Enclosed is copy of a letter from the Secretary General of the United Nations emphasizing the urgent need for clearance of United States nationals for positions in the Secretariat. A copy of my reply is also enclosed.

I am also sending this correspondence to Mr. Pierce J. Gerety, the Chairman of the International Organizations Employees Loyalty Board.

There is no need to stress to you the extreme importance of giving Mr. Hammarskjold as promptly as possible the reports he needs to place Americans in international programs for which the United States pays most of the bill.

According to my information, the plan is to have the Board meet only twice a week. It would help very much if you would personally contact the members to see whether they could not meet daily until the backlog of cases has been substantially reduced.

I really feel that your assistance is urgently needed in this matter.

Sincerely yours,

HENRY CABOT LODGE, JR.

[Enclosure]

*The Secretary-General of the United Nations (Hammarskjold) to the United States Representative at the United Nations (Lodge)*

NEW YORK, August 13, 1953.

MY DEAR MR. LODGE: I should like to call to your attention the current situation regarding the recruitment of United States citizens to posts in the Secretariat of the United Nations.

As you know, the United Nations has a long-standing policy, approved by the General Assembly, under which the large majority of staff members needed in the General Service and Manual Workers categories are recruited locally, for reasons of economy. This, of necessity, means that the major source of such candidates is from among United States citizens.

Furthermore, additional staff needed for sessions of the General Assembly which are held in New York have also been predominantly local recruits and again United States citizens have constituted the large majority of this group. Due to somewhat abnormal turnover conditions, there are a large number of vacancies at the moment both in the General Service and Professional categories. The resumed meetings of the seventh session of the General Assembly beginning on 17 August will necessitate filling some of these vacancies. For the regular session beginning in September a much greater number of staff members must be recruited.

Beginning on 10 February 1953 we have sent personal data to your Government, in accordance with United States Executive Orders Nos. 10422 and 10459, on 429 prospective United States candidates for United Nations employment. Since that time we have received reports from your office relating to 59 of these candidates. Twenty of this number had already been employed, prior to receiving your reports, for the resumed meetings of the seventh session of the General Assembly held earlier this year. Of the remaining 39, however, only 4 were still available for employment following the receipt of your

reports, and three of these resigned within a fortnight after employment due to commitments they had already made for other jobs.

The new Executive Order No. 10459 provided for what we hoped would be quick reports on candidates urgently needed for employment for periods of 90 days or less. Accordingly, we began to identify such candidates in sending information to your office; since 24 June we have submitted 25 cases. So far as I am aware we have received a report from your office on only one of these individuals.

I felt that you should be fully informed of this problem, trusting that the situation will be reviewed in order to see what can be done to expedite these reports. In the meantime, I feel sure that you will understand that in the urgent interest of the Organization I shall have to take all necessary steps in order to furnish the General Assembly and other organs with staff sufficient to their needs.

Yours very sincerely,

DAG HAMMARSKJOLD

[Subenclosure]

*The United States Representative at the United Nations (Lodge) to the Secretary General of the United Nations (Hammaruskjold)*

NEW YORK, August 14, 1953.

MY DEAR MR. HAMMARSKJOLD: Thank you for your letter of August 13 concerning the recruitment of United States nationals for positions in the Secretariat of the United Nations.

You are right in saying that practical difficulties arise from the delays which you mention. I am confident that the log jam will be broken in the near future.

As you know, the International Organizations Employees Loyalty Board has now been constituted and is commencing its work. You have my assurance that everything possible will be done, through the Chairman of the Board and through the investigative agencies concerned, to expedite the reports for which you are waiting.

You will be interested to know that according to information which has just reached me, twenty-six investigations are being held up by the United Nations Administrative Officer, Government House, Jerusalem, who is reported to be under some doubt as to whether he has authority to release unprivileged information concerning individuals under investigation. I am informed that he will do so only on instructions from New York. May I suggest that you may wish to issue urgent instructions to ensure that the practice of the United Nations Jerusalem Office with respect to this matter is brought into conformity with the procedures being followed at the United Nations Headquarters in New York.

Sincerely yours,

HENRY CABOT LODGE, JR.



315.3/8-2853

*The Deputy United States Representative of the United States at the United Nations (Wadsworth) to the Under Secretary of State for Administration (Lourie)*

NEW YORK, August 28, 1953.

DEAR DON: Enclosed is a copy of a letter dated August 20, 1953 from the Secretary General of the United Nations concerning overseas investigations of U.S. nationals employed by the UN on missions abroad.

Mr. Hammarskjold expresses serious concern at the possible consequences of investigations of such UN officials in an area in which they have served on a mission. His concern is based upon the possibility that the enquiries may spread to the questioning of persons of other nationalities and of strongly partisan local inhabitants, with consequent loss of confidence in the integrity of their work and of the entire UN effort in the area. He is especially dubious about the wisdom of carrying on such investigations abroad with respect to persons like Ralph Bunche and General Riley.

We have replied to the Secretary General that we are not familiar with the nature and scope of overseas investigations of UN employees. We have also told him that we understand the basis of his concern, and that we are requesting the Department's comments regarding the entire matter. We would appreciate your furnishing us with as much information as possible concerning the subject, especially with respect to the nature and scope of the investigations in question so that the matter may be discussed fully with Mr. Hammarskjold.

We, of course, fully support the carrying out of complete investigations, including investigations abroad of Americans employed by UN. However, care must be taken not to undermine the prestige of loyal U.S. nationals serving on delicate missions in other areas in the world or to weaken the authority and effectiveness of the UN itself.

Sincerely yours,

JIM

[Enclosure]

*The Secretary-General of the United Nations (Hammarskjold) to the United States Representative at the United Nations (Lodge)*

NEW YORK, August 20, 1953.

MY DEAR AMBASSADOR LODGE: Thank you for letter of 14 August<sup>1</sup> in which you inform me that the International Organizations Employees Loyalty Board has now been constituted and is commencing

<sup>1</sup> *Supra.*

its work. I am particularly gratified to have your assurance that everything possible will be done to expedite the reports concerning United States nationals employed by the United Nations and those who are candidates for employment.

With regard to the last paragraph of your letter, I have looked into the problem in Jerusalem and I find that the delays were caused initially by the fact that the finger-printing, in the United States Embassy in Tel Aviv and the Consulate in Jerusalem, of several of the persons concerned did not meet the requirements of the United States authorities here. The forms were returned to the field and in several cases the procedure had to be repeated twice.

Furthermore, certain information was requested of the officials in the area which was not readily available there. The necessary data has now been cabled to Jerusalem and there should be no further delays at that end.

My enquiry also showed that of the twenty persons listed as being under investigation, only one is still in the area; most of the others have returned to Headquarters and a few have resigned. Of the persons listed, three had never been in the employ of the United Nations. Indeed, one is an officer of the United States State Department—Mr. James W. Barco—who had represented the United States Government on the United Nations Conciliation Commission for Palestine. I presume that the other two were United States officials assigned to the

The review of this list raised a serious concern in my mind regarding the possible consequences of investigations about United Nations officials in the area in which they have served on a mission. You will appreciate how easily such enquiries may spread to the questioning of persons of other nationalities, and particularly of the local inhabitants who may have had contacts with the members of the mission. The officials of the United Nations now under investigation were sent to Palestine to perform a delicate and highly responsible mission requiring exceptional integrity on the part of all members of the staff. Their work was not always popular among the local inhabitants because of the strong partisanship and the heavily charged emotional atmosphere that surrounded the problems with which they had to deal.

An enquiry by officials of their own Government concerning the integrity of men like Dr. Ralph Bunche and General W. E. Riley, former United Nations Chief-of-Staff, both of whose names appear on the list, may result in raising doubts in the area about the integrity of their work in Palestine. These doubts in turn may place in question the integrity of the entire United Nations effort in Palestine and thus weaken the authority and the effectiveness of the mission and of the United Nations itself. I have learned since that similar enquiries about

United States members of the Secretariat are being made in other troubled areas where the United Nations has sent missions of enquiry, conciliation or mediation.

I feel sure that you will appreciate the delicacy and the importance of this problem.

Yours sincerely,

DAG HAMMARSKJOLD

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315.3/9-253

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Murphy)*<sup>1</sup>

[WASHINGTON,] September 2, 1953.

Subject: Telephone Call of Vice President Nixon

Vice President Nixon telephoned me this morning referring to the decision of the United Nations Tribunal regarding the employees dismissed by the Secretary General.<sup>2</sup> He said that he could only characterize the action as catastrophic, coming as it does at a moment when the situation in the United States as it concerns the United Nations is definitely unfavorable. He referred to a violent attack made by former Commander Wilson at the St. Louis meeting of the American Legion, from which the Vice President had just returned, as an indication of sentiment in that organization regarding the United Nations. He feared that the members of the Tribunal in considering the technical features relating to the status of the dismissed employees overlooked completely American public opinion as well as opinion in the Congress. He feared that a possible effect of the decision, unless Hammarskjold found it possible to stand up, would be to stimulate members of Congress to vote against appropriations for the United Nations.

I told the Vice President that the Secretary and the Department are fully alive to the problem and shared his concern.

I also talked with Ambassador Wadsworth in Mr. Lodge's absence, informing him of Mr. Nixon's point of view. He is discussing the matter with the Secretary General today. Mr. Phleger is making a careful examination of legal aspects of this matter.

ROBERT MURPHY

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<sup>1</sup> Copies to the Secretary, L-Mr. Phleger, UNA, USUN, and DC/R.

<sup>2</sup> The Aug. 23, 1953 decisions of the Administrative Tribunal are outlined and discussed in the Department's circular telegram of Oct. 5, 1953, printed, p. 352.

315.3/9-1153

*Memorandum of Conversation, by the Assistant Secretary of State for  
United Nations Affairs (Murphy)*

TOP SECRET

[WASHINGTON,] September 11, 1953.

Subject: Recent Decisions of the Administrative Tribunal

Secretary General Hammarskjold called on me today and set forth at considerable length his preoccupation regarding the recent decisions of the Administrative Tribunal granting awards to dismissed employees of the United Nations. He referred to an unexpected visit to the United Nations building yesterday by Senator McCarthy, accompanied by Messrs. Cohn and Schine, who appeared at the Headquarters building as unexpected and casual visitors, whom Hammarskjold met without prior arrangement in the Lounge.<sup>1</sup> Hammarskjold said that in his remarks Senator McCarthy suggested that Mr. Hammarskjold should not work too hard and acquire ulcers. Hammarskjold replied to the effect that he had no reason to fear stomach ulcers.

Hammarskjold said he referred to this meeting with Senator McCarthy because it related to his own belief that there will be a campaign directed against a number of minor American employees of the United Nations and possibly one or two more important members. In the latter connection, he mentioned the name of Dr. Bunche.<sup>2</sup> He stated that he feared that some of these minor cases, such as that of a certain Varley and several others involving morals charges, might be blown up to discredit the United Nations organization. He said that this will be most unfortunate and unhappy, and that he regretted it especially because proper administrative measures are being taken to handle these cases in a normal and effective manner.

With respect to the recent decisions of the Administrative Tribunal, it is clear from Hammarskjold's remarks that he feels that he has no discretion but to respect the decisions regarding awards. He suggested that, in his opinion, rather than a frontal attack on the Administrative Tribunal as such, he should work for an amendment of the regulations which would provide the Secretary General with larger discretionary power to determine the size of a given award within whatever ceilings might be established by the Administrative Tribunal. He believes that a frontal attack on the Tribunal in the General Assembly would be defeated because the majority of the Members do not share

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<sup>1</sup> Roy M. Cohn and G. David Schine were members of the staff of the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations. The subcommittee was commonly known as the McCarthy Committee after its chairman. For further documentation on the impact of the McCarthy investigations on the Department of State and the decline of United States prestige abroad, see volume I.

<sup>2</sup> Ralph J. Bunche, Principal Director of the Department of Trusteeship and Information from Non-Self-Governing Territories, UN Secretariat.

the United States' aversion for that body. He pointed out that it is, of course, a European concept which is generally accepted by a large percentage of the Member countries.

I suggested to Mr. Hammarskjold that I believed he fully understood the considerations of a domestic nature which concerned us in this matter and the danger which enforcement of the Tribunal's decisions might engender regarding future appropriations. He said that he fully understood our preoccupation in this regard and is extending every effort to avoid the unfavorable reaction about which he has been warned.

ROBERT MURPHY

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315.3/10-553: Circular instruction

*The Secretary of State to Certain Diplomatic and Consular Offices*<sup>1</sup>

SECRET

WASHINGTON, October 5, 1953.

CA-1871. Executive Order 10422. By circular airgram of February 5, 1953,<sup>2</sup> the Department informed certain American Diplomatic and Consular Officers of the background involved in the UN General Assembly consideration of personnel policies governing the United Nations Secretariat. Various aspects of this question are now before the Eighth Session of the General Assembly, and the Department considers it desirable to circulate information concerning developments in this matter since the previous communication.

The General Assembly, during the second part of its Seventh Session, debated at some length the report of the Secretary General on United Nations personnel policy. Thirty-seven delegations, including those of most of the larger nations, made statements. In general the viewpoint that the independence of the Secretariat required that the Secretary General continue to exercise responsibility for the selection of personnel without dictation from governments was supported. There was also general acceptance of the policy that the Secretary General should refrain from employing anyone who the preponderance of evidence indicates is engaging in activities aimed at subverting the government of a member state. No delegation expressed objection to the United States investigations under Executive Order 10422.

Opinion expressed during the General Assembly debate varied widely on the policy to be followed by the Secretary General in cases of refusal to testify before officially constituted national agencies investigating subversive activities and in cases where derogatory information

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<sup>1</sup> Drafted by James F. Anderson, Acting Assistant Chief of the Division of International Administration, and Betty Jane Jones, UN Affairs Staff. Sent to 61 posts.

<sup>2</sup> *Ante*, p. 325.

relates to conduct that is not such as to constitute evidence of present subversive activity but rather the likelihood of engaging in such activity. In addition, many delegations doubted the power of the Secretary General to take summary termination action in any case that falls short of serious misconduct. A number of statements were quite critical of the Secretary General's policies as expressed and as carried out in the dismissals that had taken place.

Largely as a result of strenuous United States efforts, the Assembly on April 1, 1953, rejected by a vote of 20-29-8 a resolution, sponsored by 12 members of the Asian-Arab bloc,<sup>3</sup> the effect of which would have been to deny the Secretary General power to take further action in accordance with his announced policy until after a careful review of the whole matter by a small committee of the Assembly and consideration of the question by the Eighth Session, to which the committee was to report. On the same day the Assembly adopted the following resolution, which had the United States as one of its 13 co-sponsors:<sup>4</sup>

*The General Assembly, Recalling* the following provisions of Articles 100 and 101 of the Charter:

## ARTICLE 100

"1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

## ARTICLE 101

"1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

. . . . .<sup>5</sup>

"3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible", and

*Having reviewed and considered* the report of the Secretary-General on personnel policy (A/2364),

<sup>3</sup> The 12-power resolution was proposed by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, and Yemen. (UN Doc. A/L. 145/Rev. 4)

<sup>4</sup> The 13-power resolution was an amended version of a three-power resolution proposed by France, the United Kingdom, and the United States as UN Doc. A/L.146. The other sponsors of the final resolution (UN Doc. A/L.146/Rev. 1) were Belgium, Colombia, Cuba, Denmark, Ecuador, Luxembourg, the Netherlands, Norway, Paraguay, and Sweden. It was adopted by the UN General Assembly as Resolution 708 (VII) by a vote of 41 to 13 with 4 abstentions.

<sup>5</sup> Ellipses in the source text.

1. *Expresses its confidence* that the Secretary-General will conduct personnel policy with these considerations in mind;
2. *Requests* the Secretary-General to submit to the General Assembly at its eighth session a report on the progress made in the conduct and development of personnel policy, together with the comments of the Advisory Committee on Administrative and Budgetary Questions thereon;
3. *Invites* the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to submit, after appropriate consultations with the administrative heads of the specialized agencies, their recommendations as to any further action that may be required of the General Assembly;
4. *Calls upon* all Members of the United Nations to assist the Secretary-General in the discharge of his responsibilities as chief administrative officer of the United Nations.

This resolution, while it did not specifically endorse the report of the Secretary General, nor the actions he had taken, kept the situation open and made it possible for him to carry out his duties in accordance with the policies he had stated, if he so desired. The new Secretary General, Dag Hammarskjold, who took office on April 10, 1953, made no commitments concerning the policy he would follow in this matter, making a remark in public that he would consider each case on its merits. After consideration of one case of an employee who had invoked the Fifth Amendment when being questioned by the Senate Internal Security Subcommittee concerning her previous affiliations, he discharged the person.

This person, along with twenty others who had been discharged by the former Secretary General, appealed to the Administrative Tribunal of the United Nations. Most of the twenty-one cases involved United States nationals whose loyalty had been questioned. The Administrative Tribunal, established in 1949 despite efforts by the United States to head it off, at the Fourth Regular Session of the General Assembly, is empowered to "hear and pass judgment on applications alleging non-observance of contracts of employment of staff members of the Secretariat of the United Nations or of the terms of appointment of such staff members. The words 'contracts' and 'terms of appointment' include all pertinent regulations and rules in force at the time of alleged non-observance, including the staff pension regulations".

The four members of the Tribunal who heard the cases were Lord Crook (United Kingdom), Mr. Bror Arvid Petren (Sweden), Mme. Paul Bastid (France), who is President of the Tribunal, and Mr. Omar Loutfi (Egypt).

The Tribunal upheld the action of the Secretary General in nine cases involving employees on temporary contracts, five of whom had invoked the Fifth Amendment before the Senate Internal Security Subcommittee. One case involving an employee on a permanent con-

tract was remanded on procedural grounds to the Joint Appeals Board for a re-hearing. In ten cases involving employees on permanent contracts and one case involving an employee on a temporary contract, however, the Tribunal held that the action taken by the Secretary General was not in accord with the provisions of the staff regulations. All of the employees involved in these eleven cases had claimed the Fifth Amendment privilege when appearing before the Senate Internal Security Subcommittee. On the basis of these judgments, the seven who elected to receive indemnities in lieu of reinstatement were awarded amounts ranging from \$6,000 to \$40,000 by the Tribunal, and one individual was awarded her full pension rights. Reinstatement was ordered for four employees. The Secretary General announced on September 2, 1953, that, on the basis of his authority under the Tribunal's Statute, he had concluded that reinstatement of these four individuals "would be inadvisable from the points of view which it is my duty to take into consideration". He stated that he was informing the Tribunal of his decision and that "the Tribunal will determine the compensation as provided for in the Statute". He added that in all eleven cases the question of compensation would come before the General Assembly "which is the organ that is responsible for appropriating the funds necessary for the implementation of the decisions of the Tribunal".

Since announcement of the Administrative Tribunal's judgments, the Senate Internal Security Subcommittee has reopened hearings on the matter, inquiring particularly into the basis for the indemnities awarded. In addition, a subcommittee of the Senate Committee on Government Operations has begun an inquiry into charges of subversive activity in the United Nations Secretariat.

Another pertinent development is the passage by the Senate on June 8, 1953, of S. 3, which would make it a criminal offense, under penalty of a \$10,000 fine or 10 years imprisonment or both, for a United States citizen to accept employment with one of the United Nations agencies without first receiving a certificate of security clearance from the Attorney General. United States citizens now on the staffs of the agencies would be subjected to a like penalty if they refused to supply information stipulated in the bill. The House Committee has not yet considered the measure. The Departments of State and Justice have recommended against enactment of S. 3, arguing that the procedures under Executive Order 10422 should be given a fair trial.

On June 2, 1953, Executive Order 10459, an amendment to Executive Order 10422 of January 9, 1953, was issued by the President. The principal changes provided for by the amendment are: (1) establishment in the Civil Service Commission of an International Organizations Employees Loyalty Board to assume the functions given by the



original order to the Regional Loyalty and Loyalty Review Boards which went out of existence as a result of revision of the Federal loyalty program; and (2) establishment of a simplified investigative procedure for persons to be employed by an international organization for no more than ninety days. Investigations have been proceeding under the Executive Orders for several months and as of October 2, 1953, final reports on approximately 2176 cases had been transmitted to the international organizations concerned.

The Department is gravely concerned over the Administrative Tribunal decisions<sup>6</sup> and is preparing to do everything possible to seek correction of the situation through General Assembly action. Certain foreign service posts may soon be asked to make representations to the Governments to which they are accredited, seeking support for the United States position, details of which will be sent at that time.

DULLES

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<sup>6</sup> Made Aug. 16, 21, 1953; texts of the decisions, totalling 38, are in Department of State file 315.3. The documents themselves are unindexed and filed according to date.

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IO files, US/A/3608/Rev. 1

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] October 16, 1953.

STATEMENT OF ALTERNATIVE UNITED STATES POSITIONS ON PROBLEMS  
ARISING FROM ADMINISTRATIVE TRIBUNAL DECISIONS

PROBLEM 1

Possible proposal to reinstate some of the dismissed staff members.

*Position:* The United States should vigorously oppose such a proposal and should support the Secretary General's action in refusing such reinstatement.

PROBLEM 2

Order of consideration of the Secretary General's report on personnel policy (including his proposed amendments to the staff regulations and the Tribunal Statute) and the appropriation of the awards made by the Tribunal.

*Position 1:* The United States should seek to have the appropriation of the awards considered before the proposals to amend the regulations.

*Position 2:* The United States should seek to have the policy questions debated before considering the appropriation of awards.

## PROBLEM 3

Proposal by the Secretary General to amend the staff regulations and the Statute of the Tribunal to minimize possible recurrence of the present situation.

*Position 1:* The United States should argue that the present staff regulations are adequate and should request the General Assembly to so find and to reverse the findings of the Tribunal.

*Position 2:* The United States should argue that the present staff regulations are adequate but agree not to oppose the Secretary General in his determination to amend the regulation if he considers them necessary to clarify the present regulations.

*Position 3:* The United States should argue that the present staff regulations are adequate but agree to support the Secretary General's proposals if they can clearly be regarded as clarification of the present staff regulations and together with the proposed changes give assurance of meeting United States objectives for future.

*Position 4:* The United States should support the Secretary General's proposals without raising the question of necessity.

## PROBLEM 4

Secretary General's budget request for payment of awards by the Tribunal.

*Position 1:* The United States should directly and most vigorously oppose appropriation of funds, basing such opposition on invalidity of the Tribunal decisions.

*Position 2:* The United States should propose that the General Assembly return the cases to the Tribunal for reconsideration based on procedural errors and misstatements of fact.

*Position 3:* The United States should abstain on a possible proposal by other countries or by the Advisory Committee on Administrative and Budgetary Questions for appropriation of a reduced amount arising from substantial reductions in the amount of awards.

## PROBLEM 5

Administrative Tribunal elections—to fill vacancies of retiring members Lord Crook (United Kingdom) and Outrata (Czechoslovakia).

*Position 1:* The United States should propose a U.S. national for election, without specification of post. (Result of this will be for the U.S. to be considered a candidate for the Outrata post.)

*Position 2:* The United States should propose a U.S. national and stimulate candidacies of additional nationals of other countries and should campaign vigorously to defeat Lord Crook as well as to elect a U.S. national.

320/10-1653: Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, October 16, 1953—7 p. m.

Delga 126. Re: UN personnel. Stavropoulos informed USGADel staff today that French del will agree not to oppose discretionary powers for SYG only on condition special advisory body in regulations constituted as follows: Chairman elected by GA; one member appointed by SYG; one member appointed by heads of specialized agencies, two members appointed by President of the Court.

French also suggest special advisory body will advise administrative tribunal.

USGADel staff agreed with Stavropoulos' conclusion that this proposal completely unworkable. Stavropoulos believes French Government attitude key to attitudes many WE and LA dels. USGADel staff concurs this appraisal on basis soundings where believe only highest level approach French Government will be effective with French del, Chinese del report French del actively campaigning against US opposition on tribunal awards, stating France intends to protest US intervention UN secretariat affairs. Chinese del prepared support US position.

WADSWORTH

320/10-1653: Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, October 20, 1953—6: 52 p. m.

184. Re Delga 126. Agree French proposal completely unacceptable. Will attempt Murphy discussion with Bonnet here to have latter communicate to Paris our strong view GA has right to consider Administrative Tribunal decisions and should consider and reject them. As appropriate would deliver to Bonnet informal memo dated October 20 supporting argument of propriety GA consideration. Believe document limited to this issue more useful in relations with French at this stage than full written presentation all points of US position. In Bonnet discussion would develop further points orally. At same time United Kingdom in staff level conversations here indicates London legal authorities accept proposition GA can properly consider cases, but believes decisions should be contested only on grounds Administrative Tribunal exceeded its competence and is not persuaded of this as matter of fact. Indication is that UK would like to be helpful and would like to be "intellectually convinced". Believe desirable to have considered in London not only informal memo of October 20 but

expanded brief covering history of failure of attempt to give Administrative Tribunal authority over disciplinary cases per se etc. previously transmitted USUN.

October 20 memo being pouched USUN. Appreciate your views as to its usefulness for French and UK discussions, and as to other info which should be given to UK representatives either here or New York for transmission London.

DULLES

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320/10-2053: Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, October 20, 1953—8:54 p. m.

Delga 140. Re: Administrative Tribunal decisions. At meeting this morning USGADel agreed US position on issues relating tribunal decisions as follows:

1. Oppose any proposal to reinstate any dismissed staff members and support SYG's action in refusing such reinstatement.
2. Seek to have appropriation of awards considered before any proposals by SYG to amend regulations.
3. Directly and vigorously oppose appropriation of funds, basing such opposition on invalidity of tribunal decisions.
4. Argue that present staff regulations are adequate, but agree not to oppose SYG in his determination to amend regulations if he considers amendments necessary to clarify present regulations. It was understood that developments might make it necessary for us to undertake active support of SYG's proposed amendments if they can clearly be regarded as clarification of present regulations and if, together with proposed changes in tribunal statute, such amendments give assurance of meeting US objectives for future.

LODGE

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315.3/10-2153: Telegram

*The Secretary of State to the Embassy in France*<sup>1</sup>

CONFIDENTIAL  
PRIORITY

WASHINGTON, October 21, 1953—6:43 p. m.

1524. Please deliver following personal message Bidault from Secretary.

"We have been trying to be helpful to you in the UN. You could be helpful to us in the matter of the decision of the Administrative Tri-

<sup>1</sup> Drafted by Secretary Dulles.

bunal making awards to eleven former American employees of the UN who refused to tell Committees of Congress whether or not they are members of the Communist party. The U.S. cannot willingly be a party to paying funds over to American communists who presumably plan to devote these funds to the Communist party in America and thus attempt to overthrow the U.S. Govt.

The US Delegation will seek to reverse the decision of the Tribunal on what we regard as completely valid legal grounds. This is a matter which involves us in a special way. We are the host country; these employees are American citizens and we are by far the largest single contributor to the UN budget. I hope we can count on a sympathetic attitude from the French Delegation. Foster Dulles"<sup>2</sup>

DULLES

<sup>2</sup> In his telegram 1612, Oct. 24, noon, Ambassador Dillon responded :

"Secretary's personal message was delivered to Bidault yesterday via Margerie, of Foreign Office. I talked with Bidault briefly this afternoon at Quai D'Orsay reception and emphasized importance this subject to us. Bidault said that he fully understood problem and would let me have an answer for the Secretary in the next day or so. He sympathizes with our request and will do everything he can to meet our position. He mentioned that situation had been complicated by speeches which Hoppenot had made in the past on this subject without instruction from the Foreign Office. Nevertheless, Bidault thought the matter could be satisfactorily handled in the sense that the French delegation to the UN would go along with us in dealing with this troublesome problem." (315.3/10-2453)

315.3/10-2353

*Memorandum of Conversation, by William O. Hall of the Mission at the United Nations*

SECRET

[NEW YORK,] October 23, 1953.

Subject: Certain F.B.I. Activities at UN

Participants: Mr. Dag Hammarskjold, Secretary-General, United Nations  
 Mr. Constantin A. Stavropoulos, UN Legal Advisor  
 Mr. William O. Hall, US Mission to the UN

At the conclusion of my conversation on the personnel question this evening, the Secretary-General said he wished to give me advance warning of a formal note he would send to Ambassador Lodge on Monday or Tuesday concerning certain inadmissible activities by the F.B.I.

He said his note would deal only with the questioning of the head of the UN Washington Information Office by the F.B.I. concerning a luncheon which he had had with an official of the Soviet Embassy, but that he wished to tell me personally that an F.B.I. agent had recently attempted to question the secretaries of Madame Pandit, President of the General Assembly, concerning the identity of certain of Madame Pandit's visitors to her 38th floor office. The Secretary-General said the agent had apparently shadowed the visitors to the 38th floor and had approached the secretaries immediately after their

departures. Madame Pandit is aware of this incident and, in reporting it to the Secretary-General, specifically asked that no action be taken.

The Secretary-General said he was asking his people to make certain that this did not recur. He said he thought the U.S. security agencies were assuming that inasmuch as the former Secretary-General had permitted personnel investigations on U.N. territory other investigations could also be conducted there. He said this was not correct and that he agreed with Ambassador Lodge that it had been a mistake to carry on the security and loyalty interrogations in the UN building, but that he did not wish to change this practice.

I did not comment except to express certain disbelief that the F.B.I. would engage in such activity and to promise the Secretary-General that his note would be given prompt and full consideration by the Department of State and Department of Justice when received. I then pointed out that the F.B.I. and Immigration Service did have the necessary and essential duty of questioning from time to time aliens concerning their activities even though they were employees of the Secretariat, and cited the recent example of a group of Chinese nationals employed by the Secretariat who were suspected of irregular entry into the U.S. The Secretary-General said he fully recognized the necessity for this activity and for security surveillance, but that such activity should not take place in the Headquarters building, should be selective, and should not concern itself with official UN acts.

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315.3/11-353 : Telegram

*The Secretary of State to the Embassy in the United Kingdom*<sup>1</sup>

SECRET

WASHINGTON, November 3, 1953—6:47 p. m.

2405. Personal for the Ambassador. UN General Assembly within ten days to consider appropriation about \$200,000 pay UN Administrative Tribunal awards US nationals who refused testify questions relating subversive activities. SYG may also propose amendments staff regulations to obtain broad dismissal authority for SYG in future. Believe will be great difficulty obtaining appropriation pay US contribution to budget from which any awards paid these cases. Please emphasize to Foreign Office our concern regarding this matter and leave following *aide-mémoire*: "Govt of US greatly disturbed by UN Administrative Tribunal decisions, and am convinced the General Assembly must meet its responsibility for review and corrective action. Sanction of Tribunal decisions by appropriation of funds to pay awards would be abdication of such responsibility in view of law and

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<sup>1</sup> Substantially the same telegram was sent to 18 diplomatic missions in the Near and Middle East, and the Far East, in circular telegram 179, Oct. 31, 3:10 p. m. (315.3/10-3153). This was sent at the urgent request of the Mission at the United Nations (New York telegram Delga 172, Oct. 27, 8 p. m.; 315.3/10-2753).

facts in these cases. My views are based on a careful analysis which establishes:

A. Tribunal did not review SYG's action to determine whether it fell within bounds of reason as General Assembly intended, but substituted its judgment for SYG's as to standards conduct and service UN employees must meet fulfill Charter requirements (Article 101(3)) of highest integrity. Under Charter and regulations, this function SYG responsibility. General Assembly limited Tribunal's functions disciplinary cases to determining whether SYG acted arbitrarily, in bad faith, or contrary procedural requirements staff regulations.

B. SYG right in considering these employees guilty misconduct. In public inquiry by proper authorities of democratic government (i.e., US) they were asked numerous questions related subversive activities and refused answer by invoking Fifth Amendment, thereby raising serious questions any reasonable mind their integrity. SYG completely within rights under Charter and regulations in advising staff their position as international public servants required response to questions asked in instant cases. SYG did not deprive of constitutional privilege, but did make clear that exercise such privilege these cases not compatible obligations staff members under Charter and regulations. Privileges accorded by national laws or constitutional provisions not intended or effective to shelter staff members from requirement they meet Charter standards. US urging other governments support position decisions regarding nature such action by staff members one for SYG to make, SYG decisions in instant cases were not arbitrary or unreasonable, and they were not subject to reversal by Tribunal.

C. Tribunal based awards on facts presented by staff members without independent inquiry and verification. Subsequently, testimony under oath of number of these individuals before Congressional committee demonstrates Tribunal calculated awards without full knowledge of facts. Since Tribunal exceeded jurisdiction, erred in conclusions, and failed conduct inquiry in thorough and independent manner, US believes General Assembly has obligation rectify situation.

D. Since Tribunal subsidiary organ of General Assembly established under Article 22 of Charter to perform certain functions assigned by Charter to General Assembly itself, there is no question legal competence of General Assembly *review* Tribunal decisions; Statute's provision re finality and no appeal means only that neither SYG nor staff members who are parties to dispute before Tribunal have any right of *appeal*. Tribunal Statute modeled that of League which had same provision finality and appeal. Any question meaning settled by decision League Assembly 1946 which debated point, reviewed decisions its Administrative Tribunal and refused give effect 13 Tribunal awards (L of N, O.J., SP Supplement No. 194, Geneva 1946, pp. 61, 133, 263). UK took strong lead in supporting this result at that time.

League precedent directly in point since both League and UN Tribunals insisted on a misconstruction of Assembly intent and Assembly could correct only by review and reversal. UN Tribunal cases involve principle established by 1946 decision: '. . . it is within the power of the Assembly, which can best interpret its own decision, by a legislative resolution, to declare that the awards made by the Tribunal are invalid and are of no effect . . .'

E. Under Article 17 of Charter, General Assembly must approve UN budget which requires review of all items of expenditure, including Tribunal awards.

In US view, errors of UN Tribunal are so serious in substance and consequences that General Assembly should take following actions:

1. Refuse to pay any compensation;
2. Make clear to Tribunal that under regulations, SYG has broad discretion in disciplinary matters and in future Tribunal must give due weight to interpretations and applications of regulations by SYG, and not attempt to substitute its judgment for his in such cases."

More detailed development of argument contained in CA-2416, Nov. 2,<sup>2</sup> and draft speech transmitted CA-2392, Oct 30,<sup>3</sup> may be used as appropriate.<sup>4</sup>

DULLES

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<sup>2</sup> This was a detailed circular instruction sent for action to 33 diplomatic missions in Latin America and Western Europe, and to 12 other missions for information only (315.3/11-253).

<sup>3</sup> Not printed (315.3/10-3053).

<sup>4</sup> In his telegram 1956, Nov. 5, 6 p. m., Ambassador Aldrich responded:

"I spoke to Eden on this subject today at luncheon, emphasizing our concern. He promised to look into the matter.

*Aide-mémoire* left with appropriate superintending Under Secretary who promised to see that matter received Eden's attention. Under Secretary said that subject was most difficult for British because their highest legal opinion was that tribunal was acting strictly within its authority in making awards. He said that Selwyn Lloyd had considerable latitude in dealing with question and seemed to think that detailed discussion should be centered in New York. We agree but will continue to emphasize as opportunity offers seriousness of this matter from US viewpoint." (315.3/11-353)

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315.3/11-453: Telegram

*The Secretary of State to the Embassy in France*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 4, 1953—6:47 p. m.

PRIORITY

1710. Personal for the Ambassador. Ambassador Lodge informed of intended French position General Assembly on Administrative Tri-

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<sup>1</sup> Drafted by the Director of the Office of International Administration and Conferences (Ingram) and Charles Runyon of the staff of the Assistant Legal Adviser for UN Affairs (Meeker). Cleared with the Deputy Assistant Secretary for UN Affairs (Sandifer). Approved by the Deputy Under Secretary for Political Affairs (Murphy).



bunal decisions which falls short of helpfulness needed. Please re-emphasize to Bidault the very deep personal concern of the Secretary with this matter and leave with him the following *aide-mémoire*:

"The Secretary received with gratification Ambassador Dillon's report on his conversation with Bidault in regard to his earlier note on the decisions of the UN Administrative Tribunal, and has looked forward to support of the French delegation for the US position in the General Assembly. However, Ambassador Lodge now advises us he is informed that the French Delegation, while refraining from campaigning for payment of the Tribunal awards, will vote for an appropriation for this purpose.

"A considerable section of the international public has been given a false impression of the true status of the UN Administrative Tribunal and the standing of its decisions, assuming the Tribunal to be a high court of constitutional establishment, similar to the International Court, and its decisions, however bad, to be immune from correction by the General Assembly. The dangers present in this misinterpretation should strengthen our determination, in the interest of the sound development of international law and the future of the United Nations, to have the General Assembly meet its responsibility and refuse to give its sanction to action taken by the Tribunal in usurpation of authority vested, in accordance with the Charter, by the GA in the SYG.

"Not only did the Tribunal substitute its judgment for that of the SYG in an area of decision which the GA clearly intended to reserve to the SYG when the Tribunal was established in 1949, but the Tribunal's decisions on the merits and with regard to damages will not stand the light of objective public examination. For the GA to permit such decisions to stand, given its power to take remedial action, would have very grave long-term consequences for confidence in the GA as a principal and responsible organ of the UN. We sincerely hope the French Delegation will not find it necessary to support an appropriation for payment of Tribunal awards."

Material referred to my 1654, Oct 31, as airpouched may be used as appropriate to support the foregoing.<sup>2</sup>

DULLES

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<sup>2</sup> Deptel 1654 not printed (315.3/10-2453). This has reference to the circular instruction of Nov. 2 cited in footnote 2, *supra*.

In telegram 1791, Nov. 6, 6 p. m., the Paris Embassy replied:

"Bidault advised of Secretary's personal interest and said he would give it his personal attention. He was doubtful however whether French could come any further our way. *Aide-mémoire* previously given to Margerie with expression of hope that French would at least abstain. He promised to have case reviewed but said that French felt as did many other delegations that US technical position was open to question. He nevertheless realized its political importance." (315.3/11-653)

320.23/11-553

*Memorandum of Conversation, by the Deputy United States  
Representative at the United Nations (Wadsworth)*

CONFIDENTIAL

NEW YORK, November 4, 1953.

Subject: Administrative Tribunal Decisions

Participants: Mr. H. C. Hansen, Danish Foreign Minister  
Ambassador William Borberg, Danish Delegation  
Ambassador Henry Cabot Lodge, Jr., U.S. Delegation  
Ambassador James J. Wadsworth, U.S. Delegation

During a luncheon meeting at Ambassador Borberg's residence today, Ambassador Lodge brought up the subject of the Administrative Tribunal Decisions, and explained the political implications rather than the legal and administrative imperfections of the Decisions. He pointed out the difference between a constitutional monarchy, such as Denmark, and a Federal Government, such as ours; he explained why the right of investigation was vested in the Congress of the United States, and why the perversion of the Fifth Amendment of the Constitution is impossible for the average American citizen to understand.

This in turn, Ambassador Lodge stated, was translated into the attitude of the Congressman representing the average citizen, and he predicted that Congress would never appropriate money which would be paid to individuals whose major aim was to overthrow the United States Government.

Ambassador Borberg pointed out that if the Congress withheld funds, it would be in violation of the Charter which the Senate had ratified. Ambassador Lodge retorted that regardless of this the Congress would not appropriate such funds. Ambassador Borberg then said that such action would penalize Denmark and all the other countries in the United Nations since they would have to make up the deficit, to which Ambassador Lodge replied that that was too bad, but all Delegations should understand clearly what the situation was, particularly as regards Congressional opinion.

Foreign Minister Hansen took little active part in the conversation, but very evidently followed it with great interest and seemed considerably impressed by the political implications of the Tribunal Decisions.

It would appear of value to have selected Embassies stress the political side of this matter rather than the strictly legal side. Wadsworth thinks that the Governments of some Member States would respond to this type of argument rather than agree that the Tribunal had overstepped its legal power or had substituted its judgment for that of the Secretary General. Particularly effective, Wadsworth believes, was the plea made by Ambassador Lodge to consider what the views of the

Foreign Minister would be were he a member of the aggrieved Government in such a case. Both he and Borberg admitted that in our position they would probably feel and act exactly as we did.

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315.3/11-1953: Telegram

*The Chargé in the United Kingdom to the Department of State*

CONFIDENTIAL

LONDON, November 9, 1953—12 a. m. [*noon*].

2011. Department pass USUN as London's 31. Assistant Under-Secretary Mason called on Embassy officer to Foreign Office re administration tribunal problem (Embtel 1956 November 5 to Department repeated USUN 30 and previous).

He said Eden wanted us to know that question had been carefully reviewed but that no grounds found for reversing British legal position that tribunal acting within its authority. In light this position it would be practical impossibility for British Government to support before Parliament and country favorable British vote to throw out tribunal's findings unless decisions could be shown to be clearly in bad faith. Mason emphasized however, that British were fully aware gravity of problem from US viewpoint and were again authorizing Selwyn Lloyd make every possible effort in consultation USUN to find some way out of impasse.<sup>1</sup>

PENFIELD

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<sup>1</sup> In telegram 2522, to London, Nov. 9, 7:25 p. m., the Department of State responded: ". . . request you renew representations FonOff particularly regarding legal issue, making use summary of memorandum of law in Deptel 1779 Nov. 9 to Paris, rptd London 2523, and full memorandum of law airpouched to London Nov. 6. . . ." (315.3/11-953) For telegram 1779 to Paris, see *infra*; this includes text of the summary of memorandum of law referred to herein. The full memorandum of law is a lengthy document and is not printed; a complete text is in the files of the Reference and Documents Section of the Bureau of International Organization Affairs (IO files), Doc. SD/A/CN.5/3; it is dated simply "November 1953" and is entitled "Memorandum detailing legal reasons which underlie the United States position concerning certain judgments rendered in 1953 by the United Nations Administrative Tribunal".

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315.3/11-653: Telegram

*The Secretary of State to the Embassy in France*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 9, 1953—7:26 p. m.

1779. Urtel 1791, Depcirtel 186 Nov 7, fol is summary of memorandum of law for use of French in their review of technical position.

B. *Summary*

GA has legal right and responsibility review and refuse give effect to decisions of Administrative Tribunal.

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<sup>1</sup> Repeated to London as telegram 2523.

1. Background of international administrative tribunals and relevant international law support above conclusion.

(a) International administrative tribunals are relatively new institutions. They are *sui generis*. Their relationship to GA is not controlled by analogy to institutions of similar name or functions in municipal law.

(b) International administrative tribunals operate on basis of underlying agreement between states which makes relevant to them principles of international law. One such well settled principle, developed in connection with arbitral tribunals, is that an award is null or voidable if it involves excess of tribunal's power or terms of reference.

2. Under Charter of UN power and responsibility for personnel and functioning of Secretariat are vested in SYG and GA. Source of Assembly's power in establishing Tribunal is found Art 22 of Charter, which permits GA to establish subsidiary organs to assist in discharge of its responsibilities. Neither legislative history nor intent evidenced by other Charter provisions gives basis for conclusion that GA cld or shld be bound by decisions of such a subsidiary body.

3. Precedent of League of Nations Administrative Tribunal, Statute of UN Administrative Tribunal, and its legislative history combine to show that neither intent nor effect of GA's action was to place judgments of Tribunal beyond its power of review.

(a) When initially used in Statute of League of Nations Tribunal phrase "final and without appeal" meant that processes established by Statute ended and that no right of appeal was provided.

(b) That power to review and refuse to give effect to decisions of Tribunal was reserved to Assembly was established beyond any possible doubt by 1946 League precedent where this power was exercised respecting 13 judgments.

(c) Legislative history of UN Tribunal's statute shows that from outset League Statute was its model. Nothing occurred to cast even a shadow on clearly established meaning of "final and without appeal" as carried into new Statute.

Tribunal has gone substantially beyond its proper powers and has made number of important errors in applying regs as well as errors of law and fact in fixing amounts of awards.

1. Administrative Tribunal misinterpreted functions assigned to it by GA in disciplinary cases. It treated cases as though it possessed power to hear *de novo*, and substituted its judgment for SYG's in application of standards to staff conduct, all in disregard of need to have conclusion of arbitrariness or bad faith based on substantial evidence compelling such conclusion.

2. Tribunal committed serious errors of law in its application of Staff regs.

(a) Actions of staff members involved cld properly be viewed as "serious misconduct".

(b) These actions were clearly unsatisfactory conduct and Tribunal shld have sustained them on this ground.

(c) As to temporary indefinite employee (Crawford case), Tribunal acted contrary to intent of GA as recently clarified for its benefit in reg 9.1(c).

3. In setting amounts of awards Tribunal failed to base its findings on reasons capable of justifying varying amounts upon which it fixed, and it accepted as controlling unverified and erroneous representations of fact.

DULLES

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315. 3/11-1253 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the  
Department of State*

CONFIDENTIAL

LONDON, November 12, 1953—4 p. m.

2060. Reference Deptels 2522 and 2523 November 9.<sup>1</sup> Summary of legal points and memorandum of law left with UN Political Department and Foreign Office November 10. Although Legal Division will be given information and asked to give their considered opinion, Foreign Office stressed that UK position was reached only after consultation with highest legal offices of Crown and the UK lawyers believed that Tribunal was competent to make decisions. As one example divergence our positions, Foreign Office cited opinion British lawyers that League decision of 1946 was not true precedent since decisions of Tribunal reviewed by League were in fact decisions originally taken by League and subsequently reversed by Tribunal.

Foreign Office continued by emphasizing desire of Foreign Office to have discussion this question localized in New York "rather than coming back at us here" in view fact Lloyd has been given considerable freedom of action provided he does not give way on basic principles. Embassy Officer replied that by renewing representations in London Department wished to underline importance this issue.

Foreign Office expressed concern at press reports Congress might refuse appropriations if Assembly voted to make awards, saying that would create most difficult and serious situation.

Reply on legal points expected November 13.<sup>2</sup>

ALDRICH

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<sup>1</sup> Regarding telegram 2522, see footnote 1, p. 366. See footnote 1, *infra* for telegram 2523.

<sup>2</sup> In telegram 2133, November 17, 6 p. m., the London Embassy cabled :  
"UN political department Foreign Office says legal adviser has studied US memo of law but remains of opinion UK position legally correct. Foreign Office reiterated hope details this subject would be discussed with Lloyd in New York."  
(315.3/11-1753)

315.3/11-653 : Telegram

*The Secretary of State to the Embassy in France*<sup>1</sup>

CONFIDENTIAL WASHINGTON, November 13, 1953—6:48 p. m.

1847. For Ambassador from Secretary. Assume you will find material contained Deptel 1710 useful in connection with further approach to Bidault with regard Administrative Tribunal awards problem. We continue to give highest importance this matter here.

For your information it is our feeling French should be more forthcoming this UN question which has particular importance to us than as stated Embtel 1791.<sup>2</sup> This is especially case as it comes on heels final action Moroccan and Tunisian UN cases where French must be aware US position played major role in preventing passage any resolutions these questions.<sup>3</sup> US position on Morocco and Tunisia was reached after considerable soul-searching on our part. However we felt because of importance this matter to France and our desire to be helpful we should support French to utmost. As result we opposed proposed UN action on both Morocco and Tunisia. Therefore, we find it most difficult reconcile our position North African items with French lack support US position on Administrative Tribunal problem which concerns us deeply for reasons we have explained and which we consider as valid as French reasons for opposing any UN action on Morocco and Tunisia.

DULLES

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<sup>1</sup> Drafted by the Officer in Charge, French-Iberian Affairs (McBride). Cleared by the Director of the Executive Secretariat (Scott), the Deputy Assistant Secretary for UN Affairs (Sandifer), the Legal Adviser (Phleger), the Special Assistant to the Secretary of State (Hanes) and the Deputy Under Secretary of State (Murphy). Approved and signed by the Assistant Secretary of State for European Affairs (Merchant).

<sup>2</sup> See footnote 2, p. 364.

<sup>3</sup> For documentation regarding these matters, see volume xi.

315.3/11-1753 : Telegram

*The Chargé in France (Achilles) to the Department of State*

CONFIDENTIAL PARIS, November 17, 1953—7 p. m.

1949. For the Secretary. I have urged greater French cooperation along lines indicated your 1847 upon both Margerie and Maurice Schumann. Both see great difficulty in changing previously adopted position of supporting ruling of administrative tribunal headed by French judge, but they both promised to give it further consideration from political point of view.

Schumann, whom Bidault has asked to try to work out solution satisfactory to us, said he had, last night, cabled Bonnet to discuss matter with you again along following lines:

If matter comes to vote, he believes we will be defeated. Accordingly, he suggests seeking to avoid a debate and trying to work out, in agreement with Hammarskjold, a procedure which would avoid, perhaps by simple consultation with the Advisory Committee on Administrative and Budgetary questions, any recourse to the Assembly. This would apparently involve payment of awards by Secretary General from funds already at his disposal. Should this suggestion appeal to us, French delegation would actively cooperate toward bringing it about.

In any event, we will continue to press French on both political and legal grounds.

ACHILLES

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815.3/11-1953

*Memorandum of Conversation, by the Counselor of the Department of State (MacArthur)*

[WASHINGTON,] November 19, 1953.

Subject: French Views on the UN Administrative Tribunal Problem

Participants: The Secretary  
Ambassador Bonnet  
Mr. MacArthur

Ambassador Bonnet called today at his request and said that he had one or two matters which he wished to discuss with the Secretary. He said that he had a personal and verbal message for the Secretary from M. Bidault regarding French cooperation on the UN administrative tribunal matter. He then went on to say that the French would find it very difficult to vote against payments because they believed that legally the administrative tribunal was empowered to make the awards. However, the French wished to be helpful and would cooperate fully with us in seeking to avoid a debate and vote and try to work out a procedure which would avoid recourse to the General Assembly. Furthermore, the French would cooperate in an amendment so that in the future this kind of a situation would not arise. Ambassador Bonnet again made reference to the fact that the French legal experts disagreed with the U.S. legal opinion which had been given them by our Embassy in Paris.

The Secretary replied that he was disappointed in the French position. At every hand France and other free countries were asking us to cooperate with them and to support their position in the United Nations or elsewhere. With respect to North Africa, the U.S. had supported the French position although much U.S. opinion had not believed it was the best course. The Secretary said that he found it

discouraging that, when the French were requested to support us in a matter which would cost them nothing, they found it inexpedient to cooperate. If this were all the French could do, we would have to accept their decision but the failure on their part to understand our problems and support our position was not helpful.

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315.3/11-2353 : Telegram

*The Chargé in France (Achilles) to the Department of State*

CONFIDENTIAL

PARIS, November 23, 1953—1 p. m.

PRIORITY

2007. Pass USUN. At Embassy's request Foreign Office has given us unofficial comments on various points raised US memorandum of law re UN Administrative Tribunal (Deptel 1779, November 9). These comments should not be considered as definitive Foreign Office juridical position but may provide guidance to Department and USUN on argumentation which other delegations may advance. Highlights of comments (copy being pouched) follow:

1. Re power of GA to review and reject decisions of administrative tribunal:

(a) Assembly made decision and gave its instructions to tribunal when it adopted November 24, 1949, resolution 351 (IV) creating tribunal. Assembly thus bound by its own action. It can modify statute of tribunal but not object retroactively to its functioning in conformance with statute adopted.

(b) SYG has never denied legitimacy of tribunal procedures nor has tribunal denied legitimacy of SYG decisions with respect to dismissals, thus at no time in past has there been irregular or contested functioning of application to concrete cases of decisions of the Assembly (resolution 351, IV).

2. Re precedent of League of Nations which French do not consider valid:

(a) League administration had considered that tribunal not competent under terms its own statute to consider decision of Assembly as non-applicable. Thus there was conflict between tribunal and administration on interpretation of Assembly decision. This not case with UN.

(b) Tribunal tried to protect interests of personnel against Assembly resolution, not against decision of the administration. This not case with UN.

(c) In its 1946 action Assembly reaffirmed its own earlier decision. In refusing to give effect to judgments of UN Tribunal, General Assembly would repudiate its own decision of 1949.

(d) Juridically improper to conclude that when SYG does not contest competence of tribunal and when the latter is only applying Assembly decisions, latter retains power to reject tribunal's judgments.



## 3. Re tribunal exceeding its powers:

(a) In matters of dismissals tribunal's authority remains complete and it has right to try cases de novo otherwise SYG should have contested tribunal's competence which he did not do.

(b) Impossible in effect to permit distinction between juridical procedures of member states. Otherwise it would suffice for national body (Congressional Committee, Grand Jury, etcetera) in particular country to complain of attitude of international employee for latter, in absence of any penal conviction or sentence, to be validly accused of serious misconduct. Independence of international staff would disappear.

(c) Arguments re awards established by tribunal completely valid. Awards certainly high and varied. As proposed by SYG, ceiling on future awards desirable. Re past, tribunal acting basis its own statute was not bound by any criteria and it would be juridically improper to contest amounts which it awarded.<sup>1</sup>

ACHILLES

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<sup>1</sup> In circular instruction CA-2872, (airpouched) Nov. 25, to the Mission at the United Nations and repeated to the Embassy in France, the Department set forth in some detail a rebuttal of the French Government's reasoning contained herein. The instruction was drafted by B. Fensterwald of the staff of the Assistant Legal Adviser for UN Affairs (Meeker) and was approved by Charles Runyon of the Division of International Administration. (315.3/11-2553)

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315.3/11-2753: Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

SECRET

BRUSSELS, November 27, 1953—7 p. m.

359. Reference CA-2416.<sup>1</sup> Following in translation secret *aide-mémoire* delivered by Foreign Office today in reply to Embassy's *aide-mémoire* November 9<sup>2</sup> embodying statements of US position as set forth reference airgram:

"Ministry Foreign Affairs has honor refer *aide-mémoire* dated November 9 delivered by US Embassy which concerns attitude to be taken with respect request for additional credits, formulated by UN Secretary General in order pay officials dismissed by Trygve Lie compensations which administrative tribunal granted them.

"Argumentation developed this *aide-mémoire* raises very complex juridical question. It is question knowing, in effect, whether and in what measure administrative tribunal's decisions may be opposed at UN Assembly.

"US Embassy considers Assembly's right intervention in such matter derives, not from right of appeal which is not recognized by any text, but from fact that Assembly constitutes UN's supreme control organ, therefore is competent express its opinion and revise, in last analysis, decisions taken by all organizations it has created.

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<sup>1</sup> See footnote 2, p. 363.

<sup>2</sup> Not printed.

"Belgian Government [garble] hesitates adopt this reasoning. It believes in fact most precedents existing on national plane in democratic countries are not of nature allow its adoption. Within framework of state, on contrary, fact that assemblies are highest sovereign organ, that judiciary power owes its organization and, in certain cases, appointment its members to them, does not prevent judgments from being in opposition to it, and any legislative measure which would have effect suspending their application is considered abuse of power. One can ask whether such conception must not also govern relations between various UN organs.

"Belgian Government not unaware this thesis far from unanimously accepted and that valid arguments could perhaps support contrary doctrine. It seems moreover that problem has never been given comprehensive solution, and present conflict could without doubt furnish occasion for extensive study of question. International Court Justice is particularly appropriate organization to proceed with such study and, if no basis for agreement found, it appears opportune consult it.

"In case amendments to tribunal statute adopted in order avoid renewal present controversies, another juridical question would be posed: that of knowing whether amended statute can be applied retroactively and would allow modification of decisions taken in conformity with preceding statute. In this field, observation of principle of non-retroactivity appears essential to maintenance of security which it is purpose of institution of tribunal to guarantee officials.

"In case of controversy, this second question could also be submitted to court.

"While waiting solution these prejudicial problems, it is difficult for Belgian Government not to consider statute of tribunal and that of officials enables this jurisdiction fix principle and amount of compensation for dismissed officials. It also difficult for it not to consider judgment rendered as sovereign and entailing moral obligation for member states to put it into effect."<sup>3</sup>

French text by pouch.

ALGER

<sup>3</sup> In telegram 452, Nov. 23, 7 p. m., the Embassy in the Netherlands reported that it had been informed by the Netherlands Foreign Office that the Netherlands Government was unable to concur in the United States view regarding the UN Administrative Tribunal decisions. The Netherlands was prepared to accept the decisions "in their entirety". (315.3/11-2353)

315.3/11-2553: Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

CONFIDENTIAL

LONDON, November 25, 1953—11 a. m.

2252. Department pass USUN New York. Assistant Under Secretary called in Embassy officer afternoon and commented as follows on administrative tribunal awards problem (Embtel 2133, November 17<sup>1</sup> and previous):

<sup>1</sup> See footnote 2, p. 368.

Great deal very serious consideration has been given this problem because government feels strongly that direct Anglo-American clash must be avoided at all costs; if British won, seriousness of effects in United States realized by all, if United States won, public opinion problem in this country would be equally serious. Therefore, after thorough consideration Eden has decided approve Selwyn Lloyd's suggestion that British support resolution referring to World Court question of tribunal's competence and validity tribunal awards. Eden realizes this will not solve problem but will at least postpone it for probably a year, in meantime awards will not be paid and serious conflict will be avoided for time being. Furthermore, it is most appropriate for conflicting legal opinions to be referred to World Court for legal solution. Eden earnestly hopes United States can support contemplated resolution as only possible way out of immediate serious situation.

I believe that direct Anglo-American clash on this issue should, if possible, be avoided in over-all Western interest. If, as I gather seems probable, we mustered sufficient votes to overrule tribunal's decisions, leftists here would charge that pressure politics had been used to settle legal question and this would enlist considerable moderate support on both sides of House. Resultant exploitation of this issue would further agitate public opinion here which is already disturbed by ramifications White case (see Embtel 2169, November 19).<sup>2</sup> I therefore hope that unless Department has better alternative suggestion it will be possible to accept British proposal.

ALDRICH

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<sup>2</sup> Not printed.

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315.3/11-2553 : Telegram

*The Secretary of State to the Embassy in the United Kingdom*<sup>1</sup>

SECRET

LONDON, November 25, 1953—3:50 p. m.

2801. USDel General Assembly reports UK has instructed UKDel to take lead at appropriate time in proposing reference by General Assembly of all legal questions involved in payment Administrative Tribunal awards to ICJ for advisory opinion. Lloyd has made representations to Lodge this effect. UKDel will be advised US would find such reference inadvisable and unacceptable.

Believe controlling issues in treatment awards item are political rather than legal, and insofar as they involve legal questions involve

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<sup>1</sup> Drafted by Charles Runyon of the Division of International Administration and the Director of the Office of International Administration and Conferences (Ingram); cleared with the Legal Adviser (Phleger), the Bureau of UN Affairs (initials illegible) and the Deputy Assistant Secretary of State for European Affairs (Bonbright); and signed by Ingram.

primarily authoritative determination of intention of General Assembly itself. Matter is ripe for General Assembly consideration and determination, and any further delay will involve needless uncertainties and difficulties. While theoretical basis for reference can be found in questioning power of General Assembly refuse give effect to decisions of Administrative Tribunal, believe basic decision is political advisability of so doing in given case.

US position regarding reference to ICJ should be communicated to Foreign Office and reconsideration UK's proposed support of this alternative strongly urged.<sup>2</sup>

DULLES

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<sup>2</sup> In telegram 2310, Nov. 27, 5 p. m., the London Embassy queried whether the Department of State wanted the Embassy to take action directed in the instant telegram "in view British attitude reported Embassy telegram 2252. . . ." (315.3/11-2753) The Department responded in priority telegram 2854 that it considered it "important and urgent" for the Embassy to take action on telegram 2801 ". . . to reinforce action being taken by US GA Delegation New York." (315.3/11-2753) Telegram 2854 was drafted and signed by the Deputy Assistant Secretary for UN Affairs (Sandifer).

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315.3/11-2053: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, November 25, 1953—3:51 p. m.

Gadel 97. Delgas 301 and 311.<sup>2</sup> Department believes controlling issues in treatment awards item political rather than legal, and insofar as they involve legal questions involve primarily authoritative determination intention General Assembly itself. Matter ripe for General Assembly consideration and any further delay will involve needless uncertainties and difficulties. While theoretical basis for reference can be found in questioning power of General Assembly to refuse give effect to decisions of Administrative Tribunal, believe basic decision is political advisability of so doing in given case. UK Delegation should be strongly urged not pursue course of ICJ reference for above reasons, and be advised US would find such reference inadvisable and unacceptable.

Outcome any reference ICJ would depend questions presented. Believe fair chance favorable opinion legal power General Assembly refuse effect to Tribunal decisions at least where Tribunal exceeds powers given it by General Assembly. Believe that to ask ICJ itself pass on merits Tribunal decisions would be likely result ICJ giving benefit of doubt to Tribunal and sustaining Tribunal's judgments at least in part. Believe ICJ would be influenced by fact General As-

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<sup>1</sup> Drafting and signing officers and clearing offices were the same as for telegram 2801, Nov. 25, *supra*.

<sup>2</sup> Neither printed.

sembly itself which wrote Statute and staff regulations would have evidenced its own doubt as to meaning of same by its act of referral to ICJ.

DULLES

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315.3/11-3053 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET

NEW YORK, November 30, 1953—noon.

Delga 338. Personal for the Secretary. Re Administrative Tribunal awards. As regards the administrative tribunal awards, the British position appears to be definitely and immovably one of favoring referral to the International Court of Justice. If they were willing to vote with us we could, of course, defeat awards. Several personal discussions with Selwyn Lloyd and exchanges of letters convinces me, however, that they are firmly set the other way.

Now I learn that, either on their own motion or through some other delegation, they intend to bring up the motion to refer the matter to ICJ in such a way as to forestall our getting vote on the substantive merits of question. If they do this, motion will probably carry and we will never get a vote on the substantive issue at all. This seems to me to be an extremely unfriendly thing to do and certainly if the US ever did anything remotely resembling it, we would call down upon our heads the condemnation of all the people with beautiful and superior minds from one end of the world to the other.

Frankly this matter has gotten to a point where only representations to Churchill can be expected to accomplish anything. I do not know of any stone that either Congressman Richards or I have left unturned here. I recommend that one last effort be made with Churchill to get British support for our position.<sup>1</sup>

LODGE

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<sup>1</sup>This refers to the impending Bermuda conference; see volume v.

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315.3/11-3053 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, November 30, 1953—6:56 p.m.

PRIORITY

265. Personal for Lodge from Secretary. I have your 338. Have discussed this matter with British Ambassador. Don't think they want

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<sup>1</sup>Drafted by the Secretary of State. Documentation on the parliamentary situation at the General Assembly as this matter progressed is not printed; for the most part it is in file 315.3.

to be unfriendly but both British and French Govts seem to feel they cannot vote against awards which are sustained by their best legal advice without losing the respect of their own Civil Service, which, as you know, in these European countries is extremely powerful and mutually self-defensive. Their position is that if we have a legal case against the awards, why are we unwilling to present it to the Court? Have done my best here but without result and will have it in mind for Bermuda, if it is still a live issue.<sup>2</sup>

DULLES

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<sup>2</sup> For a summary of developments, see circular instruction CA-3835, Jan. 22, 1954, *infra*.

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315.3/1-2254 : Circular instruction

*The Acting Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

CONFIDENTIAL  
CA-3835

WASHINGTON, January 22, 1954.

Subject: UNGA Action on Administrative Tribunal Awards

The Department desires to express its appreciation for the prompt action taken in response to the previous instructions relating to the above subject. For your guidance in future conversations or negotiations, the Department also wishes to report both the action taken by the General Assembly on the question of the Administrative Tribunal awards and the position taken by certain individual governments represented in the General Assembly.

The situation created by the decisions of the Tribunal was considered by the General Assembly in two different contexts. First, the Secretary General presented amendments to the staff regulations and the Tribunal's statute in an effort to clarify his powers and thus prevent future inroads on his powers by the Tribunal. Secondly, the Secretary General in submitting his supplemental budget estimates for 1953 requested the appropriation of \$179,420 for the payment of the awards made by the Tribunal on the basis of its decisions in the eleven controversial cases.

The Secretary General's proposals for amending the regulations to clarify his powers were, in general, supported. Whether they will effectively serve their intended purpose remains to be seen. The United States Delegation and the Department have considerable reservations as to some of these amendments and the practical effect which will be given to them by both the Secretary General and the Tribunal. The amendments, and most particularly the interpretation given to them

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<sup>1</sup> Sent to 62 posts. Note special instructions to certain posts at end of document.

by the Secretary General in his statements before the Fifth Committee of the General Assembly, were general and did not appreciably clarify the respective powers of the Secretary General and the Tribunal. Because there is basically a wide variance of opinion in the Assembly as to the proper role of the Tribunal, it is our view that such a general formulation of policy is not likely to result in a resolution of the basic issues. It is the Secretary General's belief, however, that he will be better able to maintain his position with respect to both the Assembly and the Tribunal if the test of his power is made on the basis of specific cases rather than on the basis of obtaining approval of regulations which specify more fully the extent of his powers.

As indicated in the Department's previous communication, it was the United States position that the best way to clarify the Secretary General's position vis-à-vis the Tribunal was to reject the awards. The major United States effort was therefore directed toward defeating the appropriation for the awards.

When this item came up in the Assembly, the estimated support for the United States position, based on reports from the posts and negotiations in New York, totalled a maximum of 22 votes. Approximately 31 votes were known to be against the United States position and the remaining seven delegations were either undecided or had indicated an intention to abstain. It was obvious therefore that the United States would lose its position on the basis of a majority vote in the Fifth Committee. The United States had based its position on the possibility of defeating the appropriation for the awards by invoking the two-thirds rule of the Charter. An estimate of voting strength indicated that the United States, if all delegations honored their pledges, would have backing of at least one-third plus one of the delegations present and voting.

When the political and legal considerations became better understood, and when it became evident that majority support for the United States position was lacking and that a close plenary vote would seriously split the Assembly, concern over the gravity with which the United States viewed the issue impelled several delegations to achieve some sort of compromise. These included some who, though sympathetic, disagreed with the United States position and some who were instructed to support the United States. The lead was taken by the British Delegation, which basically did not agree with the United States position.

The United Kingdom proposed, in effect, to refer the dispute over the legal aspects of the question to the International Court of Justice for an advisory opinion. This proposal was widely circulated and discussed prior to formal introduction. It became clear that such a proposal would carry by a substantial majority. The major issue then became the kind of questions to refer to the Court. The United States

Delegation sought to restrict the questions referred to the Court; others, led by the French Delegation, sought to refer the entire merits of the case to the International Court of Justice. The French position was defeated and the Fifth Committee decided by a vote of 37 to 7 with 12 abstentions to refer the following two questions to the International Court of Justice for an advisory opinion:

“(i) Having regard to the Statute of the United Nations Administrative Tribunal and to any other relevant instruments and to the relevant records, has the General Assembly the right on any grounds to refuse to give effect to an award of compensation made by that Tribunal in favour of a staff member of the United Nations whose contract of service has been terminated without his assent?”

“(ii) If the answer given by the Court to question (i) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right?”

The United States Delegation abstained on the decision to refer these questions to the International Court of Justice. While the United States considered that the Assembly could, should and in the end must make its own decision with regard to the issues in these cases, the United States could not prevent the referral by marshalling a majority against it. It was believed that a last ditch fight against referral on the issue would only injure the United States interests by casting doubt on the United States legal position and alienating United States supporters who regarded the Court referral as only reasonable. The United States made known its strong opposition to referring the merits of the cases to the International Court of Justice or committing the General Assembly in advance to appropriate money, depending upon what answer the Court might give to it. As a consequence, the Fifth Committee rejected proposals by the French Delegation to explore the merits of the individual cases and to grant the Secretary General authority to pay the awards automatically, if the International Court of Justice opinion upheld the position of the Tribunal. As a consequence, no appropriation was made for the payment of the Tribunal awards and the opinion of the International Court of Justice on the questions put forth will have to be considered by the Assembly at its Ninth Session together with all of the other considerations—political and budgetary as well as legal—before final disposition is made of the particular cases and of the awards fixed by the Tribunal.

The Assembly endorsed the action of the Fifth Committee by a vote of 41 to 6 with 13 abstentions.

*For Ankara:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Turkish Government and delegation on this issue. Mr. Vaner, Turkish representative on the Fifth Committee, carried out his government's instructions in a particularly helpful manner.



- For Athens:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Greek Government and delegation on this issue. The representative of Greece in the Fifth Committee carried out the instructions of his government exactly. The Embassy may wish to mention that Ambassador Agnides, in particular, while he could not as Chairman of the Advisory Committee participate in the debate as representative of Greece, was influential in developing a better understanding on the part of other delegations of the issue involved and the basis for United States concern.
- For Baghdad:* The Department assumes Embassy has already expressed United States appreciation for support of Iraqi Government on the basis of Delga 388, December 8, repeated Baghdad, USUN 1.
- For Bangkok:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government of Thailand and delegation on this issue.
- For Bogota:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the partial support which the Delegation of Colombia was able to offer to the United States Delegation at the General Assembly. While the Colombia Delegation was instructed to oppose the basic United States position, it did collaborate with the United Kingdom in framing a compromise proposal and attempted to make this proposal as acceptable to the United States as possible.
- For Buenos Aires:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Argentinian Government and delegation on this issue. Senor Leonardo Cafiero, Argentinian representative on the Fifth Committee, carried out his government's instructions exactly and collaborated in a close and helpful manner with the United States Delegation.
- For Canberra:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Australian delegation on this issue. Sir Percy Spender's speech on the Tribunal awards was most forceful in its analysis of the Tribunal's errors and in its argument for respecting and preserving the powers of the Assembly and the Secretary General.
- For Capetown:* FYI—Although the instructions of South Africa were not favorable to the United States position on the appropriation of the awards, the South African delegate was helpful to the extent of abstaining or voting against the objectionable French amendments to the International Court of Justice referral.
- For Caracas:* FYI—The Venezuelan delegate supported the British proposal for International Court of Justice referral, but voted with the United States in opposition to all of the French amendments.
- For Ciudad Trujillo:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government and delegation of the Dominican Republic on this issue. Ambassador Franco y Franco

carried out his government's instructions in a particularly helpful manner.

*For Habana:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Cuban Government and delegation on this issue. Dr. Carlos Blanco, Cuban representative on the Fifth Committee, carried out his government's instructions exactly and collaborated closely and most helpfully with the United States delegation.

*For Karachi:* FYI—The Pakistan delegation followed, in general, the British position and helped the United States to the extent of voting against one of the objectionable French amendments to the International Court of Justice proposal.

*For La Paz:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Bolivian Government and delegation on this issue.

*For Lima:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government and delegation of Peru on this issue.

*For London:* FYI—Our understanding is that the Foreign Office and Law Officer's position on the questions to be referred to the International Court of Justice was much less acceptable to the United States and much more rigid than the version eventually sponsored by the United Kingdom delegation. This imposed rigidity created great difficulties for both the United Kingdom and the United States delegations, and no doubt accounts for the disconcerting fact that while the United Kingdom delegation did not include the most objectionable questions in its proposal, in the hope of winning a United States abstention, it nevertheless voted for a French amendment designed to achieve the same purpose.

*For Managua:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government and delegation of Nicaragua on this issue.

*For Manila:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government and delegation of the Philippines on this issue. The Philippines representative in the Fifth Committee carried out the instructions of his government exactly and collaborated closely with the United States Delegation.

*For Paris:* FYI—The United States delegation considered that the French delegation by act and word went completely contrary to the previous commitments of both the Foreign Office and the delegation that they would be as helpful as possible within limitations of basic French position on the Tribunal awards. Andre Ganem in the Fifth Committee made a lengthy, strong, and unfriendly speech aimed at the United States. Subsequently, the French sponsored resolutions designed to broaden the questions referred to the International Court of Justice in a manner totally unacceptable to the United States and to authorize the Secretary General to pay the awards without further action by the Assembly if the Inter-

national Court of Justice opinion upheld the Tribunal—a proposal even more unacceptable to the United States.

*For Port-au-Prince:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Haitian Government and delegation on this issue.

*For Quito:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Ecuadorean Government and delegation on this issue.

*For Santiago:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Chilean Government and delegation on this issue.

*For Taipei:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Chinese Government and delegation on this issue.

*For Tegucigalpa:* The Embassy may in its discretion convey to the Foreign Office the appreciation of the United States Government for the position taken by the Government and delegation of Honduras on this issue. Dr. Carias carried out his government's instructions in a particularly helpful manner.

*For San Salvador:* For your information, although Foreign Office had pledged support on this issue, unfortunately El Salvador was not represented in the Fifth Committee when this issue was discussed.

*For Asunción:* For your information, although Foreign Office had pledged support on this issue, unfortunately Paraguay was not represented in the Fifth Committee when this issue was discussed.

SMITH

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IO files, SD/ICJ/11 (also SD/A/CN./4)

*Statement by the United States Delegation to the United Nations*

WRITTEN STATEMENT OF THE UNITED STATES OF AMERICA ON THE QUESTIONS SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE BY THE UNITED NATIONS GENERAL ASSEMBLY BY RESOLUTION DATED DECEMBER 9, 1953 RELATING TO THE POWER OF THE GENERAL ASSEMBLY REGARDING AWARDS OF COMPENSATION MADE BY THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL <sup>1</sup>

CONTENTS

- I. Introduction
- II. Summary of argument
- III. The responsibility and power of principal organs under the Charter are superior to those of subsidiary organs; under

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<sup>1</sup> Filed by the United States with the International Court of Justice on Mar. 15, 1954.

the provisions of the Charter, this principle dominates the relationship between the General Assembly and the Administrative Tribunal

- (A) Provisions regarding the United Nations budget
- (B) Provisions regarding administration
  - (1) Articles 101 and 97
  - (2) Articles 7, 8 and 22
- (C) Provisions regarding legal interpretation and judicial organs
- (D) Consideration of doctrine of separation of powers

IV. Nothing in the Statute of the United Nations Administrative Tribunal has diminished the responsibilities and power of the General Assembly or has prejudiced its right or power to refuse to give effect to awards of the Tribunal

- (A) Preparatory Commission and Drafting Committee
- (B) The League of Nations model
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  - (2) Statute of the League of Nations Administrative Tribunal: the 1946 precedent and its background
- (C) Decisions of the United Nations General Assembly

V. Conclusions, Questions (1) and (2)

#### I. INTRODUCTION

The General Assembly of the United Nations, at its Eighth Session, by resolution dated December 9, 1953 (UN Official Records, General Assembly 8th Session, A/194, 11 December 1953), decided to submit to the International Court of Justice for an advisory opinion certain legal questions concerning awards of the United Nations Administrative Tribunal.

First, the General Assembly put the general question of its right to refuse to give effect to an award of compensation made by the Administrative Tribunal; and second, it inquired as to the principal grounds upon which such a right could lawfully be exercised. The resolution of December 9, 1953, reads as follows:

*"The General Assembly,*

*"Considering the request for a supplementary appropriation of \$179,420, made by the Secretary-General in his report (A/2534) for the purpose of covering the awards made by the United Nations Administrative Tribunal in eleven cases numbered 26, and 37 to 46 inclusive,*

*"Considering the concurrence in that appropriation by the Advisory Committee on Administrative and Budgetary Questions contained in*

its twenty-fourth report to the eighth session of the General Assembly (A/2580),

“*Considering*, nevertheless, that important legal questions have been raised in the course of debate in the Fifth Committee with respect to that appropriation,

“*Decides*

“To submit the following legal questions to the International Court of Justice for an advisory opinion :

“(1) Having regard to the Statute of the United Nations Administrative Tribunal and to any other relevant instruments and to the relevant records, has the General Assembly the right on any grounds to refuse to give effect to an award of compensation made by that Tribunal in favour of a staff member of the United Nations whose contract of service has been terminated without his assent ?

“(2) If the answer given by the Court to question (1) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right ?”

These two questions were put to the International Court of Justice in order that the General Assembly in its further deliberations concerning certain awards made by the United Nations Administrative Tribunal in 1953 might be advised by an opinion from the principal judicial organ of the United Nations on the legal questions formulated in the Assembly's resolution. Before proceeding to state views on the questions submitted by the General Assembly, it is essential to consider the exact import of those questions. They speak of the Assembly's “right” to follow a given course of action.

It is necessary to understand this term in the sense of *legal power* on the part of the Assembly. Otherwise, there is not a “legal question” on which an advisory opinion can be sought and rendered under Article 96 of the Charter. The Charter does not provide here, and the Court is not constituted, for the rendering of advisory opinions on other than legal questions: for example, on political or moral questions. Accordingly, there must be excluded from the meaning of the term “right” in the Assembly's questions any elements other than legal considerations; the question is not whether there is a moral right, an ethical right, or any kind of right other than a legal right or power.

The questions submitted by the General Assembly, therefore, require that one consider what legal dispositions there are under the Charter of the United Nations and other relevant law, as drawn from the sources recited in Article 38 of the Statute of the Court, which relate to the Assembly's giving or refusing to give effect to awards of compensation made by the United Nations Administrative Tribunal. Article 38 of the Statute, in setting forth the sources of law to be applied by the Court, places first “international conventions, whether general or particular, establishing rules expressly recognized by the contesting states”. Under Article 68, the Court is authorized, if not indeed en-

couraged, to follow such provisions as Article 38 in the exercise of its advisory functions. In view of the nature of the Charter as the treaty under which the General Assembly was established, there could scarcely be another point of departure than the Charter in dealing with the questions which have been submitted by the General Assembly. As the Court said in its advisory opinion concerning *Conditions of Admission of a State to Membership in the United Nations*:

“The political character of an organ cannot release it from the observance of the treaty provisions established by the Charter when they constitute limitations on its powers or criteria for its judgment. To ascertain whether an organ has freedom of choice for its decisions, reference must be made to the terms of its constitution.” [1948]<sup>2</sup> I.C.J. 57, 64.

The Charter, as it applies to the General Assembly, does not speak of “rights” of the Assembly. Its language is that usual in most constitutional documents; “shall”, “may”, and similar terms are used where scope and content are given to the Assembly’s “functions and powers” in Chapter IV of the Charter. “Right” is used with reference to states, Members, peoples, and individuals. Articles 1(2); 2(2), (5); 13(1)(b); 18(2); 40; 43(1); 51; 55; 62(2); 68; 76(c); 80(1); *cf.* Articles 31(1) and 63(2) of the Statute of the International Court of Justice. In the language of the Charter, therefore, the questions now before the Court must be understood as whether and how the General Assembly is empowered in the execution of its functions to give or to refuse to give effect to awards of the Administrative Tribunal, and what, if any, limitations are imposed on the Assembly’s exercise of such a power. To reject those meanings of “right” which relate to political and moral propriety or to individual as distinguished from governmental “right”, and to understand the word in the sense of legal power, is to conform to “a cardinal principle of interpretation that words must be interpreted in the sense which they would normally have in their context, unless such interpretation would lead to something unreasonable or absurd”. See *Polish Postal Service in Danzig*, [1925]<sup>2</sup> P.C.I.J. Ser. B, No. 11, 39.

Before leaving the question of the scope and content of the Assembly’s questions, it may be worthwhile to consider the phrase “refuse to give effect” as used in the questions. Its meaning seems clear as importing any course of action other than simple appropriation of funds by the General Assembly to pay the Administrative Tribunal’s monetary awards. Thus, the General Assembly, like the League Assembly in 1946, where the same term (“refuse to give effect”) was used, might adopt a report by its Fifth Committee disapproving the awards for stated reasons and not appropriate the money to pay them. The As-

<sup>2</sup> Brackets in the source text.

sembly might, as it has done in the present case, not appropriate the money at the session at which the item was placed on the agenda for consideration, or even indefinitely postpone voting on payment. It might vote on a proposal to pay and not adopt it at one or at several sessions. It might, as it has done in the present case, not appropriate the money at the session at which the item was placed on the agenda for consideration, or even indefinitely postpone voting on payment. It might vote on a proposal to pay and not adopt it at one or several sessions. It might, as it has done in the present case, refer one or more legal questions to the International Court of Justice. It might create a special tribunal to review Tribunal cases *ad hoc*. It might adopt a report approving payment of a different amount on grounds differing from those of the Tribunal. It might simply appropriate a part of the amount named by the Tribunal. It might appropriate the whole amount, but on the basis of a report expressly rejecting the *ratio decidendi* of the Tribunal and the authority of its judgment.

Would any or all of these actions, or other possible variants, constitute refusal to give effect? It is submitted that they would.

The intention of the first question submitted by the General Assembly would seem to be to ask the Court whether the Statute of the Tribunal, the Charter, or other relevant instruments or records constitute a legal bar to every course of action other than full and prompt payment and acceptance by the General Assembly of the Administrative Tribunal's judgments. The second question appears legally answerable, as will be developed later, only in terms of Charter limitations on action by the Assembly.

## II. SUMMARY OF ARGUMENT

*The responsibility and power of principal organs are superior to those of subsidiary organs. This principle dominates the relationship between General Assembly and Administrative Tribunal.*

The General Assembly under the Charter bears exclusive responsibility for considering and approving the budget by a two-thirds majority vote. It cannot by delegation avoid the requirement of a two-thirds vote following its own full and adequate consideration of budgetary appropriations.

The Charter does not permit the General Assembly to create an organ capable of usurping the Charter power of the Secretary-General or its own function of final review and decision in matters arising out of its concern with the administration of the Secretariat pursuant to Article 101(1) of the Charter. Establishment of an Administrative Tribunal might be an implied power of the General Assembly, but establishment of an organ whose decisions must be regarded as legally binding upon the Assembly, or, in all cases, upon the Secretary-

General, is not necessary to the discharge of the Assembly's functions and would indeed be contrary to the provisions of the Charter.

Articles 7 and 22 provide the only categories of United Nations organs, and these are "principal" and "subsidiary". The Tribunal is not a principal organ. Article 22 authorized the General Assembly to establish it as a subsidiary organ. The Tribunal cannot assume the role of a body legally capable of compelling the acquiescence of the General Assembly.

The interpretation of the Charter in regard to the Assembly's functions, and the interpretation of its own resolutions, is a matter which must remain the primary and final responsibility of the General Assembly. Not even the International Court of Justice can bind the Assembly to a given interpretation; a subsidiary organ is plainly incapable of such legal power.

Under the Charter, it is not possible to construct a theory of separation of powers as between the General Assembly and the Administrative Tribunal. Even if it were, however, the logical consequences would be, not that the General Assembly would have no right or power to exercise its powers in a fashion disapproved by the Tribunal, but rather that the Tribunal would lack legal authority to control how the General Assembly should perform its tasks.

*Nothing in the Statute of the Administrative Tribunal can be considered to have diminished the responsibilities and power of the General Assembly or to have prejudiced its right or power to refuse to give effect to awards of the Tribunal.*

In creating the Administrative Tribunal, the General Assembly did not seek or purport to endow the Tribunal with power to bind the Assembly. The work of the Preparatory Commission of the United Nations and the Drafting Committee for the Tribunal's Statute evidence predominant concern in securing the highest standards of efficiency, competence and integrity among the Staff, as required by the Charter, and respect for the discretion vested by the Charter in the Secretary-General to permit establishment and maintenance of these standards. It was in this context, and with full appreciation of the fact that in 1946 the Assembly of the League of Nations exercised the right to refuse to give effect to awards of the League's Tribunal, that the present Statute was modeled upon that of the League and used the League Statute's language that judgments should be "final and without appeal".

Administrative Tribunals in the field of international law are new institutions, are *sui generis*, and necessarily lack both the established substantive law, and the constitutional safeguards, such as a mature appellate structure with internal checks and balances, which may afford an immeasurably greater assurance in any given municipal system that exhaustion of remedies within a judicial framework will re-



sult in substantial justice in all cases. Even in mature municipal systems, there can be no ultimate legal sanction depriving the supreme legislative body of its lawful authority over the matter of budgetary appropriations.

In a fully debated decision in 1946, the League of Nations Assembly authoritatively settled the question whether awards of the League Tribunal must be given effect by the League Assembly. The answer was that the Assembly had the right and exercised the power to refuse to give them effect.

*The conclusion follows that the General Assembly has the right to refuse to give effect to awards of the Administrative Tribunal. As to grounds upon which it might do so, the Charter requires that the General Assembly shall make a policy decision, taking account of the relevant factors, based on the Charter principle of paramount consideration for maintaining the highest standards of efficiency, competence and integrity in the Secretariat. Any one or combination of a series of factors might create a situation in which the Assembly would judge that its Charter responsibility called for refusal to give effect to a Tribunal award.*

[Here follows the main body of the Written Statement.]

#### V. CONCLUSIONS

##### (1) *Question (1)*

For the reasons above discussed, it is submitted that Question (1) should be answered in the affirmative.

##### (2) *Question (2)*

Question (2) reads:

“If the answer given by the Court to question (1) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right?”

It will be recalled that in its advisory opinion concerning *Conditions of Admission of a State to Membership in the United Nations*, the Court said:

“To ascertain whether an organ has freedom of choice for its decisions, reference must be made to the terms of its constitution.” [1948] <sup>3</sup> I.C.J. 57, 64.

In that case, the Court found such terms expressly stated in the immediately relevant Charter Article 4. *Id.* at 6. In Part III of the present statement the Articles immediately relevant to the present case—Articles 17, 18, 101, 7 and 22—have been examined, and they contain, it is submitted, as comparable express criteria only the provisions of Article 101(3) that

<sup>3</sup> Brackets in the source text.

“The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.”

In the *Admissions* case, the criteria of Article 4 were exclusive. In the present case, the criteria of Article 101(3) are “paramount” but not exclusive. The area for the operation of factors of sound political discretion is necessarily wide and is the domain, not of a court of law, but of the competent political organs. The Court could, if asked, render advice on the legal “meaning” of the factors stipulated. It could scarcely advise on which ones or which combinations of express and non-express factors should be applied in a particular case to achieve a particular result.

Such considerations appear so fundamental, and already have been so clearly elaborated by the Court itself, as to preclude the need for more extensive treatment. It would not seem helpful to attempt a generalized treatment of such Charter provisions as Articles 103, 95, 55, 56, 48, or 2(7), for although they might conceivably, in some fashion, limit the area of General Assembly discretion in some particular case, they do not themselves expressly or inferentially establish grounds for decision of the type of problem here considered.

The following are illustrative of some of the types of situations which might give rise to careful review by the General Assembly and, in its discretion, to refusal to give effect to awards of the Administrative Tribunal:

Mistaken reliance by the Tribunal upon false representations of a party in a case;

Interpretation and application of Regulations established by the General Assembly with effect contrary to the express or reiterated intent and object of the General Assembly, such as: awards made in flagrant disregard of the Statute or Rules, to the prejudice of either party; *ultra vires* awards; decisions premised on serious misconstruction of the Charter, particularly in regard to the powers and responsibilities of the principal organs, such as: decision invading Charter powers or discretion of the Secretary-General, or decision violative of Article 101(3) of the Charter;

Decision contrary to an advisory opinion of the International Court of Justice;

Awards arbitrary or unreasonable on their face;

Important and inconsistent decisions giving rise to serious uncertainties in the administration of the Secretariat;

Awards entailing impossible financial consequences for the Organization. Needless to say, duress exercised upon the Tribunal, corruption of the Tribunal, or action evidencing prejudice and improper motives of any of its members would call for similar action by the General Assembly.

The weight to be accorded to any one or combination of these factors would have to be determined by the General Assembly in discharging its responsibilities as a principal organ of the United Nations under the Charter. This is an essentially political responsibility of the Assembly.

It is submitted that the answer to Question (2) is that, as a matter of law, the General Assembly must rely upon policy grounds in refusing to give effect to awards of the Tribunal, acting with due regard for relevant Charter provisions, such as the express stipulation of a "paramount consideration" in Article 101.

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315.3/6-154 : Instruction

*The Acting Secretary of State to the Embassy in Switzerland*<sup>1</sup>

CONFIDENTIAL  
CA-6991

[WASHINGTON,] June 1, 1954.

Subject: Gerety Board Hearings

Pursuant to procedures established under Executive Order 10422 cases involving about 10 U.S. citizens on staffs of UN agencies at Geneva require hearings before Gerety Board (International Organizations Employees Loyalty Board, U.S. Civil Service Commission). Board tentatively plans to hold hearings Rome beginning June 21, Geneva June 28, and Paris July 7.

Department understands delicacy of problem with respect to Switzerland particularly in light of Swiss reaction to investigations carried out in Switzerland under Executive Order 10422. Thus we feel complete frankness with Swiss at outset is essential to allay any fears of our encroaching on Swiss sovereignty, Swiss responsibilities towards UN agencies, or possible intimidation of US citizens resident in Switzerland. At same time, we believe it desirable to avoid placing Swiss in position requiring an expression of approval of the Gerety Board hearings in Geneva; they have never in fact given their approval to the investigations.

Subject to your concurrence (Deptel 1420 to Bern, 690 to Geneva)<sup>2</sup> Department suggests that Embassy advise Political Department at appropriate level along following lines. Investigations carried out under Executive Order 10422 reveal a number of cases where information regarding individuals is not complete or where certain questions remain unanswered. In such cases persons located in US were invited to appear before Gerety Board. Distance makes it impractical

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<sup>1</sup> Drafted by Keld Christensen of the Office of Western European Affairs. Approved by Francis Spalding of WE, and, in draft, by Joseph Henderson of UNI and Warren Chase of the Office of Security. Repeated to the Consulate General, Geneva and to Rome and Paris.

<sup>2</sup> Not printed.

for such individuals in Europe to appear before the Board in the US and consequently the Board is proceeding to Paris, Rome, and Geneva. Board, consisting of two panels of three men each (plus two administrative assistants) will convene on consular premises at Geneva on June 28, and will there conduct interviews with US citizens in question. These individuals, of which there are about ten, will be invited to take advantage of presence of Board at Geneva to appear for their interviews with no compulsion intended or involved. While purposes and movements of the Board are not classified, it is hoped that as little publicity as possible will occur in Europe.

You may wish to leave impression with Political Department that foregoing is for its information and no reply is anticipated. Modification of the suggested approach is left in your discretion in order to ensure full use of your ability and close associations you have developed at Bern to convince Swiss officials that U.S. motives and actions do not contravene Swiss political and institutional traditions.

A separate instruction regarding administrative details will be sent Geneva.

MURPHY

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*Press Release No. 313 Issued by the Department of State, June 10, 1954*<sup>1</sup>

UNITED STATES ORAL ARGUMENT PRESENTED TO THE INTERNATIONAL COURT OF JUSTICE

The Government of the United States was represented today before the International Court of Justice at The Hague by Mr. Herman Phleger, Legal Adviser of the Department of State, who presented the oral argument of the United States in the advisory opinion proceedings regarding the effect of awards of the Administrative Tribunal of the United Nations.

In the present case the International Court of Justice has been asked by the United Nations General Assembly to advise whether the Assembly has the right, on any grounds, to refuse effect to awards of the United Nations Administrative Tribunal. It has also been asked, if the answer to the first question is affirmative, on what principal grounds it can lawfully exercise that right.

The awards in dispute are the compensation adjudged by the Tribunal as due to eleven United States citizens who, in 1953, were dismissed from the United Nations by the Secretary-General for refusing to testify before official United States investigating bodies regarding subversive activities. The Tribunal held that the action of the Secretary-General was not taken in accord with the staff regulations

<sup>1</sup> Source text from *Press Releases of the Department of State*, April-June, 1954.

and was, therefore, illegal. Last fall, the Eighth General Assembly, instead of appropriating funds to pay the awards, sought the advisory opinion of the International Court of Justice.

Under the Statute of the International Court of Justice, governments interested in an advisory opinion proceeding are afforded an opportunity to submit written statements to the Court and are allowed oral hearings. In the present proceeding, fourteen governments—including the United States—presented written statements setting forth the views of their governments, while four other governments sent communications referring to expressions they had previously made in General Assembly debate.

Mr. Phleger, in his oral argument to the Court, has summed up the United States position as follows:

In the view of the United States Government, the argument that the Assembly has no right to review the awards, and must automatically pay them, cannot be sustained. We think the Assembly has not only the right, but the duty as well, to examine requests for appropriations, and has the right to refuse appropriations to pay awards of the Administrative Tribunal in those cases where it believes that the relevant considerations so require. We think the grounds to support such action are found in the Charter provisions defining the budgetary and regulatory responsibilities of the Assembly, its relationship to subsidiary organs such as the Administrative Tribunal, the function of the Secretary-General as the chief administrative officer of the Organization, and in the Charter provisions regarding interpretation and judicial power.

Whether the General Assembly would decide, in a given case, to refuse an appropriation must depend on its judgment of many factors which are proper for the Assembly's consideration. The weighing of these factors adds up to a judgment of a legislative character, to be made by the highest United Nations body in which all Members are represented. The Charter basis and limitations of Assembly action can and should be stated, as a matter of law. The reasons and motivations of Assembly decision to vote or refuse an appropriation in a particular situation are otherwise to be left to the judgment of the Assembly, as the United Nations organ with immediate responsibility in the matter.

[Here follows a biographical sketch of Mr. Phleger.]

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315.3/6-1654 : Despatch

*The Ambassador in Switzerland (Willis) to the Department of State*

CONFIDENTIAL

BERN, June 16, 1954.

1098. Ref: Embtel 1102 to Dept. No. 57 to Geneva of June 12;<sup>1</sup> Deptel 1026 of June 13 to Geneva;<sup>1</sup> Dept CA 6991 of June 1, 1954.<sup>2</sup>  
Subject: Hearings by Gerety Board in Switzerland.

<sup>1</sup> Not printed.

<sup>2</sup> *Ante*, p. 390.

In a conversation on June 14, 1954 with Minister Micheli, the Head of the Division of International Organizations of the Federal Political Department, I informed him that I had been instructed by my Government (CA 6991, June 1, 1954) to convey to the Political Department information about the proposed hearings of approximately ten American citizens before the Gerety Board in Geneva about July 9, 1954.

Mr. Micheli recalled the previous exchange of views of our two Governments on the subject of the conducting of American investigations in Switzerland. He stated that when the subject had last been discussed by the Counselor of the Swiss Legation in Washington and officials of the Department of State the position of the Swiss Government had still been that it could not give its approval to these hearings or investigations being conducted in Switzerland. Mr. Micheli stated that this continued so because there was a matter of principle involved.

Mr. Micheli continued that the Swiss Government had reservation on the subject of these investigations on two counts. First, there was the danger of establishing a precedent. If other countries attempted to follow the example of the United States and to conduct investigations in Switzerland it was impossible to see where this might lead. Second, such procedure touched Swiss sovereignty. Swiss sovereignty was not involved in quite the same way as if these persons were not employed by the United Nations agencies. Nonetheless, Mr. Micheli pointed out that Switzerland was the host Government and Swiss sovereignty and Swiss relations with the United Nations agencies should not be ignored in this context.

My reply to Mr. Micheli was to the effect that I thought in February there had been a measure of agreement between our two Governments, if not outright approval by the Swiss Government, about letting these hearings take place. Furthermore, I reassured him that these hearings were entirely on a voluntary basis. The persons would be notified and could appear or not as they chose at the Consulate General. I added that there would be no publicity from us about the hearings although the fact that they were being held was not classified information.

Mr. Micheli stated that he would bring the information I had given him to the attention of the Federal Councillor, Mr. Max Petitpierre. He added that this matter had been considered previously by the Federal Council and therefore might require further consideration by it. I replied that I had merely made the information I had given him available to the Swiss Government and that my approach was not made in order to obtain a reply. My Government merely did not wish to proceed with these hearings without the knowledge of the Swiss Government. Mr. Micheli indicated that he understood com-

pletely that what I had said had been purely for information but he left the impression that the Swiss misgivings are so great that we might hear more on the subject. He inquired what would happen to an American citizen employed by a United Nations agency abroad who elected not to appear at a hearing, whether he would lose his American passport, his citizenship, whether he would be dismissed from his position, et cetera. I explained that I was not in a position to answer all his questions in detail but that in the case of an American citizen who was a member of the Communist Party or where we had evidence that he was working against the interests of the United States we did not grant him a passport, or if he already had a passport and was abroad we did not renew it when it expired. Mr. Micheli also wished to know how recently the persons we wished to interrogate had been employed by the United Nations agencies and here again I was unable to supply the information he desired. It would be helpful if the Embassy could know whether the procedures now in use make it possible for the United Nations agencies in Geneva to continue to hire Americans before they receive a clearance and who may therefore later be requested to appear before a board, presumably in Switzerland.

There was no doubt from the tenor of Mr. Micheli's conversation that the holding of these investigations in Switzerland is a cause of concern to the Swiss. Even if nothing more is heard from the Political Department the silence could scarcely be construed as "approval" of these hearings. The most we can hope for from the Swiss Government, provided there is no adverse publicity in connection with the fact that the investigations are conducted in Switzerland, is reluctant forbearance from requesting that these hearings not be held.

FRANCES E. WILLIS

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315.3/6-1754 : Telegram

*The Secretary of State to the Embassy in Switzerland*<sup>1</sup>

SECRET

WASHINGTON, June 17, 1954—3:52 p.m.

1687. For Ambassador from Secretary, Department's CA-7316 June 11.<sup>2</sup> You should know that decision send International Organizations Employees Loyalty Board (Gerety Board) abroad for pur-

<sup>1</sup> Drafted by Edward P. Montgomery, Acting Public Affairs Adviser in the Bureau of European Affairs. Cleared and initialed for the Secretary by Roderic O'Connor.

<sup>2</sup> Not printed; it informed Ambassador Willis that Chairman Gerety had furnished a list of persons for whom hearings "must be held" in Europe; told the Ambassador that the date of the European hearings (Rome June 30, Geneva July 10, Paris July 19) stated that the Board was preparing individual hearing notices, and finally enclosed copies of self-explanatory exchanges of correspondence. (315.3/6-1154)

pose of hearings of Americans employed international organizations was taken at highest levels here. I and others consulted were fully aware potentialities this may offer for exploitation by Communist and other anti-American propaganda.

We are taking every precaution this end minimize opportunities such exploitation. Immediately following telegram contains draft text press release Department proposes issue release Washington only shortly after despatch personal notifications individuals concerned. Your comments requested urgently. We also proposing attach experienced press officer to Board for duration of its stay Europe.

I would be grateful your personal attention this matter to ensure that Chairman Gerety other members his board have full benefit your advice and assistance your staff in carrying out this delicate assignment.

DULLES

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315.3/6-1954 : Telegram

*The Ambassador in Switzerland (Willis) to the Department of State*<sup>1</sup>

SECRET

BERN, June 19, 1954—6 p.m.

1126. For Secretary. Before receiving your telegram 1687, June 17 I had taken every effort to prepare way for holding Gerety Board hearings Geneva on basis of Department airgram June 1. Swiss Government continues to be reluctant to have such hearings held in Switzerland. In June 14 conversation on subject at Federal Political Department was told Swiss could not approve of hearings for two reasons: first, because objected to precedent established if they allowed one country to conduct such hearings in Switzerland, and second because they regard conducting of such hearing as coming too close to infringement of Swiss sovereignty.

In absence of positive approval which Swiss are not prepared to give, least we can hope for is reluctant forbearance from request by Swiss that hearings be not held in Switzerland.

I explained I was not requesting approval but merely informing Swiss Government about proposed hearings as we did not want to proceed without its knowledge.

I see no prospect of obtaining more favorable response from Swiss whereas if hearings are held discreetly and there is no publicity (which we of course cannot control) we may escape without a protest.

WILLIS

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<sup>1</sup> Copy pouched to Geneva.



315.3/7-1254 : Telegram

*The Embassy in Switzerland to the Department of State*<sup>1</sup>

OFFICIAL USE ONLY

BERN, July 12, 1954—5 p.m.

35. Swiss press July 12 features UP despatch from Geneva summarized as follows: According reliable source, Swiss Government has refused allow "congressional" commander chairmanship Gerety conduct investigation on Swiss territory. Commission therefore decided hear Geneva employees in Lyon nearest city where US has Consulate. Gerety questioned in Paris on report, but refused statement.

Press also reports UN Secretary General Hammerskjold said at press conference Geneva July 9 that interrogation American employees international organs would take place not in Switzerland but on foreign territory. This apparently prompted UP interest in question.

*Agence Telegraphique Suisse* is carrying story today that Federal Political Department "pointed out to American Embassy Bern that such a police investigation was not compatible with Swiss sovereignty". In informal discussion of this publicity FPD informed Embassy it is replying orally to journalists along same lines as ATS despatch. Embassy indicated it was refraining from comment on Swiss decision.

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<sup>1</sup>The telegram was unsigned; a copy was pouched to Geneva and to Zurich.

315.3/7-254 : Despatch

*The Ambassador in Switzerland (Willis) to the Department of State*

SECRET

BERN, July 2, 1954.

11. Reference: Embtel No. 2 of July 1, 1954.<sup>1</sup> Subject: Hearings by Gerety Board in Switzerland.

As reported in my telegram No. 2 of July 1, 1954 Federal councillor Petitpierre, head of the Federal Political Department, requested me to call on June 30. There is given below a fuller account of our conversation on the subject of the hearings by the Gerety Board than it was considered necessary to give in my telegram.

Mr. Petitpierre opened the conversation by stating that as soon as it was reported in the Swiss press that the Gerety Board was coming to Switzerland, it could not be ignored as the fact became public knowledge. He had no choice but to bring the matter to the attention of the Federal Council. It had considered the matter and was opposed to having the Board hold hearings on Swiss territory on the ground

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<sup>1</sup> Not printed.

that 1) the functioning of this Board on Swiss territory would constitute an infringement of Swiss sovereignty; 2) these hearings contravene in a sense agreements between the Swiss Government and United Nations organizations which have their seat in Switzerland, and 3) they would establish an undesirable precedent. Mr. Petitpierre elaborated that Switzerland could not tolerate having Russia, for example, send a commission to investigate anti-Communist opinions of UN employees. He also remarked that in a sense the function of this commission was judicial as well as administrative. He added that the same objections would not apply if an American citizen were discreetly requested to call to see an American official of the Embassy or Consulate General regularly stationed in Switzerland. He referred to the possibility of having the American employees of UN agencies in Geneva appear in Rome or Paris for their hearing before the Board. He said he mentioned this simply because our relations with France and Italy were on a somewhat different basis from our relations with Switzerland. He summarized by saying that both on juridical and political grounds the Swiss objected to having the Commission sit in Switzerland.

Mr. Petitpierre stated he was giving me no written statement as he preferred merely to request me to make clear to my Government the views of the Swiss Government. He added that no *démarche* was being made through the Swiss Legation in Washington as he believed that these oral representations would suffice.

I repeated the points about the voluntary aspect of the hearings, the reasons for holding them, et cetera. He replied that he did not take exception to "legitimacy" of the commission and added that the Swiss themselves had recognized the need for security procedures and had in fact established some of their own.

In the light of Mr. Petitpierre's statement indicating that the Swiss Government is opposed to having the Gerety Board conduct hearings in Switzerland, it was suggested in my telegram No. 2 that instructions should be sent to the Consulate General in Geneva to suspend preparations for the hearings there.

In the Department's CA-6991 of June 1, 1954,<sup>2</sup> it was pointed out that "distance makes it impractical for such individuals in Europe to appear before the Board in the United States and consequently the Board is proceeding to Paris, Rome and Geneva". In view of the shortness of the distance between Geneva and Paris, the most practical solution might well be to have the Americans employed by the United Nations agencies in Geneva invited to appear before the Board in Paris. As there are at least five persons connected with the Board who would have to have their round-trip expenses paid from Paris

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<sup>2</sup> *Ante*, p. 390.

with per diem for the entire period the Board would sit there, it would cost very little more to have the Americans who are to be interrogated make the trip to Paris at Government expense.

In view of the firmness of Mr. Petitpierre's statement, there is no doubt that we should seek to make alternate arrangements for the hearings of the American employees of United Nations agencies in Geneva.

FRANCES E. WILLIS

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315.3/7-1354 : Telegram

*The Ambassador in the Netherlands (Matthews) to the Department of State*<sup>1</sup>

THE HAGUE, July 13, 1954.

72. International Court by 9 votes to 3, Judges Alvarez, Hackworth and Levi Carneiro dissenting, has decided that General Assembly does not have right on any grounds refuse give effect award of compensation made by UN Administrative Tribunal. Court's opinion makes following points:

Administrative Tribunal was established by General Assembly as judicial body competent to pronounce final judgement without appeal. It is not advisory organ or mere subordinate committee of General Assembly. As judicial body, Tribunal's judgement binding on parties to dispute, and parties are UN and staff member concerned. UN legally bound carry out judgement and pay compensation awarded. In order that judgement Tribunal itself, it would be necessary, in opinion of Court, that statute of Tribunal contain express provision to that effect. In absence such provision in present statute, no legal grounds upon which General Assembly can review judgements already pronounced by Tribunal. Court further declared that General Assembly competent under Charter to establish Tribunal empowered to render judgments binding on UN, and specifically on General Assembly. Budgetary powers General Assembly under Charter does not mean that General Assembly has absolute power to approve or disapprove expenditures proposed to it since some part of expenditures arises out of obligations already incurred by UN, and to this extent, General Assembly has no alternative but to honor these engagements. Tribunal awards constitute such obligations. Finally Court rejected 1946 League of Nations precedent contending that there is complete lack of identity between two situations.

Copies will be air pouched when available.

MATTHEWS

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<sup>1</sup>The telegram was repeated to Paris for information of the Department's Legal Adviser, Mr. Phleger. Source text does not indicate the time of day sent.

815.3/7-1654 : Telegram

*The Consulate General at Geneva (Gowen) to the Department of State*<sup>1</sup>

CONFIDENTIAL NIACT

GENEVA, July 16, 1954—4 p.m.

65. Your 41, July 14, and 44, 47 and 48 all July 15 carefully noted.<sup>2</sup> Gerety Board. My visit Gerety in Paris most useful. I accepted letters of invitation which he handed me for persons involved in international organizations at Geneva and said that I would not deliver such letter until I had received specific instructions do so from Department. Gerety and his fellow-members heartily agreed to this and were most cooperative. Having received today Department's telegram 47 mentioned above I promptly called on Pelt Director European UN Office and told him about letters of invitation which I am to deliver to certain persons in organizations under his jurisdiction here. I carefully explained nature these letters, their non-compulsory aspects etc. Pelt agreed have persons concerned call at my office to receive these letters from me this afternoon. He expressed much appreciation my having informed him of matter before I approached his subordinates or any other UN organization here. I thereafter called on Dorolle Acting Director General WHO (Director General absent on leave) and went through same procedure. Dorolle too was most appreciative and agreed have persons concerned in his organization call on me this afternoon to receive letters of invitations. I then called on Morse Director General ILO and again went through same procedure. Morse also most appreciative and agreed have persons concerned in his organization call on me this afternoon for same purpose. Am now awaiting receive all these persons. Will report developments.

For Department's information only. Pelt very pleased I had not intended deliver letters on premises UN because in his opinion this might have given rise legalistic questions and made it necessary for him temporarily waive diplomatic immunity enjoyed by UN premises lest someone might construe these letters as being legal summons. I told him how very much I appreciated his fine cooperation and thanked him for agreeing inform persons concerned call at my office receive letters.

<sup>1</sup> Repeated for information to Bern.

<sup>2</sup> None printed; all dealt with the Gerety hearings in Europe. No. 41 (sent to Paris as 183) informed Mr. Gerety at Paris that the Department of State had approved holding the Board hearings in the French capital rather than at Geneva. This telegram also indicated approval of "proposed arrangement send 'liaison officers' from Geneva to Paris for purpose briefing and subsequent arrangements movements of individuals concerned from Geneva to Paris." Telegram 44 ordered Mr. Gowen to Paris to report to Mr. Gerety, while telegram 47 informed Mr. Gowen that the Department of State believed it was entirely proper for Mr. Gowen to transmit letters of notification to concerned individuals regarding the Gerety Board hearings without informing the Swiss Government. Telegram 48 simply authorized the Consulate General at Geneva to issue travel orders for the individuals travelling to Paris to appear before the Gerety Board. All the above telegrams are in file 315.3.

Believe this point should not be publicized lest press give it undue importance and publicity. Following also for Department's information only: Gerety telephoned me from Paris last night and again this morning saying he is under great pressure from press in Paris and feels he should tell press just what I am doing in this matter. These phone calls from him received prior my approach to Pelt, Dorolle and Morse. I told Gerety in my opinion it would be well for him consider not mentioning my name to press or otherwise saying anything that might well encourage otherwise avoidable publicity. I also told him that in case I received press inquiries about this I shall confine myself to saying no comment. Subject Department's approval am inclined believe such action on my part justified considering that Department's instructions to me this matter are confidential and I may not properly disclose them to press or otherwise violate their confidentiality. This, of course, quite apart from very delicate nature this matter. Perhaps Department may wish consider mentioning to Gerety desirability his doing everything consistently possible avoid publicity.<sup>3</sup>

GOWEN

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<sup>3</sup> The source text indicates that Mr. Collin's office (WE) was notified July 16, 1954, at 5:44 p.m.

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315.3/7-1654

*The Chairman of the Senate Committee on Rules and Administration (Jenner) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

WASHINGTON, July 16, 1954.

DEAR MR. AMBASSADOR: The Internal Security Sub-committee of the Senate is interested in the recent findings of the International Court of Justice, which upheld damage awards to the American employees of the UN staff, who had been dismissed by the Secretary-General because they refused to answer the Committee's questions about their Communist affiliations on the ground of self-incrimination.

Our Sub-committee, pursuing the duty assigned it by Congress, to investigate subversive activities by American citizens, made a thorough inquiry into the Communist connections of Americans on the UN staff. You were kind enough to appear at this inquiry, and testify about the problems involved.

Our Sub-committee found that certain American members of the UN Secretariat had close links with the Communist apparatus, directed from Moscow. They had, in many instances, been placed in their

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<sup>1</sup> Senator Jenner was a Republican from Indiana. He sent copies of this letter to Secretary of State Dulles and Senator Styles Bridges (R.-N.H.), President Pro Tempore of the Senate.

positions in the UN as part of the interlocking subversion between government departments, private agencies, members of the UN Secretariat and the Communist apparatus—obviously for no good purpose. When asked about these links, the UN employees invoked the Fifth Amendment and refused to answer questions because the answer might incriminate them.

Secretary-General Trygve Lie held that refusal to answer questions on such grounds was conduct unbecoming to international civil servants and dismissed the employees involved. This position is similar to that taken by our national government and various state governments, which dismiss civil servants who have need to invoke the Fifth Amendment.

The employees appealed to the UN Administrative Tribunal, which reversed the Secretary-General in eleven cases, and ordered reinstatement, payment of awards for damages, or both, to American employees of UN who would not state that they were not Communists.

As you know, the indignation among our people was wide-spread. For one thing, approximately one-third of such payments must come from funds voted by Congress and paid by American tax-payers. Even more important, the privileges and immunities we have given to UN employees, if abused, constitute a highly dangerous and well-protected opportunity to undermine our nation's security.

Our Sub-committee found, in its report of March 22, 1954, that a Communist Fifth Column exists within the UN staff, and that Soviet agents use UN privileges as a cover for espionage and subversion.

This concerns all non-Communist nations, though our concern is greater because most of this activity occurs within our borders. The question now is whether the UN Assembly will adjust its personnel policies to conform to the stated UN principle that staff members are not to engage in political activities hostile to member states.

The position of counsel for the dismissed employees was, in general, that Communist activities were not political acts but private beliefs. This flies in the face of all the evidence that membership in the Communist apparatus imposes the obligation of continuous political activity favorable to the Soviet Union and dangerous to the existence of the United States and other non-Communist states.

The UN Administrative Tribunal upheld the position of the lawyers for the dismissed employees, against the position of the Secretary-General. It ruled that the employees had been damaged, not by their connections with Communism or subversion, but by being asked to tell of their activities openly.

The International Court has upheld the curious position of the Administrative Tribunal. The situation now is that the position of the American government, the UN Assembly and the UN Secretary-General, has been reversed by a UN administrative agency concerned

with employee grievances, and that this board, heavily biased in favor of the Soviet position, has been upheld by the International Court.

It may be too late to stop such shocking awards in the case of past services, but the United States Congress must make certain that no such awards to secret pro-Communists shall be paid again. It must also have assurance that the UN staff is truly non-political, and does not harbor an unrecognized outpost of the Cominform, working against the interests of our country and all other free nations.

The Senate has voted, but the House has not yet approved, S. 3, which will prevent employment of Americans in the UN Secretariat who cannot get clearance that they have not engaged in subversive activities. Passage of this bill should remove from the UN Secretariat Americans who have served the Fifth Column. Perhaps the representatives of other non-Communist nations will wish to cooperate in efforts to remove all members of the Soviet Fifth Column, claiming to be loyal citizens of any non-Communist nations.

The responsibility falls on the UN Assembly to make clear its position on the obligations of UN civil servants, and to insure that its stated commitments will be carried out by all parts of the UN establishment.

I hope you will be able to press for a final decision by the Assembly on whether employees may remain on the staff of the UN, if they are secret Communists, working for the ends of the Soviet Union, while asking to be accepted as loyal citizens of non-Communist states.

I trust you will urge the UN Assembly to reexamine the UN Administrative Tribunal, and decide how its policies may be brought into line with UN's stated objectives.

The UN Assembly should make its policies on this critical issue of the integrity of its staff clear beyond the shadow of a doubt.

If the UN Assembly is unable to impose its stated policies on its staff members, and the UN staff can be used as a beachhead for the advance of Communist power, then Congress should know the facts. It can then reexamine its legal ties with, and its financial contribution to, an agency whose staff includes secret collaborators with the Soviet attack on free nations.<sup>2</sup>

Sincerely yours,

WILLIAM E. JENNER

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<sup>2</sup> On July 28, 1954, Thruston B. Morton, Assistant Secretary of State for Congressional Affairs, acknowledged receipt of Senator Jenner's letter, adding:

"I presume that by now you have received the reply which the United States Representative [Mr. Lodge] addressed to you. You will note from the letter of Ambassador Lodge that the problems about which you wrote are matters of continuing concern. It is our purpose to give them continuing attention." A copy of Mr. Morton's letter to Senator Jenner is in Department of State file 315.3/7-1654.

IO files, SD/A/C.5/214

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

LIMITED OFFICIAL USE

[WASHINGTON,] September 9, 1954.

ADMINISTRATIVE TRIBUNAL AWARDS: ADVISORY OPINION OF THE  
INTERNATIONAL COURT OF JUSTICE

THE PROBLEM

The Eighth General Assembly considered the issues presented by the award of nearly \$180,000 damages by the U.N. Administrative Tribunal to eleven U.N. employees of U.S. nationality whom the Tribunal held had been illegally dismissed by the Secretary-General because they invoked the Fifth Amendment and refused to answer questions relating to subversive activities. While the United States Delegation vigorously opposed payment of these awards, the majority of members were not certain that the Assembly had the legal right to refuse to give effect to these awards. As a consequence, it was decided by a vote of 41-6-13 (U.S.) to refer the question to the International Court of Justice for an advisory opinion, and to postpone action on the awards until the Court's opinion was available to be considered by the Assembly. The U.S. presented its views both in written and oral statements to the Court. The Court issued in July a 9-3 advisory opinion which holds that, as the Statute of the Tribunal is now drawn, the General Assembly has no right on any grounds to refuse to give effect to the awards of the Tribunal.<sup>1</sup> This opinion together with a request for the appropriation of funds to pay the awards will be considered by the Ninth Session.

UNITED STATES POSITION

1. *As to the Opinion of the Court:*

(a) Since the Court's opinion places the Tribunal in an all-powerful position vis-à-vis the Secretary-General and the Assembly, [its consequences for the future are likely to be such that] it is deemed essential to the interests of the U.S., the U.N. and the Tribunal to seek to amend the Statute of the Tribunal.

(b) The United States Delegation should therefore seek to obtain amendments to the Statute of the Tribunal that will adequately limit the discretion of the Tribunal. Four tentative proposed amendments are set out in Annex 1. It is recognized that while the U.S. prefers a

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<sup>1</sup> This was the answer to the first question put to the Court by the General Assembly. As the first question was answered in the negative it was not incumbent upon the Court to answer the second question. The advisory opinion was rendered on July 13, 1954 (UN Doc. A/2701).



full power of review in the General Assembly, (see Amendment 4, Alternative A), there is serious question as to whether our amendment to this effect could obtain majority support. If advance negotiation indicates this to be the case, the U.S. Delegation should seek to obtain, as a minimum guarantee, amendments along the lines of [those set out in the second alternative.] 1, 2, 3 and 4, Alternative B.

2. *As to the Awards:*

(a) Before action is taken on the Tribunal awards, the United States Delegation should seek to have a special fund established for payment of these and future Tribunal awards, this fund to be financed by profits from one or more of the commercial enterprises operated by the United Nations.

(b) The United States position on the issue of the actual payment of the awards should be to state our continued opposition to the awards and our disagreement with the Court opinion, but to indicate that the United States would not wish to take a position on the awards that might be interpreted as a departure from the historic United States tradition of respect for judicial opinions. Assuming that the objectives in section 1 and paragraph (a) above are accomplished the United States Delegation may, in line with the considerations just mentioned, abstain when the vote is taken on the payment of the awards. If the objectives in section 1 and/or paragraph (a) are not achieved, the Department should be advised and consulted as to U.S. position on the vote on the awards.

3. *As to Procedure:*

The United States Delegation should seek to have the question of payment of the awards separated from and considered subsequently to the broader constitutional and legal issues raised by the Court's opinion and need for amendment of the Tribunal Statute.

COMMENT

The issues involved in this item have a long and complicated history. What is to be decided at the Ninth Session is the disposition of the particular cases which have been adjudicated under the processes provided to date by the General Assembly and whether changes should be made in the adjudication process, as the result of the Court's opinion, in order to safeguard, for the future, the powers of the Secretary-General and the General Assembly.

The International Court of Justice opinion, by holding that the Assembly has no right of review, will mean that the debate this year will not be directed toward the merit or lack of merit in the individual awards. Instead, attention will be focused on the legal powers of the General Assembly with respect to the Administrative Tribunal. On this issue the Court's interpretation of the Tribunal Statute so far fails

to meet the need for some lawful control upon the Tribunal that amendment of the Statute appears to be essential to the future interest of the United States and the United Nations.

In view of the character of the Court's opinion regarding the *present* legal powers of the Assembly vis-à-vis the Administrative Tribunal, failure to approve the awards on the controversial eleven cases would constitute repudiation of the advisory opinion of the Court. Such a repudiation would constitute a bad precedent for the United States, which strongly relies upon the lawful processes of international adjudication. Moreover, for the U.S. to take a position which would support such repudiation would be contrary to the principle of respect for judicial opinions, a principle for which the U.S. has stood strongly and for which it has been a protagonist for a long time.

The legislative history in connection with the attached concurrent resolution of Congress dealing with the subject of these awards (Annex 2)<sup>2</sup> appears to indicate that the major Congressional objections can be met if no part of the payments for these awards is charged to the U.S. taxpayer and if measures are taken which will assure that U.S. interests on matters of this sort are better served in the future.

The above recommendations are designed to meet these varying considerations in a manner which will best serve overall U.S. interests.

#### Annex 1

### PROPOSED AMENDMENTS TO THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL<sup>3</sup>

The following four proposed amendments to the Statute of the Administrative Tribunal are illustrative only. Final texts for use in negotiation with other Delegations have *not* been settled upon or cleared.

#### AMENDMENTS 1 AND 2

Two amendments, one to Article 2(1) and the other to Article 2(4) are intended to make express the proposition that competence is ex-

<sup>2</sup> Not printed.

<sup>3</sup> The Administrative Tribunal was established by the General Assembly at its Fourth Regular Session (Part I) in Resolution 351 (IV), Nov. 24, 1949 (Part A—the Statute of the Tribunal), and Dec. 9, 1949 (Part B—enumeration of the appointed members of the Tribunal). For text of the Statute, consisting of 12 articles, see United Nations, *Official Records of the Fourth Regular Session of the General Assembly, Resolutions, 20 September–10 December 1949* [Part I of the Two Part Session], pp. 49–51.

On March 12, 1954 the Secretary-General submitted an exhaustive brief to the International Court of Justice, "Awards of Compensation Made by the United Nations Administrative Tribunal (Written Statement by the Secretary-General of the United Nations)". This comprised three parts, Part III of which consisted of a 28-page survey of the legislative history of the establishment of the UN Administrative Tribunal. (IO files, Doc. UN/UND/315, undated)

cluded when decisions of the General Assembly are not followed or where the Tribunal invades the discretion of the Secretary-General:

Amend Article 2(1) to read as follows:

*“Subject to the decisions of the General Assembly, including the Staff Regulations and the terms of the present Statute, the Tribunal shall be competent to hear and pass judgment upon applications alleging non-observance of contracts of employment of staff members of the Secretariat of the United Nations or of the terms of appointment of such staff members. The words ‘contracts’ and ‘terms of appointment’ include all pertinent regulations and rules in force at the time of alleged non-observance, including the staff pension regulations.”*

Amend Article 2(4) to read:

*“The Tribunal shall not be competent, however, to deal with any applications where the cause of complaint arose prior to 1 January 1950, nor shall it be competent to substitute its judgment in areas reserved for the discretion of the Secretary-General.”*

#### AMENDMENT 3

A third amendment to Article 9(1) is designed to make firm the limit of two years base pay for awards of compensation.

The final two sentences of Article 9(1) should be amended to read:

*“If, in its opinion, special circumstances so warrant, the Tribunal may recommend to the General Assembly an additional *ex ratia* payment.”*

#### AMENDMENT 4

Finally, an amendment is proposed to provide for review of Tribunal decisions. One alternative—the preferred course—is to vest a full power of review in the General Assembly. This could be accomplished by an amendment of Article 10(2) along the following lines:

*Alternative A:*

Amend Article 10(2) to read:

*“(2) The judgments shall be final and without appeal; provided, however, that they may be reviewed by the General Assembly on the motion of any Member Government supported by one-third of all the Members [or on the written request of any Member Government signed by the representatives of one-third of all the Members]. On such review, the judgments may be set aside, returned to the Tribunal for reconsideration, or approved by the General Assembly.”*

Another alternative, which would have the advantage of analogous precedent in the case of the International Labor Organization Tribunal, would be to permit review by the International Court of Justice should the Tribunal exceed its competence or err fundamentally in procedure:

*Alternative B:*

Amend Article 10(2) as follows:

“(2) Judgments shall be final and without appeal, except that the General Assembly, upon initiative of a Member, or on the recommendation of the Secretary-General, may request an advisory opinion from the International Court of Justice relating to the jurisdiction or competence of the Tribunal, or the occurrence of a fundamental fault in procedure. Notice by or to the Secretary-General of his or a member’s intent to propose reference to the International Court of Justice must be given within 60 days of date of judgment, and the judgment will be suspended, pending action by the General Assembly.”

A very considerable range of possible solutions lies between these two alternatives for Amendment Four.

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315.3/11-1754 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

OFFICIAL USE ONLY

NEW YORK, November 17, 1954—10 p. m.

Delga 254. Re ICJ advisory opinion re awards of Administrative Tribunal. Refer para 1 (b) Position Paper SD/A/C.5/214 Sept 9, advance soundings indicate little support for amendment along lines of Alternative A. Propose seek support following intermediate alternative rather than fall back on Alternative B at this time:<sup>1</sup>

*Begin verbatim text*

I. Omit present para 2 of Article 10 and renumber remaining paras accordingly;

II. Insert following new Article 11 and renumber following paras accordingly:

“Article 11

“1. Subject to suspension and review by the Board of Judicial Review as provided in paragraphs 2, 3 and 4 of this Article, and to the power of the General Assembly to request an advisory opinion of the International Court of Justice on questions of law, judgments of the Administrative Tribunal shall be final and without appeal effective ninety days following the date of judgment.

“2. A Board of Judicial Review may, upon the proposal of a Member or of the Secretary General, be constituted by simple majority vote of the GA, to consider any judgment of the Administrative Tribunal. The Board of Judicial Review may remand a case for rehearing or reconsideration by the Members originally sitting in the case or by the full membership, and may confirm, set aside or revise a judgment

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<sup>1</sup> In telegram Gadel 109, to New York, Nov. 22, 6:15 p. m., the Department of State authorized the U.S. Delegation to proceed on the basis of the proposed amendments set forth in telegram Delga 254. (315.3/11-1754)

of the Tribunal, in accordance with such rules as it may establish to govern its proceedings.

“3. The Board of Judicial Review shall be composed of three Members to be named by the President of the GA and the President of the ICJ, **acting jointly.**

“4. If within ninety days of judgment by the Administrative Tribunal a Member State so requests, or the SYG so determines on his own initiative, the judgment will be suspended pending disposition of a proposal of the kind referred to in paragraph 2 at the current or next regular session of the GA, as the case may be, and the SYG will give notice to the Tribunal, the parties, and all Members of the intended proposal.”

*End verbatim text*

In addition US would propose amendments to Articles 2(1), 2(4) and 9(1) as indicated Position Paper as follows:

*Begin verbatim text*

III. Amend Article 2(1) to read as follows:

“Subject to the decisions of the GA, including the staff regulations and the terms of the present Statute, the Tribunal shall be competent to hear and pass judgment upon applications alleging non-observance of contracts of employment of such staff members. The words ‘contracts’ and ‘terms of appointment’ include all pertinent regulations and rules in force at the time of alleged non-observance, including the staff pension regulations.”

IV. Amend Article 2(4) to read:

“The Tribunal shall not be competent, however, to deal with any applications where the cause of complaint arose prior to 1 January 1950, *nor shall it be competent to substitute its judgment in areas reserved for the discretion of the SYG.*”

V. Amend Article 9(1) to read:

“If the Tribunal finds that the application is well founded, it shall order the rescinding of the decision contested or the specific performance of the obligation invoked. At the same time the Tribunal shall fix the amount of compensation to be paid to the applicant for the injury sustained should the SYG, within thirty days of the notification of the judgment, decide, in the interest of the UN, that the applicant shall be compensated without further action being taken in his case; provided that such compensation shall not exceed the equivalent of two years’ net base salary of the applicant. If, in its opinion, special circumstances so warrant, the Tribunal may recommend to the GA an additional *ex gratia* payment.”

*End verbatim text*

LODGE

*Editorial Note*

The legislative history of the Administrative Tribunal item at the Ninth Regular Session of the General Assembly is documented in detail in United Nations, *Official Records of the General Assembly, Ninth Session, Annexes*, agenda item 48. The United States was successful in winning majority support for its position in the plenary meeting of the General Assembly on December 17, after experiencing a series of reverses in the Fifth Committee, December 3-9. The General Assembly in response to the urging of the United States and others accepted in principle judicial review of future judgments of the Administrative Tribunal; and appointed a special committee composed of 18 members (including the United States) to study the question of the establishment of a review procedure. This committee was to report to the General Assembly at its Tenth Session. For the official text of Resolution 888 (IX), "Awards of compensation made by the United Nations Administrative Tribunal; advisory opinion of the International Court of Justice", see United Nations, *Official Records of the General Assembly, Ninth Session, Resolutions*, pages 43 and 44. (Informative unprinted documentation is included in the minutes of meetings of the United States Delegation to the Ninth Regular Session of the General Assembly (IO files, lot 71 D 440)).

The documents that follow are illustrative of the United States diplomatic effort after December 9 in securing a reversal in the General Assembly of the earlier adverse (in the United States view) action of the Fifth Committee.

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315.3/12-1154: Circular telegram

*The Secretary of State to Certain Diplomatic Missions*

LIMITED OFFICIAL USE WASHINGTON, December 11, 1954—1:28 p. m.  
PRIORITY

301. 1. U.S. most anxious ensure passage GA resolution containing provision accept in principle establishment procedure for judicial review judgments made by UN Administrative Tribunal. If principle accepted now GA expected during Tenth Session take action safeguard its powers and those SYG and prevent future ill advised opinions such as Tribunal gave when awarding \$180,000 damages eleven UN employees U.S. nationality dismissed by SYG for invoking Fifth Amendment and refusing answer questions re subversive activities.

2. ICJ in advisory opinion last July held that under Tribunal's Statute GA has no right refuse payment awards. Payment inevitable but U.S. able negotiate least objectionable method financing award from UN resources. Owing our traditional respect judicial opinions,

USDel has stated U.S. will abide by Court's finding despite our sharp disagreement.

3. U.S. aims on above issues were contained single resolution co-sponsored U.S., Argentina, Canada, Chile, Cuba, Turkey and considered Dec. 9 in Fifth Committee. Belgium, with Brazil, Egypt, India, Norway and Pakistan proposed an amendment eliminating the acceptance in principle of judicial review feature stated in paragraph one above and substituting language which *inter alia* requests Member States to communicate to the SYG before 1 July 1955 their views on possible establishment appeal procedure against judgments of Tribunal. Following delegations voted in favor Belgian amendment: Belgium, Brazil, Burma, Costa Rica, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, France, Iceland, India, Indonesia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Saudi Arabia, Sweden, Syria, Ukraine, USSR, Yemen, Yugoslavia, U.S., South Africa, Turkey, Thailand, Philippines, Paraguay, Panama, Nicaragua, Liberia, Lebanon, Iraq, Iran, Honduras, Guatemala, Greece, Dominican Republic, Cuba, China, Chile, Canada, Byelorussia, Bolivia, Australia, Argentina. Abstentions UK, Israel, Venezuela and Colombia, latter two indicating privately they favored Belgian amendment but did not wish vote against us. Haiti and Uruguay were absent and did not vote although both had pledged their support. Total vote 28 for amendment, 24 against and 4 abstentions. Resolution as whole approved vote 28 for, three against (U.S., China, Turkey) and 27 abstentions: Argentina, Bolivia, Byelorussia, Canada, Chile, Colombia, Cuba, Czechoslovakia, Dominican Republic, Greece, Guatemala, Honduras, Iran, Israel, Lebanon, Liberia, Nicaragua, Panama, Paraguay, Philippines, Poland, Thailand, South Africa, Ukraine, USSR, Yemen.

4. Subject to be considered at GA Plenary Session probably Dec. 15 when US plans re-introduce acceptance in principle judicial review as substitute for Belgian amendment. U.S. proposal which UK will co-sponsor with previous co-sponsors expected have more appeal than defeated version, since omits provision suspending payments future awards until review procedure operative. Doubt U.S. proposed amendment will carry however without special appeal at seat certain Governments not fully determined support Belgian view.

5. As situation stands, failure obtain approval acceptance in principle item means awards will be paid leaving U.S. with no assurance Tribunal Statute will be amended. Department seriously concerned consequences such failure. One basic consideration is passage last fall House-Senate Resolution 262 expressing sense of Congress that all possible steps be taken by U.S. delegation to prevent payment awards. Amb. Lodge, Sens. Fulbright and Smith convinced outcome this question has important bearing U.S. support UN.

6. Unless you perceive significant objections you requested approach FonOff seek support proposed U.S. resolution through urgent instructions their GA Del. Vote by Dec. 15 likely. If vote for resolution clearly not possible seek abstention since two thirds vote required to carry.

7. In justification U.S. position and record on whole subject you may wish mention following concessions:

- a) Acceptance Court's opinion
- b) Agreement to pay past awards and method of financing
- c) Withdrawal position that GA act now on amendment Tribunal Statute
- d) Withdrawal position that review should be by GA
- e) Dropping suspension of payments feature noted para 4 above
- f) Willingness approach with open mind question how judicial review procedure would be developed. (Our proposed resolution provides for 15 member committee to develop procedure report Tenth GA)

You may wish also mention many dels have spoken favorably moderate and reasonable attitude US has maintained on subject.

8. Report urgently your approach.

DULLES

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315.3/12-1154 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

OFFICIAL USE ONLY

NEW YORK, December 11, 1954—7 p. m.

PRIORITY

Delga 374. Re: Status Administrative Tribunal Awards question. Twenty-seven delegations have indicated support U.S. Plenary amendments. Attitude of remaining non-Soviet delegations largely dependent upon attitude sponsors and close supporters Belgian amendments. India, Norway, Pakistan and Netherlands have indicated tentative possible support U.S. proposal dependent upon attitude Belgium. So far Belgian Del adamantly opposes acceptance of principle of judicial review. Netherlands has suggested possible acceptance by Belgium of some such formula as "believing it desirable to establish" etc. to replace U.S. "accepts the principle of judicial review" etc. and this may form counter proposal by Belgium and co-sponsors. USDel staff have not accepted this, and anticipate abstentions by India, Pakistan and possible Netherlands and Scandinavia if U.S. proposal voted without Belgian acceptance.

Suggest Dept may wish consider raising question with Belgian Ambassador Washington, or through Embassy Brussels before vote Thursday. Do not believe approach to Netherlands or Scandinavian countries desirable.

LODGE



315.3/12-1254: Circular telegram

*The Secretary of State to Certain Diplomatic Missions*

LIMITED OFFICIAL USE      WASHINGTON, December 12, 1954—5:12 p. m.  
 PRIORITY

302. 1. Ref Circular 301, important point out to governments proposed amendment in plenary by US with UK and other co-sponsors does not involve deletion of Belgian amendment from resolution. This point is in correction of first sentence paragraph four reference telegram. Instead, US amendment adds crucial language that GA "accepts the principle of judicial review of judgments of the UN Administrative Tribunal". Other relatively minor changes conform balance text to language ICJ majority opinion that is "judicial review" instead "appeal". Judicial review clearly conforms ICJ opinion, permits use advisory opinion procedure and expressly limits review to judicial process. "Appeal" might not be judicial and can be understood as excluding possibility using ICJ advisory opinion procedures.

2. Dels which supported Belgian amendment can support US amendment without any reversal or inconsistency since

(1) no stay of judgments involved US amendment. Opposition to stay was only substantial objection of most who supported Belgian amendment.

(2) Additional time to consider and consult governments has elapsed. Time factor was other substantial consideration for support of Belgian amendment since none supporters actually prepared oppose principle of judicial review.

Point out to Govts that US-UK etc. amendment offers them chance achieving substantial unanimity in plenary.

3. Believe basis latest conversations in New York that if governments clearly understand foregoing and instruct accordingly, most dels will be anxious accept this final US compromise and vote for US amendment in plenary.

DULLES

315.3/12-1354: Telegram

*The Secretary of State to the Embassy in France*

CONFIDENTIAL      WASHINGTON, December 13, 1954—6:15 p. m.  
 PRIORITY

2175. Urtel 2510 Administrative Tribunal awards. Secretary in advising French Ambassador this morning United States intention vote against any Arab Resolution on Morocco, spoke briefly re French assistance on Administrative Tribunal problem.

In further meeting with French Ambassador this afternoon, Assistant Secretary Key requested French co-sponsorship United States proposed amendment to General Assembly Resolution described Circular Telegrams 301 and 302. Also asked French use their influence seek Belgium and Netherlands support United States position. Bonnet sympathetic and agreed request French co-sponsorship. He felt Netherlands support would be difficult obtain and approach to Belgians somewhat delicate.

Suggest you approach Fonoff to ensure Fr Del NY receives appropriate instructions.

DULLES

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315.3/12-1354: Telegram

*The Ambassador in France (Dillon) to the Department of State*

LIMITED OFFICIAL USE  
PRIORITY

PARIS, December 13, 1954—5 p. m.

2510. Re Depcirtels 301 and 302 December 12. Reftels taken up with Broustra, head of U.N. Section FonOff, who was informed re first but not second. He has inclined to be legalistic, to feel that change in ICJ Statute might be necessary and therefore that further study should be given to question before decision in principle but appeared more favorably disposed after we told him that apparently no delegation opposed principle of judicial review and that we had also asked Soutou to have Mendes give question personal attention because of its political importance in U.S. Soutou has assured us he will do so and we assume instructions to French Delegation will be satisfactory. Although not explicitly stated, there is obviously relationship in French mind between this question and that of Morocco Resolution (Embtel 2500 December 11).<sup>1</sup>

DILLON

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<sup>1</sup>Not printed.

# GENERAL ORGANIZATIONAL QUESTIONS AFFECTING THE UNITED NATIONS AND OF PARTICULAR INTEREST TO THE UNITED STATES<sup>1</sup>

## I. UNITED STATES POLICY REGARDING ELECTIONS TO CERTAIN OFFICES, ORGANS, COMMISSIONS, AND COMMITTEES OF THE UNITED NATIONS

UNP files, lot 59 D 237, "Membership, 1951"

*Memorandum Prepared in the Bureau of United Nations Affairs and Circulated to the United Nations Advisers of the Geographic Bureaus*<sup>2</sup>

SECRET

[WASHINGTON, June 10, 1952.]

A. In discussions with the Canadians of Pearson's candidacy we should take the following line:

1. As Canada must know, we believe Pearson would be an exceptionally able President, we strongly hope that he will be elected, and we expect to vote for him. However, it is our opinion that his candidacy will, in the circumstances, be most effective if carried on for the time being without the announced backing of the U.S. The reason for this is that the Seventh Session will be concerned with colonial questions and that the Asian-Africa group might oppose Pearson's candidacy if it appeared to be a NATO-sponsored one. For the present, therefore, we wish to be able to say to others, when asked, that we are maintaining our usual policy on such matters and have not committed ourselves so far in advance of the session, and thus would wish to refrain from a formal commitment for the time being.

2. In our view it is important that the election of Pearson be by a large majority, including substantial support from the various areas represented in the United Nations. We therefore hope that the Cana-

<sup>1</sup> Continued from *Foreign Relations*, 1951, vol. II, pp. 78 ff.

<sup>2</sup> This memorandum incorporated the results of a meeting on June 5 between the Director of the Office of UN Political and Security Affairs (Wainhouse), with staff, and the Assistant Secretary of State for UN Affairs (Hickerson), and the Deputy Assistant Secretary (Sandifer). It was drafted by Paul B. Taylor, Officer in Charge, General Assembly Affairs, and Paul W. Jones, both of the Office of UN Political and Security Affairs. After receiving the approval of Hickerson and Sandifer as drafted, the memorandum on June 10 was circulated to "the Membership Team", the group of officers from the geographic bureaus who met regularly with officers of the Bureau of UN Affairs for the determination of U.S. policy with regard to UN affairs at the working level. At this time the UN Advisers were: George N. Monsma, Bureau of Inter-American Affairs; Ward P. Allen, Bureau of European Affairs; Harry N. Howard, Bureau of Near Eastern, South Asian, and African Affairs; and Ruth Bacon, Bureau of Far Eastern Affairs.

dians will make an active effort to secure wide support from other areas, including Asia, Africa and Latin America.

3. We wish to be helpful to Pearson's candidacy and will be glad to consult concerning the time at which it may be desirable to move from the above position to some other.

B. If asked by other governments concerning Pearson's candidacy we should state that we believe that Pearson would be an exceptionally able President but that it is our usual policy on such matters not to commit ourselves so far in advance.

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320/6-3052

*Memorandum of Conversations, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[WASHINGTON,] June 30, 1952.

Subject: A Summary of Three Conversations (June 17, 25, 27) Between Mr. Hickerson and Ambassador Wrong in Regard to Pearson's Candidacy for Presidency of the Seventh Session of the General Assembly.

Ambassador Wrong came in to see me at his request on the afternoon of June 17. He said that he was leaving early the next morning for Ottawa and that Mr. Pearson had indicated that he wished to talk with him about our attitude concerning Pearson's candidacy for the Presidency of the Seventh General Assembly. I asked Mr. Wrong if that meant that Pearson definitely was a candidate, adding that we understood his position was that he was available. Mr. Wrong laughingly replied that Mr. Pearson was not waiting for a draft but was a candidate although he had been reluctant to allow the Canadian Foreign Service to push his candidacy as actively as they wish to.

I told Mr. Wrong that the question of whether or not Mr. Pearson is to be a candidate is one for him and the Canadian Government, but that my frank advice would be that if he is a candidate he should not be at all coy but should authorize Canadian officers to seek support for his candidacy. Mr. Wrong said that on his own responsibility he had already informed me that Pearson was a candidate and would like our support. He said that he understood our reluctance to commit ourselves this far in advance but that Mr. Pearson really wished to know if he could count on our vote if he is a candidate.

I told Mr. Wrong that if Pearson actively campaigns for the Presidency we will vote for him. I said, however, that in my judgment it would be a mistake for us to make a formal commitment at this time or to allow the fact that we intend to vote for Pearson to become known at this time. I explained that the reason for this is that the Seventh General Assembly may well be concerned extensively with

colonial questions and that the Asian-African group might oppose Pearson's candidacy if it appeared to be a NATO-sponsored one. I said that it therefore seemed to me that if Mr. Pearson wishes to be elected by the large majority which we would wish him to receive the Canadians should make an active effort to secure wide support from other areas, including Asia, Africa, and Latin America, without giving any indication of the attitude of the United States toward his candidacy. Mr. Wrong said that he thought this would be a wise course and that he would recommend to Mr. Pearson that it be followed.

I told Mr. Wrong that if we are approached by other countries about our attitude in regard to Mr. Pearson's candidacy we intended to say that we think highly of him and feel that he would make an able President but that we normally do not commit ourselves definitely so far in advance of the opening of the Session. I said that the one exception to this would be that if we were approached by a country stating that they were thinking of unveiling a candidate and would like our support; in that event I said I would be disposed to reply that we intended to vote for Mr. Pearson to head off the development of a situation similar to the one which developed in the Fifth General Assembly in 1950.

After the Canadians have built up the sort of support for Mr. Pearson's candidacy referred to above, I said we would be glad to confer with them about the timing of a revelation that we will vote for Pearson. I added that I hoped Mr. Pearson would understand that all of these things I mentioned were honestly designed to help him and did not mean that we had any doubt or hesitation about voting for him when the time comes.

On June 25 Mr. Wrong came in to see me after his return from Ottawa. He said that he had conveyed to Mr. Pearson in some detail what I said and that Mr. Pearson expressed his deep appreciation of our attitude. Mr. Pearson agrees that it would be desirable for us not to make a formal commitment at this time and that steps should be taken to gain support for his candidacy, especially in Latin America and among the Asian-African group. Mr. Pearson expressed his deep appreciation of the assurance that the United States will vote for him if he is a candidate at the time of the election, which he fully expects to be.

On June 27 Mr. Wrong came in to see me on another matter and again adverted to this subject. He said that although Mr. Pearson regards himself as an active candidate for the Presidency, he is not moving as rapidly as, in Mr. Wrong's opinion, is desirable to authorize Canadian representatives abroad to solicit support for him. I told Mr. Wrong that I made my views on this clear in our earlier conversations and that I could only repeat that I felt that if Mr. Pearson wishes to be President of the Seventh General Assembly Canadian representatives

should get on the job immediately and round up support for him. I said that the United States will vote for Mr. Pearson if he is a candidate at the time of the election but that the Canadian Government will have to run the campaign and that we do not intend to do any lobbying in Mr. Pearson's behalf. I said that I am sure that Canadian representatives can adequately handle this end of the business.

J[OHN] D. H[HICKERSON]

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320/8-852

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] August 8, 1952.

Subject: Mr. Pearson's Candidacy for President of GA

Participants: Mr. George Ignatieff, Counselor, Canadian Embassy  
Miss Marion MacPherson, Third Secretary, Canadian  
Embassy  
Mr. Paul B. Taylor, UNP  
Mr. Ward P. Allen, EUR

In response to our inquiry as to the status of Mr. Pearson's candidacy, Mr. Ignatieff advised that according to reports in late July, 26 favorable replies had been received to Canada's request for support. Of these, ten are regarded as definite, formal commitments including Chile (significant because of rumors of Santa Cruz' candidacy) and Thailand (further indication that Prince Wan is not interested). From the Arab-Asian countries, Turkey, the Philippines and Israel are formally committed. The Indian High Commissioner in Ottawa (or the Indian UN Del, it was not clear which) is recommending that India not only support Mr. Pearson but campaign for him. In addition, high level approaches have just been made to India and Pakistan through the Canadian High Commissioners. Iraq, Egypt and Lebanon have made generally favorable initial replies. Among the Latin Americans, Brazil as well as Chile is definitely committed and Ambassador Muniz reported to the Canadian UN Delegation that his canvass of the Latin American Delegations brought an enthusiastic response. Brazil intends to undertake an active campaign in Pearson's behalf, according to Muniz.

We recalled that, as Mr. Hickerson had explained to Ambassador Wrong last month, we have taken the position when asked that in our view Mr. Pearson would be an excellent choice, but we have avoided stating that any formal commitment has been made. Mr. Ignatieff seemed to believe that a continuation of this position would be satisfactory but stated he intended to seek Mr. Pearson's view as to whether

a more positive indication of US support would be necessary or helpful at this time. He promised to keep us advised of the progress of the campaign.

WARD P. ALLEN

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320/8-2252 : Circular airmgram

*The Acting Secretary of State to Certain Diplomatic Missions*

CONFIDENTIAL

WASHINGTON, August 22, 1952—2:05 p. m.

Subject: Seventh Regular Session of the UN General Assembly

1. The next (seventh) regular session of the GA will convene in New York on October 14. Attached, for your background, is the provisional agenda for the session. We would, as in previous years, appreciate any information you may receive regarding any new agenda items which the government to which you are accredited is likely to propose. However, we wish to avoid giving any impression that we wish to stimulate the introduction of new items. In fact, in view of the size of the present agenda, the importance and urgency of a number of items, and the lateness of the session, we would be inclined to discourage the introduction of additional new items not strictly of an *important and urgent* character.

2. *Advance Diplomatic Consultations*

For your information, we are planning, even more extensively than in previous years, to consult other friendly governments in advance of the Assembly concerning the session as a whole and concerning certain significant agenda items. In respect of both, consultations will be held on the basis of our tentative views in order that we may be able to take the views of other governments into account, insofar as possible, in the formulation of our final positions. We will, therefore, between now and the convening of the GA, send several communications setting forth our tentative positions on a number of issues which you will be asked to discuss with the Foreign Office. We will parallel your approaches with consultations here in Washington with various diplomatic representatives and/or, through USUN, with members of the permanent UN delegations in New York.

There are indicated below the Department's tentative positions on a number of items. You are requested, in your discretion, to outline these views to the Foreign Office and to report its reactions as soon as possible. As indicated above, you should indicate that these positions are tentative and that we will wish to take into account insofar as possible the views of other friendly governments in determining our final positions. (Detailed background information on most of the issues you will be asked to discuss may be found in the President's Annual Re-

ports to Congress on US Participation in the UN for 1951 and previous years.)

(a) *President of the GA*

So far as we know Pearson (Canadian Minister of External Affairs) is only candidate. Pearson appears to have very broad support and we believe he would be an excellent choice.

(b) *Security Council Slate*

The United States will support Denmark to replace the Netherlands and Lebanon to replace Turkey and both Denmark and Lebanon have been so informed. The United States will also support a Latin American state to replace Brazil. (FYI, with respect to the Latin American seat, we understand that the Latin American group is generally agreed on Colombia.) (The Assembly will also elect six members of the Economic and Social Council and two members of the Trusteeship Council. The Department has not yet formulated its positions on these slates and our views will be communicated in a subsequent circular.)

[Here follow discussion of seven agenda items and text of United Nations Document A/2158, August 15, 1952, "Provisional Agenda of the Seventh Regular Session of the General Assembly", enumerating 65 agenda items.]

BRUCE

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USUN files

*The Deputy United States Representative at the United Nations (Gross) to the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer)*

[Extracts]

TOP SECRET      PERSONAL      [NEW YORK,] August 25, 1952.

DEAR SANDY: Trygve Lie returned yesterday from his European trip and I had lunch with him today for a personal, very informal discussion with him. I think you will be interested in a full report, and you will notice there were a number of subjects covered which he is most anxious to keep confidential.

4. *Slates*

Lie assumes Pearson will be President of the Assembly. In this connection, Lie did a little probing on the question of who might succeed him as Secretary General. His opening gambit was the comment, with left eyebrow lifted, that Pearson was his candidate for the next Secretary General. I expressed the view that any discussion at this time of the next Secretary General was really premature because so much would depend upon developments during 1953. However, Lie pro-



ceeded, in great confidence, to tell me that he has received an offer from certain unnamed interests to head up a new international project on Technical Assistance, in which he said he was "very, very interested". I have no doubt he will soon start talking more and more openly about this, and I do not think it is unkind to predict that this will be his method of sounding us out on our attitude toward his re-election. I thought it best to "play it straight".

Sincerely yours,

ERNEST A. GROSS

320/3-2652 : Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

CONFIDENTIAL

NEW YORK, August 26, 1952—1:15 p. m.

178. Re slates. Following is status of Pearson candidacy for presidency 7th GA as outlined by George (Canada) to Cory on personal basis:

In George's judgment fol 21 countries have given what amounts to firm commitments to support Pearson candidacy: Australia, Belgium, Brazil, Canada, Chile, China, Denmark, France, Greece, India, Israel, Netherlands, New Zealand, Norway, Pakistan, Peru, Thailand, Turkey, South Africa, UK, and US.

In George's judgment fol 11 countries have expressed strong sympathy and "probably" will support Pearson candidacy: Argentina, Cuba, Egypt, Iran, Lebanon, Mexico, Philippines, Sweden, Iceland, Luxembourg, Uruguay.

Canadian Embassy in Washington intends next week to discuss candidacy with Yemen, Iceland, Ethiopia and Luxembourg diplomatic missions.

In addition, Muniz (Brazil) has on volunteer basis consulted with other LA dels in NY and his govt has done same in LA capitals. According to Muniz, there have been 19 "interested and favorable" replies from LA dels and capitals.

George feels that Pearson candidacy is proceeding nicely except in NE countries with whom little work has been done. He takes seriously rumored Soviet-bloc candidacy for presidency 7th GA and has some apprehension lest Soviet-bloc might stand off Pearson and Santa Cruz (Chile) become successful dark horse compromise.

AUSTIN

320/9-1752 : Telegram

*The Ambassador in Belgium (Cowen) to the Department of State*

CONFIDENTIAL

BRUSSELS, September 17, 1952—6 p. m.

298. Dept pass USUN. Depciragam Aug 22 control 2415: 7th session UNGA.

Has [*As?*] result discussions held with FonOff in accordance instructions contained refagam, Emb officer was today handed confidential *aide-mémoire*, dated Sept 12, re presidency GA (see para 2(a) refagam). Substance fols:

“FonOff considers that it might be useful as of now to clarify its position as to choice of GA president. It has honor to inform Emb that candidacy of Pearson wld be received cordially (‘Vive Sympathie’) on part of Belg Govt. However, it thinks that a European presidency wld be preferable. In fact, in eight sessions of GA, presidency has only been held once by a European. Belg Govt considers that, aside from purely European interest in this question, spirit of UN charter and proper functioning of this institution recommends harmonious distribution of successive presidencies among all parts of world.”

In discussion this subj with Emb officer, chief of internatl organization section of FonOff stressed that FonOff has approached no other govts re this subj, and wld appreciate Dept views soon as convenient. In meantime, Silvercruys has been authorized discuss this with Dept at his discretion.

FonOff views on other items refagam subj separate telegram.

COWEN

320/9-1852

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 18, 1952.

Participants: Baron Silvercruys, Ambassador of Belgium  
 Mr. Edmund Callebaut, First Secretary, Belgian Embassy  
 Mr. John D. Hickerson, Assistant Secretary of State  
 Mr. Ward P. Allen, EUR  
 Mr. Paul B. Taylor, UNP

Baron Silvercruys began by saying that our Embassy in Brussels had asked Belgium if it would support Pearson for president of the General Assembly. His Foreign Office had replied that while they

<sup>1</sup> Drafted by the Officer in Charge, General Assembly Affairs (Taylor). Source text indicates that this memorandum was dictated on Sept. 19.

cordially welcomed Pearson's candidacy they thought it was time for a European president. Baron Silvercruys asked what I thought of this.

I replied that it was not only time for a European president of the General Assembly; a European president was overdue. We had done everything we could last year to bring about a European presidency—we had talked to a number of Western European governments (working mainly through the UK); and we had even for some time discouraged other candidacies including those of Latin Americans. I said that now Pearson's candidacy was very well advanced; in fact it would do harm to oppose it at this stage. I said that we had not actually instructed our Embassy to solicit support for Pearson.

Baron Silvercruys then asked whether we would agree to support a European president for next year. I told him we could not make such a commitment, mentioning the fact that we had heard a year ago that Prince Wan (Thailand) is interested in the presidency of the Eighth Session. I said that we had not made any commitment to anyone for next year. I pointed out that the election of a European president for the session immediately following Pearson's presidency would be particularly difficult; that, however, those who wished to work for a European presidency at the Eighth or Ninth Session would do well to begin their work at the preceding Assembly.

At no time did Baron Silvercruys make any mention of who the European candidate might be.

JOHN D. HICKERSON

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320/9-2352

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 23, 1952.

Subject: Presidency of the Eighth General Assembly

Participants: Baron Silvercruys, Ambassador of Belgium  
 Mr. Edmund P. Callebaut, First Secretary, Belgium Embassy  
 Mr. John D. Hickerson, Assistant Secretary of State  
 Mr. Ward P. Allen, EUR  
 Mr. Paul B. Taylor, UNP

Ambassador Silvercruys came at his request to tell me that he had heard from his foreign office in response to his report of our earlier conversation on the General Assembly presidency. The Belgium Government was thoroughly in accord with the "I like Mike" slogan and would support and vote for Pearson at the coming session. However,

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<sup>1</sup> Drafted by the Officer in Charge, General Assembly Affairs (Taylor).

Mr. Van Zeeland felt very strongly that there should be a harmonious distribution of the post among the various regions of the world from year to year and felt very strongly that Europe should have it next year. He hoped that we would support and work for that principle and keep in touch with them on the matter. He had no candidate. Mr. Van Zeeland himself would take this up with the Secretary and with other members of our delegation when he came. At this stage the Belgium Government merely wished to record its views on the principle.

I said I thought I should repeat what I had told the Ambassador at our previous meeting on the subject, first, that we had done everything humanly possible to have a president from Europe last year, and we agreed that it was long overdue; that Prince Wan has indicated interest, and that, in any candidacy of this sort, it would be desirable to work at least a year in advance. I said that, quite frankly, I did not know, this far in advance, what our attitude toward the meeting would be next year. I again mentioned two political difficulties that might arise in connection with a European candidate next year—the fact that it would be following a president from a NATO country this year, and that the colonial question might be a factor with some delegations, depending on the circumstances.

I said that it would be desirable for a specific candidate to present himself.

The Ambassador said that probably the Europeans would wish to try to establish merely the principle that a European should be elected next year, but without any particular candidate making a campaign at this stage.

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320/11-1052 : Telegram

*The Secretary of State to the Department of State*

NEW YORK, November 10, 1952—8:45 p. m.

Delga 160. Verbatim text. Re: SyG Lie's resignation.

Following is text of statement delivered by SyG Lie in plenary this afternoon (UN press release SG/267) :

“Mr. President, distinguished delegates:

“Before you resume the general debate I feel it is my duty to inform you of the text of a letter I handed this morning to the President of the GA. It reads as follows:

‘Dear Mr. Pearson,

‘I wish to refer to our personal and confidential conversation on the 11th of September, in which I informed you that I had decided, after lengthy consideration over many months, to submit my resignation as SyG of the UN.

‘It had been my intention—as I informed you then—to take this step at the opening of the 7th session of the GA. I have de-

layed until today, when the Foreign Ministers of the five permanent members of the SC are all present for the first time during this session, in the hope that this will facilitate agreement on my successor.

'I shall be grateful if you would propose as a new item on the agenda

'“Appointment of the SyG”.'

“I have also informed the President of the SC, Dr. Tsiang, about my decision.

“I think you all should know that it was last summer, after long talks with my family and a few close friends, that I finally decided. Since then a very few others whom I consulted have tried to persuade me to go on. I thank them for that. But I am quite sure that this is the time to leave without damage to the UN, and that it would be better for the UN if I do so now.

“First of all, I ask you to remember that I wanted to retire in 1950 at the end of my five year term. I agreed to continue only because the aggression in Korea created circumstances that put me under an obligation to carry on.

“Now I feel that situation is somewhat different. The UN has thrown back aggression in Korea. There can be an armistice if the Soviet Union, the Chinese People's Republic and the North Koreans are sincere in their wish to end the fighting.

“If they are sincere, then a new SyG, who is the unanimous choice of the 5 Great Powers, the SC and of the GA, may be more helpful than I can be. On the other hand, if, the world situation should go from bad to worse, at least I would not want the position of SyG to hinder in the slightest degree any hope of reaching a new understanding that would prevent world disaster.

“There are other reasons why it is now more appropriate for me to retire than in 1950. The permanent headquarters buildings have been completed. It is not necessary for me to stay on for the last finishing touches—for the lawns to grow green, and the trees to be planted and the gardens to flower and the murals to be painted.

“The secretariat, also, is better established and organized as one of the principal organs of the UN. It can still be improved, of course, and made more efficient. But the UN now has a good secretariat. I have placed before this session of the Assembly proposals for the reorganization that I believe might contribute to improved administration in the future. I think a new SyG should be elected now, so that he may have time to make his own judgment about these proposals before the next session of the GA acts upon them.

“I know there is a risk that my action today may be misunderstood. Still, I must say as strongly as I can, that my resignation is caused by the reasons just stated and by no other.

“I would like the members to know that I am stepping aside now because I hope this may help the UN to save the peace and to serve better the cause of freedom and progress for all mankind.”

ACHESON

320/1-1152: Telegram

*The Secretary of State to the Department of State*

SECRET      PRIORITY      NEW YORK, November 11, 1952—11 a. m.

Delga 162. From Gross. Re Syg's resignation.

At Luns' dinner last night, Gromyko asked me whether we had any suggestions re Lie's successor. I replied that Lie's resignation had come as a surprise to me and I had not yet had an opportunity to obtain the views of the Dept. I commented that the Sov del two years ago had made a number of suggestions and had in fact indicated willingness to consider qualified people from any area. Gromyko replied that "the situation was different".

I said that we should probably consult about the question and Gromyko agreed, I thought rather emphatically. I thought it wise to tell him that I personally doubted we would take an initiative in suggesting consultations (having in mind protection of SC Pres Tsiang, although I of course did not mention this to Gromyko). Gromyko repeated that it would be a good idea to have informal consultations.

[GROSS]

ACHESON

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 Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by the Director of the Office of  
Western European Affairs (Byington)*<sup>1</sup>

[Extract]

CONFIDENTIAL

NEW YORK, November 12, 1952.

Subject: Korea: Trygve Lie

Participants: Mr. Eden, Secretary of State for Foreign Affairs  
Mr. Shuckburgh, Private Secretary to Mr. Eden  
The Secretary of State  
Mr. Perkins  
Mr. Jessup  
Mr. Byington

Before beginning a discussion of non-UN subjects, Mr. Eden brought up the following:

*Trygve Lie:* When Mr. Eden raised this subject, Mr. Acheson said that he was not in favor of the stress being laid at present by a number of Delegates that a decision had to be reached this week. He had rather liked the line which Mr. Eden has suggested that Mr. Lie might not mean his resignation to be final and it should be explored whether

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<sup>1</sup> Source text indicates that this memorandum was typed Nov. 13.

this was the case before taking precipitant action on trying to reach agreement on a successor. The Secretary did not believe that it was actually the case that Lie might reconsider his resignation but he felt this tactic would be a useful maneuver at this time. Mr. Eden expressed agreement with the Secretary's view. He also discussed the probability that the Soviets would seek to trouble the waters with suggestions in favor of candidates who are in no way qualified for the job.

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Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by Thomas J. Cory of the United States Mission at the United Nations*

SECRET

[NEW YORK,] November 14, 1952.

Subject: Soviet Bloc Views on SyG Election

Participants: Dr. Manfred Lachs, Polish Delegation  
Thomas J. Cory, US Delegation

During Senator Green's reception last night, Dr. Manfred Lachs of the Polish Delegation took the initiative in coming to me to inquire about US views concerning the SYG election. At first I joked with him, saying that I thought Simic of Yugoslavia would be a very good choice and that perhaps Modzelewski of Poland would be popular. It turned out, however, that he was serious and really wanted to talk. I explained that I was unacquainted with any US position on the subject and doubted whether there is one yet but personally believed that, in any event, there is no great hurry.

I then asked for his views. He said he thought Entezam would be a good Secretary General and Padilla Nervo would be an acceptable second choice. He rather dismissed General Romulo, but did not definitely rule him out. He replied negatively to my inquiry whether the Soviet bloc was thinking at all of an Indian as a candidate. I asked him point-blank whether he was making small talk or was under instructions to speak with someone from the US delegation on the subject. He said he was under instructions.

Dr. Lachs continued that the Soviet bloc would see as highly desirable, if not necessary, a private meeting of the Big 4 (excluding China) on the question. He dismissed as unimportant my views that China still has a veto and that Chinese feelings on the subject also should be considered. He argued that China is only a shadow state which will, in any event, fall in line behind the US.

Dr. Lachs added that the Soviet bloc would see US-USSR agreement on a new Secretary General as an important step forward in the reduction of US-USSR tensions. When I pinned him down, he admitted it would be only a very small step forward. Dr. Lachs also spoke

with great piety of the high Soviet bloc regard for the UN and the importance it attaches to having at its helm a capable man who is acceptable to the major interested powers.

Saying that since I was without instructions I was speaking only personally, I observed that as I saw Lie's recent action, it was only an intention to resign rather than an actual and irrevocable resignation and that if no agreement is reached as to his successor, I would assume that Lie would return to the Secretary Generalship with a ringing vote of confidence from the General Assembly. This analysis was unpleasant to Dr. Lachs. He said he interpreted Lie's resignation as final and that, in any event, he could see no rousing vote of confidence from the General Assembly. We agreed that on this point our interpretations are for the present irreconcilable.

Dr. Lachs said he believed a large portion of our conversation probably was academic because he understood Mr. Eden had called a meeting yesterday afternoon or evening to discuss the question. Dr. Lachs did not specify who was attending the meeting, and I knew nothing of it.

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(I would observe that Dr. Lachs' statements concerning Soviet bloc preferences for Secretary General coincide with Soviet-inspired rumors now circulating around the Delegates' Lounge. These rumors, however, to my knowledge make no mention of big power consultations.

Dr. Lachs' attitude during the conversation indicated that the USSR is strongly opposed to the continuance in office of Lie and that, if properly played by the US, Soviet aversion to Lie may be an important trump card for the US in negotiating an agreement with the USSR on his successor, should that be necessary. I also would observe that Dr. Lachs' insistence on a private Big 4 rather than a Big 5 meeting is probably bluff. Jacob Malik had no objection to sitting down with Dr. Tsiang last August to discuss membership.

In connection with this conversation as well as another we had on Korea (which is being reported separately), Dr. Lachs argued that the USSR has taken a small initiative toward private talks with the US bloc on both subjects and that it is incumbent on the US now to take a larger counterinitiative to meet the USSR and thus contribute toward bringing the two powers together. I argued that I had seen little real Soviet initiative on either question and that the proper thing would be for the USSR to be less coy, to come forward in an honest manner if it has anything it wishes to discuss with the US, and not to depend on the US falling all over itself trying to act on what are after all only the vaguest of hints from the USSR. Because of its bearing on the potentially much more important subject of Korea, I would suggest that the US be very cautious about taking any initiative in setting up private Big 4 or Big 5 talks on the SYG question.



This may turn out to be one subject on which we can let the USSR come to us. Alternatively, Dr. Tsiang—as President of the Security Council—might wish to call for private Big 5 consultations on the question.)

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Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by William O. Hall, United States Member, United Nations Advisory Commission on Administrative and Budgetary Questions*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] November 14, 1952.

Subject: Secretary General's Election.

Mr. Price, Assistant Secretary General for Administration asked the U.S. Delegation to convey to the State Department and the President his strong recommendation that the U.S. should oppose the election of either a Latin American or Arab national as Secretary General. Price said he was not personally interested as he intended to retire at the end of 1953, and that the New Secretary General would have his resignation immediately. Price said it was no secret that he had experienced great difficulties with Mr. Lie on administrative questions. These difficulties would seem very small in comparison to those which would arise if the Secretary General were a Latin American or Middle Easterner. Price said the spoils system would be rampant and the financial system would be destroyed if Latin or Middle Eastern governmental ideas gained control. He said if the United States had any doubts on this it needed only to look at UNESCO.

Price said he thought Mr. Lie's resignation had put the Western powers in the drivers seat vis-à-vis the Russians and that they should use their position. In his opinion the USSR would be willing to agree to almost anyone to avoid the continuation of Mr. Lie on an acting basis. He asked that we urge care and caution in selecting a candidate.

Price reported that the French are actively pushing Picot for Acting Secretary General. He said Ganem (France) had approached him to determine if he would object to serving under Picot. Price told Ganem he would have no objection and that he thought Picot was an able man.

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<sup>1</sup> Source text indicates that this memorandum was typed Nov. 17.

315/11-1752 : Telegram

*The Ambassador in India (Bowles) to the Department of State*<sup>1</sup>

SECRET

NEW DELHI, November 17, 1952—3 p. m.

2066. Sir Girja Bajpai told me Friday in Bombay PriMin Nehru had called him previous day to enquire whether he wld be willing to become Secy Gen of UN if appointment were available. Bajpai made it clear that Nehru's call was designed simply to find out if he wld become GOI nominee if situation seemed favorable. Bajpai stated that he wld be willing accept appointment but requested that his name not be thrown out for public consideration unless there is reasonable chance of approval.

We believe Bajpai possibility shld be carefully considered. He has demonstrated complete integrity at all times in dealing with US on many delicate questions. He is emphatically anti-Soviet and harbors no illusions on subject of Chinese Commies. Indeed, I believe he is hardest-headed of all GOI officials and most realistic so far as cold war conflict is concerned. Bajpai's health is fully restored and he is bored with Governorship of Bombay.

Bajpai's availability also offers us opportunity to create some good will with GOI. We realize, of course, that there are many other considerations. If Bajpai's availability is suggested it should not come from this source.

BOWLES

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<sup>1</sup> In telegram 1479, Nov. 18, 7:34 p. m., to New Delhi, the Department responded:

"Dept still considering position re SyG has not reached any decision. Dept hopes you can avoid discussion this matter with Indian officials." (315/11-1752)

320/11-1752 : Telegram

*The Secretary of State to the Department of State*

SECRET

NEW YORK, November 17, 1952—5:21 p. m.

Delga 207. Eyes only Hickerson from Gross. Re appointment of SyG.

Jebb drew David Johnson (Canada) and me aside and initiated conversation on SyG problem. Whole conversation took place in Johnson's presence. Jebb said that although Pearson would be good, he had little chance overcoming Sov veto and that UK would veto any candidate but Pearson or Amb Boheman (Sweden).

I indicated surprise at trigger-happy attitude toward use of veto and asked whether UK is not giving any consideration to other candidates including, for example, Romulo, and to the possibility of continuing Lie. I pointed out that he, Jebb, had been talking favorably of

Entezam's candidacy to other dels in past few days. With some embarrassment he said that although Entezam would be very good, British could not support him. He repeated that UK would veto anyone but Pearson or Boheman.

I assume from Jebb's positive and repeated statement of above position that it must represent some governmental decision. [Gross.]

ACHESON

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815/11-1752

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson) <sup>1</sup>*

CONFIDENTIAL

[WASHINGTON,] November 17, 1952.

Subject: Successor to Secretary General Trygve Lie

Participants: Mr. Charles Malik, Lebanese Minister

Mr. John D. Hickerson, UNA

Mr. James Ludlow, UNP

Charles Malik called on me this afternoon at his request to inform me that he had been instructed by his government to raise the following two questions:

1. Was the likelihood of Mr. Lie's resignation serious or could he be prevailed upon to remain; and
2. If a successor had to be named, what was the attitude of the US toward his—Malik's—candidacy?

He pointed out that, with regard to the first question, he sincerely hoped that Lie could be persuaded to remain for the rest of his term. With regard to the second, he said that the same inquiry was presently being made to the other four permanent members of the Security Council. He said that his candidacy, in the event Lie's resignation was accepted, would be put forward only if it had the approval of the Arab League members.

In reply I informed him that, with regard to the first question, we just did not know whether Lie could be persuaded to continue as Secretary General for the remainder of his term. I said that his resignation could not have come at a worse time in the history of the United Nations and we hoped that the problem of a selection of a new Secretary General now could be avoided. With regard to the second question, I said that we would give most earnest consideration to his candidacy just as we would to the other known candidacies and, should the occasion arise, he would hear from us on this matter.

JOHN D. HICKERSON

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<sup>1</sup> Drafted by James M. Ludlow, Office of UN Political and Security Affairs.

IO files, US/A/3545 (also US/S/1874)

*United States Delegation Working Paper*

[NEW YORK,] November 25, 1952.

UK RECORD OF MEETING HELD AT UNITED NATIONS HEADQUARTERS  
BUILDING ON NOVEMBER 13, 1952

ELECTIONS OF JUDGES OF THE  
INTERNATIONAL COURT OF JUSTICE

An informal meeting was held upon the invitation of the United Kingdom Delegation, to discuss certain proposals related to the procedure for electing judges of the International Court of Justice. The meeting had before it a memorandum prepared by the Government of the United Kingdom.

2. The following were present:

Canada	Mr. A.R. Crepault
Chile	Mr. Horacio Suarez
China	Dr. Shuhsi Hsu
Egypt	Mr. El Tanamly
France	Mr. R. de Lacharriere
Norway	Mr. Dons
United Kingdom	Mr. Fitzmaurice and Mr. Vallat
United States	Mr. J. Maktos and Mr. J. Hyde
Uruguay	Mr. Darwin Bracco.

3. Three proposals were discussed:

(i) The separation of elections of judges of the International Court from other elections which take place during the session of the General Assembly.

(ii) The problem of ensuring that the voting in the General Assembly is conducted independently of voting in the Security Council.

(iii) The proposal arising from the choice of any particular ballot in the General Assembly or in the Security Council of more candidates than there are vacancies to be filled.

4. In discussion on problems (i) and (ii) the view was expressed that it would be a mistake to minimize the importance of the factor of geographic distribution. The general sense of the meeting was that any improvement should be on the basis that it is desirable to avoid as far as possible bargaining in connexion with the election of judges to the International Court. For this purpose it was thought to be desirable that the election of judges should be held on a day on which no other elections were being held. There was some difference of opinion as to whether the election of judges should be held at the beginning or at the end of a session. The balance of argument seemed

to be in favour of holding the election early so that it might be complete before political pressures developed as they might do towards the end of the session.

5. With respect to point (ii) it was generally agreed that ideally the choice of candidates in the General Assembly and the Security Council should be carried out separately; that was the intention of the statute. It was pointed out, however, that it would be almost impossible in practice to ensure that the choice in one body was independent of the choice being made in the other. Communication either directly or indirectly between the two bodies could probably not be prevented. Moreover it was felt by some that it would be necessary for certain delegates to consult the group of States which they might be regarded as representing. In such circumstances it would be inevitable that the results of voting in one body would become known to the other body. A further point was made that rigid separation, even if it could be achieved, might result in undue delay.

6. It was agreed that the arrangements to be made to meet (so far as possible) points (i) and (ii) lay partly in the hands of the Secretariat, whose attention should be drawn to the matter.

7. As regards point (iii) the sense of the meeting was that the rules of procedure of the General Assembly and the provisional rules of procedure of the Security Council should be amended so as to solve the problem as to what should be done if a ballot in either body resulted in the choice of more candidates than the number of vacancies. This was subject to a reservation on the part of one Delegation on the ground that there might be political objection to any attempt to amend the provisional rules of procedure of the Security Council. The concrete solution of the problem was not discussed; it was appreciated that there might be several solutions but they could all be effected by amending the rules of procedure. It was agreed that it would be undesirable to attempt to amend the Statute of the International Court, and that this would in fact not be necessary. On the other hand it was pointed out that the actual amendments to the rules of procedure would require careful consideration in the light both of their technical and their practical implications. Accordingly the solution of the problem in point (iii) above would require further careful study.

8. It was agreed that a short record of the discussion at the meeting should be drawn up and circulated to those who had attended.

9. It was also agreed that a copy should be given informally to the Legal Department of the United Nations Secretariat.

USUN files

*Memorandum by the Deputy United States Representative at the United Nations (Gross) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

TOP SECRET

[NEW YORK,] December 8, 1952.

Subject: Appointment of Secretary General

I met with Sir Gladwyn Jebb and Ambassador Hoppenot, at latter's request. Hoppenot said he had talked to Lie a couple of days ago and Lie protested that he was serious regarding his resignation, but would be prepared to stay on until a "suitable" successor was found. Hoppenot said everyone he mentioned to Lie was considered "not suitable" by the latter. This included Boheman, Stikker and Entezam.

Jebb has instructions to the effect that the UK would prefer to have the Secretary General matter held over for the resumed session in February. UK feels that if the Russians should ask for a meeting of the Security Council or private consultations of the Five Permanent Members, it would be undesirable for us at this stage to put names forward.

Hoppenot agreed. He said that if the Russians press for a Security Council meeting, he would suggest prior Five-Power consultation.

The three of us agreed that if the Russians demand an SC meeting and, for example, put forward the name of the Polish Foreign Minister and insisted on voting on it, the three of us would vote against it.

Both the British and the French now hold Pearson as first choice; the French like Entezam, but the British have made it clear they could not live with that. The question came up of Stikker as second place to Pearson and Boheman. Hoppenot mentioned Spaak. He and Jebb agreed Spaak would be out of the question for a number of reasons.

I said we were not now in a position to talk about any specific names, but would prefer to have the matter go over to February. However, I added that we ourselves had been considering a list of possible names and of course Romulo was on that list, as well as several others. But I did not want to talk about names at this point. Hoppenot said Schuman was against Romulo, that he did not trust him. He felt Romulo wouldn't increase the prestige of the UN as Secretary General. Jebb agreed. I said I wasn't in a position to discuss the matter, but felt Romulo should not be excluded.

*New Subject: Convening of GA Regular Sessions*

Jebb said Eden is flatly opposed to the Spring session idea, not only this year but in general. He referred to budget problems in the Parliament, etc. Hoppenot was opposed to a Spring session for the same reasons. I said we might talk about it again and reminded them of

Pearson's interest in it. They were aware of that, but Pearson has not the same problems which confront the French and British. We left it at that for the moment.

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Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"

*Briefing Paper Prepared in the Bureau of United Nations Affairs for  
Briefing Meetings for Ambassador Lodge*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, January 19, 1953.]

APPOINTMENT OF THE SECRETARY-GENERAL<sup>2</sup>

*Discussion*

1. The Secretary-General is appointed by the General Assembly upon the recommendation of the Security Council (Article 97 of the Charter). The veto applies to this question in the Security Council. In the General Assembly a decision is taken by a simple majority vote (although the Assembly could decide by a majority vote that a two-thirds majority is required). The rules of procedure of the Security Council and the General Assembly require "private" rather than "public" meetings for consideration of this question.

2. After informal consultations among the five permanent members of the Security Council and after three "private" meetings of the whole Council, the Security Council, on January 29, 1946, agreed unanimously to recommend to the General Assembly the appointment of Trygve Lie as Secretary-General. The General Assembly, on February 1, accepted the recommendation of the Security Council, 46 delegations voting in favor, 3 against and 2 absent.\* At an earlier meeting (January 24, 1946) the General Assembly approved a resolution setting forth the terms of appointment of the Secretary-General. This resolution, *inter alia*, provided that "the first Secretary-General shall be appointed for five years, the appointment being open at the end of that period for a further five-year term".

3. Since Mr. Lie's term expired on February 1, 1951, the question of the appointment of the Secretary-General was placed on the agenda of the fifth session of the General Assembly. The Security Council, in October 1950, held several "private" meetings on the matter. The

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<sup>1</sup> The briefing meetings were scheduled for Jan. 22, 1953 at the Department of State, by which time Henry Cabot Lodge, Jr., would have been nominated by President Eisenhower as U.S. Representative at the United Nations.

<sup>2</sup> An Annex attached to this paper contained the text of Lie's message to the General Assembly on Nov. 10, 1952 which is printed on p. 423. (The Annex also included a short personal message to General Assembly President Pearson which is not printed.)

\*On the suggestion of the President the Assembly waived the provision of the rule requiring a "private" meeting and took its action at a "public" meeting. [Footnote in the source text.]

United States strongly supported the re-appointment of Lie, stated that Soviet opposition to Lie represented an effort to punish Lie for his role in connection with the question of Korean aggression, and ultimately threatened to use the veto, if necessary, to prevent a recommendation from the Security Council on any other candidate. The Soviet Union strongly opposed Lie, initially put forward the name of the Polish Foreign Minister and subsequently the names of Padilla Nervo (Mexico), Malik (Lebanon) and Rau (India). China suggested Romulo (Philippines) and the Soviet representative indicated that Romulo would be acceptable to the USSR. The USSR (on October 12) vetoed a Yugoslav proposal to re-appoint Lie (9 members voted in favor, 1 against and 1 abstained). Prior to this vote the Council, at the same meeting, rejected the name of the Polish Foreign Minister (1 member voted in favor, 4 against and 6 abstained). On October 25 the Council voted on the nominations of Malik (Lebanon) and Romulo (Philippines) but both names failed to secure the necessary majority. In each case the vote was 4 to 0, with 7 abstentions. Prior to the votes on these two candidates the name of Padilla Nervo was withdrawn at his request by Chauvel (France), and Rau (India) withdrew his own name. The Council, in several communications, informed the General Assembly that it had been unable to agree on a recommendation.

Taking the position that the General Assembly which had determined the term of office of Secretary-General Lie could, in these circumstances, simply extend his term, the United States, with 14 other delegations, sponsored in the Assembly a resolution providing for the continuance of Lie in office for a period of three years (i.e., until February 1, 1954). This resolution was adopted on November 1, 1950 by a vote of 46 to 5, with 8 abstentions. The Soviet Bloc states announced that they considered this action illegal and that they would not take Lie into account and would not consider him as being Secretary-General of the United Nations.

4. On November 10 last Lie submitted his resignation to the President of the General Assembly and the President of the Security Council (*Annex A*), and requested that an item entitled "Appointment of the Secretary-General of the United Nations" be included in the agenda of the General Assembly. This item was included in the Assembly's agenda on November 13. In a letter, dated November 13, the President of the General Assembly informed the President of the Security Council of the Assembly's action.

5. A number of names have been mentioned for the SYG post, including: Romulo (Philippines), Spaak (Belgium), Pearson (Canada), Spender (Australia), Boheman (Sweden), Stikker (Netherlands), Van Royen (Netherlands), Entezam (Iran), Malik (Lebanon), Muniz (Brazil), Wan (Thailand), Skrzyszewski (Poland),



Padilla Nervo (Mexico), Santa Cruz (Chile), Bajpai (India). There is also some possibility that Lie may not be entirely serious about his resignation and may be open to persuasion to withdraw it.

*Suggested Position*

1. We should make every effort to obtain a favorable recommendation from the Security Council for a new Secretary-General. We would be prepared to accept any of the following individuals in the order named: Romulo, Spaak, Pearson, Spender, Boheman, Stikker, Van Royen, Malik, Entezam, Muniz. This list is not exhaustive. There may emerge from consultations other names which we could accept. The order of preference of the names listed is tentative except for Romulo as our first choice. We could not accept Skrzyszewski or any other Soviet Bloc national, Padilla Nervo, Santa Cruz nor Bajpai.

2. We should hold informal consultations at an early date with the other permanent members of the Security Council. We should consult first, and separately, with the UK, France and China with a view to reaching agreement on one or more of the individuals mentioned above. We should endeavor to get the UK, France and China to agree that all of us must handle these consultations in such a manner that no one of us will be tagged with the responsibility for blocking a particular candidate. We should then approach the Soviet delegation with a view to ascertaining whether the USSR could agree to the four-power candidate or candidates.

3. If the informal consultations among the permanent Members indicate that no agreement is possible with the USSR, we should secure support among the non-permanent Members of the Council for the four-power candidate or candidates.

4. We should then (possibly with the UK, France and China) request that the Security Council be called to consider the question of the Secretary-General.†

5. If the Council is unable to make a recommendation on an acceptable candidate, we should seek action by the General Assembly under which an "acting" Secretary-General (an individual who could command the broadest support) would be appointed from the list set forth in paragraph 1 for a specified term (perhaps 3-5 years), or until the Security Council is able to reach agreement.

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†Lebanon is President of the Council in February, Pakistan in March, and the USSR in April. [Footnote in the source text.]

320/2-953 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

[Extracts]

SECRET NIACT NEW YORK, February 9, 1953—7:14 p. m.  
493. Re items on GA agenda.

4. The appointment of a secretary general seems to me a particularly delicate negotiating problem. The alternatives seem to be whether there can be agreement on a new secretary general satisfactory to us or whether there must be an acting secretary general appointed by the Assembly. It is too early to say which solution will occur and precisely how to go about seeing to it that an individual satisfactory to us is finally agreed upon. At this time, however, I see disadvantages in the US joining any active group in promoting any particular candidate.

LODGE

315/2-1653 : Telegram

*The Secretary of State to the Mission at the United Nations<sup>1</sup>*

TOP SECRET WASHINGTON, February 17, 1953—4:53 p. m.

308. Eyes only Amb Lodge from the Secretary. Re urtel 522—SyG.

I share your feeling that we neither oppose nor identify US with UK initiative on behalf of Pearson. I also share your view that we should vote for Pearson if issue arises in SC and raise no objection to his name if no vote is taken.

You might indicate to UK that in event USSR vetoes Pearson candidacy you would hope to have their support for a candidate of our choosing.

DULLES

<sup>1</sup> Drafted by the Director of the Office of UN Political and Security Affairs (Wainhouse); approved for transmission by the Assistant Secretary of State for UN Affairs (Hickerson); signed by Roderic L. O'Connor, Special Assistant to the Secretary of State.

Lodge had raised the question of the U.S. position vis-à-vis Pearson against the possibility of an early Security Council meeting on the problem, perhaps on Feb. 20. The United Kingdom seemed to be "pursuing Pearson candidacy on theory that Pearson would be acceptable to USSR." Pearson's name would be presented, and there would be an "attempt to get his name recommended without a vote on basis of there being no objection." Lodge concluded, "In my judgment it would be desirable to vote for and not oppose Pearson if issue arises in this way in SC. If we could get agreement on him quickly and expeditiously, I feel that would merit such US support." (315/2-1653)

Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by James N. Hyde of the Mission at the United Nations*

CONFIDENTIAL

NEW YORK, February 18, 1953.

Subject: Pearson's Candidacy for SyG

Participants: Ambassador D. M. Johnson—Canadian Delegation  
Ambassador Henry C. Lodge—United States Mission  
Mr. James N. Hyde—United States Mission

During his call on Ambassador Lodge Johnson spoke with great warmth on the subject of Pearson's candidacy. He felt that either wilfully or otherwise the UK had spread the word that Pearson is acceptable to the Soviet Union, whereas in fact there is little basis for this position. He added that according to a letter which he had received from Wrong which he offered to show us, Zarubin had never gone beyond saying that he felt Pearson had done a creditable job in the GA. Johnson stated that he was upset and that Pearson was upset that his name was being bandied around in this fashion, and that he thought that all the rumors of Pearson's acceptability to the Soviets were, so far as he could tell, with very little foundation in fact. He added that naturally Pearson is concerned at this issue being pending, that for him it was "a big thing". Johnson therefore urged that we verify from Makins precisely what Makins said to Zarubin.

Johnson did not go on to say what action if any he expected the US to take about Pearson's candidacy.

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Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by the United Nations Adviser, Bureau of European Affairs (Allen)*

CONFIDENTIAL

WASHINGTON, February 19, 1953.

Subject: Length of GA; Secretary Generalship

Participants: Mr. Georges Carlier, Counselor, Belgian Embassy  
Mr. Ward Allen, EUR

Ambassador Zaroubin volunteered the following comments to Baron Silvercruchs this morning as firm predictions:

- 1) The GA session will last at least through Easter;
- 2) Trygve Lie will continue as Secretary-General through the expiration of his present term. This, according to Zaroubin, is Lie's dearest wish. Zaroubin strongly denied reports that the USSR has indicated it would accept Pearson, but, of course, refused to say whether or not they would veto him.

315/2-2053

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

SECRET

WASHINGTON, February 20, 1953.

Subject: Appointment of a UN Secretary General

Participants: Mr. George Ignatieff—Canadian Embassy  
Mr. David W. Wainhouse—UNP

Mr. Ignatieff came in this afternoon to inquire about the problem of the selection of a new UN Secretary General. He stated very frankly that Mr. Pearson would very much like to be chosen for the post. He did not give much credence to the rumor floating about that the USSR is not unfriendly to the Pearson candidacy and wondered whether the British activity in New York on Pearson's behalf at this time is not tactically unwise. Mr. Ignatieff confessed that he did not understand why Mr. Pearson wanted the post. He stated that Pearson is the "heir apparent" to the Canadian premiership. He supposed the reason why Mr. Pearson wanted the post is that he is extremely interested in the UN and its success.

I told Mr. Ignatieff that the matter of the selection of a new Secretary General, so far as the United States is concerned, is in the hands of Ambassador Lodge who has the widest possible discretion in this regard. I also told Mr. Ignatieff that the matter is a very delicate one and that any information with respect to our position would have to be obtained from Ambassador Lodge.

DAVID W. WAINHOUSE

315/2-2053 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL

NEW YORK, February 20, 1953—7:04 p. m.

541. For Hickerson, UNA. Please find out whether Boheman (Sweden) would be available for position of United Nations Secretary General.<sup>1</sup>

LODGE

<sup>1</sup> In telegram 940, Feb. 21, 1953, 1:52 p. m., to Stockholm, the Department cabled, Hickerson to Ambassador Butterworth:

"Please ascertain discreetly from FonOff, and of course without commitment on our part, whether Boheman would be available for post UN Secretary General." (315/2-2053)

315/2-2553 : Telegram

*The Ambassador in Sweden (Butterworth) to the Department of State*

CONFIDENTIAL

STOCKHOLM, February 25, 1953—5 p. m.

920. For Hickerson. Question in Deptel 940, February 21 repeated information USUN 318 put to Secretary General of Foreign Office February 23. His reply today which I played back to him for accuracy summarized as follows:

Foreign Office has consulted Boheman who has replied that he is not interested in being candidate for UN Secretary-Generalship and has so informed inquirers. In these circumstances and in view of Boheman's eminence in Swedish diplomatic service Foreign Minister has not put matter to Cabinet. However, if agreement could not be reached on any other candidate and if principal parties concerned desired Boheman, Foreign Office is of opinion Boheman might reconsider and in this case Cabinet would be asked to give matter its serious consideration having in mind all factors including Sweden's obligations under and concern for U.N.

BUTTERWORTH

315/2-2753

*The Assistant Secretary of State for United Nations Affairs (Hickerson) to the United States Representative at the United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON,] February 27, 1953.

DEAR CABOT: You have doubtless seen Ambassador Butterworth's telegram No. 920, February 25, 5:00 p. m., from Stockholm, in response to our telegram sent at your request that we take some soundings from the Swedes about the possible availability of Erik Boheman for the post of UN Secretary General.

The Swedish Government immediately telegraphed Ambassador Boheman about this inquiry and he discussed it with us Monday night and Tuesday morning. Boheman said flatly that he did not want the job, that he felt that there was little likelihood that the Soviets would accept him, and that he hoped very much that his name would not be actively considered for the post. He said that we would receive our reply from the Swedish Government, and he predicted that the reply would be that the Swedish Government thought it unlikely that Boheman's name would break the deadlock with the Soviets; but that if a situation developed in which agreement could be reached on Boheman and on no one else, the Swedish Government would probably be disposed to urge him to accept. He did not say for sure whether he would accept, but I gathered that if the Swedish Government pressed him strongly enough he would probably do so although with reluctance.

Ambassador Boheman expressed his appreciation of the confidence in him shown by our inquiry of the Swedish Government. He clearly does not want the job and hopes that his name will not receive active consideration. He asked that I keep in touch with him and let him know before we formally propose his name if that situation ever arises. I agreed to do this.

I enclose a one-page biographic sketch of Boheman prepared in the Department.

Sincerely yours,

JOHN D. HICKERSON

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Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"

*Memorandum by the Deputy United States Representative at the United Nations (Gross) to the United States Representative at the United Nations (Lodge)*

SECRET

[NEW YORK,] March 3, 1953.

Subject: Appointment of a Secretary General

Sir Gladwyn Jebb told me yesterday afternoon he had discussed the question of the appointment of a Secretary General at lunch on Monday with six other members of the Security Council, excluding Lebanon (the Lebanese Representative not being here), the Soviet Union, China and ourselves. He said he was convinced from his discussion that "no candidate other than Pearson could get seven votes in the Security Council".

Jebb referred (more in regret than in anger) to your reluctance to discuss the question with him on any specific basis, and said he felt he had to "keep the thing moving". He asked me to tell you, therefore, that he is planning to request a Security Council meeting to take up the question, perhaps early next week.

I told Jebb I would report this to you, but that I did not think it appropriate for me to discuss the matter with him. However, I told Jebb that Pearson had told Jack Ross and myself that he did not want his name bandied about and was reluctant to have his name put forward merely to be rejected. Jebb seemed quite uncertain about Pearson's attitude in this respect and said he thought perhaps he should have a talk with Pearson.

Jebb's idea is that even if Pearson is turned down on the first round, if other names are put forward and they are turned down, Pearson could be advanced again and possibly would be accepted on the second round.

Jebb's proposal to call for a Security Council meeting to take up the question of the appointment of a Secretary General at this time seems to me to raise at least three questions:

(1) The unfortunate aspect of taking this problem up before the Personnel item is disposed of;

(2) The poor tactics, it seems to me, of putting Pearson's name, or anybody else's name forward, merely to be vetoed;

(3) Taking up the question of the appointment of a Secretary General before the Korean item is finished in Committee 1.

We have information that Bokhari has tried unsuccessfully to obtain Soviet reactions to Pearson.

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Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Conversation, by the Deputy United States Representative on the Security Council (Ross)*

CONFIDENTIAL

NEW YORK, March 12, 1953.

Subject: Election of Secretary General

Participants: Sir Gladwyn Jebb, United Kingdom }  
 Ambassador Henri Hoppenot, France }  
 Separately with Amb. Carlos Romulo, Philippines  
 Ambassador Henry Cabot Lodge, United States  
 Mr. John C. Ross, United States

At their requests Sir Gladwyn Jebb and Ambassador Hoppenot called on Ambassador Lodge at 3:30 this afternoon on the above subject. They indicated an interest in our "real" position on Romulo. The General Assembly was alive with rumors running from a story that we had nominated Romulo only to kill him off to the other extreme that we would veto Pearson. Ambassador Lodge indicated that while we definitely were *for* Romulo we were not against Pearson.

Hoppenot made clear his government's objection to Romulo because of his attitude on the colonial question in regard to which Hoppenot said the Philippine Delegation had always played a leading role to the detriment of the interests of France. Hoppenot was in a dilemma because if there were a real chance of Romulo being elected the question of a French veto would arise.

Both Jebb and Hoppenot went out of their way to indicate in quite strong terms that we had nothing to fear from Pearson on the personnel question. They both thought we could rely on Pearson to carry forward the work initiated under Trygve Lie. Hoppenot thought the appointment of Pearson, if elected, might be scheduled to become effective in June. This would give Pearson an opportunity to wind up his affairs in Canada and it would also provide an opportunity for Lie to continue moving the personnel question forward.

Jebb inquired whether we would abstain or vote against the Pole. Ambassador Lodge indicated we had been thinking of voting against

him since we did not want to run the slightest risk that a Communist would be elected as Secretary General. If this happened it would be the end of the United Nations so far as the United States was concerned. Hoppenot hoped that it would not be necessary for us to vote against the Pole. He did not think anyone would vote for him except the Soviet Representative. He wondered if it would not be better for the other eleven Members of the Council merely to abstain. Ambassador Lodge did not commit himself on this point.

In view of the unpredictability of Soviet voting and other factors in the situation, it was generally agreed that anything might happen at Friday's meeting of the Council. It was quite possible that other candidates would emerge including, for example, Madam Pandit, Charles Malik, Padilla Nervo. If we did not consider any of these candidates or similar candidates desirable choices for the job it would be embarrassing for all of our governments to vote against them or even to abstain since an abstention was nearly equivalent to a negative vote. This discussion opened the question of whether balloting should be secret. Jebb thought quite strongly it should be. Hoppenot agreed but with a slight reservation that this might give Tsiang an opportunity to veto Pearson but not openly so. Ambassador Lodge gave his tacit agreement and it was understood that Jebb would approach Borberg with a view to moving a secret ballot.

In the course of the discussion of possible dark horse candidates Ambassador Lodge inquired if there were not an acceptable Western European candidate. Jebb mentioned the name of Stikker, former Dutch Foreign Minister who he said would like the job and who would be good. He doubted, however, that Stikker could get elected. Ambassador Lodge mentioned the name of Herman van Roijen, Dutch Ambassador in Washington. This discussion was, however, brief and inconclusive.

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Later on in the afternoon General Romulo called on Ambassador Lodge to thank him for nominating Romulo at the Security Council meeting on March 11.

J. C. Ross

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315/3-1653

*The Assistant Secretary of State (Hickerson) to the United States Representative at the United Nations (Lodge)*

SECRET

[WASHINGTON,] March 16, 1953.

DEAR CABOT: Yesterday Carlos Romulo was in town and talked to the Secretary on the telephone. This morning the Secretary received a letter from Romulo, in his own handwriting, dated March 15. I



enclose a copy of that letter.<sup>1</sup> Romulo's letter was sent to me today with a memorandum from Rod O'Connor, in the Secretary's office, reading as follows:

"The Secretary talked on the phone Sunday with Romulo on this point. Letter covers gist of conversation. Will you move ahead on this with Lodge?"

The Secretary has been tied up all day and I have not had a chance to talk with him about this, but O'Connor was in the room with the Secretary when Mr. Dulles talked with Romulo on the telephone. O'Connor says that the Secretary listened to Romulo; made no commitment other than to have the matter looked into.

O'Connor says that the Secretary asked that I send you Romulo's letter for your consideration.

Needless to say, I shall be glad to help you in every way I can whenever you think I can be of assistance in connection with this whole matter of the election of the Secretary General.

Yours sincerely,

JOHN D. HICKERSON

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<sup>1</sup> In this letter, not printed, Romulo referred to the Russian veto on Pearson for the post of Secretary-General and presented his reasons for thinking that his own election could be assured if the United States would support him strongly and tell the U.S.S.R. to choose between him and Lie.

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315/3-1753: Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, March 17, 1953—6:32 p. m.

565. Re SyG. Lodge met with Hoppenot and Jebb at their request in preparation for five-power consultation which will take place 18 March, 11 a. m.

Hoppenot will preside over meeting. Jebb will ask Zorin if he has any reflections on closed SC meeting of March 13. He and Hoppenot will attempt to draw out Zorin as to Soviet intentions. They think Zorin might come forward with a new list of candidates which might include some or all of following: Angel (Colombia), Wan (Thailand), Pandit and Entezam.

If new names are produced there will be no voting or decision on them and no decisions will be taken by five powers. Intention then is to go forward with next closed SC meeting on 20 [19] March at 3 p. m. without having further consultation.

LODGE

315/3-1853 : Telegram

*The Ambassador in the Republic of China (Rankin) to the  
Department of State*

SECRET PRIORITY

TAIPEI, March 18, 1953—6 p. m.

973. Re press reports Soviet would accept Madame Pandit or Benegal Rau as Secretary General UNO. Foreign Minister informed me Chinese delegate Security Council instructed veto proposal if made formally.

Foreign Minister hopes necessity for such action will not arise and that US may prevent matter from coming to vote.

RANKIN

315/3-1953

*Memorandum for the Files of Telephone Conversations, by the  
Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[WASHINGTON,] March 19, 1953.

At about 11:15 last night Mr. Ross of USUN called me at home on the telephone and said that Ambassador Lodge had asked him to call me and tell me that he would need last ditch instructions on how he should vote in the secret balloting in the Security Council on March 19 on Madame Pandit for Secretary General. Mr. Ross said that there was a strong possibility that the Chinese would veto Madame Pandit and that most of the other members of the Security Council would abstain, but he said that Ambassador Lodge felt that we could not count on this and he wanted to know how much discretionary authority we could give him in the matter of voting. I told Mr. Ross that I would try to see Secretary Dulles the first thing this morning and call Ambassador Lodge as soon as possible.

I saw the Secretary at 9:20 this morning and immediately after the Secretary's Staff Meeting I talked to Ambassador Lodge on the telephone and gave him the following instructions, which I told him had the Secretary's personal approval:

I said that we thought it would be very bad for the United Nations and United States support for it if Madame Pandit were elected Secretary General. I added that the same considerations applied to the candidacy of Sir Benegal Rau. I said that apart from India's neutralism, we felt that neither of these candidates had the necessary administrative or executive ability to run a great organization like the United Nations. I said that the problem facing the United Nations now is stopping Communist aggression and that this can not be done with the passive resistance advocated by India. I said that naturally we would prefer not to have to vote against Madame Pandit or Rau unless it was necessary, but that Ambassador Lodge was authorized

in his discretion to vote no if he felt it was necessary to prevent their nomination. I said that we had received a telegram from Taipei that the Chinese representative would veto the Indian candidates, and that we understood that most of the other members were going to abstain. I added that if this were in fact true, we would prefer that Ambassador Lodge abstain, but that we would have to leave this to his judgment, and that he was authorized to vote no if he considered it necessary.

JOHN D. HICKERSON

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Hickerson-Murphy-Key files, lot 58 D 33, "Secretary Generalship of UN"

*Memorandum of Telephone Conversation, by the Deputy United States Representative on the Security Council (Ross)*

CONFIDENTIAL

[NEW YORK,] March 19, 1953.

MEMORANDUM FOR AMBASSADOR LODGE'S FILES

Mr. Hickerson telephoned this morning pursuant to my request to him concerning the Secretary of State's views on how we should vote on the Indian candidates (Madam Pandit and Sir B. N. Rau) suggested by the Russian Delegate in the Big Five meeting. Hickerson cited the following as the Secretary's views: He said these two candidates would not do. Apart from the attitude of passive resistance and neutralism of their country, it was felt they did not have the necessary administrative or executive ability. We should see to it that they did not get elected. We would prefer to abstain rather than vote no but discretion was left to Ambassador Lodge to vote no if necessary to prevent their nomination.

Hickerson then went on to refer to indications we had had from Taipei that Tsiang would veto the Indian candidates. Hickerson realized we could not be absolutely sure that Tsiang would veto or that a sufficient number of others would abstain. He suggested that we try to get a definitive indication from Tsiang.

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Mr. Hyde in subsequent conversation with Ambassador Tsiang found out that Tsiang would definitely vote against Madam Pandit and Rau no matter how anyone else voted.

J. C. Ross.

320/3-2053

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Acting Officer in Charge, Philippine Affairs (Wanamaker)*

CONFIDENTIAL

WASHINGTON, March 20, 1953.

Subject: Philippine Criticism of Extent of U.S. Support for Romulo as Secretary General

Following our conversation this morning, I talked with David Key in New York about references to U.S. "snubbing" and "double crossing" in press reports from Manila about U.S. support for General Romulo's candidacy as Secretary General of the United Nations.

Mr. Key said that he thought the choice of words was inexact but the adverse criticism probably arose from a belief on the part of General Romulo that the U.S. was not solidly backing him in his candidacy. The General's criticism apparently was directed not so much to tactics and activities in New York as to the failure of the U.S. to exert pressure on other governments at the highest levels. It was evident, for example, that support for Pearson had been urged by the UK upon other Foreign Offices and Delegations were accordingly able to come to the Security Council with full instructions to vote for Pearson. It was likewise apparent that the U.S. was making no such all-out campaign on behalf of General Romulo. This situation, in Mr. Key's opinion, was the basis of General Romulo's dissatisfaction. The press comment from Manila reflecting his dissatisfaction might well be intended as a means of inducing the U.S. to greater activity.

Ambassador Key said there was now full consultation on the part of the top members of the U.S. Delegation with General Romulo. Although some question had been raised about the order of presentation of names to the Security Council which resulted in Romulo's name being voted upon first and thus being at a disadvantage, Mr. Key did not feel that this tactic or any other developments in New York were the basis of Philippine objections.

Mr. Key said that a memorandum of conversation between himself and General Romulo would be quite illuminating to the Department on this point and he would send a copy by pouch.

In response to your suggestion I shall see that a telegram to Manila is prepared explaining the UN procedures for election of a Secretary General and outlining developments so far.

315/3-3053 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

SECRET      NIACT

NEW YORK, March 30, 1953—1:38 p. m.

Delga 508. Eyes only for the Secretary. Re SyG. Zorin announced at Big Five meeting that his government would be ready to support Hammarskjold for SYG. I stated I had heard nothing against Hammarskjold, that I would not veto him and that I would seek instructions. On basis of my sketchy information about Mr. Hammarskjold, I am inclined to think that he would be satisfactory and that he may be as good as we can get. Zorin appears to be in a big hurry.

Hoppenot announced intention to vote for Hammarskjold. Jebb is seeking authorization to vote for, his present instructions being to abstain. Tsiang is noncommittal but expects instructions by noon Tuesday.

Big Five meeting set for 4 p. m. Tuesday, March 31, with SC meeting on Wednesday morning. Request instructions.

LODGE

315/3-3053

*Memorandum for the Files by the Assistant Secretary of State for  
United Nations Affairs (Hickerson)*

SECRET

WASHINGTON, March 30, 1953.

The attached telegram from USUN (508, March 30, 1:38 p. m.) was handed to me while I was attending a meeting this afternoon in the Under Secretary's office with the request that I get in touch with the Secretary about it at once. I went to the Secretary's office and found that Ambassador Lodge had already talked briefly to the Secretary on the telephone about our views concerning Mr. Hammarskjold. I learned that Messrs. Matthews and Nitze had been in the Secretary's office when the Secretary was talking to Lodge and that both of them spoke in high terms of Mr. Hammarskjold's ability; and that the Secretary told Ambassador Lodge that we thought well of Hammarskjold but that we would consider the matter further and let him have further views later in the day.

I then reviewed the biographic material which we have in the Department on Mr. Hammarskjold (attached) and talked about Mr. Hammarskjold with Mr. Ronhovde and Mr. Raynor of BNA, both of whom spoke well of Hammarskjold. I then discussed Mr. Hammarskjold with Mr. H. Freeman Matthews, who was American Ambassador to Stockholm. Mr. Matthews spoke in high terms of Mr. Hammarskjold's ability and pro-Western views. Mr. Matthews said

that he felt that the United Nations would be lucky to get Hammarskjold and that they could do a lot worse.

Late this afternoon I called Ambassador Lodge on the telephone and referred to the Secretary's comments earlier in the afternoon about Hammarskjold. I said that our further inquiries had developed no adverse information but had rather confirmed the views which the Secretary expressed that Hammarskjold seemed like a good man whom we should support. Ambassador Lodge asked if he was authorized to vote in favor of Hammarskjold and I replied that he was.

JOHN D. HICKERSON

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815/3-3153

*Memorandum of Telephone Conversation, by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper)*

CONFIDENTIAL

WASHINGTON, March 31, 1953.

Subject: UN Secretary-General

Mr. Wenner telephoned me to say that he had received an urgent telegram from London giving Mr. Eden's views on Hammarskjold as a candidate for the office of Secretary-General. In substance, Eden considered him to be an excellent man, and the United Kingdom intended to support him. The British hoped that China would agree to abstain in the vote on Hammarskjold. If our views on Hammarskjold ran parallel to theirs, the United Kingdom urged us to take any appropriate action to induce the Chinese to abstain.

I told Mr. Wenner that I could not discuss this matter with him in any detail on the telephone but that I did not think he needed to have too much anxiety on the points he had raised.

D[AVID] H. P[OPPER]

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320/4-253 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, April 2, 1953—9:10 p. m.

Delga 527. Re mechanics GA action appointing new SYG-UN.

In meeting of Cordier, Stavropoulos (UN), Vallat (UK) and Hyde, mechanics of GA action appointing new SYG-UN was discussed. General procedure is to be simple, have opportunity for Lie to present valedictory and offer new SYG same terms of appointment as Lie. This would include five-year appointment, the appointment being open at the end of that period for a further five-year term.

1. First item of plenary afternoon of 7 April will be SYG item. President will read letter of resignation of Lie, dated November 10, 1952, and SC recommendation of Hammarskjold.

2. In open meeting President will put to vote Hammarskjold's name with secret ballot—waiving closed meeting provision of rule 140.

3. Plan is to circulate as Canadian draft resolution following text, probably 3 April but not later than 6 April. This is simplest way of providing for new term of office, retirement rights and any other benefits Lie now enjoys. Vallat will tomorrow clear this with French and ask them to clear with Soviet delegation, assuming Canada approves this draft:

*Begin verbatim text.* "Recalling resolution 11 (I) of 24 January 1946 and paragraph 32 of GA resolution 13 (I) of 13 February 1946,

"Decides that the terms of appointment of the second SYG shall be the same as those of the first SYG." *End verbatim text.*

4. Canadian draft will be put to vote.

5. Lie will make valedictory though technically he continues in office until Hammarskjold takes oath. US and others will have opportunity to express appreciation of Lie's efforts.

6. President will indicate Hammarskjold arrives New York 9 April and will take oath on 10 April in plenary.

7. On 10 April in presence of Council Presidents, Vice Presidents and Lie, President of GA will administer oath to Hammarskjold, whose term at that point legally begins. Hammarskjold today telegraphed Lie he would remain at headquarters some weeks before winding up his affairs in Sweden.

LODGE

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315/4-2353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, April 23, 1953—noon.

633. Re: Hammarskjold appointments with Secretary Dulles and President.

At my luncheon with SYG yesterday he expressed desire call on Secretary Dulles and President before returning Sweden May 10 to wind up personal affairs. I strongly urge these appointments be arranged. Discussion with Secretary and President now may be of great value in orienting him as to US policy and may be most influential in determining positions he will take this summer and at fall GA. Am making this recommendation in spite of heavy appointment schedule

confronting both Secretary and President. If possible, Hammarskjold's appointment should follow that arranged by Lie by several days.

LODGE

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315/4-3053

*Memorandum of Conversation, by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer)*

SECRET

[WASHINGTON,] April 30, 1953.

Subject: Election of Mr. Hammarskjold as Secretary General.

While Mr. Lie was waiting in my office today to go with Mr. Simmons, Chief of Protocol, to the White House, he referred to the election of Mr. Hammarskjold as Secretary General. He asked how we had discovered Mr. Hammarskjold. I expressed surprise and said that the first time we had had any inkling of Mr. Hammarskjold as a possible candidate was the time his name was suggested by Mr. Hoppenot in the course of the Security Council conversations. I said that so far as I knew, the suggestion came as a complete surprise to everyone here and we started scrambling around to find out who Mr. Hammarskjold was and what his qualifications were. Mr. Lie said that he had the impression that Ambassador Boheman or Ambassador Bonnet had originated the idea and he repeated the story we have heard elsewhere that the suggestion to them had originated with Mrs. Betty Jacob<sup>1</sup> who claimed that Mr. Hammarskjold had the support of the Administration. I told him this sounded like one of the usual "figments" of Mrs. Jacob's imagination and that while I could not profess to know anything about Mrs. Jacob's activities in this particular case I felt confident myself that there was no foundation for any impression she may have tried to give that she had access to special or secret consideration of Mr. Hammarskjold among responsible officials in Washington. I could only repeat that Mr. Hammarskjold's nomination came as a complete surprise to us and all of our information and ideas concerning him were developed after his name was brought forward in the Security Council.

Mr. Lie spoke in high terms of Mr. Hammarskjold's qualifications and work but remarked that he might let the political functions of the Secretary General wither. He said that Mr. Hammarskjold was a Conservative in Swedish politics and if he were in the United States he would belong to the conservative wing of the Republican Party.

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<sup>1</sup> Presumably Mrs. Philip E. Jacob, Deputy to the Director of the United Nations International Children's Emergency Fund.



UNP files, lot 59 D 237, "Slates"

*Memorandum by Paul W. Jones of the Office of United Nations Political and Security Affairs to the Officer in Charge, General Assembly Affairs (Taylor)*

CONFIDENTIAL

[WASHINGTON,] May 8, 1953.

*Current Status of Slates*

The current status of some of the major slates questions is as follows:

*Eighth GA Presidency:* Prince Wan informed us prior to the Seventh Session last fall that he was definitely a candidate for the post and that the Foreign Office was approaching diplomatic missions in Bangkok for support.

The Belgian Ambassador last September told Mr. Hickerson that Belgium felt strongly that a European should be elected. Mr. Hickerson said we agreed that the time for a European President was overdue, but stated that Prince Wan had indicated an interest in the post for the Eighth session and that we did not know what our final attitude would be. He also mentioned possible difficulties of electing a President from a NATO country immediately following Pearson.

You will also recall that before the Seventh Session there were rumors that the Soviet bloc might make a bid for the Presidency of the Eighth Session.

*Security Council:*

1. Peru and Brazil are candidates for Chile's seat. I should think we would leave the choice up to the Latin Americans.

2. New Zealand may be a candidate to succeed Pakistan which holds the Commonwealth seat, although we have heard of no definite decision. We have learned from the Australian Embassy that Australia is considering whether it should run if New Zealand does not. Mr. Hickerson told the Embassy that we have always considered the seat now held by Pakistan as a Commonwealth seat and that we have been prepared to support the choice of the Commonwealth members.

3. There is no announced candidate to succeed Greece. However, the Soviets will probably put up a satellite. I suggest that in the near future we ascertain from the Philippines whether it wishes to run for Greece's seat. It was a candidate in 1951 and no Far Eastern state has yet been on the Council.

*ECOSOC:*

1. The USSR and the UK are up for reelection.

2. Afghanistan, Indonesia, Pakistan and Thailand are candidates to succeed the Philippines. I should think we would vote for Thailand. Indonesia is also a candidate for the Trusteeship Council and we might support it for that post. Pakistan was a candidate for ECOSOC in

1952 and will probably run a strong campaign this year but I believe it would be difficult to support it for a Far Eastern seat.

3. Norway is a candidate to succeed Sweden.

4. Ecuador is thus far the only Latin American candidate which has asked for our support to succeed Uruguay. However, according to Mr. Meade of the UK delegation, Bolivia is running strong.

5. A Soviet satellite will certainly be a candidate for Poland's seat. Last year Czechoslovakia was defeated by Yugoslavia after 13 ballots, with the result that the Soviet bloc now has two rather than three members on ECOSOC, including the USSR. I doubt that we could again defeat a Soviet satellite this year without a major battle, and even then we might lose.

*Trusteeship Council:* Haiti and Indonesia are candidates to replace the Dominican Republic and Thailand.

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330/5-2753

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

WASHINGTON, May 27, 1953.

Subject: New Zealand Candidacy for Security Council Seat.

Participants: Ambassador Munro—New Zealand  
Mr. Hickerson—UNA  
Mr. Ward Allen—EUR  
Mr. Popper—UNP

Ambassador Munro came in to present formally the attached communication<sup>1</sup> informing us that the New Zealand Government had decided to stand for election to the Security Council at the fall session of the General Assembly.

I told the Ambassador that I was personally very pleased to hear of this decision. I asked him whether New Zealand had yet obtained full Commonwealth support. The Ambassador stated that the UK and Canada definitely supported the candidacy; that he was sure South Africa and Australia would do so; that he had every reason to believe Pakistan would be favorably disposed; and that he believed that India would likewise go along. Although he had no specific information with regard to India, he pointed out that the Prime Ministers of the two countries would be meeting at the coronation ceremonies with-[in] the next few days.

I told the Ambassador that we regard the seat now held by Pakistan, to which New Zealand now aspired, as a British Commonwealth seat

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<sup>1</sup> Not printed.

and said that as soon as he could give us definite information to the effect that New Zealand was the Commonwealth candidate, we would determine our attitude and consider whether and when we could announce our decision. I asked him whether he knew of any other candidacies for the seat. He thought that possibly an Asian state such as Indonesia might aspire to it. He also stated that the New Zealand delegation in New York would be approaching all other delegations within the next few days to inform them of New Zealand's candidacy and commented that, if we should decide to support New Zealand, we could be helpful in bringing the Latin Americans along.

JOHN D. HICKERSON.

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330/6-1253

*Memorandum of Two Telephone Conversations, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

WASHINGTON, June 12, 1953.

Subject: New Zealand's Candidacy for the Security Council.

Separate conversations:

Participants: Mr. Leslie Munro, New Zealand Ambassador  
Mr. Hickerson

Mr. George Laking, Counselor of New Zealand  
Embassy

Mr. Hickerson

The New Zealand Ambassador called me on the telephone yesterday and referred to an earlier conversation he had with me about New Zealand's candidacy for the Security Council to succeed India. He said that he was very happy to say that the New Zealand Government had received word from "the highest Indian authorities" that India would support New Zealand's candidacy. He went on to say that the UK, Canada, and Pakistan have also promised warm support for New Zealand. He said that the Australian Government has not yet indicated their view but they expect, of course, to have Australia's support. He also said that South Africa has not replied officially to New Zealand's inquiry but that Ambassador Jooste told him here that he was certain that South Africa would strongly support New Zealand.

The Ambassador said that his Government had circularized all friendly governments asking for their support. He said that the time would come between now and next September when he felt the United States might be able to help New Zealand in obtaining support from the American Republics and he would be glad to keep in touch with us about this.

I told the Ambassador I was very much gratified at what he had to say and recalled to him that I had told him earlier that if New Zealand had the whole support of the Commonwealth I was confident the United States would give its support to New Zealand. I added that I felt he should keep in touch with the State Department in regard to this matter since I hoped in this case we might be able to depart from our usual custom and tell him well in advance of the General Assembly session of our support.

The Ambassador expressed appreciation.

Today Mr. Laking, Counselor of the Embassy, called me on the telephone and said that they had received a further telegram from the New Zealand Government on this subject. He said that he and the Ambassador felt that they should tell me that in the light of this further telegram India's assurance of support was not as definite as the Ambassador had informed me yesterday. He said that they would give us further information about this later.

JOHN D. HICKERSON

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer)*

CONFIDENTIAL

[WASHINGTON,] June 22, 1953.

Subject: Presidency of Eighth Session of General Assembly

I suggest that a UNA meeting be called soon to consider our position regarding the Eighth General Assembly Presidency.

Briefly, the situation is this. Prince Wan has been a candidate since last fall. On June 14, the Thai Ambassador called on Mr. Landon and, under instructions from Prince Wan, asked whether the latter could count on our support. The Ambassador indicated that Prince Wan assumed he could. Mr. Landon said the matter would be referred to UNA.

In May Azkoul of the Lebanese Delegation called on Mr. Ross and informally asked for his personal views as to whether Dr. Malik should enter the race. Mr. Ross was non-committal and asked the Department for advice. Pending further consideration in the Department, we have suggested that he not seek to influence Malik one way or the other.

So far as we know there are no other candidates. The Belgian Ambassador indicated last fall that the Western Europeans might make a bid for the Presidency but in view of the difficulty of electing a NATO country following Pearson, we doubt they will try this year.

It is, of course, possible that a Latin American candidacy will develop and Cordier was apprehensive last month about this possibility.

FE would like to make a commitment to Prince Wan now. NEA opposes this, at least as long as Dr. Malik is considering entering the race, and some in NEA believe we should encourage Malik's candidacy in order to demonstrate by concrete action our interest in the Near East.

Both Prince Wan and Dr. Malik would do an excellent job, and from the standpoint of geographic distribution the time is ripe for a President from either the Far East or the Middle East. However, Prince Wan's long interest in the post, his expectation that we will support him, plus the psychological advantage of electing an individual from the Far East, all seem to be in Prince Wan's favor. Furthermore, it would appear desirable to avoid the difficult situation which would result if both Dr. Malik and Prince Wan become strong contenders and we are forced to make a choice between them. For these reasons we are inclined to believe we should give the nod to Prince Wan's candidacy now, without, however, irrevocably committing ourselves, and at the same time should indicate to Dr. Malik, before he becomes a strong contender, that we may support Prince Wan.

We might tell Prince Wan that we believe he would make an excellent President and look most favorably upon his candidacy, but that our final decision would, of course, depend upon the amount of support he obtains from other Members. We could tell Dr. Malik that, as he well knows, we have the highest regard for him, that we believe he would make an excellent President and that his decision whether to run must be his own. However, in all fairness, we must point out that Prince Wan is a definite candidate, that he has been interested in the post for some time, that he has recently asked for our support, and that naturally we have to take into account his long interest in the Presidency. We would go on to say, however, that our final decision on any candidate would, of course, depend in large part upon the degree of support obtained.

UNP files, lot 59 D 237, "Slates"

*Minutes of Meeting in the Bureau of United Nations Affairs*<sup>1</sup>

SECRET

[WASHINGTON,] June 26, 1953.

Present: Mr. Sandifer—UNA  
Mr. Sanders—UNA  
Mr. Wainhouse—UNP  
Mr. Green—UNE  
Mr. Gerig—UNO  
Mr. Cory—USUN  
Mr. Jones—UNP

A meeting was held in Mr. Sandifer's office on June 26, 1953 to consider major slates questions which will arise at the Eighth Assembly. The following tentative conclusions were reached subject to further consultations with Ambassador Lodge and the geographic bureaus.

With respect to the Security Council, it was agreed that we should leave the choice as between Peru and Brazil, the two candidates to succeed Chile, to the Latin American countries, and that we should support New Zealand to succeed Pakistan if it is the choice of all the Commonwealth members.

It was also agreed that we should oppose a Soviet satellite for Greece's seat and that we would have to wage an active campaign for a non-Soviet candidate which does not recognize the Chinese Communist regime. Mr. Cory reported that Ambassador Lodge believed we should make a real fight on this election and should start early. He said that Ambassador Lodge also thought we should dispose of the expected Soviet charges regarding the so-called 1945 "gentleman's agreement" before the USSR even has a chance to raise this issue and should stress positive arguments for a particular non-Soviet candidate rather than arguments against a Soviet candidate. Mr. Cory also stated that we should be even more strongly opposed to Czechoslovakia than to one of the constituent republics, since the election of the former might be erroneously interpreted as legitimizing the Czech Government simply because it has made a few conciliatory moves.

The Philippines, Thailand, Turkey and Ethiopia were discussed as possible non-Soviet candidates. Most of those present believed that of all these possibilities it would be most difficult to elect the Philippines, and that Turkey would probably have the greatest chance of success. It was therefore tentatively decided that our preferred candidate should be Turkey, but we might also consider Thailand and Ethiopia.

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<sup>1</sup> Source text attached to a memorandum by the Director of the Office of UN Political and Security Affairs (Wainhouse) to Thomas J. Cory of the staff of the Mission at the United Nations (USUN), June 29, not printed (UNP files, lot 59 D 237, "Slates"). Minutes drafted by Paul W. Jones of the Office of UN Political and Security Affairs.

With respect to the ECOSOC slate, it was tentatively decided that we should vote for the reelection of the UK and USSR; for Norway to replace Sweden; and for the candidate (Ecuador, Uruguay, or Bolivia) chosen by the Latin American countries for Uruguay's seat. It was also tentatively decided that since Soviet bloc representation on ECOSOC was reduced last year, and in view of the need to concentrate our efforts on the defeat of a Soviet candidate for the Security Council, we should not campaign against a satellite to succeed Poland on ECOSOC. Mr. Green reported that as between Afghanistan, Pakistan, Thailand and Indonesia, UNE preferred Thailand for the Philippine seat, but it was agreed that a decision on this would have to await a position regarding a successor to Greece on the security Council.

For the Trusteeship Council, it was tentatively decided that we should support Haiti to succeed the Dominican Republic if it is the choice of the Latin American republics and that we should probably support Indonesia rather than India to succeed Thailand.

Lastly the group discussed the General Assembly Presidency. A tentative decision was reached that we should inform Prince Wan now that we are disposed to support him if he obtains sufficient support from other members and that we should also inform Dr. Malik of this. The basis for this decision was principally the fact that Prince Wan has long been a candidate and is under the impression that we will support him, whereas Dr. Malik apparently has not made a final decision to run and has merely asked for our advice. Mr. Cory reported that Ambassador Lodge thought Madam Pandit might be considered for the Presidency, since her election might serve to temper the Indian delegation. Mr. Cory said that he would discuss the matter further with Ambassador Lodge and let us know his views.

It was agreed that we should meet with the geographic bureaus and would be in further consultations with USUN before any final decisions on the above matters were reached. Mr. Sandifer noted that recommendations on the Council slates and the Presidency would have to be approved by the Secretary.

UNP files, lot 59 D 237, "Slates"

*Memorandum Circulated by the Bureau of United Nations Affairs to the Geographic Bureaus*<sup>1</sup>

SECRET

[WASHINGTON,] June 29, 1953.

## PRESIDENCY OF EIGHTH GENERAL ASSEMBLY

*Past Presidents*

1st Session	Spaak (Belgium)
1st Special Session	Aranha (Brazil)
2nd Session	Aranha (Brazil)
2nd Special Session	Arce (Argentina)
3rd Session	Evatt (Australia)
4th Session	Romulo (Philippines)
5th Session	Entezam (Iran)
6th Session	Padilla Nervo (Mexico)
7th Session	Pearson (Canada)

*Candidates for Eighth Session*

Prince Wan (Thailand)

Dr. Charles Malik (Lebanon)—possible candidate

*Discussion*

Prince Wan has been a candidate since last fall. On June 12, the Thai Ambassador, in a conversation with Mr. Robertson and Mr. Landon, said that he had been requested by Prince Wan to ascertain whether he could count on United States support. The Ambassador stated that Prince Wan was under the impression that he would receive our support but wanted confirmation, and added that he had already approached a number of countries and had instructions to secure as substantial a picture of possible support for Prince Wan as obtainable at this time. The Ambassador was informed that the matter would be referred to USA in order to secure a reply.

Askoul of Lebanon has twice called on Mr. [Ross?] in New York to ask his personal views as to whether Dr. Malik should run. Mr. Ross was non-committal and has asked for the Department's advice. In addition, a member of the Lebanon legation has indicated to the Department that Dr. Malik is seriously interested and that we might expect a formal communication later.

So far as we know there are no other candidates. The Belgian Ambassador indicated last fall that the Western Europeans might make a bid for the Presidency but in view of the difficulty of electing a NATO country following Pearson, it is doubtful that they will try this year.

<sup>1</sup> Source text attached to UNA memorandum of June 29 to USUN cited in footnote 1, *infra*. It was drafted by Paul W. Jones on the basis of the conclusions reached in the UNA meeting of June 26, and circulated to the geographic bureaus (Monsma, Allen, Howard, and Bacon) for discussion at a meeting on the same date, June 29.



It is, of course, possible that a Latin American candidacy will develop—Cordier was apprehensive last month about this possibility.

Both Prince Wan and Dr. Malik would do an excellent job, and from the standpoint of geographic distribution it is time for a President from either the Far East or Middle East. However, Dr. Malik does not yet seem to be a definite candidate, whereas Prince Wan has long been interested in the post and is under the impression that he can count on our support. These considerations, plus the fact that Thailand has contributed troops to Korea and the psychological advantage of electing an individual from the Far East to the Presidency of the next session, where Far Eastern issues will come to the fore, seem to be in Prince Wan's favor. Furthermore, it would seem desirable to avoid the difficult situation which will develop if both Dr. Malik and Prince Wan, and possibly others, become strong candidates and we are forced to take a choice between them. For these reasons it is believed that we should give the vote to Prince Wan's candidacy now and at the same time should let it be known to Dr. Malik that we may have to support Prince Wan. It would be easier to inform Dr. Malik now of our thinking on this matter than to wait until he might become a strong contender and then have to inform him that we intend to support another candidate.

*Tentative Recommendation*

1. We should inform Prince Wan, and others, when asked, that we believe Prince Wan would make an excellent President and that we are disposed to support his candidacy, provided, of course, that he attains sufficient support from other Members.

2. We should inform Dr. Malik that we have the highest regard for him and believe he would make an excellent President. However, in all fairness we must point out that Prince Wan has been interested in the Presidency for some time and has recently asked for our support. In view of his long interest in the Presidency, we are disposed to support his candidacy if he attains sufficient support from other Members.

UNP files, lot 59 D 237, "Slates"

*Memorandum Circulated by the Bureau of United Nations Affairs to the Geographic Bureaus*<sup>1</sup>

SECRET

[WASHINGTON,] June 29, 1953.

## COUNCIL SLATES

## SECURITY COUNCIL

<i>Present Members</i>	<i>Candidates</i>
<i>Term expires 12/31/53</i>	
Chile	Brazil, Peru
Pakistan	New Zealand
Greece	
<i>Term expires 12/31/54</i>	
Denmark	Iran
Lebanon	
Colombia	

*Permanent Members*

China, France, UK, US, USSR

1. *Candidacies of Brazil and Peru*

Brazil requested our support for its election to Chile's seat in May, 1952. It has already served on the Security Council for two terms (1946-47 and 1951-52). Last fall Peru announced its interest in being elected to the Council to succeed Chile, and pointed out that it has never been represented on the Council. (However, USUN has been advised recently that Peru might step down.)

It has been our usual policy in the past to support the candidate preferred by the Latin American Members. However, we have also taken the position that one of the two Latin American seats should always be held by a large State.

It is believed that either Peru or Brazil would be satisfactory members of the Council from our standpoint.

*Tentative Recommendation*

We should remain non-committal and leave the choice as between Brazil and Peru to the Latin American countries.

2. *Candidacy of New Zealand*

New Zealand has asked for our support for its candidacy to succeed Pakistan. Pakistan's seat has generally been considered a commonwealth seat and it has been our policy to support whichever country

<sup>1</sup> Source text attached to UNA memorandum of June 29 to USUN cited in footnote 1, p. 457. It was drafted by Paul W. Jones on the basis of conclusions reached in the UNA meeting of June 26, and circulated to the geographic bureaus for discussion at a meeting on July 2. (This memorandum follows rather closely discussion in an earlier memorandum of June 23, drafted by Jones for internal UNA use in the meeting of June 26, not printed. UNP files, lot 59 D 237. "Slates".)

the Commonwealth Members have decided among themselves should occupy it.

It is believed that we should adhere to our past policy and support New Zealand if it has Commonwealth backing. The latest information available indicates that the UK, Canada, Australia, South Africa and Pakistan are certain to support New Zealand. The position of India is as yet unclear. The New Zealand Delegation still hopes for India's support and has pointed out that when New Zealand stepped down in favor of India's candidacy several years ago, Nehru assured New Zealand of India's support when it stood for this seat. However, the Delegation expressed some fear that India might now claim that Pakistan's seat is an Asian seat.

*Tentative Recommendation*

We should support New Zealand if it is the choice of all the Commonwealth Members and should inform it of our support at an appropriate point during the summer.

3. *Successor to Greece*

There are no announced candidacies for the seat now held by Greece. However, the Soviet Union will probably run a satellite in an attempt to recapture this seat, which was held by Soviet bloc Members from 1946 through 1949, but which was subsequently held by Yugoslavia and Greece. The Soviet Union claims that the Soviet bloc is entitled to one of the non-permanent seats on the basis of an informal understanding reached in London in 1945 under which one of the non-permanent seats was allocated to Western Europe, one to Eastern Europe, one to the Near East and Africa, one to the British Commonwealth, and two to Latin America.

In 1951, the United States strongly opposed the election of Byelorussia and waged an active campaign on behalf of Greece. We took the position that the 1945 informal understanding applied to the first year only, that the election of a Soviet candidate would seriously increase Soviet obstructive capabilities in the Security Council, and that a Soviet bloc Member did not qualify under Article 23 of the Charter. (This article provides that in electing non-permanent members, due regard should be given "in the first instance to the contribution of Members . . . to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.") However, many countries outside the Soviet bloc, including the UK and France, opposed our position or at any rate did not wish to make a major issue out of what they considered to be a lesser matter. As a result, it was only on the 19th ballot that Greece was finally elected.

A number of Members at the Eighth session may feel inclined to make concessions to the Soviet Union as a result of the Soviet "peace-

offensive", and might also argue that since the Soviet Union has not had one of the non-permanent seats for four years, it is time for a Soviet satellite to be returned to the Council. We might therefore run into strong opposition even from some of our key allies in opposing a satellite. In addition, it can be argued that the election of a satellite would probably not jeopardize our voting margin on the Chinese representation issue as long as the UK agrees to support the moratorium procedure on this issue and as long as Tsiang remains the permanent representative of the National Government, nor would it seriously weaken our position in the Security Council on East-West issues.\*

However, if the UK changes its position on Chinese representation and if other Members on the Council should also switch, the election of a satellite could make it possible for the Soviet Union to muster seven votes in favor of a motion to exclude the present Chinese National Government representative and seat a Chinese Communist.† In this event the only way we could attempt to prevent the adoption of the motion would be to resort to the veto, but even this attempt might fail if the same seven Members which supported the Soviet motion also took the position that the veto was not applicable. Also, if the Chinese National Government should designate a new representative, it might be difficult in any case for us to muster the necessary seven votes needed to approve his credentials and the election of a satellite could be the crucial factor.‡ Moreover, the election of a Soviet candidate after the General Assembly has twice decided to reject a satellite, and in the absence of sufficient evidence to justify a reversal of its previous decision, would be politically undesirable. It would involve an important concession even though the Soviet Union has not demonstrated by deeds its intent of peaceful purpose and would lend encouragement to the Soviet Union to continue its obstructive

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\*Assuming that New Zealand and either Peru or Brazil are elected, we could probably count on 8 votes on East-West issues even if a satellite were elected: US, China, France, UK, Denmark, Colombia, New Zealand, and Peru or Brazil. With respect to the Chinese representation issue, we can probably count on four certain votes—those of the US, China, Colombia, and Peru or Brazil. As long as the UK agrees to continue the moratorium procedure, and assuming France, Denmark and New Zealand would follow its position, we could muster more than enough votes to prevent the exclusion of the present Chinese National Government representative or the seating of a Chinese Communist. [Footnote in the source text.]

†If the UK changed its position, and if France, Denmark, Lebanon and New Zealand followed suit, their votes, together with those of the USSR and a Soviet satellite, would total seven. [Footnote in the source text.]

‡The USSR, UK and Denmark would not approve the credentials of a new representative of the Chinese National Government, and Lebanon might abstain. Even if France and New Zealand could be persuaded to vote with China, the United States, Colombia, and Peru or Brazil to approve his credentials, we would still need one more vote. [Footnote in the source text.]

policies in the United Nations. For these reasons it is believed that the United States should support a non-Soviet state which does not recognize the Chinese Communist regime and that we should stimulate a candidacy which would have the best chance of defeating a satellite. Since the election of a non-Soviet candidate may depend in large part upon UK and French support, we should discuss the question with these countries in the near future.

With respect to possible non-Soviet candidates, it would be impracticable to consider a country from Latin America, Western Europe, the British Commonwealth, or the Arab League, all of which are adequately represented on the Council. From the standpoint of equitable geographic distribution, a country from the Far East would be most entitled to succeed Greece, since no country from that area has ever occupied a nonpermanent seat. There are two countries from this area which would be satisfactory to us—the Philippines or Thailand. However, many Asian states, which consider the Philippines to be a US “stooge”, and also the UK and France, would not be favorably disposed toward a Philippine candidacy and it would be difficult if not impossible to obtain its election. Thailand would probably be able to obtain wider support, although Prince Wan’s candidacy for the Presidency would be a complicating factor.

The other countries which could be considered as possible candidates are Turkey and Ethiopia. Of these, Turkey would be far preferable to us. Furthermore, it is believed that it could obtain greater support than Ethiopia or even Thailand. For even though it occupied the Near East seat on the Security Council in 1951 and 1952, it is a state which borders on and has a direct interest in the Eastern European area. A number of countries, particularly the Latin American Members, might fear that the election of a country from an area far removed from Eastern Europe would upset the geographic pattern which has generally been followed for the Security Council. For this reason, they might be more willing to vote for Turkey than for a candidate from the Far East or Africa even though these areas are more entitled to a non-permanent seat.

Should Turkey become a candidate for the Security Council, it would probably be desirable for it to resign from ECOSOC, to which it was elected last year.

*Tentative Recommendation*

We should in the near future hold discussions with the UK, France and a few key delegations from other areas on the question of a successor to Greece, stressing the strong importance we attach to the election of a non-Soviet candidate. We should mention Turkey as our preferred candidate, but might also suggest Thailand and Ethiopia as possibilities.

## ECOSOC

*Present Members*  
*Term expires 12/31/53*  
 Philippines

Poland  
 Sweden  
 USSR  
 UK  
 Uruguay

*Term expires 12/31/54*  
 Argentina  
 Belgium  
 China  
 Cuba  
 Egypt  
 France

*Term expires 12/31/55*  
 Australia  
 India  
 Turkey  
 US  
 Venezuela  
 Yugoslavia

*Candidates*  
 Afghanistan, Indonesia,  
 Pakistan and Thailand  
 (Satellite)  
 Norway  
 (USSR)  
 (UK)  
 Ecuador, Uruguay and  
 Bolivia

Dominican Republic

Colombia

1. *Candidacies of Afghanistan, Indonesia, Pakistan and Thailand*

Thailand informed us of its candidacy for ECOSOC last fall, and expressed the hope that its candidacy would not adversely affect Prince Wan's election to the Presidency. It has never served on ECOSOC, but has served on the Trusteeship Council for one term (1951-1953).

Indonesia requested our support for election to ECOSOC (and also to the Trusteeship Council) this spring. It was also a candidate for ECOSOC last year but we supported India instead. It has never served on any of the major Councils.

Afghanistan and Pakistan also requested our support this spring. Like Indonesia, Afghanistan has never been a Member of a major Council. Pakistan is presently on the Security Council and served on ECOSOC for the period 1950-1952. It was a candidate for reelection last year, but we supported India.

From the standpoint of geographic distribution, Thailand or Indonesia would be the most logical successor to the Philippines. Of these two, Thailand would be preferable to us as far as the substantive work of ECOSOC is concerned, and since it is the only candidate for this seat which does not recognize the Chinese Communist regime. However, as noted above, we may wish to consider Thailand for the Security Council. In this event, we would have to consider other candidates to succeed the Philippines.

*Tentative Recommendation:*

We should take no decision on the successor to the Philippines pending further developments on the Security Council slate.

*2. Candidacy of a Satellite*

While no Soviet bloc candidacy has been announced, the Soviet Union can certainly be expected to run a satellite.

Until this year there have always been two satellites on the Council. Last year, however, Yugoslavia defeated Czechoslovakia after 13 ballots, thereby reducing Soviet bloc representation. The United States supported the election of Yugoslavia.

Most Members of the United Nations would probably be unwilling to further reduce Soviet representation on ECOSOC this year, and it is likely that we would be defeated if we should try to elect a non-Soviet candidate. Furthermore, the election of a satellite would not jeopardize our voting position on the Council. Finally, we might obtain less support for a non-Soviet candidate for Greece's seat on the Security Council if we also tried to defeat a satellite for election to ECOSOC.

*Tentative Recommendation:*

We should not campaign against the election of a Soviet satellite to succeed Poland.

*3. Candidacy of Norway*

Norway requested our support for its election to Sweden's seat in April. This seat has always been held by a Scandinavian country (Norway in 1946 and 1947, Denmark from 1948 through 1950, and Sweden from 1951 through 1953). According to the Norwegian delegation, Iceland, the only Scandinavian country which has not yet served on ECOSOC, does not intend to seek election this year.

*Tentative Recommendation:*

We should vote for Norway to succeed Sweden. After we have formulated our position on the total ECOSOC slate, we should inform Norway and others, when asked, of our decision.

*4. Candidacy of USSR and UK*

There has been a general agreement from the beginning that the five major powers should be represented on ECOSOC.

*Tentative Recommendation:*

The United States should vote for the reelection of the UK and the USSR.

*5. Candidacies of Ecuador, Uruguay and Bolivia*

Ecuador requested our support in November 1952, and Fabregat of Uruguay last month asked that Ambassador Lodge be informed of Uruguay's candidacy for reelection. We gave the usual non-committal

reply. Bolivia has not yet asked for our support but is apparently a strong candidate for reelection.

*Tentative Recommendation:*

We should not decide which candidate to support until the views of the Latin American states are known.

TRUSTEESHIP COUNCIL

<i>Present Members</i>	<i>Candidates</i>
<i>Term expires 12/31/53</i>	
Dominican Republic	Haiti
Thailand	Indonesia, India and possibly Liberia
<i>Term expires 12/31/55</i>	
El Salvador	
Syria	
<i>Administering Powers and Other Permanent Members</i>	
Australia	New Zealand
Belgium	United Kingdom
China	United States
France	USSR

1. *Candidacy of Haiti*

Haiti requested US support for its candidacy to succeed the Dominican Republic in January, and we gave the usual non-committal reply. To our knowledge, there are no other Latin American candidates.

*Tentative Recommendation:*

In accordance with our usual policy concerning Latin American candidates we should make no decision on Haiti's candidacy until the views of the Latin American States are known.

2. *Candidacies of Indonesia and India*

Indonesia requested our support for its election to the Trusteeship Council in March. In May India asked for our support. It was also a candidate last year for the Trusteeship Council, but stepped down in favor of Syria.

Liberia has often in the past expressed interest in election to the Trusteeship Council, but we have heard nothing definite on this lately.

As already indicated, Indonesia is also a candidate for ECOSOC. It will be recalled that it requested our support for election to ECOSOC last year but we supported India instead. In addition, Indonesia has never served on a major Council, while India has been a member of the Security Council and is presently on ECOSOC.

*Tentative Recommendation:*

We should probably support Indonesia to succeed Thailand.



UNP files, lot 59 D 237, "Slates"

*Minutes of Meeting of Membership Team, Department of State,  
June 29 and July 2, 1953*

SECRET

Present: Mr. Wainhouse—UNP  
Mr. Jones—UNP  
Mr. Monsma—ARA  
Mr. Allen—EUR (June 29)  
Mr. Barnard—EUR (July 2)  
Miss Bacon—FE  
Dr. Howard—NEA

A meeting was held in Mr. Wainhouse's office on June 29, 1953 to consider a UNA paper suggesting (1) that we inform Prince Wan and others, when asked, that we are disposed to support him for the Eighth Assembly Presidency provided he obtains sufficient support from other Members; and (2) that we also inform Dr. Malik of this.<sup>1</sup>

Miss Bacon said that FE hoped we could take this action, since Prince Wan has long been a candidate, since we have done nothing to discourage him, and since he is under the impression he can count on our support. She thought that it would save us embarrassment if we told Dr. Malik, before he formally enters the race, that we may have to support Prince Wan. Mr. Monsma and Mr. Allen also thought that it would be quite reasonable to take these steps now.

Dr. Howard, however, said that NEA did not wish to foreclose Dr. Malik's candidacy and thought that it might help our relations with the Arab States if we supported him. Mr. Wainhouse said that UNA had given careful consideration to the problem and thought that both men were well qualified for the job. However, it had come to the conclusion that we should probably give the nod to Prince Wan's candidacy now because of the special circumstances surrounding his candidacy which Miss Bacon had already mentioned. He also thought there were advantages of electing an individual from the Far East to the Presidency of the next session, where Far Eastern issues will come to the fore, and from a country which had contributed troops to Korea. He believed that we might avoid considerable embarrassment if we took the action suggested and did not wait until Dr. Malik entered the race and then perhaps have to tell him we would support Prince Wan.

Dr. Howard agreed to discuss the matter further within NEA in the light of the discussion.

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<sup>1</sup> See UNA memorandum, June 29, p. 459.

A second meeting was held in Mr. Wainhouse's office on July 2 to consider a UNA paper giving tentative recommendations regarding the US positions on the Council slates.<sup>2</sup>

With respect to the Security Council slate, it was generally agreed that either Peru or Brazil would be a satisfactory successor to Chile and that we should make no decision on which candidate to support until the views of the Latin American states are known. There was also tentative agreement that we should support New Zealand to succeed Pakistan if it is the choice of all the Commonwealth countries. However, Mr. Barnard said that it was EUR's position that we should support New Zealand even if it did not have India's backing. In this connection Mr. Jones noted that India had just handed our Embassy in New Delhi an *aide-mémoire* indicating that India might try to replace Pakistan but wants our views first. It was generally recognized that failure of India to back New Zealand could create a difficult problem for us and that its election might jeopardize our voting margin in the Council on the Chinese representation issue.

With respect to a successor to Greece, there was general agreement that we should oppose the election of a Soviet bloc member, and it was recognized that we would probably have to wage a real campaign in order to win. In this connection, Mr. Wainhouse reported that he believed Ambassador Lodge was ready to fight hard on this election in order to elect a state which does not recognize the Chinese Communist regime. No decision was reached regarding the tentative recommendation that Turkey be our preferred candidate. Mr. Howard thought that Turkey would probably be a stronger candidate than Ethiopia, but that we should not exclude the latter as a possibility. Mr. Barnard mentioned that Turkey was not altogether satisfied with its relationship to NATO at the present time and that it might ease the situation if it was elected to the Security Council. Miss Bacon said that she wished to reserve any position on possible non-Soviet candidates pending further discussion in UN. She pointed out that a country from the Far East had never had a non-permanent seat and she believed FE might wish to consider the Philippines.

Regarding the ECOSOC slate, Mr. Jones noted that UNE favored Thailand for the Philippine seat. Dr. Howard mentioned that NEA did not wish to rule out Afghanistan as a possibility and Miss Bacon thought FE might favor Indonesia if it were not our candidate for the Trusteeship Council. In any case, it was agreed that we could not make even a tentative decision on a successor to the Philippines for ECOSOC until we reached a decision on a successor to Greece for the Security Council.

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<sup>2</sup> See UNA memorandum, June 29, *supra*.

It was tentatively agreed that since Soviet bloc representation on ECOSOC was reduced last year and in view of the need to concentrate on defeating a satellite for the Security Council, we should not campaign against a satellite to succeed Poland on ECOSOC, although we might abstain.

As far as the successor to Sweden is concerned, it was tentatively agreed that we should probably support Norway. However, Miss Bacon said that while she did not want to press the issue now, she was concerned that one seat should always rotate among the Scandinavian countries and one seat among the Benelux states. She thought that at some point consideration should be given to a candidate from another area for one of these seats. Mr. Wainhouse and Mr. Jones agreed in principle, but thought that this was not the year to do so. They also pointed out the necessity of maintaining a safe balance on the Chinese representation issue and the importance of electing countries to ECOSOC which could make a constructive contribution to its work.

It was generally agreed that in accordance with the general understanding that the Big Five should always be represented on ECOSOC, we should vote for the reelection of the UK and the USSR, and that as between the Latin American candidates for Uruguay's seat (Ecuador, Uruguay and Bolivia), we should make no choice until the views of the Latin American States are known.

As far as the Trusteeship Council is concerned, it was generally agreed that we might support Indonesia rather than India to replace Thailand unless Indonesia is our candidate for ECOSOC. It was noted that Liberia has been interested in election to the Trusteeship Council in the past, although we have not heard anything definite on this for some time. Mr. Howard, after consultation with AF, reported that it might be best not to promote its candidacy. Lastly, agreement was reached that we should probably support the Latin American choice to succeed the Dominican Republic. Mr. Jones said that we have recently been informed by a member of the Dominican Republic delegation that Haiti might not run, in which event Uruguay might be the candidate.

It was recognized that no final recommendations would be reached on any of the slates pending further consultation with USUN and the geographic bureaus.

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330/7-153 : Telegram

*The Ambassador in India (Allen) to the Department of State*

CONFIDENTIAL

NEW DELHI, July 1, 1953—5 p. m.

3. R. K. Nehru handed me *aide-mémoire* yesterday inviting US Government attention to fact that if New Zealand succeeds Pakistan on United Nations SC at next election, Lebanon will be only Asiatic

country left on SC except Formosa which "can hardly be said to represent any country but itself". *Aide-mémoire* states that at moment when Asia's problems are of high importance Asia would have practically no representative on SC, that burden of expressing Asian viewpoint has often fallen on India, and that if one seat on SC goes to Commonwealth countries by rotation, India would be member only once in 14 years. India does not wish to contest seat unless she has concurrence of important powers and is approaching US and UK in hope that some way would be found to remedy matter of Asiatic representation.

I said situation would naturally be easier for us if Commonwealth reached agreement. R. K. said GOI expected UK to support New Zealand but did not know what attitude Canada would take.

*Comment:* Apart from reasoning in *aide-mémoire*. I am impressed by case for Indian membership and hope we can find basis for supporting it. In fact, good case could be made for permanent seat for India. Re-election after 2 year absence would be middle ground, giving India status in practice of semi-permanent seat but without veto. There can be no question that India has very considerable influence among Asiatic nations and has in fact often carried role of spokesman. India's role in Korean armistice is evidence of responsible position India has assumed in international affairs.

Moreover, I believe, there is still validity in original UN concept of permanent representatives for major powers. Re-examination of permanent representatives will come up in charter revision discussion of 1956, when India will doubtless make strong plea for permanent seat. Semi-permanent status seems justified and might prove good compromise. Moreover, pressure for replacement of Nationalist China by Peking regime rests largely on claim that Peking represents 400 million people. If Lebanon and Formosa remained only SC representative of half population of world, Peking's claim would be given additional color. If India is assured election to SC, less case can be made that Asiatic peoples will not be adequately represented in UN.

I suspect Commonwealth may try to obtain Latin American seat for India.

Text of *aide-mémoire* being pouched.

ALLEN

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330/7-153 : Telegram

*The Acting Secretary of State to the Embassy in India*

SECRET

WASHINGTON, July 3, 1953—6:58 p. m.

13. Re urtel 3: If queried further re India's election to SC suggest you merely state matter has been referred Dept. *FYI* only Dept is presently considering SC elections but has not finalized positions. In

meantime believe we should give no encouragement India's desire be elected this year. We appreciate arguments you advanced. However apart from our understanding based on conversations with New Zealand officials that New Zealand has support all Commonwealth countries except India and fact it has been our policy support Commonwealth choice for seat now held by Pakistan, India's election to this or any other seat might jeopardize our voting margin in SC on Chinese representation issue. *End FYI.*

Inform Dept if you have any concrete evidence Commonwealth may try elect India to Latin American seat.

SMITH

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320/7-753

*The United States Representative at the United Nations (Lodge) to the Secretary of State*

CONFIDENTIAL

NEW YORK, July 7, 1953.

DEAR FOSTER: Some weeks ago we discussed the possibility of making use of Madame Pandit's interest in developing better relations between the United States and India, in particular the possibility of the United States supporting Madame Pandit for President of the 8th Regular Session of the General Assembly this fall.

The present situation seems to be that the Thai Government has solicited our support for Prince Wan's candidacy, and that we are considering him sympathetically; that Charles Malik of Lebanon has expressed an interest; and that there has been some talk among the Western Europeans of giving the post to a Western European this year. The Latin Americans may also be interested, although they have had the Presidency many times.

Yet it seems clear to me now that the advantage on our side would lie in supporting Madame Pandit.

We should take some initiative. The Indians are believed to be already actively campaigning for her and we should not allow ourselves to get into the position later on either of opposing her or of climbing on the bandwagon. We should gradually let it be known that the United States was inquiring among other delegations as to whether they would feel free to support Madame Pandit.

There are rumors that the Indians would like to be elected to the Security Council this fall. I do not think we can support them for this post, primarily because of their attitude towards representation of Communist China in the United Nations. Largely for this reason we should not only support but take the initiative towards supporting Madame Pandit for the Presidency of the General Assembly. If we are going to do so there is no time to be lost.

Sincerely,

HENRY CABOT LODGE, JR.

330/7-853 : Telegram

*The Chargé in the United Kingdom (Holmes) to the Department of State*

CONFIDENTIAL

LONDON, July 8, 1953—2 p. m.

120. Re New Delhi's 3 (London information 2) on India's desire succeed Pakistan on SC, two officials CRO have stated separately that UK, Australia, Canada (but not New Zealand) had received similar *aide-mémoires*. UK is annoyed and will certainly give New Zealand its support; New Zealand is now known to be a candidate and UK could hardly switch its allegiance, particularly since it took considerable coaxing to make New Zealand willing to run. If India had announced its intention during New Zealand's period of indecision, situation might have been different; also, UK is irritated because Indians made no mention this desire during their stay in London for Commonwealth conference.

CRO does feel, however, that India's argument about Asian representation has considerable validity, particularly "since in India's eyes Formosa is no Government at all."

HOLMES

320/7-953

*Memorandum of Conversation, by Nicholas G. Thacher of the Office of South Asian Affairs*

CONFIDENTIAL

[WASHINGTON,] July 9, 1953.

Subject: Indian Government Considering Putting Forward Mrs. Pandit for Presidency of General Assembly

Participants: Mr. I. J. Bahadur Singh, Counselor of the Indian Embassy  
Mr. Kennedy, SOA  
Mr. Thacher, SOA

During his call Mr. Singh brought up among other things the fact that the Indian Government was considering putting forward Mrs. Vijayalakshmi Pandit, Prime Minister Nehru's sister and former Ambassador to the US, as a possible candidate for President of the General Assembly at its next regular session (the forthcoming eighth session scheduled to meet in September).

Mr. Singh said that the Indian Prime Minister was interested in this possibility but that he wished to know the views of the US Government before taking any steps in the matter. Mr. Singh declared that our attitude towards the candidacy would be a most important factor in determining whether the Government of India would actually pro-

pose Mrs. Pandit. Mr. Singh stated that it was a matter of some urgency for the Indian Government to know our attitude since if positive action was to be taken in the matter then it should be initiated in the near future. Mr. Kennedy assured Mr. Singh that the matter would be given prompt consideration by the Department.

In response to a query by Mr. Kennedy, Mr. Singh stated that he did not believe there was any chance of Mrs. Pandit being made Minister of External Affairs. Mr. Singh stated that the Prime Minister did not wish to favor his own family too much in the matter of important appointments, and that the Prime Minister would not wish to have his own sister in the cabinet.

Mr. Kennedy inquired as to the possibility of Mr. V. K. Krishna Menon's leading the Indian Delegation to a special meeting of the General Assembly to consider the Korean problem. Mr. Singh said that this was likely and was logical in view of Mr. Menon's having taken the initiative in negotiations concerning Korea at previous meetings of the General Assembly.

Mr. Singh alluded to his own service with the representatives of the Government of India on the UN Commission in Korea in 1945-48 and stated that at that time he and others had been impressed by the obstinacy of Dr. Rhee particularly as shown by his unwillingness to accept into his cabinet representatives of other parties. Mr. Singh stated that he might very well be sent as part of the Indian representation on the Neutral Nations Repatriation Commission whenever the latter body came into existence.

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330/7-1353 : Telegram

*The Chargé in the United Kingdom (Holmes) to the Department of State*

CONFIDENTIAL

LONDON, July 13, 1953—6 p. m.

205. Re Embtel 128 on India's candidacy for SC, official CRO volunteered to Embassy officers that UK is making following reply to India:

- (1) UK is committed to New Zealand for Commonwealth seat;
- (2) Regardless of which SC seat India tries for, it will be competing against New Zealand and will lessen latter's chances; therefore, UK, will not support India if it tries for any other seat;
- (3) UK is sympathetic to claim Asia is underrepresented but thinks best way to deal with problem is to wait until UN Charter comes up for revision.

Since India is on ECOSOC, is candidate for Trusteeship Council and has told Canada that Mme. Pandit may run for President of GA, UK believes that if it aspires also to SC, it would be overreaching itself.

UK expressed hope that US will give India no encouragement to continue its SC candidacy, mentioning informally that if India were to be elected, it would not rest until Communist China were seated. (UK is also privately most unenthusiastic about Mme. Pandit as President of GA but has, to date, heard only second hand from Canadians that she may be a candidate.)

HOLMES

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32/7-753

*Memorandum by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer) to the Secretary of State*

CONFIDENTIAL

WASHINGTON, July 14, 1953.

Subject: Mrs. Pandit's Candidacy for the Presidency of the 8th Regular Session of the General Assembly

*Discussion:*

The attached letter from Ambassador Lodge (Tab B)<sup>1</sup> proposes that the United States actively support Mrs. Pandit's candidacy for the presidency of the 8th Regular Session of the General Assembly. Prince Wan of Thailand, Ambassador Malik of Lebanon, and possibly Mr. Van Kleffens of the Netherlands are also candidates; moreover, this particular election is closely connected with the Security Council and other UN elections which will be held in the fall. Accordingly, no firm decision should be reached on this point except as a part of our total policy on elections.

UNA is now considering, with the other interested Bureaus, what countries we should support for all of the major UN posts and I hope to submit recommendations within a few days on the slate as a whole. However, in view of the possibility of immediate inquiry by Ambassador Lodge, the attached interim acknowledgment (Tab A) is submitted for your signature.

*Recommendation:*

That you sign the attached interim reply. (Tab A)<sup>2</sup>

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<sup>1</sup> See letter of July 7, p. 472.

<sup>2</sup> In his response to Ambassador Lodge, dated July 16, Secretary Dulles said:

"Your letter of July 7, 1953 concerning the presidency of the 8th Regular Session of the General Assembly puts forward very persuasively the considerations in favor of Mrs. Pandit. As you indicate, however, the problem of the General Assembly presidency is closely connected with the problems of other United Nations elections which will take place this fall. Accordingly, I am having our policy on the elections problem as a whole studied intensively in the Department, in all its aspects, and will communicate with you again on the subject very shortly." (320/7-753)



320/7-1553

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] July 15, 1953.

Subject: Canadian Views on Madam Pandit's Candidacy for President of the General Assembly

Mr. Ignatieff informed me that the Canadian Government has informed its High Commissioner in New Delhi that if the Indian Government desires an answer now on Madam Pandit's candidacy for the General Assembly Presidency it would be "no". Mr. Ignatieff stated the Canadian Government expressed its hope that two Asian powers would not run as rivals for the Presidency of the General Assembly. (Mr. Ignatieff was undoubtedly referring to Prince Wan's candidacy for the GA Presidency.)

The Canadian Government stated to its High Commissioner that the Indian Government appears to be entirely too ambitious in its quest for UN offices. Mr. Ignatieff referred to the Indian chairmanship of the NNRC and their quest for the three Council seats, and now the Presidency of the General Assembly. Mr. Ignatieff stated that the Canadian Government felt that maybe if Madam Pandit was given the chairmanship of the Second or Fourth Committee that should be sufficient.

DAVID W. WAINHOUSE

320/7-953

*Memorandum by the Acting Assistant Secretary of State for United Nations Affairs (Sandifer) to the Secretary of State*<sup>1</sup>

SECRET

[WASHINGTON,] July 18, 1953.

Subject: Eighth General Assembly: Election of President and Three Non-Permanent Members of the Security Council

*Discussion:*

Ambassador Lodge has suggested to you that we support Mrs. Pandit for the General Assembly presidency (*Tab A*, Correspondence). This question and the related Security Council elections were considered at

<sup>1</sup>Drafted by the Officer in Charge of General Assembly Affairs (Taylor) and the Deputy Assistant Secretary of State for UN Affairs (Sandifer) (who was in an "Acting" capacity at this time); and cleared by the geographic bureaus (ARA—Woodward, EUR—Bonbright, NEA—Jernegan, and FE—Johnson). This memorandum was approved by Secretary Dulles on July 22.

The recommendations herein presumably resulted from a meeting held on July 16 by the Assistant Secretaries of the bureaus or their representatives with the Deputy Under Secretary of State, H. Freeman Matthews. No record has been found of this meeting, which was called by Sandifer in a circular memorandum of July 15 to which was attached a memorandum entitled "Eighth Regular Session of the General Assembly Major Slates Problems", neither printed (UNP files, lot 59 D 237, "Slates").

a meeting of the Assistant Secretaries of the Geographic Bureaus with Mr. Matthews, and the recommendations given below were approved.

The Indian Embassy has indicated to the Department that Prime Minister Nehru is considering putting forward Mrs. Pandit for the General Assembly Presidency and as asked for our reaction (Tab B). Ambassador Malik (Lebanon) has informally sounded us out here and in New York on his possible candidacy. The Thai Government, in a note of June 30, 1953,<sup>2</sup> formally requested United States support for Prince Wan. We have been on notice of Prince Wan's prospective candidacy over a period of two years.

As to the Presidency of the General Assembly, the problem is principally one of weighing the superior competence of Prince Wan as compared with Mrs. Pandit. There is general agreement here that on her record Mrs. Pandit would be unstable, unreliable and inadequate as President. The resentment in this country over the Indian position on Korea and the Chinese Communists would probably make our support of her candidacy, or of India for the Security Council, quite unpopular. Prince Wan, on the other hand, has demonstrated sobriety and political wisdom and can be counted on in crucial East-West issues. As pointed out by Ambassador Lodge, there would be some political advantage in supporting Mrs. Pandit. It might make it easier to oppose India for the Security Council. However, with Commonwealth opposition this candidacy may not prosper. The consensus here is strongly that the possible political advantage does not balance the clear liabilities involved in Mrs. Pandit as President.

Elections will be held for three Security Council seats being vacated by Pakistan, Chile and Greece. For the first—regarded as the Commonwealth seat—all Commonwealth Members, except India, favor New Zealand. However, India has just indicated its desire to run for this seat, urging the need for more Asian representation in the Council. The United Kingdom has informed us that it has advised India of its opposition to India for any Security Council seat. Particularly because of India's position on Chinese representation, we oppose its candidacy.

Brazil and Peru are candidates for the second seat. Either would be satisfactory to us. The Latin American caucus has not yet reached a decision between them.

The greatest difficulty arises over the seat vacated by Greece. Under a 1945 arrangement, this seat was allocated to the Soviet bloc for the first election. In 1949 Yugoslavia was elected to it with our strong support; in 1951 strong American efforts succeeded after 19 ballots in electing Greece. As a gesture to the Soviets a good many countries will probably be inclined to favor a return of the seat to a satellite. There

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<sup>2</sup> Not printed.

are as yet no candidates for this seat. The existing political situation, national and international, makes it unwise and undesirable to support for this post a satellite or any state which supports the seating of the Chinese Communists. Although Asia is under-represented in the Council, there are no suitable candidates from that area since the Philippines would be extremely difficult to elect and the risk of a defeat makes it unwise for us to encourage a Thai candidacy. We could not support India, Burma or Indonesia because of their Chinese representation policy. Latin American devotion to the geographic representation principle suggests that Turkey might be the most effective candidate, since it adjoins the Eastern European area.

*Recommendations:*

1. That we inform Thailand and other friendly governments, particularly India and Lebanon, that we will support Prince Wan if there is reasonable prospect of his election.

2. That we support New Zealand for the Commonwealth seat if, as we understand, it has the support of all Commonwealth Members except India, and that we so inform other friendly countries.

3. That we take steps to develop a Turkish candidacy for the Greek seat, approaching the Turks first, and if they agree, other key governments. We should encourage the Turks to take the lead in developing their candidacy. While giving firm support to Turkey, we should not stake United States prestige on her election or for the election of our candidates to other General Assembly posts. We should not in any event accept or support a satellite for this seat, or any state which could be expected to support the seating of the Chinese Communists. If the Turkish candidacy does not prosper our preferred alternative candidates would be the Philippines and Ethiopia.

4. That we support a Latin American country to replace Chile but defer the decision until we know the views of the Latin American countries.

5. That we support the election of India to the Trusteeship Council for which it is also a candidate. (This is an adequate counter-balance for our declining to support Mrs. Pandit and India for the Security Council. India is now a member of the Economic and Social Council.)

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330/7-2453 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the  
Department of State*

CONFIDENTIAL

LONDON, July 24, 1953—1 p. m.

376. Embtel 205, July 13, repeated New Delhi 4.

1. Commonwealth Relations Office (CRO) and Foreign Office have now agreed and, subject concurrence UKUN, Foreign Office will

shortly deliver to Indian HC here reply to recent Indian note to following effect:

(a) UK firmly committed to support candidacy of New Zealand for Commonwealth seat in SC.

(b) UK unable support Mrs. Pandit as candidate for presidency of GA. It has already indicated support for Prince Wan for that position.

(c) UK will gladly support Indian application for membership Trusteeship Council.

2. CRO has commented to Embassy Officer along following lines:

(a) India had in fact suggested that, if Latin America over represented in UN and if UK unable support India for Commonwealth seat, then UK should be willing support India for Latin American seat. UK reasoning was Commonwealth might then lose out in both cases. UK has decided against mention of any possible revision UN charter provide for greater Asian representation lest Indians interpret this as commitment.

(b) Prince Wan's candidacy already well-advanced and besides he capable officer and Asian. These facts being pointed out to GOI.

(c) Colonial Office had "spasms" about thought of India on Trusteeship Council, but CRO and Foreign Office successfully argued that India stood good chance of election whether or not supported by UK, and that responsibility would probably tend moderate Indian views toward "colonialism".

ALDRICH

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320/7-953

*The Secretary of State to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] July 24, 1953.

DEAR CABOT: I am sorry I did not have a chance to discuss with you yesterday the matter of the General Assembly Presidency. Our people here have recommended, and I concur in their recommendation, that we support Prince Wan of Thailand rather than Mrs. Pandit. I think you are familiar with most of the arguments pro and con in this matter, and of course if you have strong feelings that this is a wrong decision I would appreciate your getting in touch with me.

In reference to Security Council elections, I think we should support New Zealand rather than India for the Commonwealth seat being vacated by Pakistan if, as I understand, New Zealand has the support of all the Commonwealth members except India. On the Greek seat it is clear that we should not in any case support a satellite or any country which can be expected to support the seating of the Chinese Com-

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<sup>1</sup> Drafted by the Officer in Charge of General Assembly Affairs (Taylor) and Roderic L. O'Connor, Special Assistant to the Secretary of State.

munists. Of the possible candidacies which might be developed, Turkey—particularly in view of its proximity to the Eastern European area—would probably have the best chance of effectively opposing the satellite candidate. We should, therefore, promptly take steps to develop a Turkish candidacy for the Greek seat, approaching the Turks first and, if they agree, other key governments, particularly the United Kingdom, France and the Latin American states. We should encourage the Turks to take the lead in developing their candidacy. While we should give them firm support, however, we should avoid staking United States prestige on her election or, for that matter, on the election of our candidates to other posts. If the Turkish candidacy should not prosper, I believe that our preferred alternative candidates should be the Philippines and Ethiopia. For the Security Council seat now held by Chile, we will, of course, support a Latin American state, presumably Brazil or Peru, deferring our decision until we know the views of the Latin American states.

It was good talking with you yesterday and I wish we could do that more often.

Sincerely yours,

JOHN FOSTER DULLES

830/7-2753

*Memorandum of Conversation, by the Special Assistant for United Nations Affairs, Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] July 27, 1953.

Subject: New Zealand's Candidacy for Security Council

Participants: Ambassador Munro, New Zealand Embassy

Mr. Wade, New Zealand Embassy

Mr. Raynor, BNA

Mr. W. P. Allen, EUR

In response to Ambassador Munro's question, we stated that we were not yet in a position to advise them formally of our attitude regarding their candidacy, but we personally felt certain we could give them an official, affirmative response in a few days. The Ambassador is particularly anxious to be able to advise Prime Minister Holland (now in Rome) before he reaches Delhi for discussion with Nehru on August 3 or 4. The Ambassador agreed with Mr. Raynor's view of the importance of advance consultation with the Latin American Governments and in that connection reported that since New Zealand has no missions in the other American Republics the UK has instructed its missions in all 20 capitals to seek the support for New Zealand's election. In addition, Ambassador Munro has been very active in New York in consultation with many of the Latin American Delegations as well as others. He has received sympathetic favorable response from

all he has contacted and definite commitments already from Guatemala and El Salvador. The fact that the Latin Americans appear predisposed against reelection to the SC after only a one-term absence will work in New Zealand's favor vis-à-vis India, but he observed may operate against Brazil's contest with Peru over the candidacy for one of the Latin American seats.

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UNP files, lot 59 D 237, "Slates"

*The United States Representative at the United Nations (Lodge) to the Secretary of State*

PERSONAL

NEW YORK, July 30, 1953.

DEAR FOSTER: In reply to yours of July 24th, I do feel strongly that we should support Mrs. Pandit rather than Prince Wan for Presidency of the General Assembly.<sup>1</sup>

Just look at the facts: We opposed Mrs. Pandit for Secretary General; we are opposed to India for the Security Council; we are opposed to having India take part in the Korean political conference. Here is one office—the Presidency of the General Assembly—which is largely of publicity importance—and we won't even take her for that. The fact that we may be supporting them for the Trusteeship Council is so minor as not to matter.

As regards New Zealand for the Pakistan seat, I would be opposed to that unless we get an ironclad assurance of the support of the American position rather than the British position on Chinese representation. I would certainly be glad to see Turkey in the Greek seat.

Sincerely yours,

HENRY CABOT LODGE, JR.

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<sup>1</sup> The Secretary of State encircled "Mrs. Pandit" in the first paragraph and wrote a marginal notation, undated: "O.K. to vote for her—But not campaign against Prince Wan—J[ohn] F D[ulles]"; see memorandum of conversation by the Assistant Secretary for UN Affairs (Murphy), Aug. 1, *infra*.

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320/8-153

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Murphy)*

CONFIDENTIAL

[WASHINGTON,] August 1, 1953.

Subject: Presidency of the 8th General Assembly

Participants: The Secretary  
Under-Secretary Smith  
Ambassador Lodge  
Mr. Murphy

The Secretary said he wanted to discuss the question whether the United States should support the candidacy of Mrs. Pandit for the

Presidency of the General Assembly. The Under-Secretary, Ambassador Lodge and Mr. Murphy having indicated their concurrence, the Secretary said that he had just discussed the matter with the President because the election of Mrs. Pandit as President of the General Assembly might evoke some political reaction in this country. The Secretary said that the President indicated that he would have no objection as long as it was felt on our part that Mrs. Pandit's election would be a satisfactory solution of the problem. The Secretary informed Mr. Lodge, in reply to his personal letter of July 30, that it would be O.K. to vote for Mrs. Pandit but that we should not enter into a campaign against Prince Wan.

Mr. Murphy also asked the Secretary regarding the New Zealand candidacy for the Security Council. The Secretary said that it would be all right to inform New Zealand that we would support its candidate.

In reply to Mr. Murphy's inquiry regarding the fact that India is also a candidate for a place on the Trusteeship Council, and as we are now supporting Mrs. Pandit for the Presidency of the General Assembly, perhaps we could consider supporting Thailand for a place on the Trusteeship Council in lieu of India. The Secretary thought this worthy of examination and said he saw no objection to the Thai appointment to the Trusteeship Council.

ROBERT MURPHY

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330/8-153

*Memorandum of Conversation, by the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 1, 1953.

Subject: New Zealand's Candidacy for the Security Council

Participants: The Secretary  
 Mr. Ward P. Allen, BNA  
 Ambassador Munro of New Zealand  
 Mr. H. Wade

Ambassador Munro calling on instructions, reviewed the status of New Zealand's candidacy for the Commonwealth seat on the Security Council and asked whether the US had reached a decision on the matter. If favorable, Prime Minister Holland (who is arriving this weekend for a 3 or 4 day stay in Delhi) hopes strongly the US can advise the Indian Government while he is there.

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<sup>1</sup> Drafted jointly by the Secretary of State; Roderic L. O'Connor, Special Assistant to the Secretary of State; and Ward P. Allen, Special Assistant on UN Affairs, Bureau of European Affairs.

The Secretary, making clear there was no question of bargain or deal, referred to the problem of Chinese representation and inquired as to New Zealand's position. Ambassador Munro replied that in his Government's view, while the Mao government is the government of China, it must first "work its way back" into the international community before it can represent China in the UN. They should not be seated either at the resumed Seventh or at the Eighth GA session. Referring to the general similarity in our attitudes, the Secretary stated that neither he nor the President is committed to the position that the Chinese Communists should *never* be seated in the UN but, in our view, before that should happen, three conditions would have to be met: (1) it must show it is the real government and not a puppet of, or subservient to, the Soviet Communist party; (2) there must be adequate indication of its acceptance by the people it governs; and (3) it must show by conduct in Korea, in relation to the political conference, and in Indo China that it is willing to abide by decent international standards of conduct and the principles of the UN. We are, therefore, opposed to granting it China's seat now and opposed to agreeing to seating it as any part of a "deal" in connection with the Korean question.

The Ambassador said that he thought that our two governments' views were close together. In response to the Ambassador's question, the Secretary stated that we are disposed to support New Zealand for the Security Council, but it is difficult to give an irrevocable commitment at the moment, since problems of UN elections are somewhat inter-related, mentioning in this connection Madame Pandit's candidacy for the GA Presidency. Asked for his opinion on this, Ambassador Munro replied that, although he had no instructions, in his view Prince Wan would make a better president.

The Secretary agreed that we might be able to advise India of our support for New Zealand during Mr. Holland's stay in Delhi. We would give this serious consideration.

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On instructions, I subsequently advised Ambassador Munro by phone that our support for New Zealand is definite, and that we will instruct our Ambassador in Delhi to advise the Government of India promptly. I suggested, however, that before Mr. Holland discusses the matter with Mr. Nehru, he check with our Embassy to be sure we have notified the Indians first. Ambassador Munro agreed.



320/8353 : Telegram

*The Acting Secretary of State to the Embassy in India*<sup>1</sup>CONFIDENTIAL  
PRIORITY

WASHINGTON, August 3, 1953—6:26 p.m.

126. Take up following UN election matters most urgently with MEA:

(1) Re Eighth GA Presidency inform MEA in strict confidence US has decided support Madam Pandit if she becomes candidate but will not campaign on her behalf, and request MEA transmit to Madam Pandit personal message from Ambassador Lodge included in immediately following telegram. Also ascertain from MEA whether she is definitely a candidate. Ind Emb recently raised this matter with Department.

(2) Re SC election inform MEA US has given careful consideration candidacies of New Zealand and India to replace Pakistan and has decided support New Zealand. As GOI aware, we have in past taken views Commonwealth Members into account in determining our position this seat, and we understand New Zealand has support most Commonwealth Members. We appreciate problem raised GOI aide-mémoire regarding desirability adequate Asian representation in SC and will continue give thought this problem.

In accordance Department's discussions New Zealand Embassy inform New Zealand Prime Minister as soon as you have given Indians info on SC position and in case any delay consult with him re timing your approach Indians. Holland intends discuss SC seat with Nehru.

SMITH

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<sup>1</sup> Drafted by Paul W. Jones and signed by Assistant Secretary Murphy. Repeated for information to Wellington and USUN.

320/8-353 : Telegram

*The Acting Secretary of State to the Embassy in India*<sup>1</sup>CONFIDENTIAL  
PRIORITY

WASHINGTON, August 3, 1953—6:26 p. m.

127. Verbatim text. Following is personal and strictly confidential message from Ambassador Lodge to Mme. Pandit:

“For your personal information I am happy to tell you that my Government has decided to support you for the Presidency of the General Assembly if you become a candidate. You know the great importance we attach to this matter and I am most gratified over this additional mark of confidence in you. I am looking forward to close and fruitful cooperation with you during the coming session. Warm regards and greetings.”

SMITH

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<sup>1</sup> Drafted and signed by Assistant Secretary Murphy. Repeated to USUN and to Seoul, personal for Ambassador Lodge.

320/8-453 : Telegram

*The Ambassador in India (Allen) to the Department of State*

CONFIDENTIAL PRIORITY NEW DELHI, August 4, 1953—7 p. m.

251. Re Deptel 127, August 3. I delivered Ambassador Lodge's message to Mrs. Pandit today. She was deeply and genuinely appreciative. She commented that she had just been imploring her brother to let her off from attending GA session but he had been adamant in insisting she must go. She felt confident she would now have no alternative but accept and would let us have definite reply in day or two. She repeated expressions of appreciation to US Government and to Ambassador Lodge personally.

*Comment:* Acting UK High Commissioner remarked to me today that Mrs. Pandit was angling for support but that he did not believe his government would support her. I let him know that I had been asked to find out whether she was still candidate but I did not tell him we had decided to support her.

ALLEN

320/8-453 : Telegram

*The Acting Secretary of State to the Secretary of State, at Seoul*<sup>1</sup>

CONFIDENTIAL PRIORITY WASHINGTON, August 4, 1953—6:57 p. m.

Tedul 6. Considered essential we inform Prince Wan soonest that we will not be able support him for presidency GA. Support for Thailand ECOSOC will be helpful but undoubtedly not sufficient offset great disappointment at lack US support Wan for presidency GA. Therefore subject your approval we desire inform Prince Wan we will support Thai election to succeed Greece on SC if Thai interested. This involves change previous recommendation approved by you to develop Turk candidacy for Greek seat.

Nehru and Madame Pandit have been informed our position regarding Madame Pandit for President GA and it may be expected this will shortly leak to Prince Wan.

SMITH

<sup>1</sup> Drafted and signed by U. Alexis Johnson, Deputy Assistant Secretary of State for Far Eastern Affairs. Cleared by Johnson with Sandifer.

320/8-553 : Telegram

*The Ambassador in India (Allen) to the Department of State*

CONFIDENTIAL PRIORITY NEW DELHI, August 5, 1953—7 p. m.

257. Department telegram 126, August 3. Pillai expressed very considerable and apparently genuine astonishment when I told him we had

decided support Mrs. Pandit for General Assembly presidency. While definitive statement whether she is candidate may be delayed few days, I think we may assume she will be.

New Zealand Prime Minister Holland was still somewhat uncertain about New Zealand candidacy for Security Council when he reached Karachi few days ago, but strong support assured by all Commonwealth countries and indication that Pakistan would be most unhappy if New Zealand stood down in favor of India convinced him New Zealand must stand. He had left New Delhi when I received Department telegram 126, but GOI is well aware of situation and when I told Pillai yesterday that we had decided support New Zealand, he said our decision would cause no surprise.

Indians will now probably concentrate on attempting obtain permanent seat when United Nations Charter comes up for revision in 1956.

Middleton, who learned from Pillai that we have agreed to support Mrs. Pandit, asked me today if I had any indication whether London had been informed. I said I had no idea. He is informing London on basis of information he received from Pillai.

ALLEN

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320/8-553 : Telegram

*The Secretary of State at Seoul to the Department of State*

SECRET      PRIORITY

SEOUL, August 5, 1953—9 p. m.

Dulte 11. Re Tedul 6. Agree you inform Prince Wan soonest. You should offer Thailand ECOSOC or Trusteeship Council. Do not approve giving our support to Thailand for Security Council. Lodge and I believe current threat to Thai position makes her risky candidate for Security Council. Believe you should move ahead with the Turk candidacy for the Greek seat on SC.

DULLES

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320/7-2253 : Telegram

*The Acting Secretary of State to the Embassy in Thailand*<sup>1</sup>

CONFIDENTIAL      PRIORITY      WASHINGTON, August 5, 1953—6:19 p. m.

257. Re Eighth GA Presidency (urtel 185):<sup>2</sup>

Indian Embassy recently informed Department GOI was considering offering Madam Pandit as candidate for GA Presidency and asked

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<sup>1</sup> Drafted by Jones, cleared with the Bureau of Far Eastern Affairs and the Bureau of Near Eastern, South Asian and African Affairs, and signed by Assistant Secretary Murphy.

<sup>2</sup> Not printed.

our reaction. While realizing Wan's deep interest in post and having highest regard his abilities Department has decided for overriding political reasons support Madam Pandit if she becomes candidate. However we will not campaign on her behalf or against Wan. Am-embassy New Delhi has informed Madam Pandit in strict confidence we will support her if she runs for office. We expect she will become candidate.

Inform Wan soonest we have decided support Madam Pandit if she becomes candidate but of course will not campaign against Wan, stressing decision dictated by overall political considerations and is in no way reflection on ability of Wan for whom we have greatest respect. Also assure him that under circumstances we wish do what we can for Thailand as regards some other UN election and therefore would be glad support its election to succeed Philippines on ECOSOC if it is still interested. Last fall Thai delegation to GA informed us Thailand interested in ECOSOC but we have heard nothing recently. Alternatively we would support Thailand's reelection to Trusteeship Council.<sup>3</sup>

SMITH

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<sup>3</sup> In telegram 279, Aug. 7, 7:44 p. m., to Bangkok, the Department cabled on a priority basis:

"Report soonest action taken pursuant Deptel 257. Important Wan be informed by us of our position before hearing from other sources. India has already informed UK and further leaks expected." (320/8-753)

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320/8-653 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, August 6, 1953—2 p. m.

67. Re Presidency Eighth GA and SC Slate.

Crosthwaite (UK) informed us today he was surprised this morning at receipt of information from London by UK HICOM Delhi that we would support Madame Pandit for presidency Eighth GA. He said information accompanied by "fairly pained comment" from London.

On basis our action, India has asked UK support. Crosthwaite went on to say this created "awkward" situation for them. They were not as yet committed to any candidate. They had been leaning in direction Prince Wan who stepped down in favor Pearson last year and who they had been thinking would make better president than Pandit.

On basis telecon with Sandifer we have informed Crosthwaite that decision was made over weekend, that we had inquired if Madame Pandit were coming to Assembly and would be candidate and had indicated we would support in this case. Necessity informing Thailand Government complicated by lack of definite information her candidacy.

Crosthwaite was also informed we had told Indians we were supporting New Zealand and not India for SC. Crosthwaite said Lloyd "hedged like mad" in talking with Indians in London, indicating they would be "extremely reluctant" to vote against a Commonwealth candidate.

Crosthwaite added some of Commonwealth countries (he mentioned Canada in particular) thought there should be some tie-in between Korean political conference and Eighth GA, e.g., some procedure analogous to that provided in last spring's session of GA. Crosthwaite observed this might be awkward for us if Pandit were in Chair.

WADSWORTH

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320/8-653 : Telegram

*The Acting Secretary of State to the Mission at the  
United Nations*<sup>1</sup>

CONFIDENTIAL  
PRIORITY

WASHINGTON, August 6, 1953—7:34 p. m.

34. Re Slates (Deptel 126 to New Delhi and 257 to Bangkok repeated New York).

Request you confidentially inform UK Delegation our position re Presidency explaining we had not previously informed UK because of necessity discussing matter with Prince Wan first and uncertainty whether Madam Pandit will become candidate. You may in addition tell UK our decision support New Zealand for SC.

Department will indicate when desirable inform others re Presidency.

SMITH

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<sup>1</sup> Drafted by Jones, cleared with the geographic bureaus, and signed by Assistant Secretary Murphy.

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330/8-653 : Telegram

*The Acting Secretary of State to the Mission at the  
United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 6, 1953—7:33 p. m.

35. Request you approach Turkish Delegation soonest re Turkish candidacy succeed Greece on SC, following position set forth July 24 letter from Secretary to Lodge.

SMITH

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs and concurred in by Paul B. Taylor, Officer in Charge, General Assembly Affairs; cleared with the Bureau of Near Eastern, South Asian and African Affairs; and signed by Assistant Secretary Murphy.

320/8-753 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, August 7, 1953—7 p. m.

79. Reference Eighth General Assembly Presidency.

Lucet (France) tried to smoke us out on Pandit for presidency of Eighth General Assembly, but we countered with lack of information whether she would be candidate. He indicated French would definitely favor Van Kleffens if he is candidate. They like Wan better than Pandit on balance, but would not like to be last to vote for Pandit if she builds up majority.<sup>1</sup>

WADSWORTH

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<sup>1</sup> In telegram 44, Aug. 11, 7:09 p. m., to New York, the Department informed USUN:

"Re slates you may in your discretion inform others our position on Presidency and decision support New Zealand for SC." (330/8-1153).

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320/8-853 : Telegram

*The Chargé in Thailand (Brown) to the Department of State*

CONFIDENTIAL

PRIORITY

BANGKOK, August 8, 1953—1 p. m.

300. Substance Deptel 257 given Deputy Foreign Minister Khemjati who had made original inquiry. He said British also supporting Pandit but Thailand pleased by promises support several Asian countries. Fears little hope for Wan's election. Will give me soonest indication Tai wishes re ECOSOC and Trusteeship Council.

While not disguising disappointment US position re GA presidency, which he appeared understand, Khemjati emphasized question Thai participation in Korean political conference of much more importance to Thailand than Wan's election. Suggested Thai Government cannot maintain present position in support UN effort in Korea unless admitted to conference. I replied I had already recommended Thai participation (Embtel 281, August 5), but had no word United States position yet.

In much more outspoken manner Deputy Minister Defense Sarit told Embassy officer today Thai Government felt its prompt, wholehearted support UN effort Korea had earned them seat political conference and that barrage domestic criticism from all sides likely if expectation not realized. Cabinet discussed again yesterday. Said Thai at loss to understand why India with British support being considered for seat, when it has made no significant contribution UN effort Korea. Sarit linked Korea conference with Thai support UN embargo Communist China, possibility French and British trade agreements Peking,

said Thai have been approached by Soviets to sell tin to Communist bloc.

*Comment:* Thai Government placing unusually great weight this matter apparently regard themselves entitled participation with our help. Also references to abandonment position in Korea and Soviet trade offer indicate Thai willing pull out all stops in order win seat at Korea conference. In view Thai steadfastness in Korea to date and necessity developing confidence Thai in US to stand by them, Embassy strongly urges maximum effort to include Thai Korea conference. Prince Kilokrit has confirmed that Soviet Minister last week made vague offer help Thailand out in connection low rubber, tin prices. While we do not believe Thai at this stage will carry out any of these veiled threats, importance of this issue in their minds cannot be overestimated.

BROWN

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320/8-1053 : Telegram

*The Acting Secretary of State to the Embassy in Turkey*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 10, 1953—7:09 p. m.

162. UNGA this fall will elect for two year terms three non-permanent members to SC to succeed Chile, Greece and Pakistan. US will support Latin American state to succeed Chile and New Zealand to succeed Pakistan.

Greek seat presents special problem. Soviet satellites were elected this seat until 1949 but GA in 1949 chose Yugoslavia and in 1951 Greece rather than Soviet candidates. However USSR can be expected claim Soviet satellite still entitled this seat and thus will undoubtedly run satellite this year. (USSR has based claim on informal understanding reached in London in 1945 under which British Commonwealth, Western Europe, Near East and Africa, and Eastern Europe were each allocated one seat and Latin Americans two seats. However in US view this understanding represented commitment for first election only.) There are no announced non-Soviet candidates succeed Greece and we anticipate many countries will support Soviet satellite.

US will in no event support Soviet satellite or any country which can be expected favor seating Chinese Commies. Among possible candidates acceptable to us believe Turkey would have best chance defeat Soviet satellite, particularly since it borders on Eastern Europe and might thus secure greater support than country remote from area from

<sup>1</sup> Drafted by Jones and concurred in by the Officer in Charge, General Assembly Affairs (Taylor) and the Deputy Director of the Office of UN Political and Security Affairs (Popper); cleared with the geographic bureaus; and signed by the Deputy Assistant Secretary of State for UN Affairs (Sandifer). Repeated to USUN for information as telegram 40.

Members who do not wish upset geographic pattern generally followed SC elections.

USUN informed Sarper US prepared support Turkey if it should become candidate. Suggest you also approach Foreign Office soonest, stressing importance election of suitable non-Soviet candidate and expressing hope Turkey will run. In your discussions you should point out election of Soviet satellite would enable USSR further obstruct work of SC and give it additional vote in favor seating Chinese Commies. Also would be politically undesirable return Soviet satellite to SC after GA has in past two elections rejected Soviet candidate. You should of course assure Foreign Office US would give Turkey firm support if it decides run. *FYI* however we hope Turkey can be encouraged take lead in developing own candidacy. While we would give it firm support we wish avoid staking US prestige on UN elections. *End FYI.*

If FonOff raises question Turkish participation Korean Political Conference you should reply this is matter we are considering entirely independently and we hope discuss with Turkish delegation New York shortly following Secretary's return from Korea.

SMITH

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320/8-1353 : Telegram

*The Chargé in Turkey (Rountree) to the Department of State*

CONFIDENTIAL

ANKARA, August 13, 1953—11 a. m.

189. I conveyed substance Deptel 162, August 10 to Secretary General Acikalin, who said matter already under consideration Foreign Office as result communication from Sarper. He outlined Foreign Office thinking upon matter and subsequently last evening confirmed instructions along following lines being sent to Sarper :

Turkish Government for same reasons set forth by Department, anxious prevent election of satellite and would be willing for Turkey to become candidate, provided, however, it felt that success is assured. Turks have only recently retired from SC's seat, and new candidacy this early might present special difficulties in obtaining wide support. Turks believe that announcement by themselves of their candidacy and failure to become elected would be embarrassing to Turkish Government, and adversely affect national prestige. However, if preliminary inquires by Turks, working in conjunction with US, indicate success reasonably assured, Turkish Government would be prepared to run.

Re last portion penultimate paragraph reference telegram, Department will note Turkish position predicated upon strong US support both before and after candidacy announced. Embassy unable judge extent to which we can go in meeting Turkish position without staking US prestige on Turkish election.

ROUNTREE



320/8-1453

*Memorandum of Conversation, by the Special Assistant for United Nations Affairs, Bureau of European Affairs (Allen)*

[Extract]

CONFIDENTIAL

[WASHINGTON,] August 14, 1953.

Subject: Possible Candidacy of Mr. Van Kleffens for President of the 8th GA; UNCURK

Participants: Minister de Beus, Netherlands Embassy  
Mr. Murphy, UNA  
Mr. W. P. Allen, EUR

Minister de Beus called on instructions to seek our reaction to the possibility of Mr. Van Kleffens running for the presidency of the next GA. He stated a number of the European countries felt that since there has been only one European president (Mr. Spaak in 1946) it would be appropriate for a European to hold the post this time. Mr. Van Kleffens is prepared to be a candidate and the Netherlands Government is prepared to back him provided, of course, there is a reasonable chance of success. In response to Mr. Murphy's query, Minister de Beus said that the presidency of the 9th GA was, of course, an alternative possibility but the Netherlands Government was more interested in the forthcoming session. The Dutch realize that both Prince Wan and Mme Pandit are active candidates but envisage the possibility that there may be a deadlock between them and, in that event, Van Kleffens might offer a desirable solution. Mr. de Beus stated in the French view a deadlock is likely since the French themselves are committed to Prince Wan and since Mme Pandit will undoubtedly be opposed by the Muslim group under the leadership of Pakistan.

Mr. Murphy stated that we are of course committed to support Mme Pandit if she is a candidate (of which fact we have not yet been formally apprised). As to the possibility of a deadlock he raised the question as to whether, if Mme Pandit's candidacy gains strength, Prince Wan may decide to withdraw. He made clear, however, the very high regard which the US has for Mr. Van Kleffens and our conviction that he would make an excellent presiding officer. He agreed that we would consider the ideas put forward by the Netherlands Government and get in touch with them sometime in the near future.

320/8-1553 : Telegram

*The Chargé in Thailand (Brown) to the Department of State*

CONFIDENTIAL

BANGKOK, August 15, 1953—11 a. m.

342. Foreign Minister told me last night he has almost decided leave immediately attend UNGA meeting next week. Sudden change plans resulted primarily from desire explore on spot his prospects for election presidency eighth session. At present not inclined withdraw from race. Although he realizes chances slim has some confidence many friends he has won among European, African, Latin American groups. While disappointed lack US support he said he fully understands our position and much encouraged by your statement we will not campaign against him. Added our clear-cut frank reply pleasing contrast to wishy-washy British reply which veiled hidden negative in "sweet nothings".

Prince Wan said above issue minor comparison question Thai participation Korean political conference which he said absolutely essential. Highly pleased by news reports Ambassador Lodge's statement US favors participation conference by all nations contributing forces, believes this means Thai participation certain.

If as expected he is not elected GA presidency, Wan tentatively plans remain US for first part eighth session with idea returning Thailand late October in order be on hand for renewed Viet Minh activity Laos. Re US offer support Thailand ECOSOC or Trusteeship Council, Wan prefers postpone definite reply. As long as his candidacy is alive he prefers, "unlike India who is candidate for everything", not put Thailand forward simultaneously for various UN vacancies.

BROWN

330/8-1753 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, August 17, 1953—6:52 p. m.

66. Re SC election. Since Turk decision to run dependent on indication of success based on preliminary soundings (Ankara's 189) suggest you approach other delegations on matter working closely with Turkish delegation. Believe UK and France should be approached soonest.

While we will of course give Turkey firm support we continue hope it will make real effort develop own candidacy.

SMITH

320/8-2153

*Memorandum of Conversation, by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer)*

CONFIDENTIAL

WASHINGTON, August 21, 1953.

Subject: Dutch Interest in European Presidency of the 9th General Assembly

Participants: Dr. J. G. de Beus, Minister, Netherlands Embassy  
UNA—Mr. Sandifer

Mr. de Beus called with further reference to his conversation with Mr. Murphy on August 14 concerning the presidency of the 8th General Assembly. He said that after his conversation with us and also with the French and British and one or two others, his Government had decided not to put forward Mr. Van Kleffens' candidacy for the 8th General Assembly. Mr. de Beus said that his Government had instructed him, however, to indicate the strong interest of the Netherlands Government in European presidency of the 9th General Assembly. They hoped that the United States would be able to agree not to make any commitment with reference to the 9th General Assembly until they had had an opportunity to consider any possible European candidacy. His Government would not, of course, be able to say at the present time that Mr. Van Kleffens would be available as a candidate but they did feel very strongly that it was time for the presidency to be held by a European state.

I told Mr. De Beus that while, of course, I could not give any official commitment, I was sure that the Department would look sympathetically on this request and that if it were repeated at a timely moment after the adjournment of the 8th General Assembly it should receive favorable consideration in the Department.

DURWARD V. SANDIFER

330/8-2553 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*<sup>1</sup>

CONFIDENTIAL

NEW YORK, August 25, 1953—11 a. m.

128. Reference SC elections. Wadsworth yesterday discussed current status of Turkey's candidacy for SC seat with Sarper who expressed following views:

<sup>1</sup> In telegram 82, Aug. 27, 7 p. m., to New York, the Department responded:

"Department believes important we ascertain Turkey's chances immediately and requests you sound out NATO and Latin American countries soonest. At same time we believe you should urge Sarper assist in these sound'ngs." (330/8-2553)

1. For reasons of both domestic politics and national prestige, Turkey is reluctant to become candidate until and unless it obtains reasonable assurances of success.

2. He is not convinced Turkish candidacy will be successful. Much will depend on Arab-Asian votes, and preliminary soundings by Turkish delegation give little reason to believe many of them will support Turkey.

3. He has hesitated himself to sound out NATO and Latin American delegates, whose support he believes essential, because he thinks such approaches would be premature and might easily be more harmful than helpful. In this connection, he pointed out that some of these delegates are deeply interested in setting up political conference on Korea and also possible conference of Foreign Ministers and that their initial reaction at this time might be adverse to Turkey's candidacy against Soviet bloc candidate.

4. In light of above, Sarper urged that US should take initiative in sounding out NATO and Latin American countries on degree of their support should Turkey's candidacy be announced.

LODGE

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330/S-3153 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET

NEW YORK, August 31, 1953—8 p. m.

137. Re Turkish candidacy for Security Council :

Crosthwaite and Ramsbotham (UK delegation) today informed Wadsworth of preliminary UK views regarding successor of Greece on Security Council. They said views are to let "nature take its course" as they understand US intends to do in connection with Prince Wan-Madame Pandit candidacies for president of 8th General Assembly and thus to permit Soviet-designated satellite to succeed Greece.

As reasons, they adduced belief that no unnecessary obstacles should be placed in path of what may turn out to be a gradually developing Soviet initiative to reduce world tensions. UK believes Soviet initiative should be met by free world no more but no less than half way and that major conflict over Security Council seat may be detrimental to this larger goal. UK also believes that if US decides not to use its great influence against Soviet-satellite candidate, its election would be almost automatic.

As second reason they adverted to well known UK views concerning "gentlemen's agreement" and principle, which UK does not wish to endanger, of one seat going to British Commonwealth.

Third reason consisted of fear that, even despite possible British support of Turkey, there might still be considerable number Arab-Asian votes, some Latin American votes and few miscellaneous Western Europe votes which would force balloting to go way past 20 ballots necessary in 1951 before Greece was elected. In such situation, UK would be most reluctant again to be on opposite side of fence from US, as it recently was on Indian nomination to membership political conference. UK Foreign Office, they said, attaches high value to avoiding similar splits with US in future. As personal reason, Crosthwaite adduced his recollection of anti-UK resentments engendered in Greece in 1951 during balloting for Security Council. He said UK hopes strongly to avoid creating analogous anti-UK resentments in Turkey.

In light of above UK views, which he stressed as only preliminary Crosthwaite requested that USUN inform his delegation as soon as possible of degree of importance which US attaches to possible Turkish candidacy. He asked that this inquiry be held as strictly confidential.

Wadsworth agreed to seek from Department urgent instructions in regard to UK query and added that, in meantime, he can only say that US undoubtedly will remain strongly opposed to satellite election to Security Council but that US understands Turkey does not wish to press its candidacy unless it receives advance assurances of adequate support.

LODGE

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330/9-153 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, September 1, 1953—5 : 37 p. m.

87. Re possible Turkish SC candidacy (urtel 137).

Dept requests you communicate to Crosthwaite soonest following US views :

Dept appreciates statement its preliminary views this question by UK and very evident desire UK avoid split with us. For our part we also most anxious avoid such difference and hope full and frank discussion now will enable it be prevented. Dept has given matter renewed and careful consideration at highest level following UK approach, and must in all candor inform UK US attaches importance to

<sup>1</sup> Drafted by Jones and concurred in by Taylor and Popper; cleared with the geographic bureaus; signed by Assistant Secretary Murphy. In a memorandum of the same date (earlier in the day), Popper had informed Murphy that the telegram was drafted "to urge the British to change their preliminary position in support of a satellite for the Greek seat in the Security Council and to support Turkey." The Assistant Secretary was alerted to this in case he wished to clear the draft telegram with Secretary Dulles (there is no indication on the instant telegram that he did). (Hickerson-Murphy-Key files, lot 58 D 33, "Eighth Session UN General Assembly")

election non-Soviet candidate succeed Greece, and that it will give firm support to Turkey if it decides run or to some other suitable non-Soviet candidate. We therefore urge UK seriously consider following points in particular before reaching final decision :

1. In our view election satellite candidate would not reduce world tensions. USSR has not yet given any indication sincerity peaceful intent. Election satellite under these circumstances and after Assembly has twice decided election Soviet candidate unjustified would give Soviet bloc certification to which its conduct does not entitle it and thus encourage it continue its obstructive policies. USSR could interpret election satellite candidate as vindication Soviet bloc policies, using as basis this interpretation Article 23 which provides that in SC elections due regard should be given in first instance contribution of members to maintenance international peace and security and other purposes Organization.

2. Election satellite would give USSR additional vote on anti-free world and other issues on which safe voting margin important to UK.

3. So-called gentlemen's understanding was in our view commitment for first year only. However, US and others have supported continued allocation of seats on basis this understanding where justified. Rejection satellite candidate past two elections has not jeopardized election other countries, including Commonwealth, in accordance geographic pattern decided upon for first election and followed succeeding years. We therefore see no reason why rejection satellite candidate this year would endanger Commonwealth seat.

4. If UK supported Turkey we are inclined believe long deadlock and repetition difficulties experienced 1951 during Greek campaign could be avoided.

Re latter point until we know reactions Latin Americans and other NATO powers to possible Turkish candidacy we cannot assess accurately Turkey's chances or degree to which US would have to take strong stand obtain its election either with or without UK backing. It is therefore important you sound out others soonest.

DULLES

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320/8-3153 : Telegram

*The Secretary of State to the Embassy in Turkey*

CONFIDENTIAL

WASHINGTON, September 1, 1953—5 : 37 p. m.

231. Re Deptel 162 and urtel 189 concerning possible Turkish candidacy for SC Department concerned because Turkish delegation New York reluctant move forward this matter. Request you again approach Foreign Office, confidentially, stressing importance moving ahead this matter now before other Members determine positions on UN slates and expressing hope Foreign Office will instruct Turkish delegation sound out others concerning its possible candidacy soonest working closely with US delegation.

DULLES

320/8-2753 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 2, 1953—6:58 p. m.

89. Re General Committee slate (Delga 611 and USUN's 141)<sup>2</sup> following are Department's preliminary views. Would appreciate USUN's comments.

1. Broad objective should be to elect individuals who will be competent chairmen and to assure safe balance friendly members on Committee. Since question of agenda item on Chinese representation may very well be raised General Committee, safe margin on this issue particularly important.

2. We should endeavor in so far as possible support slate which follows geographic pattern usually adhered to in past under which Committee (exclusive Ad Hoc Committee Chairman) consists of Big Five, three Latin Americans, three from Near and Far East, and one each from British Commonwealth, Western Europe and Soviet bloc. We should also follow usual policy ascertaining views majority Latin Americans before deciding on Latin American candidates. However we would want to know immediately if Guatemala becomes candidate and appears have Latin American support.

3. We assume Big Five will have five Vice-Presidencies and we would support Latin American for sixth. For seventh we might consider Turkey if it does not run for SC, Israel which was candidate last year but lost by one vote, or Arab State if Arab is not elected Committee Chairman. We realize Pakistan and possibly Greece are candidates but these states were on General Committee last year.

4. Believe Soviet satellite Chairman would be least objectionable Committee six where controversial issues not likely arise and Soviet can be little more obstructive as Chairman than as delegate. Do not agree suggestion of Cordier and UK that Nosek be considered for Committee two or Danish suggestion Committee three. If Robinson or other non-Soviet candidate given Committee six, we believe only other spot for satellite would be Vice-Presidency.

5. Re remaining posts:

(a) Committee 1—Suitable Western European or Wan. However we would not wish suggest Wan unless he withdraws from Presidency race and in meantime should not even mention his name to others. Believe Sarper, who is apparently candidate, should not be considered as long as Turkey may run for SC.

<sup>1</sup> Drafted by Jones and concurred in by Taylor and Popper; cleared with the geographic bureaus and the Assistant Legal Adviser for UN Affairs (L/UNA); approved for transmission by Deputy Assistant Secretary Sandifer; and signed by Assistant Secretary Murphy.

<sup>2</sup> Neither printed.

(b) *Ad Hoc*—Latin American (possibly Urquia (El Salvador) or Perez-Perez (Venezuela)).

(c) Committee 2—Mates (Yugoslavia)

(d) Committee 3—Davidson (Canada) is candidate and we believe would be excellent.

(e) Committee 4—We would much prefer Latin American to Khalidy (Iraq). Believe Urquia (El Salvador) would be good possibility in view his TC experience. However, if he is not interested we might consider de la Colina (Mexico) or Nunez-Portuondo (Cuba) if he attends.

(f) Committee 5—Azkoul (Lebanon) would be acceptable to us and we hope his name not withdrawn. However, if his candidacy not feasible suitable Latin American or Western European should be considered.

DULLES

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330/9-253: Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

SECRET

NEW YORK, September 2, 1953—8 p. m.

147. Re Turkish SC Candidacy:

In addition to those previously reported, following represents summary of preliminary reactions to canvass requested in Deptel 87:

1. Canada: George reported his government had taken no final position. It was "working level" opinion which felt that was turn of satellite for seat being vacated by Greece.

2. Sweden: Van Otter and Westerburg indicated that Scandinavian Foreign Minister meeting had not given any real consideration to this point since no candidate had officially come forward. (Only decisions, in addition to one reported in *New York Times* today, were to support Norway's candidacy for ECOSOC, and Denmark for a commission which Van Otter could not recall.)

3. New Zealand: Scott said they had seen nothing about SC candidacies save their own. He understood Macintosh would bring full brief to Washington when he attends ANZUS meetings. Scott inclined to believe his government's view would not be too far from US view.

4. France: Ordonneau reported French delegation not inclined to favor Turkey who had vacated seat so recently. Also saw no substantial disadvantage in having satellite. West's support for satellite might show whether such gestures produced corresponding Soviet gestures.

5. Netherlands: Van Lynden said delegation had not yet received instructions, but believed Hague favored giving seat back to satellite, preferring Byelorussia or Ukraine to Poland or Czechoslovakia, since latter shaky part Soviet orbit and might be bolstered by election to SC.



6. Lebanon: Rizk said delegation uninstructed but personally doubted they would favor Turkey.

7. Egypt: Hassan said matter not yet considered, but wondered why Egypt should not have Greek seat.

8. Israel: Eliath reported question undecided but Israel tended favor giving seat to satellite as step toward encouraging accord on other matters.

9. Iraq: Khalidy said although no decisions taken on Greek seat, important question for them was making sure Iraq would succeed to Lebanon seat. Arabs wished keep "Arab" seat rather than have it allotted to larger area. If we able promise support Iraq, they probably would be able support Turkey. As between Turkey and satellite, would favor Turkey.

10. Pakistan: Tyabji said delegation was without instructions but believed Asian-African group would be opposed to Turkey. It seems early to put up Turkey again and he doubted wisdom increasing Turkey's appearance of US satellite. Recommended consideration be given Thailand or Philippines who would receive full support Asian-African group.

11. China: Kiang stated Turks had approached them for support which China had agreed give.

12. Colombia: Urrutia was of firm opinion that great majority of LA's would oppose election of Soviet satellite to replace Greece, and therefore would be likely to support Turkey.

13. Brazil: Pinto, on other hand, feared that argument in favor of electing Soviet satellite might appeal to number of LA's especially if such views were pushed by UK and others. On balance, however, he believed majority would share our views and could be counted upon to vote for Turkey, should that candidacy eventuate.

14. Ecuador: Trujillo was very much against idea of returning satellite to SC. He thought most LA's would take same position and believed Turkey probably would be acceptable to them. Since none presently has specific instructions, he urged desirability of taking up question promptly with other American republics through regular diplomatic channels. Also, he suggested that Turkey would be well advised to seek their support officially without delay.

15. El Salvador: Urquia was more cautious in expressing opinion. However, he was inclined to believe that his government as well as majority of LA's would prefer not to see Soviet satellite replace Greece and therefore probably would support Turkey if that country emerged as candidate.

16. Mexico: De La Colina was non-committal since, as he put it, he did not know what position Padilla Nervo would take. He suggested possibility, however, of going outside Eastern European geographic

area for candidate to replace Greece. Specifically, he had in mind apportioning SC seat this year to Asian nation such as Thailand.

WADSWORTH

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330/9-353 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

SECRET

NEW YORK, September 3, 1953—1:50 p. m.

151. Regarding Turk SC candidacy, reference Department telegram 87, yesterday during translation in Security Council meeting, I spoke with Crosthwaite (United Kingdom) closely following arguments set forth reference telegram. He felt essence their original question still unanswered, unless key words were "firm support". He suggested this meant we would do more than simply vote for Turkey. I agreed, with limitation that United States would not wave flags and beat drums for Turkey, nor do all work necessary to assure her success.

WADSWORTH

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320/9-753 : Telegram

*The Chargé in Turkey (Rountree) to the Department of State*

CONFIDENTIAL

ANKARA, September 7, 1953—3 p.m.

256. Following my approach Foreign Office pursuant Department telegram 231, Turkish Government again considered question candidacy for SC's and Secretary General discussed matter with me today. He repeated government's concern that unsuccessful overt effort win SC's seat would be embarrassing to government particularly in view early elections. I gathered from conversation that instructions to Sarper mentioned Embassy telegram 189 underlined caution in approaching other delegations.

Secretary General said, however, that he would telegraph Sarper today asking him to consult US delegation to ascertain its present views as to Turk chances of success. If US delegation feels thereby potentially strong support, Sarper will be authorized work in conjunction with US in making preliminary soundings other delegations. Open solicitation of support will follow only if success reasonably assured.

I of course emphasized importance of moving ahead quickly.

ROUNTREE

330/9-853 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

SECRET

NEW YORK, September 8, 1953—6 p. m.

160. Re slates: Crosthwaite and Ramsbotham (UK Delegation) today called on me to discuss latest Foreign Office instructions on slates. They explained that Foreign Office has moved closer to US as regards opposing Soviet satellite candidate to succeed Greece on Security Council. Foreign Office sees some merit in Turkey to succeed Greece insofar as Turkey is NATO partner and is from area neighboring on Eastern Europe. However, Foreign Office sees serious disadvantage to Turkish candidacy in that Middle East would be over-represented on Security Council if Turkey were to serve simultaneously with Lebanon. Also, Turkey left Security Council only at end of 1952.

Foreign Office therefore inquires whether US would agree to Security Council seat going to Far Eastern country, particularly Thailand. In light of fact that Pakistan has just announced decision to support Madame Pandit for president of Eighth General Assembly, Prince Wan's chances of obtaining Arab-Asian votes for presidency are considerably restricted, and his candidacy will probably fail. Consequently, Foreign Office asks, would US agree to support Thailand to succeed Greece on Security Council, both as consolation prize and as effort to strengthen Thailand's resistance against Communist pressure in Southeast Asia. Foreign Office believes it would be much easier for UK to support Thailand than Turkey.

On basis of UK delegation thinking, Crosthwaite continued that if Turkey does not become candidate for Security Council, Sarper should be supported for chairmanship of Committee 1. UK soundings in New York indicate that neither Sweden nor Denmark will have any delegate available for Committee 1 chairmanship and that only Scandinavian possibility will be Hans Engen of Norway. UK information of a month ago indicates that Van Langehove (Belgium) is not interested in Committee 1 chairmanship on grounds of age and health. Crosthwaite does not think it desirable further to pursue possibility of Western European chairman of Committee 1 until US views known on Sarper as chairman.

Crosthwaite said UK expects Urquia (El Salvador) to be *Ad Hoc* chairman; Davidson (Canada) to be Committee 3 chairman; and either a Venezuelan or Mexican to be Committee 4 chairman; For committee 2 chairman, UK still sees advantages in supporting Nosek (Czechoslovakia), but Wadsworth told him US by considerable margin still prefers Mates (Yugoslavia) for this post and believes Soviet

satellite should be shunted into Committee 6 chairmanship. Crosthwaite saw some advantages in Azkoul (Lebanon) as Committee 5 chairman, especially as it would affect favorably Israeli chances for a vice presidency.

If Sarper is elected to chairmanship of Committee 1, Crosthwaite would see little room left for Greece as vice president. One vice presidency, he thinks, would go to Latin American candidate and other would probably be contested between Pakistan and Israel. UK delegation sees some advantages in supporting Israel, particularly in light of reports that Arab delegations may boycott any committee chaired by an Israeli, but had some doubts whether Israel could obtain sufficient votes for election. UK delegation has no instructions regarding Pakistan candidacy for vice presidency, but recognized that Commonwealth considerations may make it imperative for UK to vote for Pakistan which always strives to share UN honors equally with India. On other hand, UK delegation recognizes difficulties in electing itself, India, Canada and Pakistan all to General Committee and looks with some trepidation to next year when Commonwealth representation on General Committee as consequence presumably would be much restricted. I agreed to seek from Department urgent instructions for reply to UK initiative.

WADSWORTH

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330/9-853 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, September 8, 1953—7 p. m.

165. Reference Turkish candidacy for Security Council—reference Ankara's 256, September 7, and Department telegram 231, September 1.

Sarper (Turk) called this afternoon and inquired as to latest belief United States General Assembly delegate regarding Turkey's chances for Security Council election. I replied that outlook was still somewhat confused, but that at present writing we could not guarantee unqualified success. Sarper reiterated Turkish position of unwillingness to become candidate unless reasonably sure of election. He is communicating with his government today and will call me later in the week for current report.

Sarper would personally appreciate chairmanship Committee One in the event Security Council seat impossible, but emphasized that Security Council seat was comparably far more important, both to him and his government if it could be achieved.

WADSWORTH

330/9-853: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, September 11, 1953—7:12 p. m.

116. Re SC election:

Department encouraged over apparent UK reconsideration this matter as reported urtel 160. Suggest you express appreciation to UK and reiterate importance we attach defeat Soviet satellite and hope our two governments can agree on suitable non-Soviet candidate. Also desirable French be informed soon, preferably by UK delegation, of shift in UK position re satellite.

Re UK suggestion Thailand as possible alternative to Turkey request you inform UK delegation Department has carefully considered<sup>2</sup> suggestion but our present thinking is we should continue maintain possibility Turkish candidacy. We understand Thailand interested only in GA presidency election and does not wish run for any other post. Turkey however has already expressed interest in SC provided it can obtain sufficient support and its possible candidacy has been considered by others for some time. Might therefore complicate situation if additional countries mentioned as possibilities this late stage. Furthermore it has been our estimate Turkey might have best chance election in view its proximity Eastern Europe. However we would of course give consideration other suitable non-Soviet candidate if Turkey decides not run or appears unable obtain sufficient support and will wish continue consult closely with UK on matter.

Re urtel 165 you should of course urge Sarper not give up on SC election. While we cannot this time guarantee Turkey's success, situation now more encouraging in view present UK attitude and probable effect UK position on Commonwealth and Western European members.

DULLES

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<sup>1</sup> Drafted by Jones and concurred in by Wainhouse and Sandifer; cleared with the geographic bureaus; approved for transmission by Assistant Secretary Murphy; and signed by the Secretary of State.

<sup>2</sup> In this connection the Department received an officer of the British Embassy (Miss Salt) on Sept. 10, who explained the British preference for Thailand over Turkey, "if as expected the UK's final decision is to oppose a satellite. . . . It could be explained that the UK position was not based merely on opposition to a satellite, but also on the ground that the Far Eastern area is under-represented in the SC and Thailand's election would help remedy the situation." (330/9-1053)

320/9-1653 : Telegram

*The Secretary of State to the Department of State*

SECRET

NEW YORK, September 16, 1953—7 p. m.

Delga 7. Re Turkish candidacy for SC:

(1) Katz Suchy (Poland) and Nosek (Czechoslovakia) informed USUN officer that Poland will be Soviet-bloc candidate to succeed Greece on SC.

(2) Ardalan (Iran) stated that Iran will vote for Turkey.

(3) Ludin (Afghanistan) stated that Afghanistan will vote for Turkey. Ludin added as personal recommendation that he believes Arab support of Turkish candidacy would be furthered by direct and high-level Turkish approaches in the Arab capitals. He also expected that Arab support for Turkey could be beneficially influenced by expressions of Turkish sympathy as regards colonial questions.

(4) Engen (Norway) said that as his instructions now stand Norway will vote for Poland. On personal basis he suggested that votes of Norway, Denmark and other western European powers could be beneficially influenced by high-level US approach in western European capitals, urging that NATO powers make common cause in support of Turkish partner and that Turkey's election to eastern European SC seat is in direct interest of NATO powers.<sup>1</sup>

DULLES

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<sup>1</sup> Marginal notation beside last paragraph: "Note!"

320/9-2353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, September 23, 1953—10 p. m.

Delga 31. Re Security Council elections:

Following is report on partial canvass taken today on Turkish candidacy:

Latin American delegates:

According De la Colina (Mexico), matter discussed Latin American caucus few days ago. No vote taken but there was general understanding group would support Turkey as against satellite. De la Colina thought some delegates might switch to Philippines but he believed group would generally support Turkey.

El Salvador, Peru and Venezuela are committed support Turkey. Following indicated today they would definitely vote for Turkey: Brazil, Chile, Dominican Republic, Haiti, Nicaragua, Panama and Venezuela. Colombia was not committed but thought Philippines had entered race too late.

Remainder of group have not been canvassed since Philippines announced candidacy but will be checked tomorrow.

European delegates:

For Turkey: UK, Australia, Canada, France, Luxembourg, Netherlands, and New Zealand.

Probably for Turkey: Belgium, Iceland, South Africa.

For Poland: Sweden.

Norwegian delegate has informed Oslo that UK and US are supporting Turkey and is awaiting instructions.

Near East, Africa and Far East delegates:

Saudi Arabia and Lebanon indicated that Arabs had agreed not support Turkey. Iraq and Syria subsequently stated there was no joint Arab decision, and Iraqi delegate is awaiting instructions.

Late in afternoon Lopez (Philippines) reported Asian-African group had met this afternoon and had decided support Philippines. We doubt this was unanimous decision and will investigate further tomorrow.

Afghanistan and Iran state they are supporting Turkey. Israel probably will do so but is awaiting instructions.

Ethiopia has given unclear response both US delegation and Turkish approaches.

Liberia definitely not for Poland but might support Asian-African choice.

LODGE

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320/9-2453 : Telegram

*The Mission at the United Nations to the Department of State*

SECRET

NEW YORK, September 24, 1953—8 p. m.

Delga 34. Re SC elections—Greek seat. Following is report on canvass taken yesterday and today.

For Turkey: 28

Afghanistan, Australia, Bolivia, Brazil, Canada, Chile, China, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Greece, Haiti, Honduras, Iran, Luxembourg, Netherlands, New Zealand, Nicaragua, Panama, Peru, Thailand, Turkey, UK, US, Venezuela.

Probably for Turkey: 8

Belgium, Colombia, Iceland, Israel, Mexico, Paraguay, South Africa, Uruguay.

Amjad Ali confirmed that Pakistan would support Turkey if it would be willing withdraw from ECOSOC.

For Philippines: 2

In addition Philippines, probably Liberia.

For Poland: 6

In addition five Soviets, Sweden.

Probably for Poland: 3

Burma, India, Indonesia.

It appears that most if not all of Arabs have decided not support Turkey. Whether these delegations intend vote for Philippines or Poland is unclear.

BOLTON <sup>1</sup>

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<sup>1</sup> Representative Frances Bolton was a member of the U.S. Delegation to the General Assembly.

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320/9-2453 : Telegram

*The Acting Secretary of State to the Embassy in Turkey*

CONFIDENTIAL  
PRIORITY

WASHINGTON, September 24, 1953—5:01 p. m.

325. Sarper has informed our UNGA Delegation that, in view of disclosure yesterday of Philippine candidacy for SC seat sought by Turkey, he has cabled Ankara asking authority to announce at appropriate time that Turkey will resign its ECOSOC seat if elected to SC.

If you are approached by FonOff, you may confirm that we think such action would be helpful to Turkish SC candidacy.

SMITH

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320/9-2653 : Telegram

*The Mission at the United Nations to the Department of State*

CONFIDENTIAL

NEW YORK, September 26, 1953—1 p. m.

Delga 37. Re Council elections.

Security Council.

Our latest count re Greek seat is as follows:

For Turkey: 35 (Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Greece, Haiti, Honduras, Iceland, Iran, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Peru, Thailand) apparently committed for first ballot only (Turkey, South Africa, United Kingdom, United States, Venezuela, Yugoslavia).

Probably for Turkey, Israel, Paraguay, Uruguay, Pakistan.

For Philippines: Two (in addition Philippines, probably Liberia).

For Poland: 6 (in addition 5 Soviets, Sweden).

Probably for Poland: 3 (Burma, India, Indonesia).

2. Economic and Social Council.

As Department aware, Afghanistan and Indonesia are now only candidates for Philippine seat (Pakistan is candidate for Turkish seat and Philippines has formally withdrawn its candidacy). Understanding reached Asian-African caucus is that each member free vote as it



wishes for first couple ballots, but subsequent ballots whole group will support candidate which secures largest number votes.

Would appreciate any further views of Department Monday, if possible. Elections may be held Thursday. As Department aware, Afghanistan would be preferable from Chinese representation angle. If Indonesia should be elected ECOSOC, assume US would vote for India for TC.

CAREY

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IO files, US/A/3603

*United States Delegation Position Paper*

CONFIDENTIAL

[NEW YORK,] September 28, 1953.

ELECTIONS TO INTERNATIONAL LAW COMMISSION

THE PROBLEM

The terms of all fifteen members of the International Law Commission expire this year. Under the Commission's Statute, the General Assembly is to elect a new membership at the Eighth Session of the General Assembly. The new terms will be for three years. No two members of the Commission may be nationals of the same country. The Commission's Statute provides that the members shall "individually possess the qualifications required" and that, in the Commission as a whole, "representation of the main forms of civilization and of the principal legal systems of the world" shall be assured. Candidates for election to the Commission are nominated by the governments of United Nations members.

RECOMMENDATION

1) The United States present position is to support the following candidates:

Professor J. P. A. Francois (Dutch)  
 Ambassador Hsu Shu-hsi (Chinese)  
 Faris Bey el-Khoury (Syrian)  
 Professor Hersch Lauterpacht (British)  
 Mr. Justice Thado Maha Thray Sithu Myint Thein (Burmese)  
 Dr. Radhabinod Pal (Indian)  
 Judge John J. Parker (American)  
 Mr. Justice A. E. F. Sandstrom (Swedish)  
 Professor Georges Scelle (French)  
 Professor Jean Spiropoulos (Greek)

2) The United States should support four Latin American candidates. In the absence of overriding circumstances, the United States should support the four Latin American candidates which have the

majority support of the Latin Americans. If a Guatemalan should be the choice of the Latin Americans, the Delegation should immediately consult the Department.

3) The United States vote in regard to a candidate from the USSR for the remaining one seat is still under consideration.

#### DISCUSSION

Commission members are eligible for reelection, and of the ten candidates listed under paragraph (1) of the Recommendation eight have been members of the Commission. Owing to his ill health, Professor Hudson was not nominated by the United States for reelection. The United States nominated Judge Parker and will support and vote for him. Because of the underrepresentation of the Far East on the Commission, the slate which has been recommended includes Justice Myint Thein of Burma for the seat now occupied by Mr. Jaroslav Zourek of Czechoslovakia.

There are presently four Latin Americans on the ILC, but several more than four Latin American candidates have been nominated. The United States expects to vote for four Latin American candidates, and the Latin American delegations may be so informed. Before determining which four candidates, the United States would wish to know the choices of the Latin American caucus.

The United States vote with regard to the candidate from the USSR has not yet been decided. Mr. F. I. Kozhevnikov of the USSR, who has been a member of the Commission, has been renominated.

The slate recommended in this paper cannot be considered as final, since we do not now have a list of all the nominations which may be before the General Assembly this fall. In addition, the United States will wish to know the views of other delegations to the Assembly before coming to a final decision on the complete slate.

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320/9-2953 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, September 29, 1953—7 p. m.

Delga 45. Re possible Turkish withdrawal from ECOSOC in connection SC election. Sarper informed USGADel that his instructions:

1. Point out precedents both ways, i.e., (a) withdrawal by states from one council upon election to another; and (b) instances where states other than great powers have served on more than one council at same time; and

2. Give him discretion as to whether and when to withdraw from ECOSOC to improve Turkey's chances on SC.

Sarper considered that clear import of his instructions was that he should ensure Turkey's election SC and at same time maintain membership ECOSOC if possible.

Sarper reported that to his knowledge announcement Turkey's intention withdraw from ECOSOC would affect only two votes in SC election, those of Pakistan and Argentina.

It seems apparent that Turkey does not intend announce any intention withdraw from ECOSOC until it becomes clear that this is necessary to ensure Turkey's election to SC, i.e., certainly not until after first couple ballots in SC election. Sarper intends, lest any misunderstanding may arise, to make this position clear to both Pakistan and Argentina before balloting in SC election begins. Sarper also reported that Israel has definitely agreed support Turkey for SC.

After canvass Secretariat has now scheduled council elections for Monday, October 5.

LODGE.

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320/10-153 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, October 1, 1953—8 p. m.

Delga 53. For the Secretary. Request urgent instructions re how United States should vote to fill Thailand seat in the TC and the seat in ECOSOC which becomes vacant if Turkey should relinquish it. The present candidates for the TC seat are India and possibly Indonesia and would be Afghanistan and Indonesia for the Turkish seat in ECOSOC. India and Indonesia are certainly against us on the issue of seating Chinese Communists and we must assume that Afghanistan is too, and at the very most would abstain if the issue should come up. Elections to these councils are expected on Monday, October 5.

LODGE

320/10-353 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL  
PRIORITY

WASHINGTON, October 3, 1953—12:33 p. m.

Gadel 16. Re: ECOSOC and TC Slate (Delga 53).

1. *ECOSOC Slate*

US should vote for Pakistan if it is a candidate. If it is not, or if an additional seat becomes available through resignation of Turkey, you should vote for Indonesia rather than Afghanistan. This decision based on following factors:

(a) Provides much better geographic balance in ECOSOC, since if Indonesia not elected China will be only Far Eastern area member on Council, while Middle East will be represented by Pakistan, India, Egypt and Afghanistan.

(b) US support for Indonesia would strengthen Indonesian elements opposed to increasing Communist dominance in Indonesia, whereas our opposition would embarrass non-Communist forces in Indonesia.

(c) While Afghanistan voting record re Chinese representation better than Indonesia's, since Afghanistan usually abstains, this factor not of overriding importance so long as current moratorium agreement survives. If agreement is terminated, since both states recognize Chinese communists, probability would vote against us on substance of Chinese representation question.

2. *T.C. Slate*

Indonesia is our candidate for seat being vacated by Thailand. If, however, Indonesia is elected to ECOSOC, or does not run for TC, you should explore alternatives to India's candidacy, and if it appears likely any other candidate could be successful, consult Dept.

3. *Considerations re Chinese Representation*

We recognize it would be more desirable to support for these posts states which do not recognize Communist China. However, Thailand and Philippines only two states in Far Eastern area which meet this criterion, and both informed us they not interested. We therefore see no alternative to instructions contained this telegram.

DULLES

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<sup>1</sup> Drafted by the Deputy Director of the Office of UN Political and Security Affairs (Popper), approved for transmission by Assistant Secretary Murphy, and signed by the Secretary of State.

320/10-453 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

SECRET

NEW YORK, October 4, 1953—10 p. m.

Delga 63. Reference SC Elections. Ambassador Malik of the USSR came in to see me this afternoon at his request. He stated that the Security Council elections are on the agenda of tomorrow's GA plenary and that this is a good time to restore the "gentlemen's agreement" which was negotiated in London in 1946 regarding the distribution of the six non-permanent seats in the SC. He went on to say that two of the seats, it was then agreed, were to go to Latin America, one to Western Europe, one to the British Commonwealth, one to Eastern Europe and one to the Middle East. To restore this "gentlemen's agreement", Mr. Malik went on to say, would be just and in accordance with the geographical requirement referred to in the Charter.

I replied that the "gentlemen's agreement" negotiated in 1946 was in our view an agreement for that year and was not intended to last indefinitely. Wainhouse stated that it was Stevenson who negotiated this agreement with Gromyko and that Mr. Stevenson<sup>1</sup> has since confirmed our interpretation with respect to the length of time it was to last.<sup>2</sup>

I stated to Mr. Malik that I was pleased that he came in to talk to me about this; that I would report this conversation at once to the State Department; and that it is our intention to vote for Turkey for that seat.

Mr. Malik expressed regret at having to break up my Sunday holiday. I replied that I am always glad to see him, and at any time.

Mr. Malik appeared in dark glasses as he entered the building, took them off in the elevator, and put them on again when he left the building.

As Wainhouse escorted Malik out of the building, the latter inquired about former Ambassador Jessup. 2 Park Avenue, Mr. Malik stated, is where he and Ambassador Jessup negotiated the Berlin (blockade) agreement.

LODGE

<sup>1</sup> Adlai E. Stevenson, in 1946 an adviser to the U.S. Delegation to the first part of the First Session of the General Assembly at London.

<sup>2</sup> For documentation on this question, see *Foreign Relations*, 1949, vol. II, p. 265.

320/10-653 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, October 6, 1953—1 p. m.

Delga 71. If agreeable please pass Ankara.<sup>1</sup> Turkey's election to SC while highly satisfactory to both our governments was also clear indication Sarper's personal popularity among UN delegations and skill with which he advocated Turkey's successful candidacy. I suggest Embassy Ankara, if it sees no objection, bring this attention Turkish Foreign Minister at some appropriate time and would be grateful if Embassy would at same time express my personal satisfaction at Turkey's election and my appreciation of fine spirit of cooperation exhibited by Turkish delegation under his leadership.

LODGE

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<sup>1</sup> The substantive paragraph was repeated to Ankara on Oct. 7.

FE files, lot 55 D 388, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern  
Affairs (Bacon), to the Assistant Secretary of State for Far East-  
ern Affairs (Robertson)*

CONFIDENTIAL

[WASHINGTON,] October 13, 1953.

Subject: Far Eastern Representation on Major UN Councils.

In the elections just concluded in the General Assembly for Major UN Councils, no Far Eastern states were elected. As of January 1, 1954, China will be the only Far Eastern state on the three Councils which comprise a total membership of 41 seats.

If present procedures are adhered to, there is little prospect of any increase in FE representation on the Councils within the next few years. Under the normal geographic distribution of non-permanent Security Council seats now followed, no provision is made for Far Eastern representation and no Far Eastern state has ever been supported by the United States for, or elected to, the Security Council. So far as the Economic and Social Council is concerned, if a Far Eastern state other than China is to be elected at any future election, it will have to displace a candidate from some other geographic area. So far as the Trusteeship Council is concerned, there will normally be no election until 1955 at which time a Far Eastern candidate would have to displace either a Latin American or a Near Eastern candidate.

I am aware of the special political considerations which influenced the selection of our slates this year, particularly the difficult problems relating to Thailand and Turkey and that our intention to support

Indonesia for the Trusteeship Council was frustrated by developments. I am not in any sense lacking in understanding of the decisions reached. The resulting situation, however, is not a salutary one in terms either of developing United States political relations with Far Eastern states most effectively or of strengthening the interest of these states in the UN. I believe, accordingly, that it would be desirable to re-examine our present practices to see if, with foresight and advance planning, we cannot work toward a distribution of seats on these Councils in the future which will give adequate scope to the Far Eastern area.

The following suggestions occur to me:

1. *Economic and Social Council*: Under present Departmental practices, one seat on this Council is reserved for rotation among the Scandinavian states and another seat is reserved for the Benelux countries. These two groups of states have received many UN posts and often have to be urged to put forward candidates for election. By contrast, this year we had four Asian states—Afghanistan, Indonesia, Pakistan and the Philippines—actively fighting to obtain the one seat which we regarded as available for an Asian state at this election. This situation might be eased if we reserved one seat for the combined Scandinavian-Benelux group and released the other to permit Far Eastern representation.

2. *Security Council*: Under existing procedures, no place is earmarked for the Far East at any time. One seat is, however, reserved for rotation among the Eastern European states and another among the British Commonwealth countries. Consideration might be given to releasing one of these seats on alternate elections for use in the Far East. As we are now proceeding, the "Eastern European seat" rotates between Yugoslavia, Greece and Turkey. Practically all of the Commonwealth countries have by now held the Security Council post. The present arrangement was worked out before several Far Eastern states had become UN members and the arrangement is clearly inequitable and obsolete. As it is our position that the "Gentlemen's Agreement" on geographic distribution of seats was applicable only to the first year and as we have subsequently expanded the application of that arrangement in the case of the Eastern European seat to include Greece and Turkey, there would seem to be no insuperable obstacle to making a further adjustment, so long as the Latin American states are assured that no effort will be made to curtail their representation. To operate under rules which in effect exclude Far Eastern states from any hope of election to the Security Council is to deprive them of privileges to which they are entitled under the Charter.

So far as Chinese representation is concerned, these two suggestions need not create new or added problems. While some of the Far Eastern states have recognized the Chinese Communists, the same is true of some states among the Scandinavian, Benelux and British Commonwealth groups. At the recent ECOSOC elections, for example, we supported Norway for the "Scandinavian seat" although it has recognized the Chinese Communists and does not adhere to the moratorium ar-

rangement. India, which obtained the Trusteeship Council seat, is an ardent advocate of the immediate seating of the Chinese Communists.

Other and better ways of improving on the present situation concerning Far Eastern under-representation on UN Councils may exist. The problem is one which I bring to your attention in the belief that it deserves serious consideration at an early date. I believe also that the whole problem of equitable distribution of seats on major Councils should be kept in mind in connection with Departmental projects on Charter review.

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320.22/10-2153: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 21, 1953—12:55 p. m.

PRIORITY

Gadel 36. Re ILC election:

1. Department recommends US vote for ten individuals listed recommendation 1 position paper US/A/3603. (We have considered Thai oral request US support Khoman but believe we should stand by original position in favor Thein (Burma) who in our view is more qualified. We have concluded Burma's position on Chinese representation not compelling factor this particular case. ILC is not composed of government representatives but is body of individuals elected by GA and is not competent decide own composition except in case of vacancy. Any effort raise Chinese representation issue in ILC is thus clearly out of order, as Commission has twice decided in past, and it is our estimate majority on US slate would support such ruling.)

2. You should vote for four Latin American candidates which have majority Latin American support. However, if Guatemala is Latin American choice, request you consult Department.

3. Although you should not campaign against USSR national you should not vote for him but abstain.

DULLES

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<sup>1</sup>Drafted by Paul W. Jones of the Office of UN Political and Security Affairs and concurred in by the Deputy Assistant Secretary of State for UN Political Affairs (Sandifer), cleared with the geographic bureaus and the Assistant Legal Adviser for UN Affairs (L/UNA), approved for transmission by the Deputy Director of the Office of UN Political and Security Affairs (Popper), and signed by the Assistant Secretary of State for UN Affairs (Murphy).



320/10-2253 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, October 22, 1953—1 p. m.

PRIORITY

Delga 150. Re ILC elections.

1. Delegation suggests Department reconsider present position (Gadel 36) which is to support Myint Thein (Burma) rather than Khoman (Thailand). Reasons are: (a) Thailand supports US in UN far more consistently than does Burma; (b) We have not supported Thailand for any other post during session; (c) Even though Myint Thein appears better qualified, Khoman appears possess necessary qualifications.

2. De la Colina (Mexico) informs USGADel that LA delegates do not intend caucus on ILC slate. Only agreement is decision by four states now represented on ILC (Panama, Mexico, Brazil, Colombia) to vote for each other. US therefore free vote for four LA nominees we consider most highly qualified.

Request Department's views.

LODGE

320/10-2253 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 22, 1953—6:40 p. m.

PRIORITY

Gadel 37. Re ILC elections (Delga 150) :

1. Department has reconsidered position support Thein rather than Khoman, taking into account points mentioned reftel. However we continue believe we should support Thein for following reasons:

(a) He is preeminently qualified and has been friendly to US and representative of element in Burma which opposes communism;

(b) ILC election not politically of such importance that our support for Thein rather than Khoman would adversely affect Thai support for US in UN or that our support for Khoman would assuage Thai disappointment over US failure support Wan for President;

(c) While we did not support Wan for Presidency we offered support Thailand for ECOSOC or TC this year if it were interested and have in past supported Thailand for UN posts. It has been member TC and Wan had GA Committee chairmanships past three sessions.

(d) Political reasons like Chinese representation make it difficult for us support Burma in other elections and it has never been member

<sup>1</sup> Drafted by Jones, cleared with the geographic bureaus and L/UNA, approved for transmission by Popper, and signed by Assistant Secretary Murphy.

of major UN Council or had GA Committee Chairmanship. Political considerations not controlling in case of ILC election. It thus offers us rare opportunity support Burma for UN post, which support would be of assistance in our relations with that country.

2. Department recommends you vote for Amado (Brazil), Cordova (Mexico), Yepes (Colombia) and Lavalle (Peru) who we believe most qualified among LA candidates.

DULLES

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320/10-2353 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 23, 1953—6:30 p.m.

Gadel 40. Re election for Pakistan seat on Non-Self-Governing Territories Committee: Department understands Burma and Philippines only active candidates, although Pakistan has given some indication of interest and Sweden has been suggested by Belgium. Although no Soviet bloc country is on Committee and Chinese representation issue thus less likely arise, nevertheless preferable elect country which would support us on issue should it be raised in future. Of above mentioned countries only Philippines can be counted on from this angle. Department therefore recommends delegation support Philippines.

DULLES

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<sup>1</sup> Drafted by Jones (UNP) and concurred in by Deputy Assistant Secretary Sandifer, cleared with the geographic bureaus, approved for transmission by Deputy Director Popper, and signed by Sandifer.

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353/10-2953 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 29, 1953—6:23 p. m.

Gadel 48. Re ICJ election. While you should not campaign against election of Kozhevnikov, who we assume will receive widest support in view sentiment in favor election of judges of Big Five to ICJ, you should not vote for him in SC or GA but should abstain.

DULLES

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<sup>1</sup> Drafted by Jones (UNP) and concurred in by Deputy Assistant Secretary Sandifer, cleared with the Bureau of European Affairs and L/UNA, approved for transmission by Popper, and signed by Assistant Secretary Murphy.

353/10-3053 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, October 30, 1953—10 p. m.

Delga 192. Reference ICJ election. Tsarapkin (USSR), obviously out canvassing, approached Wadsworth and Ross separately on above subject seeking support for Soviet candidate. He based his request solely on traditional acceptance of "big four" nationals on ICJ. He said they always have and always will vote for our candidate on same basis.

Chilean representative, on apparent misunderstanding that there only one candidate, said his del inclined support Russian.

LODGE

353/12-1053

*Memorandum of Conversation, by the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] December 10, 1953.

The Pakistan Ambassador mentioned to me at the diplomatic dinner last night that Zafrulla Khan would like very much to have our backing to replace Rau as a member of the World Court. He said that Zafrulla Khan asked that this thought be passed to me personally in view of our friendship.

I would like this suggestion given sympathetic consideration.

<sup>1</sup> Addressed to the Deputy Under Secretary of State (Murphy) and the Assistant Secretary of State for Near Eastern, South Asian, and African Affairs (Byroade). Drafted by Dulles.

353/12-1753 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, December 17, 1953—6:38 p. m.

295. Re date of ICJ election for Rau vacancy. We assume SYG within next two weeks will request national groups nominate individuals for Rau vacancy in accordance Articles 5 and 14 of ICJ Statute. In past SYG, before making request, has asked SC to set date for election in order be able inform national groups of time table. However this is not required under Statute and he may decide in this case to send requests to groups without asking Council to meet first.

While we do not want to initiate discussion on election date or make an issue of matter we hope avoid action which might possibly give added reason for reconvening Eighth GA or opening up its agenda to

other items. Therefore if Secretariat asks our views we suggest you express opinion election should be held during Ninth GA. You might point out that past practice, as well as Article 14 of Statute read in relation to Article 5, would argue for at least three months to elapse between issuing request for nominations and election. Furthermore, since it is not known whether or when Eighth GA might reconvene it would be difficult schedule election during reconvened Eighth GA. If Secretariat asks whether we think SC should set date before requests for nominations issued you might suggest we have no strong views on matter but doubt necessity SC action now.

SMITH

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320/12-853

*Memorandum by the Deputy Under Secretary of State (Murphy)  
to the Acting Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] December 8, 1953.

Subject: Request for Appointment from Dr. van Kleffens, Candidate for President of Ninth General Assembly.

*Discussion:*

The Netherlands Embassy has informed the Department that Dr. van Kleffens will be in Washington December 10 and 11 and would like to call on you. He was the Netherlands Ambassador to the United States from 1948 to 1950, and has been their Minister to Portugal since 1950. He was the Netherlands Representative on the United Nations Security Council in 1946 and 1947. A biographic report on him is attached (Tab A).<sup>2</sup>

Van Kleffens will probably wish to discuss his candidacy for the Presidency of the Ninth General Assembly. The Netherlands Delegation in New York has informed us that the UK, France and Benelux countries have agreed to support him and that it is almost certain the British Commonwealth countries will do likewise. To our knowledge there are no other candidates, although it has been rumored that Belaunde of Peru might be interested.

In October, Netherlands Foreign Minister Luns mentioned to me that there has not been a European President since Spaak was President in 1946 and remarked that the Dutch were considering proposing van Kleffens. I replied that the Dutch should have no false modesty in pressing his candidacy and that we would like to have him.

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs and cleared with the geographic bureaus (EUR—Spalding, ARA—Monsma, FE—Ogburn, NEA—Hadsel).

<sup>2</sup> Not printed.

We believe that van Kleffens, who is an able man and very friendly to the United States, is qualified for the Presidency. However, we have found it desirable to avoid commitments to candidates until we can ascertain the situation which is likely to exist at the time of elections.

*Recommendation:*

That you receive van Kleffens and, if he mentions his candidacy, inform him that while it is too early for us to make any commitment, we believe he would be an excellent President, that we agree it is time for a European to be elected, and that we will give the most sympathetic consideration to his candidacy.

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330/3-854

*Memorandum of Conversation, by the Special Assistant for United Nations Affairs, Bureau of European Affairs (Allen)*

CONFIDENTIAL

WASHINGTON, March 8, 1954.

Subject: Elections to UN Security Council

Miss Salt called on instructions to advise us that recently the Belgian Government approached the UK to indicate their desire to be elected to Denmark's seat on the SC. They stated that the Swedish Government is also interested but has yet made no decision and asked the UK to seek to dissuade the Swedes from seeking the post. The UK replied that they could not do so, but in response to a further request from the Belgians have agreed to point out to the Swedish Government the desirability of an early decision by Sweden as to whether it desired to run. The UK position is that this is a matter primarily for Sweden and Belgium to resolve and that the UK will support whichever one decides to run. The Foreign Office pointed out, however, that Sweden has never been on the SC and in Miss Salt's view the Foreign Office was inclined to be more sympathetic to Sweden's candidacy.

In response to Miss Salt's question I stated so far as I was aware we had not yet been approached by the Belgians and this was the first we had heard of their interest. I recalled it has been the normal practice for the Scandinavians and Benelux countries to alternate in holding this Council post and that Sweden's candidacy would alter this practice. I added the personal view that we would probably be more sympathetic to Belgium's candidacy because of the problem of Chinese representation in the SC. However, I felt certain that we would be similarly reluctant to become involved in the conflicting desires of the Swedes and Belgians and would hope that the two of them could work it out.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of the United Nations Political and Security Affairs (Popper) to the Assistant Secretary of State for United Nations Affairs (Key)*

SECRET

[WASHINGTON,] March 11, 1954.

Subject: UN Security Council Elections

Miss Salt of the British Embassy has informed Mr. Allen (EUR) that the Belgians have indicated to the British their desire to be elected to Denmark's Security Council seat at the Ninth Assembly. The Belgians stated that Sweden is also interested in this seat, although it has made no decision, and asked the UK to dissuade the Swedes from running. The UK, however, believes that this is a matter for Belgium and Sweden to decide and does not wish to intervene.

One of the non-permanent seats on the Security Council has always been allocated to Western Europe, and it has been the normal practice for the Benelux and Scandinavian countries to rotate this seat. On this basis it would be Belgium's turn. However, Sweden has never been elected to the Council whereas Belgium has already served one term. For this reason the British Foreign Office seems inclined to be more sympathetic to Sweden, although it will support whichever country decides to run.

As far as "cold war" issues are concerned, we could probably count on 8 favorable votes next year (US, China, France, UK, Turkey, Brazil, New Zealand, and a Latin American country to be elected this fall) even if Sweden were elected. However, Sweden recognizes the Chinese Communist regime and sides with the USSR on the Chinese representation issue, whereas Belgium does not recognize the Communists and has supported the "moratorium" position in the UN. While we cannot predict Belgium's position in the future, since this will depend in large part upon the position of the UK and France, we would at least have a better chance of obtaining support from Belgium than from Sweden on the question of Chinese representation.

It has been the practice for the Europeans to agree among themselves on a candidate for the Western European seat. However, in view of the importance of obtaining as safe a margin as possible on the Chinese representation issue, it seems to us that we should take steps this year to stimulate Belgium's candidacy. The matter would have to be handled carefully, since interference on our part might be resented and prove counterproductive. Perhaps the best procedure would be to discuss the matter informally with the British. We could say that while the choice of a European candidate is a matter for the Europeans to decide, the Department has assumed that Belgium would be the European candidate in view of the past practice of rotating this seat

between the Scandinavian and Benelux countries. We could take this same line if other Europeans approach us, including either the Belgians or Swedes.

If you agree with this approach, we will try to obtain clearance with the other bureaus concerned.

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330/3-1854 : Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, March 18, 1954—7:23 p. m.

422. Re SC Election. British have confidentially informed Department Belgians have indicated desire for Denmark's SC seat but have stated Sweden also interested. Belgians asked UK to seek dissuade Swedes from running but UK unwilling interfere and believes question which country should run for European seat is matter for Belgium and Sweden to decide.

Neither Belgium nor Sweden has approached us. FYI however, since Sweden recognizes Chinese Commies and supports USSR on Chinese representation issue whereas Belgium does not recognize Commies and presently supports our position on representation, and in view desirability obtaining as safe margin as possible on this issue, Department believes we should take steps stimulate Belgium's candidacy. End FYI. Accordingly we are informing British Embassy Department favors Belgium and has assumed it would be European candidate this year in view past practice of rotating European seat between Scandinavians and Benelux. Suggest USUN take same line if approached by UK Del.

In conversations with Belgians on other matters, and if SC elections raised by other European Dels, suggest USUN indicate we have assumed Belgium would become candidate since it is Benelux turn and since Netherlands had seat before Denmark. However it is important avoid revealing knowledge of Belgium's or Sweden's interest which we obtained through UK.

DULLES

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330/3-2654 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, March 26, 1954—5 p. m.

537. Regarding SC elections. In course general conversation Van Langenhove, question SC elections (Deptel 422, March 18) came up naturally. Langenhove discussed freely without, however, soliciting

US support or indicating any desire dissuade Swedes. Situation as stated by Langenhove is: (a) Swedes approached Belgians indicating interest on grounds Sweden had never been member of SC while other Benelux and Scandinavian countries had been. (b) Belgians advised Swedes they should make early decision whether to run. (c) Langenhove under impression UK has also advised Swedes to make early decision. (d) Decision now up to Unden. Langenhove under impression decision "embarrassing" one for Unden to make.

Ross indicated we had been assuming Belgium would be candidate this year in tradition Benelux-Scandinavian rotation, and thought this was probably view majority of delegations. He observed also number of countries other geographic areas had never been member of SC. Swedish candidacy might give such other countries ideas.

*Comment:* Tone Langenhove's remarks gives some basis for believing Belgians, having once been on SC, may be taking very modest attitude towards possible Swedish candidacy and that UK may be encouraging this modesty.

Any further guidance Department has to offer at this time would be appreciated.

WADSWORTH

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Deputy Assistant Secretary of State for United Nations Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] March 31, 1954.

Subject: Security Council and ECOSOC Slates

The following is the present situation regarding the Security Council and ECOSOC slates:

*Security Council*

Denmark, Colombia, and Lebanon go off the Council at the end of this year.

(1) *Western European seat*—Belgium and Sweden are both interested in Denmark's seat. We are trying quietly to stimulate Belgium's candidacy because of Sweden's position on Chinese representation.

(2) *Latin American seat*—Cuba and Peru have asked our support for election to Colombia's seat. We assume we would support the choice of the Latin American caucus.

(3) *Middle Eastern seat*—Iran and Iraq have asked our support for election to succeed Lebanon. However, we have heard that Iraq might withdraw because of a 1952 commitment to support Iran in 1954 if the latter would stand down in favor of Lebanon. From the standpoint of



our relations with Iran in particular and the Middle East in general it would be difficult for us to oppose Iran if it is the Middle East candidate. However, there are other countries which would be preferable to us as Members of the Council, such as Ethiopia or the Philippines. We should consider very soon whether to support Iran if it is the Middle Eastern candidate or to support and, if necessary, urge some other country to run.

### *ECOSOC*

The terms of China, France, Argentina, Cuba, Belgium and Egypt expire the end of this year.

(1) *Two Great Power Seats*—We will support the reelection of China and France.

(2) *Two Latin American Seats*—We should support two Latin American countries to succeed Argentina and Cuba (Argentina, Colombia, Chile and the Dominican Republic are candidates).

(3) *Belgian Seat*—The election to fill Belgium's seat will be a problem. Poland has just announced its candidacy for ECOSOC, probably with this seat in mind. Since Belgium may run for the Security Council and has had two consecutive terms in ECOSOC, since the Netherlands is running van Kleffens for General Assembly President, and since the Scandinavians are now represented on ECOSOC by Norway, it may be that the only country in Western Europe that might be a candidate is Luxembourg. However, the latter has not been interested in election to the Councils. Therefore, we should give serious consideration to possible candidates from some other area. Thailand or the Philippines are possibilities.

(4) *Egyptian Seat*—The election to fill Egypt's seat also presents a problem. Afghanistan has been trying to get the green light from us. Mr. Byroade has expressed a very strong interest in our supporting Afghanistan and feels it might even be a good thing, if it could be done, if we could give it some kind of assurance to clarify our position even at this early date. However, we have not wanted to encourage Afghanistan because candidates would probably appear which would be preferable to us from the standpoint of the Chinese representation and other issues. (Iraq is now considering whether to run.)

### *Suggested Action*

That we have a UNA meeting to consider these slates questions, especially Lebanon's Security Council seat and Belgium's and Egypt's ECOSOC seat.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Deputy Assistant Secretary of State for United Nations Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] March 31, 1954.

Subject: Election for Denmark's Security Council Seat

As you know, Belgium and Sweden are both interested in election at the Ninth Assembly to the Security Council seat now held by Denmark. The UK believes it is up to the two countries to decide which country will run and is unwilling to interfere. However, since Sweden supports the seating of Chinese Communists in the UN, we decided we should take steps quietly to stimulate Belgium's candidacy. Accordingly, we have informed the British we favor Belgium and have assumed it would be the candidate in view of the past practice of rotating the European seat between Scandinavian and Benelux countries. We also suggested that USUN tell the Belgians that we have assumed it would run. USUN has done this but reports that the Belgians seem to be taking a "modest" attitude toward a possible Swedish candidacy and gave no indication of a desire to dissuade the Swedes.<sup>1</sup>

The attached cable,<sup>2</sup> for your signature, suggests that USUN go back to the Belgians and express the Department's view that Belgium need not hesitate in seeking the European seat in view of the past practice of Benelux-Scandinavian rotation.

The question still to be resolved is whether we should also discuss the question with the Swedes, telling them frankly that their candidacy would cause difficulties for us.

The arguments in favor are:

a) that our objective is to obtain as safe a margin as possible on the Chinese representation issue. Since Belgium is safer on this issue than Sweden, and since we cannot predict accurately the voting situation in the Council on this issue in 1955 or 1956, we should do what we can to assure that Sweden does not run.

b) that we would probably best be able to assure that Sweden does not run by going to the Swedes directly; and

c) that it would be easier to go to the Swedes now than to wait until they announce their candidacy and then have to inform them we could not support them.

The arguments against are:

a) that the Swedes would deeply resent an initial approach from us, particularly since they probably feel they have a good claim to the European seat. (Belgium has been on the Council before whereas Sweden has not). Interference of this kind would also be resented by

<sup>1</sup> This was reported in USUN telegram 537, Mar. 26, 1954; see p. 522.

<sup>2</sup> See Department of State telegram 456, Apr. 1, *infra*.

other Europeans and might complicate our problems in maintaining their support in the UN.

b) that the Swedes probably realize their candidacy presents difficulties for us and would talk to us before deciding to run. We could then give them our views; and

c) that as far as Chinese representation is concerned, we cannot be certain even of Belgium's future position, which will probably depend in large part upon the attitude of the UK and France.

EUR prefers not to make an approach to the Swedes. FE feels that we should do what we can to ward off Sweden's candidacy but leaves the tactics to us. I wonder if you would not want to get Mr. Murphy's judgement on this question.

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330/3-2654 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 1, 1954—6:55 p. m.

456. Re SC elections (urtel 537). In view your comment Belgium may be taking modest attitude re possible Swedish candidacy believe best approach to problem would be for you discuss matter again with Van Langenhove. Suggest you inform him you have reported your previous conversation to Department which has endorsed your remarks to him and expressed view Belgium need not hesitate in seeking Council seat in accordance past practice Benelux-Scandinavian rotation. Since present Belgian attitude may be due in part to fear its SC candidacy might jeopardize Van Kleffens' chances for GA Presidency, you might also indicate view these elections are two separate matters and that Belgian SC candidacy would not adversely affect Van Kleffens' chances.

DULLES

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<sup>1</sup>This telegram and USUN telegram 537, Mar. 26, p. 522, were repeated to Brussels in Department of State telegram 1035, Apr. 19, 6:29 p. m. (330/3-2654).

815/4-254

*Memorandum of Conversation, by the Deputy Assistant Secretary of State for United Nations Affairs (Wainhouse)*<sup>1</sup>

[WASHINGTON,] April 2, 1954.

Subject: van Kleffens' Candidacy for Presidency of Ninth General Assembly

Participants: Dr. J. H. van Roijen, Netherlands Ambassador  
 Mr. David Wainhouse (UNA)  
 Mr. Paul W. Jones (UNP)  
 Mr. Ward Allen (EUR)

Ambassador van Roijen called on Mr. Wainhouse on April 2 to present the attached note announcing Dr. van Kleffens' candidacy for the Presidency of the Ninth General Assembly and requesting United States support. Mr. Wainhouse recalled that it was not our practice to commit ourselves this far in advance but assured the Ambassador that we were delighted to know that Dr. van Kleffens' hat was in the ring.

The Ambassador said he knew of no other candidates and noted that there has not been a European President since 1946. In response to our query he said that the Dutch were also soliciting support from other Members. He assumed these included the Latin American countries but said he intended to check on this point.

DAVID W. WAINHOUSE

[Attachment]

*The Netherlands Ambassador (van Roijen) to the Secretary of State*

D-3838

The Netherlands Ambassador presents his compliments to the Honorable the Secretary of State and, with reference to previous informal discussions at the Department of State, has the honor to draw the attention of Mr. Dulles to the question of the Chairmanship of the Ninth Regular Session of the United Nations General Assembly, to be held in New York next fall.

As the United States Government will be aware, since 1946, the Chairmanship of the General Assembly of the United Nations has been held by the following persons:

1946	1st General Assembly	Spaak (Belgium)
1947	1st Special General Assembly	Aranha (Brazil)
1947	2nd General Assembly	Aranha (Brazil)
1948	2nd Special General Assembly	Arce (Argentina)

<sup>1</sup> Drafted by Paul W. Jones, Jr., of the Office of UN Political and Security Affairs.

1948/49	3rd General Assembly	Evatt (Australia)
1949	4th General Assembly	Romulo (Philippines)
1950/51	5th General Assembly	Entezam (Iran)
1951/52	6th General Assembly	Nervo (Mexico)
1952/53	7th General Assembly	Pearson (Canada)
1953/54	8th General Assembly	Mrs. Lakhsmi Pandit (India)

It appears from this list that the Chairmanship of the United Nations General Assembly has been held on four occasions by representatives of Latin-American countries, thrice by representatives from Asia, twice by representatives of the Commonwealth, while Europe has been allocated the Chairmanship only once, eight years ago.

It would seem to follow in the opinion of the Netherlands Government that it would be entirely appropriate that the Chairmanship of the Ninth General Assembly should once again go to a representative of a European country.

On the basis of these considerations the Netherlands Government has invited Mr. E. N. van Kleffens, Minister of State; Ambassador Extraordinary and Plenipotentiary, Minister to Portugal, to consent that his nomination be put in for this office, to which suggestion Mr. van Kleffens has agreed.

In the opinion of the Netherlands Government Mr. van Kleffens is entirely qualified and eminently suitable for holding the high office of Chairman of the General Assembly. Reference is made in this respect to his enclosed *curriculum vitae*.<sup>2</sup>

Under instructions from his Government, Dr. van Roijen has the honor to solicit the good offices of Mr. Dulles in obtaining the support of the United States Government for this candidature.

The Netherlands Ambassador avails himself of this opportunity to present to the Honorable the Secretary of State the assurances of his highest consideration.

WASHINGTON, April, 1954.

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<sup>2</sup> Not printed.

330/3-2654 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 5, 1954—6:02 p. m.

463. Re SC Elections (urtel 559).<sup>2</sup>

1. Department agrees you can inform Belgians we definitely will support their election to SC if they become candidate for European seat. Assume Belgium already aware of this (urtel 537 and second approach to Belgians suggested Deptel 456). While we cannot guarantee future Belgian position on Chinese representation, it is certainly safer than that of Sweden (or other Scandinavians) and as safe as that of other Western European members.

2. We agree you can also tell UK we will definitely support Belgium if it runs. Re (A) and (B) of urtel, seems to us it would be preferable tell UK we are anxious avoid differences with our allies on European seat and consequently hope Sweden will not run because its candidacy would present very serious difficulties for us and to say we are not at all sure we could support Sweden without, however, indicating definite decision. Objective in talking UK should be get them take lead in developing Western European support for Belgium so that there can be unified West position on a candidate all of us can definitely support. We believe kind of approach suggested above would be as successful if not more successful way of achieving this objective. Furthermore if we informed UK we could not support Sweden even if it is European candidate and might have to vote for non-European, and if others including Sweden heard of this, this would cause deep resentment and could have unfortunate effects on our relationships in UN with Europeans.

DULLES

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs and concurred in by Paul B. Taylor, Officer in Charge of General Assembly Affairs; cleared with the Deputy Assistant Secretary of State for UN Affairs (Wainhouse) and the Bureaus of European Affairs, and Far Eastern Affairs; approved for transmission by the Acting Director of the Office of UN Political and Security Affairs (Popper); signed by the Deputy Under Secretary of State (Murphy).

<sup>2</sup> Not printed (330/4-154).

330/4-954 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, April 9, 1954—noon.

602. Reference: Deptel 463, April 5. Re SC elections. As outcome forthcoming Belgian elections April 11 could possibly determine atti-

tude Belgian Government would take on Chinese representation issue, we withholding action New York until:

- a. Embassy Brussels reports outcome election;
- b. Position new Belgian Government supporting our position on Chinese representation more clearly established. We would particularly appreciate Embassy Brussels comment regarding feasibility sounding out new government on how they will stand with us on this issue before we assure Belgian delegation full support their candidacy.

LODGE

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330/4-1354 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

CONFIDENTIAL

BRUSSELS, April 13, 1954—6 p. m.

777. Usun 602 to Department sent Brussels 3, April 9. Election Belgian Parliament will not be completed until 46 Senators to be elected by Provincial Councils April 26 can join with 106 directly elected Senators to appoint 23 co-opted Senators on May 4. Process forming new government can get under way now but completion process requires vote of confidence by full Parliament. It is impossible now to predict when new government will be formed or to know the party make-up of government which almost certainly will be coalition.

As Embassy has previously reported, Socialists generally favor recognition Red China and its admission UN. Appears very likely Socialists will participate new government.

We do not believe that definitive Belgian Government position on this question can be determined prior to formation new government and its consideration of problem. Embassy is of opinion we should sound out new government this issue before assuring full support Belgian candidate if time permits.

ALGER

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330/4-1554 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*<sup>1</sup>

CONFIDENTIAL

NEW YORK, April 15, 1954—11 a. m.

628. Re SC elections. In light of comment in Brussels 777, April 13, I think we should now be very careful to avoid indicating to anyone that we might support Belgium for the SC. On contrary, I think we should give very urgent consideration to possibility of building up the candidacy of a non-European country that we can be sure will

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<sup>1</sup> Repeated to Brussels as telegram 1030, Apr. 15 (330/4-1554).

support us on the Chinese representation issue as well as other issues in the SC. I think both Thailand and the Philippines might be very good possibilities. Neither has ever been a member of the SC, both strongly support us and we want them to play their full part in developing plans for a unified action program in Southeast Asia.

LODGE

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UNP files, lot 59 D 237, "Slates"

*The Assistant Secretary of State for United Nations Affairs (Key)  
to the United States Representative at the United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON, April 20, 1954.]

DEAR CABOT: As you know, the Netherlands Government has formally announced the candidacy of Dr. van Kleffens, Netherlands Minister to Portugal, for the Presidency of the Ninth Session of the General Assembly. I think we should seriously consider reaching a prompt decision to support him and so advising the Netherlands Government.

Van Kleffens has been very friendly to the United States. (He was Netherlands Ambassador here from 1947 to 1950.) He is an able man and well qualified for the Presidency. As Chairman of the Netherlands Delegation at the San Francisco Conference and as their Permanent Representative to the United Nations in 1946 and 1947, he has had valuable experience with the United Nations.

Moreover, it is time for a European to be elected. The last time there was a European President was in 1946, when Spaak of Belgium held the office. We understand that the UK, France and Benelux countries have agreed to support van Kleffens. To our knowledge there are no other candidates.

While it has not been our general practice to make a decision so far in advance of the Assembly, I think the circumstances of this case justify an early commitment. If we make a commitment now and van Kleffens' candidacy gains sufficient momentum, this might discourage the development of other candidacies and thus help avoid a difficult situation later.

I wish to sound out the regional bureaus in the Department on this matter but before doing so I would appreciate receiving your views.

Sincerely yours,

DAVID MCK. KEY



330/4-2154 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

CONFIDENTIAL

BRUSSELS, April 21, 1954—1 p. m.

805. Pass USUN Deptels 1030, April 16 [15] and 1035, April 20 [19].<sup>1</sup> While we do not know extent to which UN practice calls for selection Benelux or Scandinavian candidate for UNSC this year, we offer following observations on Belgian aspects this problem in light reference telegrams.

1. Composition new Belgian Government not yet known, but all present signs point to coalition with Socialist participation. As stated in Embtel 777, April 13 Socialists have long favored recognition Communist China and its entry into UN. At same time Socialists have in majority supported European integration and other important international policies in line with US objectives and have not been alone in Belgian political circles in favoring recognition Communist China and its entry into UN. Perhaps majority Belgian political figures of all parties have had leanings in that direction. Unless there is radical change in situation, however, we do not believe that any Belgian Government in foreseeable future, any more than in past, could unilaterally change its present policy in this regard. Any change would be expected to come as result action or pressure by UK or France in which case any Belgian Government might well follow British or French lead. Impulse to do so would be stronger in case of government with Socialist participation.

2. If US failed to support Belgian candidacy to UNSC and gave support to nation from other area of world, Belgian resentment would likely be aroused particularly if other friendly western powers did support Belgian or Scandinavian candidate in accordance with what Belgians considered accepted UN practice. In that event it would seem difficult for us to give Belgians what they would consider convincing explanation our lack of support.

ALGER

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<sup>1</sup> Regarding these two telegrams, see footnote 1, p. 530 and footnote 1, p. 526.

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UNP files, lot 59 D 237, "Slates"

*The United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

NEW YORK, April 22, 1954.

DEAR DAVE: Your undated letter <sup>1</sup> concerning the candidacy of Dr. van Kleffens for the Presidency of the Ninth Session of the General Assembly strikes me as being quite appropriate.

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<sup>1</sup> Presumably Key's letter of Apr. 20, p. 531.

I have discussed this matter with my staff and they agree that van Kleffens would be a good man and that, in order to discourage other candidacies, it would be desirable to make our views well known in advance.

My only concern is that we should not publicize our position too widely too far in advance. We should tell the Dutch and I should like to do that here in order to get the maximum advantage out of it. Thereafter we could judicially leak our position to others as circumstances indicate.

Sincerely yours,

HENRY CABOT LODGE, JR.

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330/4-1554 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 26, 1954—7:25 p. m.

522. Re Brussels 777, USUN 628 and Brussels 805 :

1. Department agrees that in view major importance Chinese representation issue we must make every practicable effort obtain as safe majorities as possible in UN bodies with respect this question. Department also agrees Thailand or Philippines would be excellent SC members and that fact neither these countries has been elected to SC is strong argument in their favor. However effort take Western European seat away from Western Europe and give it to one of these Far Eastern countries or some other non-European would in Department's view involve following most serious difficulties :

a) We would have to engage our prestige in active campaign against our European allies. This would cause deep resentment in these countries and could have serious effects upon our relationships with them in UN. Would be particularly difficult for us to campaign against Belgium which has been strong NATO and EDC supporter and has contributed troops Korea.

b) It is more than doubtful we could obtain two-thirds vote for our candidate in such campaign. We have had difficulty enough in taking Eastern European seat away from Soviet bloc and giving it to Yugoslavia, Greece and now Turkey. It would be all the more difficult take Western European seat from Western Europeans. Concept of geographical distribution is deeply ingrained, and attempt to alter it would raise hornet's nest. In addition Western Europe we must expect British Commonwealth would oppose us. Many LA countries would probably also oppose out of fear further change in geographic distribution would jeopardize their own representation on Council, a matter which is of utmost importance to them. Soviet bloc might also join these groups against us out of desire try divide our allies from us or might put up own candidate against Western Europe.

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<sup>1</sup> Drafted by Jones and concurred in by Taylor and Popper; cleared with the geographic bureaus; signed by Deputy Assistant Secretary Wainhouse.

2. Moreover, Department estimates we will be able keep Chinese Communists out of SC next year regardless of what country elected succeed Denmark. Even if UK should abandon "moratorium" arrangement and Western Europe and British Commonwealth should follow suit, we believe we could still count on five votes (US, China, Turkey, Brazil, and LA country to be elected this fall) to prevent adoption of motion unseat Tsiang and seat Communist.

3. In light of above it is Department's present conclusion it would be impracticable to try build up non-European candidate for Western European SC seat. In fact it seems to Department that since European candidate to succeed Denmark will be Belgium or Sweden, we should try now promote Belgian candidacy. Longer we wait before taking any steps this direction, greater the likelihood Sweden will run and actually be elected. Although we cannot guarantee Belgium's future position on Chinese representation, we definitely have better chance of getting support from Belgium which has not recognized Chinese Communist regime than from Sweden, which has recognized Chinese Communist regime and we expect will continue favor seating Chinese Communists in UN. Department agrees with Embassy Brussels comment (Brussels 805) that in absence radical change in situation, unlikely any Belgian Government in foreseeable future could unilaterally change its present policy. Actually since Belgian foreign policy so closely oriented toward US, seems to us conceivable we could influence Belgians maintain present position even if UK and France should switch.

4. Department therefore suggests you indicate to van Langenhove, without making any final commitment, our belief Belgium need not hesitate in seeking Council seat (Deptel 456). You might also tell UK this and inform it of our views on Sweden along lines suggested Deptel 463. We would later have opportunity if felt desirable sound out Belgium on Chinese representation issue before making final commitment.

5. Department would of course expect to examine again entire problem of election for Denmark's seat if Belgians do not run and Sweden should become European candidate.

6. Department aware that, apart from question of Chinese representation, general problem geographic distribution SC continues exist since under present pattern no provision is made to permit election Far Eastern States to non-permanent seat. This subject is being studied by Department. Possibilities of adjustment short of Charter amendment would necessarily involve some such scheme as alternate sharing of one seat by Far Eastern area with other area and subject is obviously a delicate one.

SMITH

330/4-3054 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, April 30, 1954—6 p. m.

678. Re SC elections and presidency ninth GA. Department's 522 is very thorough analysis of reasons why we should support Belgium for SC seat. However, Department should consider following points in relation to Van Kleffens candidacy GA presidency before arriving at final decision on this important matter :

1. As reported in Usun 664,<sup>1</sup> Wan (Thailand) is apparently running for presidency GA and Department is aware of Wan's disappointment because we supported Pandit. If we support Van Kleffens (see letter from Lodge to Key dated April 22, 1954) and simultaneously support Belgium for SC vacancy, the two Benelux countries would hold a disproportionate share of the choice ninth GA plums.

2. We should not again rebuff Wan who has always been staunch friend of US and represents a country of key importance in development our Southeast Asian policy. His importance is crucial now in view of situation in Indochina.<sup>2</sup> Double support to Belgium and Netherlands would also weaken our influence with Arab-Asian bloc on large number issues of primary importance Western allies.

3. While true that traditionally one seat on SC has alternated between three Scandinavian and two Low Countries, yet this is very narrow application of principle of geographic representation, particularly if WE area is contrasted with Asian area. Also, at present juncture, maximum weight should be given to predominant principle (Article 23) of contribution to international peace and security. Without in slightest degree minimizing Belgium's contribution, one must at this time emphasize potential contribution SE Asian countries on our side.

4. Paragraph 1-B of reference telegram expresses doubt that we could obtain  $\frac{2}{3}$  vote for Thailand or Philippines for SC. USUN doubts if this is valid judgment. It is believed Arab-Asians plus LAs could obtain necessary support for either country, especially in view of fact that neither has been elected to SC heretofore.

5. Re paragraph 2, Department's estimates may be perfectly sound but nonetheless, we feel this narrow margin on Chinese representation is too thin and should be bolstered.

I propose following :

We want above all please Wan and he should be our first choice. For this reason I am strongly inclined to favor US offering him our backing for either the presidency or the SC. The [*Then?*], depending on his choice, we would have to work out as between Dutch and Belgians what offices we would support them for.

However, I recognize there are very strong reasons for supporting Van Kleffens for presidency this fall and there are also strong reasons

<sup>1</sup> Apr. 26, 1954, not printed ; it is an U.S. Information Digest (310.5/4-2654).

<sup>2</sup> For documentation on Indochina, see volume XIII.

for having Thailand on SC for next two years. Therefore, if Department feels all of these reasons outweigh strong reasons in favor of giving Wan his choice, I would acquiesce on condition that:

1. We promptly inform Thais our support their election SC. (Thais have not to my knowledge told us that Wan seeks presidency nor have Belgians sought our support their election SC).

2. We promptly inform Dutch our support Van Kleffens for presidency GA.

3. We promptly inform Belgians our decisions and reasons therefor and pledge them our strong support election some other important office they may desire. We should point out US has always strongly supported Belgium for election to various UN posts and bodies, including SC, whereas Thailand has never served in SC.

LODGE

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] April 30, 1954.

Subject: Ninth GA Presidency

It is UNA's position that we should decide now to support van Kleffens for the presidency of the ninth GA and so advise the Netherlands Government. Attached is a draft cable to the Secretary requesting his concurrence in this position. Could we please have your clearance or comment on the draft as soon as possible.<sup>2</sup>

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<sup>1</sup> Addressed to the four representatives of the geographic bureaus—Monsma (ARA), Allen (EUR), Howard (NEA) and Bacon (FE)—who together with a representative from the Bureau of UN Affairs constituted the Department of State's (United Nations) Membership Team.

<sup>2</sup> Presumably no action was taken because of the arrival of Ambassador Lodge's telegram 678, Apr. 30, 6 p. m., *supra*.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Key) to the Deputy Under Secretary of State (Murphy)*

SECRET

[WASHINGTON,] May 5, 1954.

Subject: Candidacy of Sir Zafrulla for Position on International Court of Justice

Sir Zafrulla has asked Ambassador Hildreth to ascertain the United States' position regarding his candidacy for election to the International Court of Justice (see Karachi's 827, attached).<sup>1</sup> He told

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<sup>1</sup> Not attached, not printed.

the Ambassador that there was now considerable pressure on the Prime Minister and the Cabinet, on the part of certain religious zealots, to force him out of the Cabinet. Although the Prime Minister has assured him of support, the pressure may develop beyond the Cabinet's power to resist, and the Cabinet itself may be seriously weakened at a time when Pakistan is well oriented toward the United States. NEA believes that meanwhile, if the Prime Minister could confidentially inform opposition leaders that Sir Zafrulla will receive United States support for a seat on the Court, the latter would be retained at least until winter with minimum risk. The Prime Minister has expressed "great interest" in learning the Department's views on Sir Zafrulla's candidacy.

NEA and UNA have asked the other interested bureaus and I whether they would agree to a commitment to support Sir Zafrulla for the vacancy on the Court caused by the death of Sir B. M. Rau, I believe that we should not now commit ourselves to Sir Zafrulla on the grounds (1) that his chances of election are poor (since there will probably be wide support for Dr. Pal, the Indian nominee, on the grounds that an Indian national is entitled to the unexpired portion of Rau's term) and will not be materially helped by our informing Pakistan of U.S. support at this time; (2) that a commitment would rigidly tie us to a candidate six months before the election, regardless of the chances and other factors which might pertain at a later date; (3) that our selection of a candidate to support should not turn on intra-party political strife within another country; and (4) that our support for Sir Zafrulla at this time might have a serious adverse effect upon the election of Justice Douglas Edmonds to the International Law Commission. (Edmonds is the "official" U.S. candidate for the vacancy on the Commission caused by Judge Parker's decision not to accept his seat. The Commission, which is empowered to elect an individual to fill a vacancy, will hold an election in June. I believe that if Pal, a member of the Commission, learns that we intend to support Sir Zafrulla for the Court in opposition to his own candidacy, this will lead him to concert with others on the Commission to defeat Edmonds, to whom there is opposition among other Commission members.)

FE also thinks that we should not commit ourselves to Sir Zafrulla now and asks that we consider a Far Eastern candidate. Myint Thein of Burma has already been nominated and FE believes that a judge from the Philippines and possibly Japan might also be suggested.

While it is not our normal practice to commit ourselves this far in advance, NEA is strongly of the opinion that we should agree to support Sir Zafrulla now because of the recent political developments in Pakistan and in the light of his eminent qualifications. UNA believes, and NEA concurs, that it should be made clear to the Prime Minister of Pakistan that there may well be considerable support for Pal, and

that the burden of the campaign must in any event be borne by Pakistan. We also believe that particularly in view of the Department problem of Justice Edwards' election to the Law Commission, the Prime Minister should be informed that our decision to support Zafrulla must not become known to other UN Members, especially India. The attached cable, cleared by UNA, NEA, EUR, and ARA but *not* by L or FE, has been drafted on this basis.

I suggest that you call a meeting to be attended by Mr. Byroade, Mr. English, M. Drumright and me to consider this question. Since the Prime Minister is directly interested in the problem, we should give him an answer as soon as possible.

You will recall that the Pakistan ambassador raised the question of Sir Zafrulla's candidacy with the Secretary last December. The Secretary asked that his candidacy be given "sympathetic consideration", although he agreed with our recommendation that it was too early for us to take a decision at that time.

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330/5-754 : Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, May 7, 1954—1:13 p. m.

546. Re election to Security Council, UK Embassy advises Swedish Government informed UK and Belgian representatives in New York and Stockholm end of March that Sweden definitely will not be candidate for Danish Security Council seat. However Swedish Government stated it does not accept principle European seat should alternate at each election between Benelux and Scandinavia, and cannot promise support Belgium. UK Embassy thinks this statement made only for face-saving purposes. Embassy had not advised Department sooner since had assumed above information known to us.

DULLES

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320/5-854 : Telegram

*The Ambassador in Thailand (Donovan) to the Department of State*

CONFIDENTIAL

BANGKOK, May 8, 1954—11 a. m.

2237. Re USUN telegram sent Department 678 repeated Bangkok 2. I convinced Prince Narathip,<sup>1</sup> Thai Foreign Minister, should be elected president General Assembly this fall to enable both US and entire free world to benefit from his election as one three chairmen at Korean phase Geneva conference and his strong and valuable speeches made said conference in connection unification Korea. His stand at Geneva

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<sup>1</sup> Also known as Prince Wan.

on question "Asia for Asians" further demonstrates advantages to be gained his presidency GA. Certain this preferable in Thailand to Thailand selection Security Council. Further convinced Narathip should be informed promptly decision US both vote for and generally support Narathip for presidency GA.

DONOVAN

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330/5-1054 : Telegram

*The Ambassador in the Netherlands (Matthews) to the Department of State*<sup>1</sup>

CONFIDENTIAL

THE HAGUE, May 10, 1954—6 p. m.

1216. Reference USUN telegram to Department 678 repeated The Hague 2. I hope Department will inform Dutch as soon as possible that we will support Van Kleffens for presidency Ninth GA as recommended point two reference telegram.

Department will recall that shortly before Eighth Assembly Dutch inquired whether we would be able support Van Kleffens, but we were already committed support Madame Pandit. Dutch at that time expressed hope we would bear in mind fact Western Europe has not had president GA since Spaak and would not commit ourselves for Ninth GA before Western Europe had opportunity offer candidate.

Embassy has been told by UN section Foreign Office that Dutch in addition support from Western European countries probably can count on Mexico, Peru, and several other Latin American countries. They are also hopeful receiving Pakistan's backing. Foreign Office appears confident US endorsement candidacy.

I hope we give strong support to Van Kleffens and I think it is important we not minimize good effect such action by delaying announcement.

MATTHEWS

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<sup>1</sup> Passed by the Department to New York on May 10, 8 p. m.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] May 10, 1954.

Subject: Attached Draft Cable on Security Council Election and Presidency of Ninth GA

UNA wishes to send to USUN the attached draft cable in reply to New York's 678 on the question of the Security Council election and

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<sup>1</sup> Addressed to the four representatives of the geographic bureaus on the Membership Team.



the Presidency of the Ninth Assembly. Could we please have your comments and clearance as soon as possible? <sup>2</sup>

[Attachment]

Re SC Election and Presidency Ninth GA (urtel 678) :

1. Understand Sweden definitely will not be candidate succeed Denmark on SC (Deptel \_\_\_\_\_) and assume from this Belgium will run. As pointed out Deptel 522 there could be serious consequences from standpoint our relations with Europeans in UN if we put up Far Eastern candidate against Belgium. Although present geographic pattern of non-permanent seats unfair to Far East fact remains other areas would strongly resist effort alter it and our Western European allies would fail understand why we would stimulate Thai candidacy against Belgium which is also well qualified under article 23 as major contributor international peace and security. While it is true we might get two-thirds majority our candidate if Arab-Asians and IAs supported us, Department continues doubt we could get sufficient support both these blocs even if we waged active campaign. Arab-Asians might seize upon split between US and Western Europeans over latter's seat as opportunity put forward India or other "neutral" candidate more acceptable to them than Thailand, and many LAs would be likely support Belgium on grounds change in present geographic pattern could prejudice allocation two seats to LAs in future. Department therefore continues believe impracticable try elect Far Eastern country against Belgium.

2. Department agrees points mentioned urtel 678 in favor doing what we can for Wan should be seriously considered in connection GA Presidency. However there are also strong arguments in favor van Kleffens. In Department's view it is too early for us take decision between these two and we should keep our position flexible and make no commitments for time being.

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<sup>2</sup> The attached draft cable was never sent.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Key) to the Deputy Under Secretary of State (Murphy)*

CONFIDENTIAL

[WASHINGTON,] May 11, 1954.

Subject: Discussion with Dutch on van Kleffens' Candidacy for Ninth GA

You have asked what our records show regarding discussions last fall with the Dutch on van Kleffens' candidacy for the Ninth GA. Attached is a summary of the more significant conversations.<sup>1</sup>

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<sup>1</sup> Not attached.

This summary does not reveal any commitment to the Dutch. However, it does show that we encouraged them, and we believe that they may well have interpreted our remarks as an indication that we would probably support van Kleffens. In this connection you will note that Ambassador Matthews has just reported to us that the Foreign Office appears confident of our endorsement of van Kleffens' candidacy.

We understand that van Kleffens himself called on you and several others in the Department in December, 1953. However, we have no record of any conversations with him on the Presidency.

I still hope that for the present we can defer any decision as to whom we shall support for the Presidency. I think this is the more important because of strong recommendations from other quarters that we support Prince Wan.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Officer in Charge of General Assembly Affairs  
(Taylor)*

SECRET

[WASHINGTON,] May 14, 1954.

Subject: Attached Telegram<sup>1</sup> Concerning Sir Zafrullah Khan's  
Candidacy for ICJ

This question was considered at a meeting with Mr. Murphy yesterday, at which it was decided that instead of informing the Prime Minister now that we would support Sir Zafrullah for the ICJ, we would state that we considered him well qualified but that we could not commit ourselves on the matter until next month. It was also decided (NEA, L, UNA and FE being present) that we would support Sir Zafrullah for this post but would not inform any one of it until after the ILC election on June 4th.

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<sup>1</sup> Not attached; the telegram was sent out the same date (May 14).

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330/5-1754 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

SECRET

NEW YORK, May 17, 1954—6 p. m.

732. Re SC elections and presidency Ninth GA. Ambassador Franco y Franco of the Dominican Republic called at his request this afternoon to ascertain US position on Presidency of ninth GA. He said he had received letter from Netherlands requesting support of Van Kleffens and assumed this same request was being sent to all delegates. I told him our position had not yet become definite and that we

knew about the existence of a Netherlands candidate and also about the availability of Thailand, but that I would try to find out and let him know. Strongly recommend that Department make up its mind as fast as possible along lines of mytel 678, April 30. Still believe it is vital to take care of Thailand in one way or the other, especially in view of situation in Indochina and of possibility that Thailand may at any moment bring in a complaint to the UN requesting peace observation commission in Indochina.

It seems to me elections to Presidency and SC must also be considered across the board in relation to elections to trusteeship council, ECOSOC and other important posts. For example, would it be possible to maintain a Benelux representative in ECOSOC in line with views expressed by Hotchkis in his memorandum of April 30, 1954 to Key? <sup>1</sup>

LODGE

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<sup>1</sup> Letter not found in Department of State files.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Assistant Secretary of State for United Nations Affairs (Key)*

SECRET

[WASHINGTON,] May 19, 1954.

Subject: Attached Cable on UN Elections

Pursuant to a conversation with Mr. Wainhouse, we have drafted the attached interim reply <sup>1</sup> to the two cables from New York on the GA Presidency and the SC election. The reply expresses the belief we should keep our position flexible for the moment particularly in view of Indochina and Geneva.

EUR has cleared the cable. Mr. Drumright,<sup>2</sup> however, does not concur on the grounds that our reply should take cognizance of the arguments advanced in the two cables from New York<sup>3</sup> and that the Department should reach a decision without further delay on the elections in question.

We suggest that you discuss the problem with Mr. Drumright and, if necessary, with Mr. Murphy, to try to obtain Departmental agreement on the cable.

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<sup>1</sup> See Department's telegram 567, May 19, to New York, *infra*.

<sup>2</sup> Everett F. Drumright, Deputy Assistant Secretary of State for Far Eastern Affairs.

<sup>3</sup> Presumably USUN's telegram 678, Apr. 30, 6 p. m., and telegram 732, May 17, 6 p. m., p. 535 and *supra*, respectively.

330/5-1754 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, May 19, 1954—7:32 p. m.

567. Re UN elections (urtels 678 and 732) : Department recognizes desirability earliest possible decision these elections and importance of timing and hopes formulate position near future. However in view whole political situation particularly Indochina and Geneva believe we should keep position flexible and make no commitments for the moment.

DULLES

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<sup>1</sup> Drafted by Jones, cleared with the Bureau of European Affairs and the Bureau of Far Eastern Affairs, approved for transmission by Popper, and signed by Assistant Secretary Key. FE's clearance was indicated by Key's handwritten notation: "Cleared with Drumright".

330/5-2154 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

SECRET

BRUSSELS, May 21, 1954—7 p. m.

900. Department telegram 1135 May 19 (sent Usun 567). Belgian Government has not approached Embassy re UNSC seat. Local press has, however, carried BeLGA report under New York dateline stating Belgium will be candidate for SC seat and will have support Scandinavian countries and Netherlands.

In consideration this question, Embassy is of opinion that Spaak's<sup>1</sup> re-emergence on the world scene as Foreign Minister and his effectiveness in supporting major policy objectives sought by US cannot be over-emphasized. It seems desirable in our opinion to overlook no means of enhancing his and Belgian prestige and we believe that support of Belgian candidacy for SC seat is warranted in light of foregoing unless there are other overriding considerations of which Embassy is not aware.

ALGER

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<sup>1</sup> Paul Henri Spaak, former Belgian Premier and Foreign Minister.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Assistant Secretary of State for United Nations Affairs (Key)*

SECRET

[WASHINGTON,] June 7, 1954.

Subject: US Position on Election of Soviet Bloc Candidates to UN Posts

A meeting was held last week with the regional bureaus to consider the attached position paper on election of members of the functional commissions of ECOSOC.<sup>1</sup> Paragraph (d) under "United States Position" states that "no vote should be cast in favor of the USSR or any of its satellites for election to the Commissions", and Annex I, which is to serve as general guidance to the delegation on slates for particular commissions, suggests in some cases that we cast a blank ballot on Soviet bloc candidates and in other cases that we vote for a non-Soviet candidate as a replacement.

Mr. Allen said that EUR did not agree that in no case should we vote for a Soviet bloc candidate. He said that EUR thought this position would accomplish nothing, would not be in accord with our overall posture in the cold war and would constitute a source of difference between us and our European allies, who would see in it only an ineffectual move to irritate the Soviet bloc. Mr. Allen stated that EUR believed that we should, as a general rule, vote for Soviet bloc candidates for a proportionate share of appropriate UN posts unless (a) there is a friendly candidate we want to see elected instead, (b) the election of a Soviet bloc candidate would adversely affect our security interests, or (c) its election would prejudice our position in the UN body concerned or the body's work. In these circumstances we should not merely abstain but vote against. Mr. Allen asked whether there had been a firm policy decision that we should not vote for the USSR or any satellite.

The background on this question is as follows:

1. At the beginning of the eighth session our position on Soviet bloc candidates was taken up with the Secretary. A Memorandum of Conference with the Secretary, dated September 22, 1953, states that "the Secretary is against voting for Soviet candidates in Councils. We would not campaign for or against such candidates with the exception of course, of opposing the election of a satellite to the Security Council since we want Turkey elected".

2. FE, in a memorandum to Mr. Popper from Miss Bacon of September 30, 1953, expressed the view that "extension of this policy to secondary UN bodies may have a serious effect upon our efforts to obtain election for Chinese candidates in the future", since "in dealing with UN Members unsympathetic with the Chinese Government, one

<sup>1</sup> Not attached.

of our most effective arguments in seeking support for Chinese candidates is that the Big Five should be represented." FE accordingly urged that the policy "not be extended to lesser bodies."

3. Mr. Sandifer brought to Mr. Murphy's attention the statement of the Secretary's position quoted above and also FE's memorandum. Mr. Sandifer later informed us that Mr. Murphy thought the Secretary's view as reflected in the 'Memorandum of Conference' was intended to be applicable to all elections during the Assembly. He also told Mr. Sandifer that Mr. Merchant and Mr. Bonbright did not agree with the policy.

4. Ambassador Lodge, during a delegation meeting on October 1, said he understood the position to be that the US would never vote for the Soviet Union or a satellite for any position in the UN.

5. Mr. Sandifer, on October 30, 1953, sent a memorandum to the office directors of UNA which stated that in connection with elections to UN and specialized agency bodies and offices "it is our present policy not to vote for the election of the USSR or any Soviet bloc candidate. However, in some instances, as in the case of elections to bodies where the Big Five have traditionally been elected, we would not campaign against a Soviet bloc candidate but would abstain from voting".

6. The question was raised this year as to what our position should be with respect to Soviet bloc candidates for ECE and ECOSOC offices. In both of these cases, a Czech was the only candidate for a particular post and was certain to be elected by acclamation unless we demanded a vote in order to record our position. The Department decided that we would not ourselves demand a separate vote. It also decided that if for any reason a vote was taken, we would abstain.

It seems to UNP, on the basis of the above, that it may be said that current Department policy is against voting for a Soviet bloc candidate for any post, although whether we campaign and vote against a particular candidate or abstain must depend upon the circumstances of each case. If you agree, we suggest that you point this out to Mr. Barbour to obtain EUR's clearance of the position paper on the functional commissions on the basis of the policy.

In the light of the facts noted above UNE [*UNP?*] agrees that there is evidently a general policy not to vote for Soviet bloc candidates, although it does not agree that this policy should apply to all subsidiary bodies for the same reasons advanced by EUR and FE. I personally agree with the EUR position that we do not stand to gain by automatically failing to support any Soviet candidate, but I recognize that we are bound to follow the existing policy until it is changed.

UNP files, lot 59 D 237, "Slates"

*The Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Assistant Secretary of State for United Nations Affairs (Key)*

[Extract]

SECRET

[WASHINGTON,] June 16, 1954.

Subject: GA Presidency and SC and ECOSOC Slates

1. *GA Presidency*—In May we sent a cable to USUN stating that we realized the desirability of earliest possible decisions on the Presidency and other elections and the importance of timing, but that we wanted to keep our position flexible for the moment in view of the situation in Indochina and Geneva. The question arises whether we should now move ahead with respect to Wan's possible candidacy for the Presidency. Perhaps the first move would be to ask Wan if he wants the post (To our knowledge the Thais have mentioned Wan's interest only to the British and French). If he does, we would tell him we will be glad to vote for him, assuming he gets enough support from the members to assure his election. We would also want to inform the Dutch of this immediately.

. . . . .

353/6-2154

*Memorandum of Conversation, by the Assistant Secretary of State for Near Eastern, South Asian, and African Affairs (Byroade)*

SECRET

[WASHINGTON,] June 21, 1954.

Subject: US support of Sir Zafrulla Khan for his election to International Court of Justice.

Participants: Sir Zafrulla Khan, Foreign Minister of Pakistan  
Mr. Henry A. Byroade, Assistant Secretary, NEA

In a conversation with Sir Zafrulla I informed him, with the approval of the Secretary, that he could count upon the US vote for appointment to the World Court vacancy which had been created by the death of Sir Bengal Rau. I told him the matter must be held in utmost confidence for the time being because of certain factors affecting the appointment of a US judge to another international post. Sir Zafrulla expressed his deep appreciation and requested that we discuss the question of tactics as to how the matter should be handled. I told him I was not prepared at the present time to hold such a discussion but that I would arrange such a meeting when someone more intimately connected with the problem could also be available.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Assistant Secretary of State for United Nations  
Affairs (Key) to the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 28, 1954.

Subject: Presidency of Ninth General Assembly

*Discussion*

The attached cable from Ambassador Lodge (Tab B)<sup>2</sup> reports that Prince Wan is arriving in New York today to discuss the Thai appeal for observers in the Assembly. Ambassador Lodge would like to indicate to him that we can support him for the Presidency of the Ninth Assembly or, alternatively, that we can support Thailand's election to the Security Council.

I believe Ambassador Lodge should be authorized to tell Prince Wan that we can support him for the Presidency if he wants the post. The reasons I favor this course are :

1. Prince Wan is a staunch friend of ours and a very able parliamentarian. He has unconditionally supported the policy of united action in Southeast Asia and has given us strong support at Geneva. Upon our suggestion, he requested the Security Council to appoint a Peace Observation Commission in view of the Indo-Chinese situation. Thailand's continued support is of key significance to us in the development of our Southeast Asian policy. Since Asian problems will be the center of attention at the Ninth General Assembly, it would be very desirable to have an individual from that area of the world elected President.

2. Prince Wan was a candidate for the Presidency last year, but we supported Madame Pandit instead, and she was elected. This was a matter of great disappointment to Prince Wan. We have heard through the British and French that Prince Wan is a candidate again this year. It seems essential that, if he is a candidate, we support him.

3. It would probably be more difficult to elect Thailand to the Security Council than to elect Prince Wan to the Presidency. Furthermore, the Philippines is a possible candidate for the Security Council.

I realize that van Kleffens, who has been advancing his candidacy for some time, is also a strong friend of ours and would make an able President. Moreover, a European has not been elected President since 1946; van Kleffens apparently has the support of the United Kingdom, France and the Benelux countries; and, in the light of the few conversations which we have had with the Dutch on the subject, they may well feel assured that we will not throw our weight in favor of an opponent. However, the considerations mentioned above in favor of Prince Wan seem clearly overriding.

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs.

<sup>2</sup> Not attached.



*Recommendation*

That you sign the attached cable (Tab A) <sup>3</sup> authorizing Ambassador Lodge to ask Prince Wan if he is a candidate for the Presidency and, if he is a candidate, to assure him of our support.<sup>4</sup>

<sup>3</sup> Not attached.

<sup>4</sup> Concurrences of the geographic bureaus followed; the EUR clearance was accompanied by a memorandum printed *infra*; the clearances for FE, ARA and NEA were initialled respectively by Drumright, Monsma and Kennedy. The clearance of the Deputy Under Secretary of State Murphy was accompanied by Murphy's handwritten notation: "The Dutch seem to assume our support of Van Kleffens and will be hurt & disappointed."

At the head of the memorandum was a handwritten notation by Roderic L. O'Connor, Special Assistant to the Secretary of State: "Sec saw & talked with Mr. Key—decided to postpone this decision—R O'C".

Apparently the draft cable was not sent.

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Deputy Assistant Secretary of State for  
European Affairs (Barbour) to the Secretary of State*

CONFIDENTIAL

[WASHINGTON,] June 28, 1954.

Subject: EUR position on Presidency of Ninth General Assembly.

With respect to the attached memorandum from Assistant Secretary Key of June 28 <sup>1</sup> and the proposed telegram to Ambassador Lodge in New York, while EUR is reluctant to see withdrawn U.S. support of van Kleffens' candidacy for President of the Ninth General Assembly, EUR concurs in the proposed telegram to Ambassador Lodge provided the last sentence is omitted and a final paragraph added, for the following reasons:

EUR believes that Prince Wan is thoroughly qualified to serve as President of the Ninth General Assembly, both on account of his record as a staunch supporter of the West, particularly at the opening of the Geneva conference, and because, in view of his previous candidacy, we believe he has a certain moral claim to our support.

EUR is concerned, however lest a situation arise where there is a Far-Eastern President of the General Assembly without the Security Council seat which is about to be vacated by Denmark going to a Western European country. It would be disproportionate for both the Presidency and the Security Council seat to go to Far Eastern countries as is implied if the final sentence of the proposed telegram remains. EUR believes, therefore, that a firm decision should be made at this time to support Belgium, provided, of course, the Belgian Government's position on Chinese membership continues to be satisfactory, for the Security Council seat and that a paragraph in this sense be added to the outgoing instructions to Ambassador Lodge.<sup>2</sup>

<sup>1</sup> *Supra.*

<sup>2</sup> As previously indicated, the draft cable seems not to have been sent.

320/6-2954

*Memorandum of Telephone Conversation, by the Assistant Secretary  
of State for United Nations Affairs (Key)*

[WASHINGTON,] June 29, 1954.

Subject: Presidency Ninth General Assembly

Participants: Mr. David McK. Key, UNA  
Ambassador Cabot Lodge, USUN

I telephoned Ambassador Lodge this morning about an hour before his scheduled meeting with Prince Wan to inform him that the Department had not yet been able to reach a final and definitive decision as to whether or not the United States should support Prince Wan if the latter is a candidate for the presidency of the ninth General Assembly.

I added that this matter was receiving active consideration and that a meeting was being held later today under the chairmanship of Mr. Murphy for the purpose of submitting considered recommendations on this subject to the Secretary. However, it was extremely unlikely that any decision could be reached before Prince Wan called on Ambassador Lodge. For this reason, I cautioned Ambassador Lodge against sounding out Prince Wan about his possible candidacy. Ambassador Lodge stated that in the circumstances he would not, of course, raise this subject.

DAVID MCK. KEY

353/6-2954

*Memorandum of Conversation, by the Director of the Office of  
South Asian Affairs (Kennedy)*

SECRET

WASHINGTON, June 29, 1954.

Subject: Sir Zafrulla Khan's candidacy for election to the International Court of Justice

Participants: Sir Zafrulla Khan, Foreign Minister of Pakistan  
Mr. Donald D. Kennedy, SOA

I called on Sir Zafrulla Khan, Foreign Minister of Pakistan, at my request, to inform him of the latest developments with respect to his candidacy for the seat on the International Court of Justice vacated by the death of Sir Bengal Rau. Sir Zafrulla was informed that the election to the International Law Commission had been held which removed one of the obstacles to our being able to make known our willingness to vote for him at the time of election. The other factor which had to be resolved was the publication of the list of nominations which had not yet been done in New York. We had been in

touch with our people in New York on this, and had been assured that the UN Secretariat would issue the list very shortly. When that had been done Sir Zafrulla would be free to indicate that he had our support and we would be prepared to answer queries to that effect. The point was made that we would not actively campaign for him so that it would be necessary for him to "carry the ball".

Sir Zafrulla said that he had not told anyone of our position as yet, since Mr. Byroade had enjoined him not to do so until the way was cleared, but that he had been talking to some people himself. He had discussed this with Ambassadors Monroe, Casey and Heaney, and they had indicated favorable attitudes and said that they would communicate with their Governments. He had also discussed it with Mr. Eden while he was here in Washington, and Mr. Eden, without giving any indication of his final position, had said that he would take it up in London on his return. Sir Zafrulla also expected very shortly to discuss the question of his election with the Arab States, possibly proceeding through the King of Saudi Arabia in the first instance. He also thought he would talk to the Ambassador of Liberia. He said that we would have to help with the Latinos. I said that the Latinos might be difficult because they tended to support the principle of precedent in these matters and might very well take the view that since the seat had been occupied by an Indian national, India had a claim to the election of another national from that country to fill out the unexpired term. I also reiterated the fact that we would not be able to carry on an active campaign. Referring to the fact that the seat which Rau had held had formerly been occupied by a national of one of the Latin American countries, he pointed out that perhaps one of the arguments that could be used with the Latinos was that a rotation in this seat which they once held would indicate that it was not finally taken from them but could be considered as available to anyone who could secure the necessary votes. Sir Zafrulla also referred to the fact that he was going to be nominated for one of the full term seats and thought this might be used as an argument to obtain support for his election to the short term seat, since his election in the first instance would remove him as a candidate for one of the full term seats claimed by the Latinos.

I agreed that Sir Zafrulla would be free to indicate our support for him five days after the list of nominations was published by the UN Secretariat.

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Subsequently I learned that the seat to which Sir Bengal Rau was elected had formerly been held by a Belgian national, although our original position had been to support Sir Zafrulla for one of the Latin American seats.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Deputy Under Secretary of State (Murphy)  
to the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 30, 1954.

Subject: Presidency of Ninth General Assembly

Pursuant to your request, a meeting was held in my office yesterday for the purpose of a further discussion of Prince Wan's possible candidacy for the Presidency of the Ninth General Assembly. The meeting was attended by Assistant Secretaries Key and Robertson, Mr. Barbour vice Mr. Merchant, and Mr. Kennedy vice Mr. Byroade. The following conclusions and recommendations were reached unanimously:

1. We recommend that Prince Wan should be sounded out as to whether he is a candidate for the Presidency and that, if he is, we should give him our full support. The principal reasons are:

(a) Prince Wan is a staunch friend of ours and a very able parliamentarian. Thailand's continued support is of key significance to us in the development of our Southeast Asian policy. Since Asian problems will be the center of attention at the Ninth General Assembly, it would be very desirable to have a friendly individual from that area of the world elected President.

(b) Prince Wan was a candidate for the Presidency last year, but we supported Madame Pandit instead, and she was elected. This was a matter of great disappointment to Prince Wan. We have heard through the British and French that Prince Wan is a candidate again this year.

2. We recommend that the decision to support Prince Wan be reached as quickly as possible since Van Kleffens has been actively campaigning for some time past, and the opening of the Ninth General Assembly is only a little over two and a half months away. This amount of time would be required to conduct an effective campaign for Prince Wan.

3. We believe that if his candidacy is put forward in the near future, and vigorously pushed, the prospects for his election are quite favorable. He would probably be able to count on a fairly solid group of votes from the so-called Asian-African bloc as well as from most of the Latin American group. In addition, he would perhaps get votes from Turkey, Greece, and Yugoslavia, although most of the European countries would vote for Van Kleffens. Ambassador Lodge feels that Prince Wan would have a good fighting chance of being elected if he and we conduct an active campaign.

4. For the above reasons we recommend that you give your approval to sounding out Prince Wan as to his candidacy and, if he is a candi-

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<sup>1</sup> Drafted by Assistant Secretary Key.

date, to assuring him of our support. We suggest that you raise the matter with Prince Wan when he meets with you on Thursday, July 1, at 2 p. m. However, if you would prefer, arrangements could be made for Ambassador Lodge, Mr. Key, or me to do this.

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353/6-2954 : Telegram

*The Secretary of State to the Embassy in Pakistan*

SECRET

WASHINGTON, July 1, 1954—6:28 p. m.

2. Re urtel 1086.<sup>1</sup> Inform Foreign Office in confidence US will vote for Zafrulla for Rau vacancy but cannot support him for one of five regular seats being vacated by judges from UK France Chile Brazil and El Salvador. Also state that soon as list nominations for Rau vacancy circulated by UN Secretary General, probably within few days, Department prepared inform others when asked that we intend vote for Zafrulla for this vacancy but we believe burden of campaign must be borne by Pakistan. Zafrulla already informed along these lines.

FYI Re paragraph 2 Deptel 983 Edmonds elected to ILC so this no longer presents problem re Zafrulla candidacy.

DULLES

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<sup>1</sup> Not printed.

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330/7-154 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

CONFIDENTIAL

BRUSSELS, July 1, 1954—6 p. m.

6. Embassy learned informally from Foreign Office today that within a few days Foreign Office will hand notes to various missions Brussels announcing Belgian candidature for Security Council seat now held by Denmark. Foreign Office official stated that Belgian candidature this seat has already obtained support Norway, Sweden, Denmark, Iceland, Netherlands, Luxembourg, UK, France, Yugoslavia, Greece and Turkey. Further stated that Foreign Office hopes US will give its support, and will exert friendly influence with Latin American states on behalf Belgium.

ALGER

320/7-154

*Memorandum of Conversation, by the Secretary of State<sup>1</sup>*

CONFIDENTIAL

[WASHINGTON,] July 1, 1954.

I spoke alone to Prince Wan, asking whether he would like again to be a candidate for the Presidency of the United Nations Assembly at the next session. I said that if that were the case, I thought we might this year get in the position to give him support.

He indicated pleasure at my statement and said that he was thinking of the matter, but did not want to risk his candidacy if it was likely to fail. He thought that much would depend on whether the Latin American countries would support him or wanted to have a candidate of their own. I said that I thought he was wise not to run unless he had a good chance of success. I said that I assumed most of the West European and British Commonwealth countries had been lined up for the U.K. [*Netherlands?*], and that for him to win he would have to have the bulk of the Latin American votes and the Arab States.

Prince Wan said he thought he could find out whether or not the Latinos would support him or would put forward their own candidate. I asked him to let us know after he had made this exploration.

J[OHN] F. D[ULLES]

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<sup>1</sup> Secretary Dulles sent copies of this memorandum to the Under Secretary of State (Smith), the Deputy Under Secretary (Murphy), and Assistant Secretaries Key (UNA), Merchant (EUR), Holland (ARA), and Robertson (FE). Dulles drafted the memorandum himself.

320/7-154

*Memorandum of Conversation, by the Officer in Charge of Thai and Malayan Affairs (Landon)*

CONFIDENTIAL

[WASHINGTON,] July 1, 1954.

Subject: Presidency of the United Nations General Assembly.

Participants: His Excellency Pote Sarasin, Ambassador of Thailand  
Kenneth P. Landon—PSA

While standing at the airport waiting the arrival of the Commander-in-Chief of the Thai Armies, the Thai Ambassador adverted to the subject of the Presidency of the General Assembly which he said had been discussed by Prince Wan, the Thai Minister of Foreign Affairs, and the Secretary of State. He said that Prince Wan was, of course, very interested in becoming the President of the General Assembly at the first opportunity but that before openly announcing his candidacy he wished to sound out the Latin-American countries in order to avoid any possible feeling on their part that he was attempting to prevent them from having a Latin-American as the President in the natural

sequence of UN events. It was implied that Prince Wan believed he would have U.K. and French support. Apparently, therefore, Prince Wan himself, while in New York, will discuss this subject informally with representatives of the various Latin-American countries.

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320/7-1354

*Memorandum by the Deputy Under Secretary of State (Murphy)  
the Department of State*

[WASHINGTON,] July 13, 1954.

After lunch today Prince Wan pulled me aside and referred to his recent conversation with the Secretary (see Secretary's memorandum of July 1, 1954). The Minister said that before replying to the Secretary's question he had wanted to canvass the Latin American delegations. He has now done so and expressed optimism over Latin American support for his candidacy. He learned that next year Chile would have a candidate and consequently no doubt the Latins would then give the bulk of their support to the Chilean candidate. This year the South Americans are free, and Wan is assured they will vote for him.

Under those circumstances, Wan wishes the Secretary to know that he will be a candidate for the Presidency of the General Assembly.

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310.2/7-1354 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, July 13, 1954—noon.

31. For the Secretary from Lodge. Hope you will take advantage of whatever opportunities that may occur on your visit to stress importance of getting commitment from Van Kleffens for ruling that Chinese representation is important matter requiring  $\frac{2}{3}$  vote. He should be willing to make this clear without commitment from us as a Presidential vote, but might be given to understand US will oppose anyone not willing to give such assurance.<sup>1</sup>

LODGE

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<sup>1</sup> Marginal notation: "Relayed to Secretary in Paris per W. K. Scott, S/S".

In telegram 167, July 13, 7:10 p. m., to Paris, drafted by the Acting Director of the Office of UN Political and Security Affairs (Popper), the Department of State cabled to Dulles USUN's telegram 31, with the addition of the following: "Department suggests you may wish consider possible embarrassment in approach Van Kleffens in light your conversation July 1 with Prince Wan regarding GA presidency." Dulles was informed also of the information imparted to Murphy by Prince Wan on July 13 (see Murphy memorandum, *supra*), to the effect that Wan had completed his canvass and was confident he had enough votes. (310.2/7-1354)

Telegram 167 was repeated to USUN in telegram 38, July 14, 4:37 p. m. (310.2/7-1454).

353/7-1354

*Memorandum for the Files, by Philip A. Mangano of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] July 13, 1954.

Subject: Zafrulla's Candidacy for Election to the ICJ

We have been informed that, on Friday, July 9, the Secretary personally discussed with Sir Zafrulla Khan the question of his candidacy for election to the ICJ. During their conversation, Zafrulla asked the Secretary if we would solicit the support of Brazil, Colombia, Greece, Yugoslavia and Iceland for his election to the ICJ. The Secretary agreed and issued instructions in the Department that this commitment to Zafrulla be implemented. It is understood that this commitment by the Secretary extends only to Zafrulla's candidacy for the unexpired portion of the seat formerly held by Rau, and not for one of the five regular terms.

320/7-1654 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET

NEW YORK, July 16, 1954—6 p. m.

45. Re Presidency Ninth General Assembly. In spite of possible imminent pledge of support presidency Ninth General Assembly to Wan, still think it imperative we attempt get favorable commitment from Van Kleffens before our support Wan becomes generally known. In line my telegram 31, July 13, Embassy Hague need not imply any commitment Van Kleffens if answer favorable, but favorable answer more likely if he thinks he might gain US support thereby.

LODGE

310/7-1654

*Memorandum by the Deputy Assistant Secretary of State for European Affairs (Elbrick) to the Secretary of State*

CONFIDENTIAL

[WASHINGTON,] July 16, 1954.

Subject: Presidency of the Ninth Session of the United Nations General Assembly

You will recall that on July 1 you asked Prince Wan whether he would like to be a candidate, stating that if so we might be in a position to support him. He desired first to canvass the Latin American Delegations since he did not want to risk failure. On July 13, Prince Wan informed Mr. Murphy that he had done so, that he was optimistic



about Latin American support, and thus had decided to be a candidate.

We assume, therefore, that we are formally committed to support Prince Wan and that this will shortly become generally known.

The only other candidate is Ambassador van Kleffens of the Netherlands, whose probable candidacy had been made known to us informally last October by the Netherlands Foreign Minister. He has reportedly developed considerable support elsewhere, particularly in Scandinavia and Western Europe. There are some indications that the Netherlands Government may be anticipating our support as well, in view of our previous sympathetic reaction to his candidacy.

*Recommendation:*

On the assumption of a commitment to Prince Wan, and in order to avoid misunderstanding with the Dutch, that either Mr. Murphy or Mr. Key advise the Dutch Chargé as soon as possible of our decision to support Prince Wan.<sup>1</sup>

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<sup>1</sup> Dulles initialled his approval of the recommendation.

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320/7-1654 : Telegram

*The Secretary of State to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET

WASHINGTON, July 17, 1954—3:21 p. m.

42. For Lodge. Urtel 45. GA Presidency. As we are now committed to Prince Wan, I believe any approach to Van Kleffens based on the assumption latter might be elected GA President would only give Dutch cause to charge us with bad faith when they learn of our commitment. I would not want to do anything to add to our difficulties in explaining to the Dutch why we cannot support Van Kleffens.

DULLES

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<sup>1</sup> Drafted by Popper.

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320/7-2054 : Telegram

*The Secretary of State to the Embassy in the Netherlands*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 20, 1954—11:06 a. m.

95. Re Presidency Ninth UNGA. Murphy advised Dutch Chargé July 20 of US decision support Prince Wan of Thailand. He reiterated our very high regard for van Kleffens and stressed that we

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<sup>1</sup> Repeated for information to USUN, New York (telegram 45) and the Embassy in Thailand (telegram 140).

Drafted by Ward P. Allen, Special Assistant for UN Affairs, Bureau of European Affairs, and signed by Under Secretary Murphy.

believe he would make superb presiding officer. We also aware that only one European has ever held post. However recent information that Wan is candidate has created awkward conflict of sympathies for US. In addition to Wan's bitter disappointment at failure be elected last year, tense situation in Asia and seriousness of problems in area (many of which may arise in UN) were larger factors which determined our decision.

Chargé expressed deep disappointment Netherlands Government particularly since van Kleffen's candidacy well advanced with substantial support, including approximately half Latin Americans, already obtained. He felt it might be difficult for van Kleffens withdraw now. However he agreed US had never made firm commitment to van Kleffens and appeared understand situation. In response his question Murphy stated impossible now US make commitment support van Kleffens for tenth session. He requested not to advise other Governments our decision pending receipt Netherlands Government reaction.

DULLES

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320/7-2054 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, July 20, 1954—7 p. m.

53. Re presidency 9th GA. Von Balluseck (Netherlands) approached me in the Security Council lounge this afternoon and stated that Prince Wan had come to see him, had announced his candidacy for presidency of 9th GA, and had told him flatly that the US was going to support him.

In a further encounter shortly thereafter, Von Balluseck indicated that Mr. Murphy had notified the Netherlands chargé in Washington that Wan had determined he would make the run and that the US would "probably" support him.

Von Balluseck was considerably exercised and rather disposed to argue that Wan's candidacy at this late time could have no good effect regardless of who eventually won the race. He seems to be sure in his own mind that the US deliberately stimulated Wan's candidacy.

Re Deptel 95 to The Hague, July 20 (last paragraph) it is quite obvious that Netherlands chargé has not kept quiet this matter, since Dixon (UK) approached me with same information this afternoon at 3.

On basis Telecon Stein, we informed UK Delegate and French Delegate, which meanwhile had approached us, as well as Von Balluseck, of arguments stated by Murphy to Dutch chargé. None of them was impressed by these arguments, saying in effect that they cut both ways.

We added argument that Wan had stepped down in favor of Pearson two years ago. This made some slight impression. French, however, pointed out that they had stuck by Wan last year, despite our support Madame Pandit's candidacy. All three felt that situation in Asia indicated desirability of non-Asian president.

Both UK and French Delegates emphasized their very firm commitment to Van Kleffens indicating that this was a very considered decision which had been taken by the five Western European powers. UK and French Delegates expressed keenest disappointment and expressed hope that we would at least not lobby pending opinion of their governments to consider situation. We indicated that we were not lobbying, at least at this stage.

UK stated that the four Scandinavians supported Van Kleffens.

Von Balluseck gave us following analysis of commitment to them:

Four Western Europeans.

Scandinavians—not definite, but probable.

Iran, Pakistan, Turkey, and Greece—definite.

Canada, Australia, and New Zealand—very favorably inclined.

A few of the smaller Latins, including Chile definitely.

In last connection, deal is obviously a swap in favor of Van Kleffens this year, and Chile next year.

Argument Wan used this a.m. that made some slight impression on Dutch was that he is 63 years old and will not be Foreign Minister of Thailand forever.

Wan has apparently approached De La Colina (Mexico) in effort to get Latin American caucus support; De La Colina was apparently evasive.

WADSWORTH

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320/7-2154 : Telegram

*The Ambassador in the Netherlands (Matthews) to the  
Department of State*

SECRET NIACT

THE HAGUE, July 21, 1954—4 p. m.

124. Geneva for Under Secretary Smith.<sup>1</sup> Foreign Minister Luns asked me to call urgently and told me that he could not sufficiently express, not only in his own name but in that of Prime Minister Drees and his colleague Beyen the "utter dismay and extreme indignation" at Department's decision to support Prince Wan for Presidency GA (Deptel 95, July 20). He said while it was true no formal commitment to support Van Kleffens had been given, three times the question had been discussed with the Department by the Dutch and they had definite

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<sup>1</sup> Sent as telegram 1 niact.

impression of American support and encouragement. He emphasized there had been three Asian Presidents and only one European. To the Dutch he said this American decision is "proof positive" of complete lack of interest in or understanding of views of smaller countries by US. To gain a "cheap and ephemeral victory" in Asia he said the US is going back on its moral commitment to the Netherlands. After Dutch ratification EDC he said Under Secretary Smith had told Ambassador Van Roijen that because of that courageous step Dutch could ask "practically anything of US and it would be granted". He was now appealing to us to reconsider our position re Van Kleffens and to implement this "promise" of Under Secretary Smith.<sup>2</sup> He said Prime Minister Drees had directed him to inform me in name of entire Dutch Government that this would have deep and lasting effect on Dutch attitude toward other questions. Luns referred to delay in consulting Netherlands re "united action" Southeast Asia, to our unwillingness to support Dutch on Indonesia and New Guinea questions, to "Bonsal's open encouragement" to Indonesians on New Guinea which have already disillusioned Dutch Government but decision unwillingness support Van Kleffens is "the last straw". In conclusion he told me that Dutch have already received assurances of support for Van Kleffens from substantial number of countries not only in Europe but in Latin America and Near East and government is determined whatever the outcome to maintain the candidacy of Van Kleffens.

While I can understand reasons behind Department's decision support Prince Wan I must stress that if we do not support Van Kleffens we cannot expect further Dutch cooperation on EDC, NATO or any other important matter. It will poison the atmosphere of Dutch-American relations.

MATTHEWS

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<sup>2</sup> In telegram 120, July 21, midnight, from Geneva, Under Secretary Smith cabled: "I made no such promise to Dutch, although I heartily agree with you they deserve something from us." (320/7-2154).

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320/7-2254 : Telegram

*The Ambassador in the Netherlands (Matthews) to the Department of State*

CONFIDENTIAL

THE HAGUE, July 22, 1954—2 p. m.

128. Re Embtel 124, July 21, 1954. In connection Van Kleffens candidacy for presidency Ninth General Assembly should be recalled Dutch last year sought our support his election as president Eighth General Assembly. Dutch request made by Minister De Beus, August 14, 1954 [1953] to then Assistant Secretary Murphy. According memo conversation Murphy said that we were committed support

Madame Pandit if she were candidate but raised question presidency Ninth General Assembly as alternative. Subsequently, Dutch Embassy Washington asked Department not commit itself to any candidate for Ninth General Assembly until after views Western European countries received.

Dutch consider they were encouraged to believe when turned down for support for Van Kleffens candidacy in Eighth General Assembly that we would be favorable his candidacy for Ninth General Assembly, particularly since Department's officers expressed high regard for him and conviction he would make excellent presiding officer. FonOff instructed Netherlands Ambassador Washington as early as March 22 seek US support Van Kleffens' candidacy this year thus avoiding criticism of last year that matter raised too late. The Dutch have repeated request US support several times since then but without obtaining statement US intentions. Nevertheless, as reported Embtel 1216 May 10 FonOff has been confident obtaining backing. Shock and anger at US decision support Prince Wan instead Van Kleffens intensified by Dutch conviction US taking their friendship and support for granted while attempting, as Luns expressed it to me, to win "cheap and ephemeral victory" in Asia. Dutch will feel constrained demonstrate in other matters involving Netherlands-US relations that taking their support for granted is a mistake. Our position will certainly stimulate Dutch thinking of return to pre-war neutralism and disillusionment with Atlantic and European integration of which they have been such staunch advocates. Their growing anxiety concerning US leadership and belief our policies are shifting and uncertain will receive further confirmation in their minds.

MATTHEWS

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320/7-2154 : Telegram

*The Secretary of State to the Embassy in the Netherlands*<sup>1</sup>

SECRET

WASHINGTON, July 22, 1954—4 p. m.

109. Hague's 124 rptd Geneva 1 on presidency ninth GA. Dutch Chargé delivered similar message Murphy July 21 requesting reconsideration. Murphy agreed convey Chargé's views to Secretary.

Chargé repeated Luns' view US decision support Wan indicated we prepared sacrifice interests EUR states, particularly smaller ones, for temporary psychological advantage elsewhere and stated fear this might affect future cooperation Netherlands and other EUR states on Eur matters. Murphy replied while we fully understand Nether-

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<sup>1</sup> Drafted by Allen, EUR, and signed by Under Secretary Murphy. Sent for information to the Embassy in Thailand in telegram 165, and to USUN in telegram 54.

lands disappointment, it desirable keep in mind awareness relative importance of problems. While GA presidency is high international office, it is principally matter of prestige. Post is in no real sense definition basic importance of country or area from which occupant comes. In perspective it not comparable to such matters as EDC, which Dutch ratified in belief it would serve best interests Netherlands and not just as favor to us. Thus we hope that matter would not be put on trading basis and that basic Netherlands-US cooperation would not be affected.

Chargé reported sixteen definite commitments for van Kleffens including Iran Pakistan and five LA's and five informal but fairly definite promises including four more LA's. Thus Dutch feel unlikely Wan could win and in any event he could not get complete support from any single bloc or area.

Murphy expressed satisfaction fact Balluseck and Wan have discussed matter in New York and it was agreed that continuing Dutch-Thai contact this matter useful.

DULLES

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320/7-2254 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*<sup>1</sup>

CONFIDENTIAL

NEW YORK, July 22, 1954—7 p. m.

70. Re presidency Ninth General Assembly. It is essential that we do something right away to alleviate hard feeling on this subject (Hague's 124, July 21). This can be done in following way:

1. Matthews should inform Dutch that, in addition to arguments Murphy presented to Dutch Counselor, Prince Wan is a Foreign Minister, he has participated actively in all General Assembly sessions, he has served as committee chairman more than once, he stepped down in favor of Pearson two years ago and lost to Madame Pandit in friendly contest last year. Van Kleffens, despite all his other fine attributes, does not qualify under any of these criteria.

2. We have highest regard for Van Kleffens personally and sympathy for European and in particular Dutch aspiration to General Assembly presidency.

3. Van Kleffens' candidacy being well advanced, we can well understand Dutch Government would not like withdraw his name. We would propose, therefore, that Van Kleffens' candidacy be maintained but that all governments concerned do their best to create atmosphere of "friendly contest." If, as we now estimate situation, Wan is elected, this would be no disgrace to Van Kleffens or Dutch. We would then propose give our very strongest support to Van Kleffens for chairmanship Committee One. This, in turn, would build him up strongly for

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<sup>1</sup> Repeated to The Hague as telegram 121, July 23, 8:23 p. m. (320/7-2354).

election to presidency next year. Meanwhile, since Latin Americans seem to be more interested in Charter Review Conference presidency, we would use our best efforts to enlist their support for Van Kleffens next year on understanding we would support Latin American candidacy (probably not Chile) for presidency of Charter Review Conference in 1956.

I think foregoing would be friendly, realistic and calculated to give substantial prizes to all three interested groups. I know that we traditionally do not like to commit ourselves so far in advance but in view of issues involved in this case I do not think we should be bureaucratic on this point.

I suggest, therefore, that Matthews be instructed discuss this matter with Luns in foregoing sense.

We discussed this program quite personally and unofficially with Prince Wan at lunch today. He reacted very favorably towards it because, while he is confident of his own chances for election, he also wants to maintain best possible relationships with Dutch. He is confident, not only because of his contacts with Latin Americans, but also because at an Asian group meeting this morning he said his candidacy was "welcomed".

LODGE

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310.2/7-2254

*The United States Representative at the United Nations (Lodge) to the Deputy Under Secretary of State (Murphy)*

CONFIDENTIAL

NEW YORK, July 22, 1954.

DEAR BOB: A serious mistake has been made in not seeking a commitment from Van Kleffens that he would rule the Chinese Representation question an important matter requiring a  $\frac{2}{3}$  vote.

On July 13th, (mytel 31) I suggested to the Secretary that such a commitment be sought from Van Kleffens. In transmitting this telegram to the Secretary in Paris, the Department made the comment that such an approach to Van Kleffens might be embarrassing in view of the Secretary's conversation with Prince Wan on July 1st, (Deptel 167 to Paris).

In the light of this comment, I renewed my suggestion to the Secretary on July 16th, (mytel 45) particularly in view of the possible imminent pledge of support to Prince Wan.

I now learn that meanwhile a memorandum was sent to the Secretary recommending that the Dutch Embassy in Washington be advised, as soon as possible, of our commitment to support Prince Wan. I do not know whether my renewed suggestion of the 16th was brought to the Secretary's attention at the same time as the recommendation that the Dutch be informed.

On July 17th, (Deptel 42) I was advised that Van Kleffens should not be approached on the Chinese Representation matter because the US had made up its mind to support Prince Wan.

It seems perfectly obvious to me that there was no reason why the Dutch needed to know, at that moment, of our decision to support Prince Wan. Furthermore, there was every reason for trying to get Van Kleffens to commit himself on the all-important question before he knew we were supporting someone else.

Obviously it would be advantageous to the US for *all* candidates for the Presidency to be committed on the vital issue of a  $\frac{2}{3}$  vote.

The above resumé gives rise to a suspicion that someone had talked out of turn, and prematurely informed the Dutch of our decision to support Prince Wan, when there was absolutely no need to tell them—and before any commitment had been obtained from them.

Now it is too late and an opportunity has been missed for which we may have to pay a very heavy price indeed.

Sincerely yours,

HENRY CABOT LODGE, JR.

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320/7-2254 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 23, 1954—8:23 p. m.

61. Re presidency Ninth GA. Appreciate your suggestions Paragraph 1 urtel 70 for additional arguments to be made to Dutch.

If Dutch should indicate to us Van Kleffens would desire chairmanship Committee One for 9th Session we agree we should assure them our support. However Dept does not believe we should initiate this suggestion for a consolation prize which rather than assuage might only exacerbate Dutch resentment.

Our present difficulty re Presidency and past experience with slates problem generally confirms desirability avoiding commitment for UN offices as far ahead as suggested urtel. This involves more than bureaucratic procedure. We cannot possibly foresee situation one and two years from now when overriding considerations may dwarf what at this moment appears controlling factor. Commitment to Van Kleffens might well antagonize Latin Americans particularly since no commitment re Charter Review Conference can be made now and date of such conference not certain.

DULLES

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<sup>1</sup> Drafted by the Acting Assistant Secretary of State for UN Affairs (Wainhouse). assisted by Eric Stein of the Office of UN Political and Security Affairs; cleared with Allen of EUR (in draft) and Bacon of FE; cleared also with the Deputy Under Secretary of State (Murphy); signed by Wainhouse.

Sent also as telegram 122 to The Hague for information.



UNP files, lot 59 D 237, "Slates"

*Memorandum by the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse) to the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] July 23, 1954.

Subject: Presidency of the Ninth General Assembly

Pursuant to a request from your office, following is a summary of the key events and considerations leading up to our decision to support Prince Wan for the Presidency of the Ninth General Assembly.

1. The Dutch made their initial approach regarding the Presidency of the Ninth General Assembly on August 21, 1953. The record shows that in that and subsequent conversations (Tab A) we did not make any commitment to the Dutch, but that we did encourage them, and they may well have interpreted our remarks as an indication that we would probably support Van Kleffens.

2. The Department first learned of the possibility of the Wan candidacy in late April 1954. USUN reported information received from the British that Wan desired the Presidency. In April and subsequently, Ambassador Lodge recommended that the United States support Prince Wan for the Presidency or Thailand for the Security Council. The latter course would have required us to support Thailand for a Security Council seat which has been held by a Western European state since 1946.

3. On June 28 Mr. Key raised with you the substance of a memorandum (Tab B), cleared by the regional bureaus and Mr. Murphy, which recommended that you authorize Ambassador Lodge to inquire of Prince Wan whether he was a candidate, and, if so, to assure him of our support. You decided to postpone the decision and requested Mr. Murphy to hold a meeting of the Assistant Secretaries to review the matter.

4. A meeting in Mr. Murphy's office on June 30 resulted in a unanimous recommendation that we sound out Prince Wan and offer our support if he were a candidate. The principal reasons for this decision are advanced in the attached memorandum sent to you by Mr. Murphy on June 30 (Tab C).

5. On July 1, after discussion with Prince Wan regarding arrangements for resuming the Eighth Assembly on the Thai appeal for a Peace Observation Committee, you asked Prince Wan whether he would like to be a candidate, stating that if that were the case "we might this year get in the position to give him support" (Tab D). Prince Wan said he thought it was not wise to run unless he had a good chance of success. He indicated that he would take soundings among the Latin American delegations in particular and inform us of the

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<sup>1</sup>Drafted by Joseph J. Sisco, Staff Assistant, Bureau of UN Affairs, and Betty Gough and Philip A. Mangano of the Office of UN Political and Security Affairs.

results. On July 13, Prince Wan informed Mr. Murphy that his canvass of the Latin American delegations had been completed and that he was optimistic over Latin American support. Under these circumstances Wan wished you to know he would be a candidate. In accordance with your decision of July 17, Mr. Murphy on July 19 informed the Dutch Charge d'Affaires of our decision to support Prince Wan.

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UNP files, lot 59 D 237, "States"

*Memorandum by Roderic L. O'Connor, Special Assistant to the Secretary of State, to the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] July 24, 1954.

Subject: President of Ninth General Assembly of the United Nations

I have your memorandum of July 23 and it sets out the complete record but does not answer the question which the Secretary wished answered.

He wants an explanation of how it is that we have gotten ourselves into a position where, according to Ambassador Matthews' cable, we have completely alienated the Dutch on this matter. The record indicates pretty clearly that we gave a lot of encouragement to the Dutch down to April 2 and very possibly there were additional appointments after that time. Mr. Key's memorandum of May 11 indicates that Ambassador Matthews told us that the Foreign Office appeared confident of our support of van Kleffens. The record also indicates cogent reasons as to why Prince Wan is a good choice. However, the record does not indicate that we considered the almost inevitably adverse Dutch reaction to this move, and it would certainly be deduced that if we did consider it, we rather badly underestimated it.

The result is that apparently unwittingly we have gotten ourselves into a most awkward imbroglio with one of our staunchest European friends, and the Secretary is at a loss to understand how we could have made such a mistake. It is that question the Secretary wants answered.

R[ODERIC] O'C[ONNOR]

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320/7-2654 : Telegram

*The Ambassador in the Netherlands (Matthews) to the Department of State*

CONFIDENTIAL

THE HAGUE, July 26, 1954—4 p. m.

144. While certainly fact Van Kleffens is a distinguished and outstanding Dutchman plays important role in bitter Dutch resentment

over our failure to support him for presidency Ninth GA, this is not the basic cause such resentment. From my talk with Luns and conversations other high Dutch officials who have raised matter with me basic cause of disillusionment is conviction that US is willing to disregard views European partners and to underestimate completely importance of Europe in world picture today. They believe support of third Asian president means that US, in what Dutch consider are desperate, vacillating and sometimes contradictory efforts to "hold on uncertain Asia" is ignoring and sacrificing the common heritage and dependability of allies who joined together in the Atlantic community. This belief is greatly strengthened by their belief we encouraged candidacy of Van Kleffens tacitly and otherwise before springing "bomb shell" our support of Prince Wan. Latter they believe to be a sudden and panicky reversal of our previous position and therefore further "evidence" of "instability of American leadership".

The more we lobby for Prince Wan or if we endeavor to upset commitments for Van Kleffens which Dutch feel they have obtained from other countries (seventeen formal and substantial number of probables they say they have) the deeper will grow this feeling.

For this reason I fully concur with Deptel 122 that to suggest Van Kleffens for presidency of committee one at this juncture would be decidedly unwise and counter-productive.

MATTHEWS

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320/7-2654 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

CONFIDENTIAL

LONDON, July 26, 1954—7 p. m.

451. Foreign Office states it has learned from UKUN that US intends back Prince Wan for President UNGA for coming session. Dutch have in last few days called at Foreign Office in some agitation and expressed deep regret as it was Dutch assumption US would back Van Kleffens for this job.

Foreign Office says that in addition UK, French and Belgians are committed to Van Kleffens and it "understood" Canada, New Zealand and Australia also backing Dutch candidate. Scandinavian position apparently not yet clear.

Foreign Office believes that as primary consideration, it is West's turn to head GA. It also notes Van Kleffens' ability and does not consider there is any continuing obligation to Wan because of past defeat or withdrawal of support. Further, Foreign Office considers that south or southeast Asian at head GA coming session would be undesirable in light possibility thorny problems re those areas may arise; Thai

appeal for POC might pose especially "embarrassing" problem with Wan in chair.

Foreign Office has cabled UKUN this matter and British Embassy may raise with Department. Embassy would appreciate Department's comments.<sup>1</sup>

ALDRICH

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<sup>1</sup> USUN cabled in telegram 81, July 26, 1 p. m., that UKUN had informed them similarly (320/7-2654).

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320/7-2654

*Memorandum of Conversation, by the Director of the Office of Chinese Affairs (McConaughy)*

SECRET

[WASHINGTON,] July 26, 1954,

Subject: Presidency of UN General Assembly

Participants: Sir Roger Makins, British Ambassador

Mr. R. H. Scott, British Minister

The Secretary

The Under Secretary

Mr. McConaughy, Director, Office of Chinese Affairs

During the call on the Secretary by Ambassador Makins the following was discussed:

Ambassador Makins said that his Government had been firmly committed for some time to support the candidacy of Van Kleffens of the Netherlands for President of the forthcoming UN General Assembly. It was unusual for his Government to make such a commitment and he did not know the reason. His Government was surprised and rather disturbed to hear quite recently that the U.S. Government intended to support Prince Wan of Thailand. The British had taken it for granted that a European would be elected this year and a South American next year, in geographical rotation. Furthermore his Government thought it was questionable whether it was wise to support a candidate who had been defeated the preceding year, as Prince Wan had been. The Ambassador expressed the hope that we might find it possible to refrain from active campaigning against Van Kleffens or in favor of Prince Wan, assuming that our commitment to Prince Wan was irrevocable.

The Secretary said that perhaps the staff work on this matter had been incomplete. He regretted the apparent lack of understanding with the British as to the course to be pursued. It was a difficult decision as between Van Kleffens and Prince Wan. The Secretary agreed that Van Kleffens was a very good candidate. He was a personal friend of the Secretary's and the Dutch were a stout people. He said that when

the recommendation first came up to him that we endorse the candidacy of Prince Wan, he had postponed a decision. However, it was the unanimous recommendation of the Bureau heads concerned that we support Prince Wan. Prince Wan was also a good candidate and there were various practical reasons for supporting him. The United States Government was not committed to any other candidate. We had regretted the necessity of denying our support to Prince Wan in 1953 when we had voted for Madame Pandit. The Secretary said that so far as he knew there was no rule or tradition of geographic rotation of the presidency.

In response to a question as to whether it might be possible to settle the matter by arranging to support one of the candidates next year, the Secretary said that he was opposed to advance commitments of one year in matters of this sort. An unforeseeable contingency might arise which would make it advisable to support another candidate. It was not wise to tie ones hands so far in advance.

The Secretary said he did not believe the British need feel any embarrassment in supporting Van Kleffens. The United States of course would not raise any objection to British support of a candidate other than the one we were supporting.

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310.2/7-2254

*The Deputy Under Secretary of State (Murphy) to the United States Representative at the United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON,] July 26, 1954.

DEAR CABOT: This is a belated reply to your confidential letter of July 22, as I followed your good example and was away over the weekend.

I talked with the Secretary about the contents of your letter. He, as you know, gave this question a great deal of personal consideration. It is his opinion, which in this case I frankly share, that to have talked to the Dutch about the Chinese representation question first in the hope of obtaining a commitment from them and afterwards informing them that we would not support the Van Kleffens candidacy would have really envenomed The Hague. The shock there was bad enough, but had it been done the other way, I really believe we would have had an exceedingly poisonous reaction.

The unfortunate part of this matter is that we all feel that Van Kleffens would make an admirable President of the 9th General Assembly. The Secretary did have very much in mind not only Prince Wan's disappointment of last year and the preceding situation (in 1951, I believe), but more especially our current need for all the support we can get in Southeast Asia.

Personally, I regret very much if this question has added to your full platter of troubles. It would be nice to do something to make life easier for you.

All the best.

Yours ever,

ROBERT MURPHY

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320/7-2754

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy) <sup>1</sup>*

CONFIDENTIAL

[WASHINGTON,] July 27, 1954.

Subject: Presidency of the Ninth General Assembly

Participants: M. Carlier, Chargé d'Affaires, Belgian Embassy  
Mr. Murphy, G  
Mr. W. P. Allen, EUR

M. Carlier called on instructions to express in the name of M. Spaak the concern of the Belgian Government at the apparent US decision to support Prince Wan for the Presidency. He pointed out that there has been only one European President in the eight General Assemblies while there have been three Asians. It is the general European feeling that this imbalance should be redressed and the position of Europe in the UN be recognized by the election of van Kleffens this year. Moreover, although Prince Wan is very highly regarded in Europe, the European countries feel that because the next General Assembly will have to deal extensively with Far Eastern matters, it would be better not to have an Asian president. In addition and speaking frankly from the Belgian point of view on colonial problems, they think it would be desirable that a national of a so-called colonial power hold the post. Because van Kleffens' candidacy is well advanced, the Dutch are reasonably confident of a majority of votes and Belgium is determined to maintain its backing for van Kleffens to the last vote.

Mr. Murphy referred to the current exceptional importance of the Southeast Asian area and its problems and the fact that Prince Wan was very disappointed in 1952 and 1953 when he failed to be elected. He said that frankly, while we did not doubt there would be disappointment, we did not anticipate a violent reaction from the Dutch and other European powers since we have not looked upon this office as a "great plum". He assured M. Carlier that our attitude was in no way designed to discriminate against Europe and pointed out that Europe's importance in the UN is obvious and is recognized in the composition of the Security Council and other UN bodies and does not of course depend upon holding the presidency.

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<sup>1</sup> Drafted by Allen of EUR.

In the course of the discussion as to the real basis of the European reaction to our position, M. Carlier suggested that the Europeans generally are feeling very sensitive as to their world position, are under considerable pressures from various sources and propaganda from unfriendly quarters. They have noticed what they regard as a slight reorientation of US policy towards Asia and our support of Prince Wan is construed as a further indication of this. So the question is raised, particularly among the opposition in European governments, as to "why so many favors for Asia and so little for us."

Mr. Murphy stated that we found it difficult to see why our policy should be regarded in that light and that it would be quite absurd to suggest that against the background of our demonstrated attitude and action on all basic matters affecting Europe, support of Prince Wan for the Presidency indicates any reorientation of our policy. When M. Carlier suggested the possibility of a change in our position, Mr. Murphy stated that Mr. Dulles will, of course, carefully examine the situation, and the Belgian point of view will be given most careful consideration. We have promised Prince Wan our support and while we are not engaged in any sort of campaign in his favor so long as he is a candidate, we do not have much freedom of action in the matter.

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320/7-2854

*Memorandum by the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse) to the Secretary of State's Special Assistant (O'Connor)*

CONFIDENTIAL

[WASHINGTON,] July 28, 1954.

Subject: Presidency of Ninth General Assembly.

In response to your memorandum of July 24, the sharp reaction of the Dutch to our decision to support Prince Wan for President of the Ninth General Assembly was due to:

1. The belief that the Dutch had what they called a "moral commitment" from us to support Van Kleffens. The conversations which our various officers have had with the Dutch on this matter indicate that we gave them no moral commitment or any other commitment for that matter.

2. The belief that the Presidency of the Ninth General Assembly should go to a European.

The Assistant Secretaries (Messrs. Key and Robertson, Barbour vice Merchant, Kennedy vice Byroade) met with Mr. Murphy on June 30 and unanimously recommended to the Secretary that if Prince Wan is a candidate for the Presidency we should support him. Ambassador Lodge had previously recommended our support for Wan either for the Presidency or the Security Council (see Tab A—USUN telegram 678, April 30).

The recommendation of Mr. Murphy and the Assistant Secretaries was believed to be in line with what the Secretary had in mind on the need for all the support we can get in Southeast Asia. The discussion at the June 30 meeting did take into consideration the possible sharp reaction of the Dutch, but this it was felt was one of the risks that had to be taken to attain what was thought to be the Secretary's objective.

I suspect that the sharp reaction of the Dutch is designed to prompt us to reverse our stand on Prince Wan or, short of that, not to campaign for him.

While we have taken the decision to support Prince Wan, Mr. Murphy and Mr. Bonbright, whose views I share, believe we ought not to campaign or lobby for him. We are not committed to campaign for Prince Wan. This I desire to discuss with the other Assistant Secretaries and submit in due course a recommendation to the Secretary for his approval.

DAVID W. WAINHOUSE

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320/7-2954

*Memorandum of Telephone Conversation, by the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] July 29, 1954.

Subject: Presidency of Ninth General Assembly.

Dr. de Beus telephoned me today to inquire whether there was a departmental reaction to the request he put to Mr. Murphy on the possibility of the U.S. withdrawing its support from Prince Wan for the Presidency of the Ninth General Assembly. I told him that I did not know but would ascertain from Mr. Murphy.

Dr. de Beus went on to say that if the Department does not see its way to withdrawing its support from Prince Wan he would like to come in and talk to Mr. Murphy.

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I communicated the foregoing conversation to Mr. Murphy this afternoon.

DAVID W. WAINHOUSE

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320/7-2954

*Memorandum of Telephone Conversation, by the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] July 29, 1954.

Subject: Ninth General Assembly Presidency.

Ambassador Sarasin telephoned me this morning to say that Prince Wan has told him that certain Latin American countries are still in



doubt as to whom they will support for the Ninth General Assembly Presidency. The Ambassador stated that Prince Wan had asked him to communicate this to the Department and to inquire whether the Department would assist by making representations to these certain Latin American countries.

I stated that this is a matter which I would take up in the Department and would let him know.

The Ambassador also stated that Prince Wan had suggested to the Dutch in New York a deal whereby Wan would guarantee Latin American support for Van Kleffens for the Presidency in 1955, and the Europeans and Wan would guarantee the Presidency to the Latin Americans in 1956, if Van Kleffens would withdraw this year. The Ambassador stated that the Dutch did not react favorably to this idea.

DAVID W. WAINHOUSE

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310.2/7-3054 : Telegram

*The Ambassador in the Netherlands (Matthews) to the Department of State*

CONFIDENTIAL

THE HAGUE, July 30, 1954—7 p. m.

181. Secretary General Foreign Office tells me eighteen countries now firmly committed themselves to support Van Kleffens. List includes five Latin American, and two Asian countries and several Commonwealth dominions. In addition number of others have indicated probable support but are not formally committed.

MATTHEWS

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310.2/7-3054 : Telegram

*The Secretary of State to the Embassy in the Netherlands*<sup>1</sup>

CONFIDENTIAL PRIORITY WASHINGTON, July 30, 1954—7:12 p. m.

159. As result consideration by Secretary at staff meeting Friday following is amplification US position: If Wan maintains his candidacy US will of course fulfill pledge vote for him. US does not however intend lobby for or against either candidate both of whom we think would make excellent presidents.

Foregoing conveyed Dutch Chargé by Murphy this afternoon and you may wish advise Netherlands Government. Chargé also asked whether if on first vote Wan does not receive majority US would switch to van Kleffens. While agreeing inform Secretary this request Murphy indicated strong negative reaction.

DULLES

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<sup>1</sup> Repeated to USUN as telegram 68.

310.2/7-3154

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy)*

CONFIDENTIAL

[WASHINGTON,] July 31, 1954.

**Participants:** Sir Pierson Dixon, UK Representative at the United Nations

Robert Murphy, Deputy Under Secretary of State

At dinner July 31 at the British Embassy, I had opportunity for a long conversation with Sir Pierson Dixon. . . .

[Here follows discussion of the Chinese representation question; see page 750.]

We also discussed United States support of Prince Wan as a candidate for the presidency of the Ninth General Assembly. Dixon said quite flatly he thought we were wrong. This is an European year, in his opinion, and he said there is a growing tendency to believe, as a result of United States support of Madame Pandit last year, that the Americans have a tendency to slight Europe in favor of the Asiatics. He agreed that Prince Wan would be fully qualified from the standpoint of ability to act as President of General Assembly and said that he understood our reasons for promising Prince Wan our vote. He hoped, and in fact said he was confident, that van Kleffens would be elected.

[Here follows discussion of another matter.]

320/8-254

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 2, 1954.

**Subject:** Prince Wan's Candidacy for Presidency, Ninth General Assembly.**Participants:** Ambassador Pote Sarasin—Thailand

G—Mr. Murphy

UNA—Mr. Wainhouse

Ambassador Sarasin came in to discuss with me the question which he raised with Mr. Wainhouse on Thursday, July 29 with respect to our approaching certain Latin American countries to ask their support for Prince Wan's candidacy for the Presidency of the Ninth General Assembly.

<sup>1</sup> Drafted by the Acting Assistant Secretary of State for UN Affairs (Wainhouse).

I asked the Ambassador how Prince Wan was making out on his candidacy for the Presidency.

The Ambassador stated that there are five Latin American countries—Dominican Republic, Chile, Brazil, El Salvador, and Colombia—who are committed to vote for Van Kleffens. Prince Wan feels the Ambassador stated, that if he can secure the support of the 15 Latin American States he will win, since all the Arab-Asians will vote for him with the exception of Iran which is committed to vote for Van Kleffens. Canada and other Western European States are committed to Van Kleffens. A number of these commitments, he said, were made on the understanding that Van Kleffens would be the only candidate. It was his opinion that since there are now two candidates, a number of countries would have to reconsider their position.

I stated that in my conversation with Prince Wan at lunch on July 13, 1954, I understood Prince Wan to say that he had Latin American support. At this point Ambassador Sarasin said that what Prince Wan ascertained from the Latin Americans following his conversation with the Secretary on July 1, was simply that there would be no candidate from that group standing for the Presidency this year, since Prince Wan felt and as he told the Secretary then, that if there were a candidate from that area, he, Prince Wan would not want to run.

Ambassador Sarasin stated that the suggestion that Prince Wan stand for the Presidency came from the Secretary on the latter's initiative, and that Prince Wan so reported to his Foreign Office. Prince Wan himself, the Ambassador said, contemplated running for the Presidency three years hence.

I pointed out that in the conversation which the Secretary had with Prince Wan on July 1, 1954 on this matter the latter said that his decision to run would depend on whether the Latin American countries would support him. With this the Secretary agreed, and it was left that the Prince would find out whether the Latin Americans would support him, and to let us know after he made the soundings. On the 13th of July, Prince Wan told me that he did have Latin American support.

I stated that we are, of course, voting for Prince Wan and have so informed the Dutch, the Belgians, and the British, and are informing the others who are making inquiries, but that we would not campaign for him.

The Ambassador asked whether the Secretary could make a public statement that we will vote for Prince Wan. He mentioned that last year such a statement was made to the press by this Government in connection with the candidacy of Madame Pandit. I stated that I would take this request up with the Secretary.

ROBERT MURPHY

320/8-354: Circular instruction

*The Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 3, 1954.

CA-819. Subject: Presidency Ninth General Assembly. Prince Wan, Foreign Minister of Thailand and Van Kleffens, Netherlands, are candidates for the Presidency of the Ninth General Assembly which convenes in New York in September of this year. Both candidates are excellent men for whom we have high regard and, in our view, either one would make a fine President. They are now actively engaged in securing support from other Governments.

We have promised that the United States will vote for Prince Wan. We have not, however, committed ourselves to lobby for him. Nor do we intend to lobby against Van Kleffens.

In the event you are approached by the Foreign Office as to our position on these respective candidates you should say that both candidates are outstanding and either would make an excellent President. We, of course, recognize that the Netherlands is a strong defender of the free world and that Van Kleffens is an able statesman with a distinguished record. We, however, will vote for Prince Wan. Thailand has been an equally staunch representative of the free world. Moreover, in view of the current seriousness of Southeast Asian problems and since Asian problems are likely to be the center of attention at the Ninth General Assembly, we believe that it would be desirable to have an individual from that area of the world elected President. Prince Wan has for many years had valuable U.N. experience and has served as chairman of a main committee of the General Assembly at three sessions. He has proved himself a very able parliamentarian in the United Nations and recently at the Geneva Conference as co-chairman of the Korean discussions.

DULLES

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<sup>1</sup> Drafted by the Acting Assistant Secretary of State for UN Affairs (Wainhouse). Cleared with the geographic bureaus and the Deputy Under Secretary (Murphy), approved and signed by the Secretary of State. Certain of the drafting was done along lines specifically requested by Secretary Dulles (memorandum, Wainhouse to Dulles, Aug. 2, 1954, UNP files, lot 59 D 237, "Slates"). Sent to 57 posts.

310.2/8-354

*The Ambassador in the Netherlands (Matthews) to the Deputy Under Secretary of State (Murphy)*

SECRET

THE HAGUE, August 3, 1954.

DEAR BOB: Many thanks for your personal letter of July 26<sup>1</sup> concerning *l'affaire* van Kleffens. As I said in one of my messages, I can well understand the reasons which decided the Department to support Prince Wan, especially in view of the tremendous emphasis on Asia in our Congress and in the light of the Geneva negotiations, etc. Nonetheless that does not make the situation much easier here.

There is one misapprehension which you mention in your letter that I should like to correct. You say that you think the Dutch "perhaps are unwise to advance the notion that their support of EDC is something which they did 'for the United States'". The Dutch have never advanced the idea that they ratified the EDC to please the US. In fact there is no country in Europe more resentful of or stubborn against the slightest form of pressure than the Dutch. While you were not in Washington at the time, some of us recall that they were decidedly lukewarm at the outset to EDC and van Roijen told me that several times when the idea first came up. It was only after, in their slow, deliberate and realistic way, they reached the conclusion that all alternative solutions were much less satisfactory from the Dutch point of view that they accepted EDC and became the staunch supporters of the idea that they are now. This came about not because of any pressure from the US or because the Dutch thought they would be doing us a favor. It was solely through the same logical reasoning that has brought the Department to feel so strongly that EDC is the only really satisfactory solution.

What Luns told me was not that they had ratified EDC as a favor to the United States, but in effect that Bedell in his satisfaction at the Dutch action had said the Dutch could ask practically anything of us and it would be granted. I am sure from Bedell's comment that this was a misunderstanding probably growing out of van Roijen's excessively enthusiastic reporting after Dutch final action. I agree Luns was unwise in mentioning this, which he did, somewhat understandably, due to extreme emotion and disillusionment.

As set forth in my several telegrams, the Dutch attitude is not so much based on their desire to have a Dutchman President of the General Assembly. It is rather that they feel, however erroneously, first that we had definitely encouraged the van Kleffens candidacy and second that Asia has been over-emphasized in the UN and Europe pretty much ignored. For this they largely blame the US.

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<sup>1</sup> Not printed (310.2/7-2254).

There is no point in belaboring the matter further since the Department's telegram No. 159 of July 30 settles the matter. I can only take consolation that we will not in fact lobby either for or against either candidate and I do hope we can maintain that position. It would be helpful here if Prince Wan were also told that. Incidentally, the Dutch still feel confident that van Kleffens can win as their present box score does not include the three Scandanavian countries or others who do not formally, they say, commit themselves beforehand.

[Here follow personal remarks.]

As ever,

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320/8-654 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, August 6, 1954—1 p. m.

117. Re conversation with Carias (Honduras) ninth GA.

1. Carias this morning confirmed accuracy *New York Times* report of LA caucus yesterday afternoon on ninth GA presidency. He said that he thought Wan has been rather optimistic. Carias thought that the voting strength for the two candidates in the LA group was about fifty-fifty with a slight balance in favor of Van Kleffens.

2. Carias put forward his own candidacy for chairmanship of the first committee. Fabregat was very generous in his comments, Franco y Franco (Dominican Republic), the Salvadoran "and others" indicated support. Some indication Colombian also a candidate "at urgings of European friends".

3. Carias said there was a "terrific scramble" among LAs for ICJ vacancies.

More detailed report on foregoing by memo.

WADSWORTH

310.2/8-654

*Memorandum of Conversation, by the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse)*<sup>1</sup>

LIMITED OFFICIAL USE

[WASHINGTON,] August 6, 1954.

Subject: Colombian Position re Red China, Presidency of GA, and Seat on International Court of Justice.

Participants: Ambassador Zuleta Angel, Colombian Ambassador to the U.S.

José Maria Chaves, Counselor, Embassy of Colombia

David W. Wainhouse (UNA)

Byron E. Blankinship (OSA)

The Ambassador stated that Colombia was strongly opposed to the admission of Communist China to the United Nations. He stated that his Government was requesting the support of other Latin American countries for this position on the ground that Colombia would resent the admission of Communist China, against whom Colombian forces were recently engaged.

The Ambassador stated that although Van Kleffens had considerable support in Latin America, Colombia would support Prince Wan for the Presidency of the United Nations General Assembly. The Ambassador said that this was a difficult choice to make but that Colombia proposed by way of compromise to support the candidacy of Van Kleffens for the Presidency of the next General Assembly.

The Colombian Ambassador stated that Colombia will support Sir Zafrulla Khan for the unexpired portion of the International Court of Justice seat left vacant by the death of Sir Benegal Rau. The Ambassador stated that Colombia wished to preserve four seats on the Court for Latin American countries. Mr. Wainhouse thanked the Ambassador for Colombia's support on the Communist China question. He said that he was interested in knowing that Colombia would support Prince Wan, but that the U.S. was unable to commit itself for any candidate as far ahead as a year or more such as Colombia proposed to do in the case of Van Kleffens.

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<sup>1</sup>Drafted by Byron E. Blankinship, Officer in Charge, North Coast Affairs, Office of South American Affairs. Wainhouse added a handwritten notation: "I also said that we would vote for Sir Zafrulla for the unexpired term left vacant by Sir Benegal's death."

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Key) to the Secretary of State*

CONFIDENTIAL

[WASHINGTON,] August 19, 1954.

Subject: 1) Security Council and ECOSOC Slates and 2) Your Appointment with Ambassador Silvercruys at 3:00 p. m. Today

*Discussion:*

Mr. Murphy held a meeting yesterday to discuss elections to the Security Council and ECOSOC at the Ninth Assembly. Assistant Secretaries Robertson and Merchant, Mr. Jernegan vice Mr. Byroade, Mr. Jamison vice Mr. Holland, and I attended. The following recommendations were reached unanimously:

1. *Security Council*

a. We should support Belgium, which has Western European support, for Denmark's seat, and inform the Belgians now, at the same time urging their continued support for our position against the seating of the Chinese Communists;

b. We should support either Cuba or Peru to succeed Colombia, our decision between the two to depend upon the choice of the Latin Americans;

c. We should support Iran, a candidate to succeed Lebanon, but should make no commitment until Iraq, which has also been a candidate, withdraws. (We understand that it intends to bow out in favor of Iran).

d. It was noted that Garcia, Vice-President of the Philippines and concurrently Secretary of Foreign Affairs, asked the Under Secretary in June for our support for the Philippines for the Security Council and that the Under Secretary said he could be pretty certain of our vote. Since the Philippines had previously asked our support for ECOSOC, we enquired in Manila whether it was actually a candidate for both Councils. We have had no definite answer from the Foreign Office, but the Philippine UN delegate has indicated it is interested only in ECOSOC. We decided at the meeting that it would be impracticable to support the Philippines for the Security Council but that we should actively support its election to ECOSOC.

2. *ECOSOC*

a. We should support two Latin American candidates to succeed Argentina and Cuba, our choices to depend upon the views of the Latin American group. (Argentina, Colombia, Chile, Dominican Republic and Mexico are candidates);

b. We should support the reelection of China and France;

c. As noted above, we should support the Philippines to succeed Egypt, and assure it of our active support now. (Afghanistan, Burma and Egypt are the other candidates.)

d. If, as we have heard indirectly, the Netherlands is a candidate to succeed Belgium, we should support it. If it is not a candidate, we should consider whether we could support Afghanistan.



*Recommendations:*

1. That you approve the above recommendations.
2. That you inform Ambassador Silvercruys that we will support Belgium's candidacy for the Security Council and use this opportunity to urge Belgium's continued support for our position against seating the Chinese Communists in the United Nations.

*Concurrences:*

FE—Mr. Robertson; EUR—Mr. Elbrick; ARA—Mr. Jamison;  
 NEA—Mr. Jernegan (in substance)  
 USUN—Ambassador Lodge (in substance)

330/8-1954

*Memorandum of Conversation, by the Deputy Assistant Secretary of  
 State for European Affairs (Elbrick)*

SECRET

[WASHINGTON,] August 19, 1954.

Subject: Belgium's Candidacy for a Seat in the Security Council

Participants: Baron Silvercruys—Ambassador of Belgium  
 Mr. Georges Carlier—Counselor, Belgian Embassy  
 The Secretary  
 Mr. C. Burke Elbrick—Deputy Assistant Secretary,  
 EUR

Baron Silvercruys said that in accordance with an arrangement between the Scandinavian countries and the Benelux countries providing for rotation of one Security Council seat, Belgium would announce its candidacy for the seat which is about to be vacated by Denmark. He said that he hoped that the United States would support its candidacy. The Secretary said jokingly that he had become somewhat wary of offering U.S. support in matters of this kind in view of certain unfortunate developments in connection with the candidacy of Prince Wan of Thailand and Van Kleffens of the Netherlands for the presidency of the General Assembly. The Belgian Ambassador said that he supposed that our UN delegation had been informed of Belgium's desires in this respect and that, while he would not press the Secretary for an answer at this time he hoped that the response to his request would be in the affirmative. The Secretary assured the Ambassador that we would like very much to support Belgium's candidacy for this seat. (The Secretary, however, made no final commitment.)

The Secretary then referred to the question of Communist China's admission to the UN and said—while he wasn't proposing this in the nature of a bargain with the Belgians in return for our support for its candidacy for the Security Council—he hoped that Belgium would

agree with the United States position in this matter. Baron Silvercruys said that he had discussed this matter recently with Minister Spaak who, apparently, was inclined to view this subject as one which cannot be ignored much longer, and he had reminded Spaak that Belgium had, along with the majority of the members of the UN, voted to label Communist China as an aggressor. The Ambassador said he thought there were certain legal matters which would have to be cleared up before any consideration could be given to Chinese membership in the UN, such as a resolution which (in view of the fact that hostilities have ceased in the Far East) would recognize this fact and would "clear the books".

The Secretary said that while we might view the General Assembly as a "universal" organization in which all nations might have membership, the Security Council is responsible for the peace and security of the world and it would be highly inappropriate for an aggressive power like Communist China to sit in this Council. In addition, the Secretary found it difficult to reconcile the thought of Chinese Communist membership in the UN when other powers such as Germany, Spain, Italy, Portugal, Ireland and Japan had not been admitted to membership.

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320/8-2054 : Telegram

*The Acting United States Representative at the United Nations  
(Ross) to the Department of State*

CONFIDENTIAL

NEW YORK, August 20, 1954—8 p. m.

157. Re presidency 9th GA. In meeting with USUN today, Prince Wan reviewed his present calculations re his candidacy for presidency. Wan said Latin Americans were prepared to agree not try for presidency next year, and to support Van Kleffens then if Wan elected this year. They would be willing to sign a letter to effect. Wan felt this indicated growing support for his candidacy among Latin Americans although he recognized it was going to be a "close fight". He said in view of Van Balluseck's earlier agreement that it would be a "friendly contest", he was somewhat surprised at such commotion among Dutch, who were making the question a European issue, as were the British. Latter seemed to be even more active in favor of Van Kleffens than Netherlands delegation.

In talk between Wan and UNSYG yesterday about presidency, Hammarskjold had said that he himself had been frequently attacked as pro-American and that Wan could expect to be attacked likewise.

Wan said that Dutch claimed two commitments among ASAF group: Iran and Pakistan. Entezam had told him that if Iran had known of Wan's candidacy earlier they would have committed them-

selves to him, but now, with operating company headquarters of oil consortium being set up in Holland, they would have to adhere to their commitment to Van Kleffens. However, Entezam promised Wan if there were a second ballot, Iran would then switch to Wan.

Pakistan, other ASAF claimed by Dutch, was as yet uncommitted, according to Bokhari, said Wan. Eban (Israel) had told Wan if it were his decision he would support Wan and hoped to have a decision from his government during his present stay in Israel.

Wan, who is departing for Bangkok tomorrow, will see Zafrulla (Pakistan) in Philippines and plans to be back in New York a week before GA opens.

Ross

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UNP files, lot 59 D 237, "Slates"

*Memorandum of Conversation, by Paul W. Jones of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] August 23, 1954.

Subject: Dutch Candidacy for ECOSOC

Participants: Dr. J. G. deBeus, Netherlands Chargé d'Affaires  
 Mr. David McK. Key (UNA)  
 Mr. Ward Allen (EUR)  
 Mr. Paul W. Jones (UNP)

Dr. deBeus called on Mr. Key on August 23 to present the attached *Aide-Mémoire*<sup>1</sup> announcing that the Netherlands Government intends to seek election to ECOSOC as a successor to Belgium at the Ninth Session of the General Assembly. He noted that a Benelux country has always occupied a seat on the Council but that the Netherlands has been on ECOSOC only once, and then for less than a full term. Dr. deBeus also referred to the importance of the Benelux countries in international trade and to the particular interest of the Netherlands in the United Nations technical assistance program.

Mr. Key thanked Dr. deBeus for informing us of the candidacy of the Netherlands and assured him that the matter would be given very serious consideration.

DAVID MCK. KEY

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<sup>1</sup> Not printed.

FE files, lot 55 D 480, "Elections"

*Memorandum by the Assistant Secretary of State for International Organization Affairs (Key) to the Secretary of State*

TOP SECRET

[WASHINGTON,] August 26, 1954.

Subject: Question of Re-election of China and France to ECOSOC

*Discussion:*

As you requested, we have examined the question whether, as a step toward breaking away from the present practice under which the Big Five are in effect permanent members of ECOSOC and many other United Nations bodies, the United States might this year vote for other candidates instead of China and France for ECOSOC.

As you know, the basis for the present practice is simply the idea that these five countries, which the Charter recognized as having the greatest power and the greatest obligations, should be in a position to influence ECOSOC decisions. We are, in connection with the problem of Charter Review, canvassing possibilities for recasting the membership and voting systems in various United Nations organs, and under your general instructions, will certainly pursue ways in which the membership of the Councils might be changed so as to improve their work. We have not yet reached any definite conclusions on the matter.

However, although we do not support Soviet candidacies, it is our interim view that the present system under which the Big Five are automatically re-elected to ECOSOC has definite advantages to us. It does secure, without any effort on our part, the constant membership not only of ourselves, but also of the United Kingdom and France, which have the same general orientation toward ECOSOC problems as we have. It helps keep the smaller countries from exerting too much influence and makes it easier for us to prevent irresponsible action on major issues like economic development.

Our chief and immediate concern relates to any action which we might take now to deny China the position on ECOSOC which it undoubtedly expects. However we handled it, our failure to support China's re-election to ECOSOC would undoubtedly be interpreted as a weakening of our support of Nationalist China and as a first step towards seating Red China. Congressional and public reaction in this country would be hostile in view of the emotional and explosive nature of this subject, and this would adversely affect the Administration. The Chinese Nationalist Government has always considered its prestige to be vitally involved in membership in the various United Nations bodies on which the Big Five have traditionally been represented. It would vigorously protest our failure to support its re-election to ECOSOC.

France also would strongly resent our failure to support its re-election. Moreover, as mentioned above, its membership on ECOSOC is highly desirable from our standpoint, since it has been one of the strongest supporters of our policies in that Council.

*Recommendation:*

That you approve our support for the re-election of China and France to ECOSOC.

*Concurrences:*

FE—Mr. Robertson; EUR—Mr. Merchant; E—Mr. Kalijarvi; G—Mr. Murphy.

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320/8-2754 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 27, 1954—7:13 p. m.

118. Re General Committee Slate. While undesirable freeze slate completely at this stage, believe we should begin promote slate satisfactory our standpoint through informal talks with Secretariat and other delegations. Our general objective this question should be to elect competent chairman and assure safe balance in General Committee of friendly members on major issues like Chinese representation. Following are our present views which you may use as basis informal discussions with Secretariat and key delegations.

1. Assume geographic distribution of 15 posts which make up Committee will be similar to pattern generally followed in past—i.e., Big Five, 3 or 4 Latin Americans, 3 or 4 Near and Far East and 1 each from British Commonwealth, Western Europe and Soviet bloc.

2. We are voting for Wan for President and in considering General Committee slate should proceed on assumption he will be elected. Also assume Big Five will be elected vice-presidents. (FYI we would not vote for USSR and therefore our ballot would contain 6 instead of 7 states for vice-presidents. End FYI.) We would support LA candidate for one of the two remaining vice-presidencies. For the other Greece is candidate but UK would undoubtedly oppose its candidacy in view Cyprus problem. While Greece satisfactory to us we would accept Turkey, which has expressed interest. Arab state would be another possibility for seventh vice-presidency if Asha not given Committee 4. Realize Secretariat has mentioned Indonesia for vice-presidency and that it has never had post on General Committee. However Barring-

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs; cleared with the geographic bureaus, the Assistant Legal Adviser for UN Affairs, and the Bureau of Economic Affairs; signed by Assistant Secretary Key.

ton (Burma) is being mentioned for Committee chairmanship and believe we cannot support both. Of the two, we would prefer support Barrington for a chairmanship. In our view he would make good chairman, and FYI only, we cannot support Burma's ECOSOC candidacy.

3. Re Committee Chairmanships:

a) Latin Americans seem definitely interested in Committee 1, and we would be willing support suitable Latin American choice.

b) We concur in Secretariat suggestion of Thor Thors (Iceland) for *Ad Hoc*.

c) We oppose election of Soviet bloc candidate to Committee 2 as suggested by UK or to Committee 3 as suggested by Secretariat. We would be willing support British Commonwealth candidate for one of these Committees, leaving it to Commonwealth to decide which Committee it prefers. FYI Understand Copeland (Australia) has made poor showing as Chairman ECOSOC's Economic Committee this year but if Commonwealth presses his candidacy we would vote for him. End FYI. For the other of these two Committees Barrington or suitable Latin American choice (perhaps Sevilla-Sacasa of Nicaragua) would be satisfactory, although we might also have to consider Asha since he could do less harm in Committee 2 or 3 than Committee 4.

d) We share UK view Asha (Syria) would be undesirable for Committee 4. While it might be hard prevent his election if he has Arab support, especially since we did not support him for TC presidency this year, solution might be to offer Syria vice-presidency, or possibly give Asha Committee 2 or 3. Suitable Latin American (possibly Sevilla-Sacasa or Nunez-Portuondo of Cuba) could then be given Committee 4. Alternatively Engen (Norway) could be considered for this Committee if Thors not interested in *Ad Hoc*.

e) For Committee 5 we would consider suitable Latin American choice (perhaps Sevilla-Sacasa) or Barrington.

f) If majority contrary to our view favors continuing give Soviet bloc one chairmanship, believe it should be Committee 6 where fewer controversial issues likely arise. However we would strongly oppose Katz-Suchy for this post particularly in view issue raised concerning his attitude toward Chinese representative last year.

SMITH

830/8-3054

*Memorandum of Conversation, by Merritt N. Cootes of the Office of Western European Affairs*

[WASHINGTON,] August 30, 1954.

Subject: United States Support of Belgian Candidacy for Security Council Seat.

Mr. Muller told me the Belgian Ambassador called on the Secretary August 19 and told him that Belgium would be a candidate for a seat on the Security Council.

Mr. Muller said the Ambassador was given "reason to hope that the United States will be favorable." He added that the Ambassador had not asked the Secretary for a reply realizing that the Secretary could probably not give it then.

Mr. Muller said that he was not asking me for the reply "unless you have it" but that the purpose of his call was to make sure that the Ambassador's request for support was a matter of record in the Department.

He referred to the Van Kleffens case and said that if necessary the Embassy could send the Department a note on this question.

I promised to look into the question.<sup>1</sup>

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<sup>1</sup> In telegram 321, Sept. 15, 6:25 p. m., to Brussels, the Department of State cabled: "Belgian Ambassador informed US prepared vote for Belgian seat Security Council." (330/9-1554) This was repeated to USUN as telegram 149.

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10 files, SD/A/330

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] August 31, 1954.

ELECTIONS TO THE INTERNATIONAL COURT OF JUSTICE

THE PROBLEM

The Ninth General Assembly and the Security Council must elect a judge to fill the vacancy on the International Court of Justice caused by the death of Sir Benegal Rau. They must also elect five judges to succeed Judges Sir Arnold Duncan McNair (British), Jose Gustavo Guerrero (Salvadoran), Alejandro Alvarez (Chilean), Jules Basdevant (French), and Levi Fernandes Carneiro (Brazilian), whose terms of office expire on February 5, 1955.

UNITED STATES POSITION

1. The United States should support Sir Zafrulla Khan of Pakistan for the vacancy created by the death of Sir Benegal Rau.
2. The United States should support Jules Basdevant of France, Hersch Lauterpacht of the United Kingdom, and three Latin American judges for the vacancies which will occur on February 5, 1955. Decision on the specific Latin American judges to support should be made only after the views of the Latin American group are known.

COMMENT

The Statute of the Court provides that the "Court shall be composed of a body of independent judges, elected regardless of their

nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are juris-consults of recognized competence in international law". The Statute also stipulates that the electors are to bear in mind not only the individual qualifications of candidates, but also "that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured." The General Assembly and the Security Council, proceeding independently of one another, elect the judges from a list of persons nominated by national groups. The term of office on the Court is nine years.

The principal candidates for the vacancy created by the death of Sir Benegal Rau are Sir Zafrulla Khan of Pakistan, Radhabinod Pal of India and Charles de Visscher of Belgium. India has claimed that an Indian national is entitled to the unexpired portion of the Rau vacancy. However, the United States does not subscribe to this view, and has decided to support Sir Zafrulla Khan, who is eminently qualified for a position on the Court. Sir Zafrulla has already been informed that we will support him for the Rau vacancy, but that we cannot support him for one of the five regular vacancies, for which he is also a candidate.

With respect to the five regular vacancies which will occur on February 5, 1955, it will be desirable to support the reelection of Jules Basdevant of France, who has been nominated by the French national group, and to support Hersch Lauterpacht, nominated by the British national group, to succeed Sir Arnold Duncan McNair, who no longer wishes to serve on the Court. There has been a general practice of electing to the Court judges from the countries which are permanent members of the Security Council.

It will be desirable to support three Latin American judges for the remaining three seats, which are now held by Latin American judges. While equally well-qualified judges from other areas have been nominated, any effort on our part to reduce the number of Latin American judges on the Court would be strongly resented by the Latin American countries and this could seriously affect our relationships with these countries in the United Nations.

A number of Latin American countries have requested our support for their candidates as follows: Argentina, Lucio M. Moreno Quintana; El Salvador, Jose G. Guerrero; Mexico, Roberto Cordova; Panama, Ricardo J. Alfaro; and Paraguay, Raul Sapena Pastor. The following Latin Americans have also been nominated: Hildebrando Accioly (Brazilian), Ramon Carmona (Venezuelan), Eduardo Plaza (Venezuelan), Modesto Valle (Nicaraguan), and Homero Viteri Laffronte (Ecuadorean). In accordance with our usual practice regarding Latin American candidates for UN posts, we will wish to ascertain the



preferences of the Latin American group before deciding on which three candidates to support.

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320/9-354 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 3, 1954—6:30 p. m.

128. Re GA Presidency (memo of conversation with Fabregat dated August 30). Department concerned that in remaining weeks before Assembly we carefully maintain position communicated to Dutch and Thai, namely, that while we will vote for Wan we do not intend lobby for or against either candidate for President (Deptel 159 to The Hague repeated USUN 68 and CA-819). Promotion by us of proposal that Van Kleffens be supported next year and Latin American in 1956 would be inconsistent with this position. Dutch have informed us they oppose proposal, and thus our promotion of it would amount to lobbying against Van Kleffens. Moreover our support for proposal would involve commitments two years ahead which could create difficulties for us later (Deptel 61 to USUN). Therefore believe we should not become partners to proposal or encourage others accept it, although we should not discourage them either since we of course hope Wan will be elected.<sup>2</sup>

SMITH

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs, cleared with three of the geographic bureaus (EUR, FE, and ARA), approved by the Deputy Under Secretary (Murphy), and signed by Assistant Secretary Key.

<sup>2</sup> A cable of similar although not exact content was sent to the Embassy in Mexico in telegram 293, Sept. 7, 7:07 p. m. (320/9-254).

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320/9-454 : Telegram

*The Ambassador in the Soviet Union (Bohlen) to the Department of State*

CONFIDENTIAL

Moscow, September 4, 1954—8 p. m.

324. Thai Minister here says he has received instructions from his government to ask for Soviet support of UNGA Presidential candidacy of Prince Wan.

BOHLEN

320/9-754 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, September 7, 1954—6 p. m.

203. Manila for Secretary. Re GA presidency. Believe that with some quiet and tactful effort on my part it may be possible to have Prince Wan elected President of GA and that otherwise it will not be possible. Would appreciate advice as to whether you really want him elected President or not. Think I see about six votes which I could change without "campaigning" but am mindful of your admonition.

LODGE

320/9-854 : Telegram

*The Secretary of State to the Department of State*<sup>1</sup>

CONFIDENTIAL

PRIORITY

MANILA, September 8, 1954—9 p. m.

Dulte 26. Department pass USUN NY priority. For Lodge from Secretary. I believe we should get Wan elected if you can do it without open campaign which could reasonably be interpreted as exertion of pressure. However, I think you should check with latest views in Department as I am not up to date.

DULLES

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<sup>1</sup> Passed to USUN, Sept. 8, 1:30 p. m.

320/9-854

*Memorandum of Conversation, by Mr. Joseph J. Sisco of the Bureau of International Organization Affairs*

LIMITED OFFICIAL USE

[WASHINGTON,] September 8, 1954.

Subject: Presidency of the General Assembly

Participants: Ambassador Carias, Honduras  
 Mr. Niles W. Bond, UNP  
 Miss Elizabeth Brown, UNP  
 Miss Betty Gough, UNP  
 Mr. Joseph J. Sisco, IO

The above group had lunch with Ambassador Carias today. While a number of topics were touched upon during the conversation, one particular comment of Ambassador Carias might be noted. He said that the Latin American caucus in New York met last Friday, September 3,

and that the support for Wan and Van Kleffens for the GA Presidency was roughly 50-50. In response to a query, Ambassador Carias said that in his view it would be counter-productive if the United States were to openly lobby for Prince Wan among the Latin American states.

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320/9-1054 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 10, 1954—6:05 p. m.

PRIORITY

140. Re: GA Presidency (urtel 2 to Manila and Dulte 26): We of course want Wan elected and feel that anything which you can discreetly accomplish toward this end within limitations imposed by Secretary in Dulte 26 September 8 and by our undertakings to Thai and Dutch (Deptel 68 to USUN) will be helpful. You will of course fully appreciate importance of avoiding any action which could be regarded as violative of those undertakings.

SMITH

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<sup>1</sup> Drafted by the Assistant Secretary of State for International Organization Affairs (Key), cleared by phone by Mr. Key with Assistant Secretary Robertson (FE) and Deputy Assistant Secretary Barbour (EUR), and signed by Assistant Secretary Key.

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IO files, SD/A/332

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 14, 1954.

ELECTION OF THE PRESIDENT, VICE-PRESIDENTS AND  
COMMITTEE CHAIRMEN

THE PROBLEM

At the beginning of the session the Assembly will elect a President, seven Vice-Presidents and Chairmen of the seven Main Committees. These fifteen posts constitute the General Committee. In the past, the permanent members of the Security Council have been elected to five of the Vice-Presidencies, and the remaining posts have generally been distributed as follows: three or four to Latin America; three or four to the Near and Far East; and one each to the British Commonwealth, Western Europe and the Soviet bloc.

## UNITED STATES POSITION

1. The general objective of the United States is to assure the election of competent presiding officers and to assure a safe balance of friendly members in the General Committee on major issues like Chinese representation.

2. The United States should vote for Prince Wan of Thailand for President. However, it should not lobby for him or against van Kleffens of the Netherlands.

3. The present United States slate on the Vice-Presidencies and Committee chairmen is as follows :

- Vice-Presidents*—
1. China
  2. France
  3. United Kingdom
  4. United States
  5. \_\_\_\_\_ \*
  6. Suitable Latin American choice (probably Ecuador)
  7. Greece or either Indonesia or Burma

*Committee Chairmen*

Committee 1—Suitable Latin American choice (probably Urrutia of Colombia)

*Ad Hoc* Political Committee—Thors (Iceland)

Committee 2—Copeland (Australia)

Committee 3—Nosek of Czechoslovakia is now the only candidate and will probably be elected. However the United States should vote for a non-Soviet candidate if one is nominated.

Committee 4—Asha (Syria) unless a more suitable candidacy develops with a good chance of success.

Committee 5—Suitable Pakistani or other candidate

Committee 6—Suitable Latin American choice (probably Bolivian)

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\*The Soviet Union will undoubtedly be elected a Vice-President since the permanent members of the Security Council have traditionally held that office. However, the United States should not vote for the Soviet Union and its ballot should therefore contain six instead of seven states for Vice-Presidents. [Footnote in the source text.]

320/9-1554 : Telegram

*The Ambassador in the Netherlands (Matthews) to the  
Department of State*

CONFIDENTIAL

THE HAGUE, September 15, 1954—11 a. m.

404. Secretary General Van Tuyl told me yesterday he thought Van Kleffens now had assurances of the necessary majority to elect him President of General Assembly. I told him I thought we had carefully observed our assurances that we would do no lobbying for Prince Wan or against Van Kleffens. He agreed that this had been the case and expressed appreciation. I remarked laughingly that our

decision so painful to the Dutch had cost them one vote (American) but had probably produced at least six others—India and the Soviet bloc.

MATTHEWS

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UNP files, lot 59 D 237, "Slates"

*Memorandum by the Deputy Director of the Office of United Nations Political and Security Affairs (Bond) to the Deputy Assistant Secretary of State for International Organization Affairs (Wainhouse)*

SECRET

[WASHINGTON,] September 14, 1954.

Subject: United States Position on Election of Soviet Candidates to the Advisory Committee and Committee on Contributions

You have asked for our comments on the attached memorandum from Mr. Barbour, dated September 10, 1954.<sup>1</sup> In this memorandum, Mr. Barbour expressed the belief that "we should vote in favor of a suitable Soviet candidate" for the Advisory Committee and the Committee on Contributions if China does not put forward a candidate.

We have just learned that China has proposed a Chinese national for the Advisory Committee, and we will, of course, support his election. The only case in question, therefore, is the Contributions Committee.

OIA believes, and we agree, that the reasons in EUR's memorandum for supporting a Soviet national for the Contributions Committee are sound. However, you will recall that on June 7 of this year, after EUR raised the question of our position on Soviet bloc candidates for the ECOSOC functional Commissions, we sent a memorandum to Mr. Key, a copy of which is attached.<sup>2</sup> In this memorandum we reviewed the background on this whole problem and concluded "that it may be said that current Department policy is against voting for a Soviet bloc candidate for any post, although whether we campaign and vote against a particular candidate or abstain must depend upon the circumstances of each case." We understand that Mr. Key concurred in this and discussed the matter with Mr. Barbour, who agreed to continue the policy as we described it. We are not aware of any policy to examine cases on an *ad hoc* basis to determine whether we should vote for a Soviet bloc candidate. Therefore, while we agree that there are valid reasons for voting for a Soviet candidate for the Contributions Committee, provided the U.S.S.R. nominates a more suitable candidate than Mr. Saksin, this would be contrary to what we understand to be our overall policy on the election of Soviet bloc candidates.

<sup>1</sup> Not attached.

<sup>2</sup> Dated June 7, 1954, p. 544.

UNP files, lot 59 D 237, "Slates"

*Memorandum by the Assistant Secretary of State for International Organization Affairs (Key) to the Deputy Assistant Secretary of State for European Affairs (Barbour)*

CONFIDENTIAL

[WASHINGTON,] September 16, 1954.

Subject: United States Position on Election of U.S.S.R. Candidates to the Advisory Committee and the Committee on Contributions

Reference is made to your memorandum of September 10, 1954 in which you express the belief that we should vote in favor of suitable Soviet candidates for the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions if China does not put forward one.

China has now proposed a Chinese National for the Advisory Committee, and we will support his election. The only case in question, therefore, is the Contributions Committee.

I recognize that there are arguments in favor of voting for a Soviet national for this particular Committee. However, an affirmative vote would be contrary to current Department policy, which is against voting for Soviet bloc candidates for any United Nations post. While it is true, as you point out, that we examine Soviet bloc candidacies on an *ad hoc* basis, we do this not to determine whether to vote for them, but rather to determine whether we should vote against or abstain—in other words, whether we should vote for a non-Soviet candidate instead or cast a blank ballot.

In the case of the Contributions Committee, we will, of course, support a Chinese candidate if one is nominated. Even if China does not put forward a candidate, I think we should authorize the Delegation to vote for any other qualified non-Soviet candidate if Mr. Saksin of the U.S.S.R., who is particularly objectionable, is the Soviet candidate. However, if the U.S.S.R. nominates a more suitable candidate, I think the United States could cast a blank ballot.

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320/9-1754 : Telegram

*The Ambassador in the Soviet Union (Bohlen) to the  
Department of State*

CONFIDENTIAL

Moscow, September 17, 1954—10 p. m.

397. Acting under instructions (Embtel 324) <sup>1</sup> Thai minister saw Gromyko last week concerning Soviet support of candidacy Prince Wan for UN GA Presidency and was given noncommittal answer that entire matter "still under consideration". Gromyko reportedly did not

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<sup>1</sup> Dated Sept. 4, p. 588.

mention SEATO only saying, in reply to Thai's statement that he wished to better relations between the two countries, that relations "ought" to be based on mutual interests.

BOHLEN

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IO files, SD/A/3690

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 20, 1954.

ELECTIONS TO THE SECURITY COUNCIL AND ECOSOC

THE PROBLEM

During the Ninth Session it will be necessary to elect three states to the Security Council and six states to ECOSOC.

UNITED STATES POSITION

A. *Security Council*

<i>Retiring Members</i>	<i>Candidates</i>	<i>U.S. Slate</i>
Colombia	Peru	Latin American choice
Denmark	Belgium	Belgium
Lebanon	Iran, Iraq	Iran (assuming Iraq officially withdraws)

B. *ECOSOC*

<i>Retiring Members</i>	<i>Candidates</i>	<i>U.S. Slate</i>
Argentina	(Argentina, Colombia, Chile, Cuba, Dominican Republic, Mexico)	Latin American choice
China	China	Latin American choice
France	France	China
Belgium	Netherlands, Poland	France
Egypt	Afghanistan, Egypt, Philippines, Burma	Netherlands
		Philippines

COMMENT

A. *Security Council*

The United States has made strong representations to United Nations Members for support for our position against the seating of the Chinese Communists. Before reaching decisions on the Security Council slate, and also the ECOSOC slate discussed in Section B below, the

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<sup>1</sup>The slates described here were approved by the Secretary of State about Sept. 3 (UNP memorandum to USUN, Sept. 3, UNP files, lot 59 D 237, "Slates").

positions of the candidates on the Chinese representation issue were seriously taken into account.

It has been our usual policy to support the Latin American candidates preferred by the Latin American group for the Security Council seats held by countries from that area. Peru is now the only candidate and would be satisfactory to us as a successor to Colombia.

Denmark's seat has always been held by a Western European state. Belgium claims the support of all the Western European countries plus Yugoslavia, Greece and Turkey. The Department has informed the Belgian Embassy of United States support for Belgium's candidacy.

Lebanon's seat has always been held by a Middle Eastern state. Iran claims the support of the countries of the Arab League, India, Pakistan, Afghanistan, and Turkey. However, Iraq, which was originally a candidate, has not yet officially withdrawn. When Iraq definitely withdraws, it would be desirable to inform Iran that we will support its candidacy.

#### B. *ECOSOC*

As in the case of the Security Council, it has been our usual policy to support the Latin American candidates preferred by the Latin American group for the seats being vacated by countries from that area.

China and France will undoubtedly be candidates for reelection since the permanent members of the Security Council have always been represented on ECOSOC.

The Netherlands is a candidate for Belgium's seat. Poland is also a candidate, presumably for this same seat. The United States, of course, strongly opposes Poland's election. Belgium's seat has always been held by a Benelux country. Moreover, we want to maintain the present balance in the Council between developed and under-developed countries. For these reasons, and in view of the strong resentment of the Dutch over our position on the Presidency of the Assembly, it is desirable to support the Netherlands rather than a country from some other area to succeed Belgium. The Department has informed the Netherlands Embassy of United States support for the candidacy of the Netherlands.

Egypt is a candidate for reelection and Afghanistan, Burma, and the Philippines are also candidates. The United States has informed the Philippines that it would give its candidacy active support. There is no South-East Asian country on any major United Nations Council, and the Philippines can be expected to continue to support our position on the Chinese representation issue. (The Philippines had also indicated some interest in election to the Security Council. The Department sent an enquiry to Manila the end of June asking whether the



Philippines was actually a candidate for both Councils. Although the Philippine Foreign Office has never given us a definite answer, its delegation in New York indicated that the Philippines was interested only in ECOSOC.)

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353/9-2454 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 24, 1954—5:52 p. m.

170. In review his chances for Rau's unexpired ICJ seat Zafrulla informed Department he now fairly certain receive six votes in Security Council viz U.S. China France Turkey Lebanon Colombia. Even though only six votes required Zafrulla feels highly desirable have seven assured votes. Zafrulla believes Brazil, reportedly still wavering, may hold key to his success. Zafrulla has previously been informed Pakistan must carry burden his campaign. However in course your contacts Brazilian delegation believe you might remind them U.S. believes Zafrulla eminently qualified and hopes he will be selected.

DULLES

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<sup>1</sup> Repeated for information (by pouch) to the Embassy in Pakistan and the Embassy in Brazil.

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353/9-3054 : Circular telegram

*The Acting Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 30, 1954—7:16 p. m.

PRIORITY

172. General Assembly and Security Council in independent elections probably next week will choose judge for Rau vacancy on International Court of Justice. Zafrulla Khan of Pakistan and Pal of India are chief contenders. As reported CA-1368 US supports Zafrulla. Zafrulla September 29 asked us assist his candidacy by approaching members whose position doubtful. Understand he is interested only Rau seat and not regular vacancies also to be filled this year.

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs, cleared with the geographic bureaus and L/UNA, signed by the Assistant Secretary of State for UN Affairs (Key). Sent to 13 posts for action and to USUN for information.

The same text was cabled on a priority basis to the Embassies in Greece, the Dominican Republic, Haiti, and El Salvador, *mutatis mutandis*, except the special code room instruction was not sent to Athens.

US wishes do all it reasonably can bring about Zafrulla's election. Delegation intends make appropriate approaches New York. Department requests you also take up matter soonest with government you accredited in effort obtain support Zafrulla's election. Suggest you make following points:

1. Zafrulla unusually well qualified serve on Court. Moreover he is staunch supporter free world and has outstanding record in UN.
2. His legal training and experience have been in same system of law as Rau. He was judge Supreme Court of India six years prior partition and in 1946 was supported by India for election to International Court.
3. Present info indicates majority Arab-Asians supporting Zafrulla.

*Code Room:* Add following to messages to Buenos Aires, Caracas, Guatemala, Lima, Montevideo, San Jose and Tegucigalpa:

Embassies may inform Foreign Offices US will support for regular vacancies Guerrero (El Salvador) Quintana (Argentina) and Sepena Pastor (Paraguay) who we understand are choices LA group.

SMITH

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UNP files, lot 59 D 237, "Slates"

*Memorandum of Conversation, by the Special Assistant on United Nations Affairs, Bureau of European Affairs (Allen)*

OFFICIAL USE ONLY

WASHINGTON, October 1, 1954.

Subject: Candidacy of M. de Visscher for election to ICJ

In response to M. Carlier's previous inquiries, I advised him today that the US has decided we are unable to support M. de Visscher this year since we feel compelled to vote for the UK, the French and three Latin American candidates. I stressed that this was a matter of real regret to us in view of our high regard for M. de Visscher. I stated we would give most sympathetic consideration to his candidacy for the next vacancy that occurs through termination of term, death or resignation.

M. Carlier, thanking me for the information, expressed no surprise and agreed as to the difficulty of M. de Visscher's election, even if we had been able to vote for him, in view of the strength of the Latin American voting bloc.

IO files, US/A/3703

*Position Paper Prepared by the United States Delegation to the Ninth Regular Session of the General Assembly*

LIMITED OFFICIAL USE

NEW YORK, October 4, 1954.

## ELECTIONS TO THE SECURITY COUNCIL AND ECONOMIC AND SOCIAL COUNCIL

## SECURITY COUNCIL

<i>Terms Expire</i>	<i>Candidates</i>	<i>U.S. Slate</i>
<i>December 31, 1954</i>		
Colombia	Peru	Peru
Denmark	Belgium	Belgium
Lebanon	Iran	Iran

*Terms Expire*  
*December 31, 1955*  
 Brazil  
 New Zealand  
 Turkey

## ECONOMIC AND SOCIAL COUNCIL

<i>Terms Expire</i>	<i>Candidates</i>	<i>U.S. Slate</i>
<i>December 31, 1954</i>		
Cuba	Dominican Republic	Dominican Republic
Argentina	Argentina	Argentina
Belgium	Netherlands, Poland	Netherlands
China	China	China
Egypt	Afghanistan, Philippines, Egypt	Philippines
France	France	France

*Terms Expire*  
*December 31, 1955*  
 Australia  
 India  
 Turkey  
 United States  
 Venezuela  
 Yugoslavia

*Terms Expire*  
*December 31, 1956*  
 Czechoslovakia  
 Ecuador  
 Norway  
 Pakistan  
 U.S.S.R.  
 United Kingdom

UNP files, lot 59 D 237, "Slates"

*Press Release SC/1637 Issued by the United Nations Secretariat, October 7, 1954, Regarding the 681st Meeting (AM) of the Security Council*

SECURITY COUNCIL ACTS ON ELECTION OF JUDGES TO INTERNATIONAL COURT

The Security Council this morning elected Muhammad Zafrulla Khan, at present Foreign Minister of Pakistan, as a Judge of the International Court of Justice to replace Sir Benegal N. Rau of India who died on 30 November 1953.

Mr. Zafrulla Khan will serve out the unexpired terms of Sir Benegal. The term expires on 5 February 1961.

The Security Council held only one ballot to fill this vacancy. Mr. Zafrulla Khan received 6 votes and Radhabinod Pal (India) 5.

The Security Council was informed by the President of the General Assembly that, in the election conducted in the Assembly, Mr. Zafrulla Khan had obtained the required majority, receiving—on the second ballot—33 votes as against 29 for Mr. Pal.

As Mr. Zafrulla Khan had obtained the required majority in both the Security Council and the General Assembly, he was duly elected to the International Court of Justice.

The Security Council then proceeded to the election of five Judges of the Court to replace Sir Arnold Duncan McNair (United Kingdom), Jose Gustavo Guerrero (El Salvador), Alejandro Alvarez (Chile), Jules Basdevant (France) and Levi Fernandes Carneiro (Brazil), whose terms of office expire on 5 February 1955.

The candidates obtaining an absolute majority were:

Jules Basdevant (France)	—9
Roberto Cordova (Mexico)	—9
Jose G. Guerrero (El Salvador)	—7
Hersch Lauterpacht (UK)	—8
Lucio M. Moreno Quintana (Argentina)	—8

The same 5 candidates obtained the required majority in the election conducted in the General Assembly and have, therefore, been duly elected as Judges of the International Court of Justice. The term of office is nine years.

On the first ballot in the Council, Jules Basdevant (France) received 10 votes, Roberto Cordova (Mexico) 8, Jose Gustavo Guerrero (El Salvador) 7, Hersch Lauterpacht (UK) 9, Lucio M. Moreno Quintana (Argentina) 7 and Charles de Visscher (Belgium) 6.

Shigeru Kuriyama (Japan) received 2 votes. There was also one vote each for Dr. Ricardo J. Alfaro (Panama), Georges Sauser-Hall (Switzerland) and Raul Sepena Pastor (Paraguay).

As 6 candidates obtained the required majority of 6 votes or more for the five vacancies, the Security Council proceeded to a second ballot.

On the second ballot the votes were as follows:

Mr. Basdevant	—10
Mr. Cordova	—8
Mr. Guerrero	—8
Mr. Lauterpacht	—8
Mr. Quintana	—7
Mr. de Visscher	—7
Mr. Kuriyama	—2
Mr. Pastor	—2
Dr. Alfaro	—1
Mr. Sauser-Hall	—1

As once again six candidates obtained the required majority for the five vacancies, the Security Council proceeded to a third ballot.

The results of the third ballot were as follows:

Mr. Basdevant	—9
Mr. Cordova	—8
Mr. Guerrero	—6
Mr. Lauterpacht	—8
Mr. Quintana	—7
Mr. de Visscher	—7
Mr. Kuriyama	—2
Mr. Pastor	—2
Dr. Alfaro	—2

Six candidates again obtained the required majority for the five vacancies and the Security Council, therefore, proceeded to the fourth ballot.

The fourth ballot had the following result:

Mr. Basdevant	—9
Mr. Cordova	—9
Mr. Guerrero	—5
Mr. Lauterpacht	—8
Mr. Quintana	—8
Mr. de Visscher	—5
Mr. Kuriyama	—1
Mr. Pastor	—2
Dr. Alfaro	—2
Mr. Sauser-Hall	—1
Choucri Cardahi (Lebanon)	—1

As only four candidates obtained the required majority, the Security Council proceeded to a fifth ballot to elect a Judge to fill the fifth vacancy.

The results of the fifth and final ballot were as follows:

Mr. Guerrero	—7
Mr. de Visscher	—4

Mr. Guerrero thus obtained the absolute majority necessary.

## II. INSCRIPTION OF THE TUNISIAN AND MOROCCAN ITEMS ON AGENDAS OF THE GENERAL ASSEMBLY, 1952-1954; THE UNITED STATES POSITION <sup>1</sup>

[For documentation on these matters in the larger setting of United States policy concerning French North Africa, see volume XI.]

<sup>1</sup> For previous documentation on this subject with particular reference to Morocco, see *Foreign Relations*, 1951, vol. II, pp. 135 ff.

## III. THE QUESTION OF THE SCALE OF NATIONAL ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE REGULAR (ADMINISTRATIVE) BUDGET OF THE UNITED NATIONS, AND RELATED MATTERS <sup>1</sup>

315.2/4-1852: Circular airgram

*The Secretary of State to Certain Diplomatic and Consular Offices in the Other American Republics* <sup>2</sup>

CONFIDENTIAL

WASHINGTON, April 18, 1952—8:15 a. m.

During the past two years there have been significant increases in the budgets of some of the large specialized agencies of the United Nations. In UNESCO, the voted budget for 1951 was \$8,200,000, and for 1952, \$8,718,000. The Director General is proposing up to \$10,529,391 for 1953. In WHO, the voted budget for 1951 was \$7,300,000 and for 1952, \$9,077,782. The Director General and Executive Board are proposing \$9,837,554 for 1953, of which \$9,000,000 will be assessed, the remainder to come from other income. (In WHO, 16% of the assessments in each year represent members who have indicated withdrawal but whose withdrawal is not recognized. The actual expenditure budget for 1952, for instance, is \$7,677,782.)

In ILO, FAO, and ICAO, the increases have been more modest and represent very little expansion in program. In ILO, for instance, the Governing Body at its last session just completed cut the Director General's estimates for 1953 back to approximately the 1952 level.

In these agencies, the United States pays from 25% of the budget (ICAO, ILO) to 30% (FAO) and 33 $\frac{1}{3}$ % (UNESCO, WHO).

<sup>1</sup> Continued from *Foreign Relations*, 1951, vol. II, pp. 162 ff.

<sup>2</sup> Drafted by the Acting Assistant Chief of the Division of International Administration (Henderson) and cleared with the Director of the Office of UN Economic and Social Affairs (Kotschnig), the Deputy Assistant Secretary of State for UN Affairs (Sandifer), and the geographic bureaus; signed by Henderson). Sent to 17 posts for action and to Geneva for information.

Similar airgrams were sent also on Apr. 18 to the Embassy in Rio (A-543) and to certain diplomatic missions in the Near East and Africa (Athens, Beirut, Damascus, and Monrovia).

In the case of three of the organizations (FAO, ILO, WHO), the Congress imposed limitations on the size of the annual United States contribution when it authorized United States participation. These limitations were exceeded in the United States assessments for 1950 and 1951 and the Congress in Public Law 806, 81st Congress, set new and higher limitations. In the case of WHO, there is danger of the new limitation being reached immediately. The Director General's estimates for 1953 call for an assessment to the United States of \$3,000,000, the exact amount of the Congressional limitation.

The House Appropriations Committee, in recommending appropriations for the United States contributions to international organizations for the United States fiscal year 1953 in full as assessed, stated that it expected the Department to make every effort to reduce the amounts of the budgets of the various organizations. In voting the appropriation, the House reduced the total amount, thus placing the United States in a position of partial default if the reduction is not restored. The Senate has not yet acted.

The United States position in respect to these budgets, subject to the legislative limitations on the size of the United States contribution, has been a judicious one. We have believed that budgets should stand on their own merits, as long as they represented an intelligently planned program of necessary activities and did not go beyond the capacity of members to support them. The United States has never in the past argued for stabilization of budgets, but has tried to insure that any increases in them were necessary to carry out the kind and amount of program the United States wanted, on a sensible priority basis. This position has most frequently required that a conservative attitude be taken toward the always larger budgets proposed by the Directors General of the organizations. The United States position has not always been successful. The United States has often found itself in a minority position, and the subject of a great deal of criticism from delegations of other members who were pushing, with some success, to expand rapidly the agencies' programs. Unfortunately, in some cases, the delegations who were most active in pushing for budget increases were representing Governments whose delegations in the United Nations were strongly supporting resolutions calling for attempts at budget stabilization. In the United Nations General Assembly, many delegations have expressed great concern over the precipitate increases in agency budgets, but, in significant cases, their counterparts in the agencies have not appeared to be similarly instructed.

For example, at the Fourth Health Assembly in 1951, the United States delegation was instructed to support a modest increase in the budget, but found itself almost alone in this position, with a majority of the delegations wishing a large expansion. Although the vote was largely on a developed vs. underdeveloped country basis, there were

several delegations supporting the large increase while their Governments were taking a different line in the United Nations General Assembly.

Budgets for the UN specialized agencies for 1953 will be voted at meetings of their constituent bodies this summer and fall. The United States position will be to hold budgets at their 1952 levels. This position is prompted not only by Congressional developments, but by a conviction that if sensible priorities are established, considerable program improvement can result under the same budget figure as at present. For your information, the Department hopes, however, that more governments will have taken the necessary internal coordinative action to ensure a consistent approach on their part to this problem, and that the United States may not bear the whole brunt of opposing the large budget increase which some members may desire. The action of the ILO Governing Body, where the United States position was gained with other governments taking the leadership, indicates that this is possible.

It would be appreciated if you would in your discretion discuss this matter with appropriate foreign office officials in the government to which you are accredited indicating this Government's concern over the problem and ascertaining, if possible, their views with regard to it. The Department fears that the proposed precipitate increases in the WHO and UNESCO budgets may jeopardize future United States support of these and other United Nations agencies. In the case of WHO, the adoption of the Director General's budget would prejudice the level of future budgets when less miscellaneous income would be available, and the United States legislative limitation would be quickly surpassed.

The WHO Assembly convenes in Geneva on May 5, and the Budget Committee of the UNESCO General Conference convenes in Paris in November.

ACHESON

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315.2/7-3052 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 30, 1952—5:29 p. m.

43. Following message sent today to U.S. Missions in countries currently entitled to appoint a member UN Comite on Contributions, except China:

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<sup>1</sup> Drafted by the Acting Chief of the Division of International Administration (Henderson) and approved and signed by the Assistant Secretary of State for UN Affairs (Hickerson).



"Reduction US percentage contribution in UN to  $33\frac{1}{3}\%$  for 1953 will be important US policy issue in 7th GA. In 1948 UN GA accepted fact no member in normal times shld pay more than  $\frac{1}{3}$  but other members so far been unwilling put this ceiling into effect except in very gradual stages. US received reduction to 36.90% at 6th GA but when USDel pressed for full reduction to  $33\frac{1}{3}\%$  only NIC supported us. Congressional preoccupation this matter provides recurrent danger amount over that percentage not be appropriated. Current appropriation bill gives another year's grace but House bill as originally passed refused appropriate more than  $33\frac{1}{3}\%$  for current year.

"UN Contributions Comite, which will recommend 1953 scale to GA, begins session Aug 4. This Comite composed for experts serving as individuals but appointed by their govts. National of govt to which you are accredited is member of Comite. Dept wld appreciate your informing FonOff of importance US attaches this matter. Inasmuch as Comite members not instructed reps of govts, you shld handle matter with some delicacy, stating that US has intention prejudicing professional character Comite deliberations, but impress upon FonOff fol facts:

"(1) Dept believes immed reduction US share to  $33\frac{1}{3}\%$  most important if wholehearted support US other UN programs not to be jeopardized. US willingness pay higher percentage larger special programs predicated on assumption that ceiling on regular expenses will be quickly reached and maintained.

"(2) This not matter of cost but matter of principle as has been expressed by USDel since first GA. All elements USGovt feel strongly that ceiling shld be implemented now.

"FYI, recommendations of Contributions Comite have been accepted each year since first GA. US plans push its position strongly in GA whether or not Comite recommends such action, but adverse Comite recommendation will make success quite difficult.

"It wld be appreciated if appropriate officials cld be contacted before Contributions Comite convenes."

Request that Mission staff informally make same case in contacts with members of staffs of Missions to UN from same govts, to extent deemed desirable in your judgment.

Request Gross or Ross talk with Tsiang, setting forth case for revision US percentage outlined above and stating we assume China will not seek revision its percentage. Gross or Ross shld mention such action on China's part might seriously jeopardize US objective to which we attach great importance.

ACHESON

IO files, SD/A/C.5/178/Rev. 1

*Position Paper Prepared in the Department of State for the United States Delegation to the Seventh Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] October 6, 1952.

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UN:

REPORT OF THE COMMITTEE ON CONTRIBUTIONS (A/2161)

THE PROBLEM

It is the objective of the United States to obtain a reduction of its assessed share of the regularly budgeted expenses of the United Nations to not to exceed one-third of total assessments.

The United Nations Committee on Contributions has recommended a reduction for the United States of 1.78 percentage points (from 36.90% for 1952 to 35.12% for 1953). The Committee recommends smaller reductions for 25 other States including a reduction of 0.26 for the United Kingdom. At the same time, an increase is recommended for the USSR (together with Byelorussia and the Ukraine) of 2.85 percentage points, an increase of 0.22 for Poland, and minor increases for 7 other States.

The reduction recommended for the United States is exactly one-half the remaining distance downward to the goal of 33 $\frac{1}{3}$ %. As to the other states, the Committee indicates that it is proposing corrections of about one-half the amounts of under- and over-assessment indicated by the data on capacity to pay. The Committee suggests further that unless new disturbing factors develop during the next year, the remainder of the adjustments for the United States and for the other states involved may be in prospect for 1954.

RECOMMENDATIONS

1. The United States Delegation should attempt to secure a reduction in the United States percentage share to 33 $\frac{1}{3}$ % for 1953. It should take the position that the principle of a  $\frac{1}{3}$  ceiling, recognized by the General Assembly in 1948, has been implemented all too slowly up to this point; that the special reductions granted in the beginning to certain war-devastated states have long since ceased to be justified in the face of the economic recovery experienced by these states; and that a full implementation of the  $\frac{1}{3}$  ceiling at this time can be carried through without working an undue hardship on any other state. At the same time the Delegation should acknowledge the efforts of the Contributions Committee in attempting to formulate a generally acceptable report.

2. If it should become clear that the United States cannot obtain a reduction to 33 $\frac{1}{3}$ % for 1953, and if in the opinion of the Delegation

further United States effort in this direction would run the risk of a complete overthrow of the Contributions Committee's report with the resultant loss of the 1953 reduction recommended for the United States and of the basis for a reduction to one-third next year, the Delegation should so report to the Department and seek further instructions.

## COMMENT

The scale of contributions for 1953 recommended by the United Nations Committee on Contributions continues the trend of adjustment that last year characterized the Committee's recommendations for 1952. The proposed adjustments are as follows:

<i>Country</i>	<i>Official scale for 1952 percent</i>	<i>Recom. scale for 1953 percent</i>	<i>Change percent</i>
Argentina	1.62	1.45	-0.17
Australia	1.77	1.75	-0.02
Belgium	1.35	1.37	+0.02
Brazil	1.62	1.45	-0.17
Burma	0.15	0.13	-0.02
Byelorussian SSR	0.34	0.43	+0.09
Canada	3.35	3.30	-0.05
Chile	0.35	0.33	-0.02
China	5.75	5.62	-0.13
Colombia	0.37	0.35	-0.02
Cuba	0.33	0.34	+0.01
Denmark	0.79	0.78	-0.01
Ecuador	0.05	0.04	-0.01
Egypt	0.60	0.50	-0.10
Greece	0.18	0.19	+0.01
India	3.53	3.45	-0.08
Iran	0.40	0.33	-0.07
Iraq	0.14	0.12	-0.02
Lebanon	0.06	0.05	-0.01
Mexico	0.65	0.70	+0.05
Netherlands	1.27	1.25	-0.02
New Zealand	0.50	0.48	-0.02
Peru	0.20	0.18	-0.02
Philippines	0.29	0.39	+0.10
Poland	1.36	1.58	+0.22
Saudi Arabia	0.08	0.07	-0.01
Sweden	1.73	1.65	-0.08
Syria	0.09	0.08	-0.01
Thailand	0.21	0.18	-0.03
Turkey	0.75	0.65	-0.10
Ukrainian SSR	1.30	1.63	+0.33
Un. So. Africa	0.90	0.83	-0.07
USSR	9.85	12.28	+2.43
United Kingdom	10.56	10.30	-0.26
United States	36.90	35.12	-1.78
Venezuela	0.32	0.35	+0.03
Yugoslavia	0.43	0.44	+0.01

It was foreseen last year that further substantial increases were in store for the USSR, Byelorussia, the Ukraine, and Poland which states had continued all too long to benefit from the initial dispensation which had been granted them in 1946 on account of their war devastation and the serious financial problems they then faced. Since 1946, economic conditions in Eastern Europe have improved greatly, leaving these states grossly underassessed. The present report of the Contributions Committee indicates that the increase recommended for the Soviet States for 1953 amounts to approximately one-half of the remaining increase for those states indicated by the statistical data. The proposed assessment for the USSR (including Byelorussia and the Ukraine) for 1953 represented an increase over 1952 of 25%. The increase a year ago was 40% over 1951.

The proposed increases for Belgium, Cuba, Greece, Mexico, Philippines, Venezuela and Yugoslavia are relatively small and reflect improvement in the economic positions of these countries. All but Belgium, Greece, and the Philippines were increased also for 1952 at the last Assembly.

The proposed decreases for Canada, New Zealand and Sweden are in acknowledgment of the principle enunciated by the Third General Assembly that no state should pay a higher per capita contribution than the per capita contribution of the country paying the highest assessment. As the US percentage assessment decreases, this per capita limitation comes to apply to a limited number of states with particularly high living standards. The Contributions Committee indicates that in spite of the proposed reductions, Canada, New Zealand and Sweden will be paying a somewhat higher per capita contribution than the United States in 1953. Iceland's contribution also exceeds the United States in this respect, but Iceland already pays only the minimum.

Many of the remaining reductions are due to the fact that the Committee decided to permit a somewhat heavier allowance for countries with low per capita income. The Committee took this action pursuant to Resolution 582 (VI) which had requested it to give particular attention to the assessments of such countries.

As regards the proposed reduction of the United States contribution to 35.12%, the Committee states that this is "another major step toward a ceiling of 33 $\frac{1}{3}$ % for the largest contributor". This reduction is one-half the distance to the one-third level for the United States, and the Committee indicates that it is proceeding also at approximately the same rate in removing "maladjustments" in the contributions of other member states arising from under- and over-assessment on the basis of capacity to pay. Further, the Committee states that, in the absence of new disturbing factors, it should be possible a year hence to remove

the remaining major divergencies and to propose the establishment of a more permanent scale for 1954.

The United States Congress attached to the Department of State's Appropriation Act for the fiscal year 1952 the following proviso:

"No representative of the United States Government in any international organization hereafter shall make any commitment requiring the appropriation of funds for a contribution by the United States in excess of  $33\frac{1}{3}$  per centum of the budget of any international organization for which the appropriation for the United States contribution is contained in this Act: Provided, That in exceptional circumstances necessitating a contribution by the United States in excess of  $33\frac{1}{3}$  per centum of the budget, a commitment requiring a United States appropriation of a larger proportion may be made after consultation by United States representatives in the organization or other appropriate officials of the Department of State with the Committees on Appropriations of the Senate and House of Representatives: Provided, however, That this section shall not apply to the United States representatives to the Inter-American organizations. . . ."

The Congress attached a proviso also to the State Department's Appropriation Act for fiscal year 1953 as follows:

"No representative of the United States Government in any international organization after fiscal year 1953 shall make any commitment requiring the appropriation of funds for a contribution by the United States in excess of  $33\frac{1}{3}$  percent of the budget of any international organization for which the appropriation for the United States contribution is contained in this Act: *Provided, however*, That this section shall not apply to the United States representatives to the inter-American organizations. . . ."

[This letter proviso clearly applies only to commitments made *after June 30, 1953* (the end of fiscal year 1953).]<sup>1</sup> It is the view of the Department that the commitment of the United States to pay its duly assessed share was undertaken in 1945 when this Government ratified the United Nations Charter and is not a product of the vote of the United States on the UN budget or scale of contributions. In abstaining on the contributions scale vote in the plenary last year the US Delegate, Representative John Vorys, stated, "We believe, however, that the principle adopted in 1948 should now be applied and any commitment of the United States to contribute more than  $33\frac{1}{3}$  percent will be based on the provisions of the Charter, not on the vote of the United States representatives." However, the Department wishes to make every effort to achieve its established objective of a one-third assessment and to satisfy the clearly expressed desire of Congress in this regard without delay. Therefore, the United States Delegation should press for the full reduction for the United States to  $33\frac{1}{3}\%$  at once.

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<sup>1</sup> Brackets in the source text.

The Delegation should point out that in the four years since the one-third ceiling principle was accepted by the 1948 General Assembly, the implementation of the principle has been extremely slow and the United States contribution has been reduced in that time by only 3 percentage points. The Delegation should point out further that certain other member states are still enjoying the benefit of special reductions granted originally on account of war-damage and dislocation although today these states have an economic out-put that is even larger than pre-war.

The United States has recently made high-level diplomatic approaches to other member governments, presenting the United States case for a reduction at once to  $33\frac{1}{3}\%$  along the general lines set forth above. The responses of the governments approached are still being reported and an analysis of them will be made available to the Delegation at an early date. With the evidence furnished by these responses, the Delegation should undertake extensive discussions with other delegations to gain support for the United States position before it is formally stated in committee.

A reduction of the United States share to  $33\frac{1}{3}\%$  would entail consequential adjustments for certain other members, including further reductions for Canada, New Zealand and Sweden if the per capita limitation is to be applied. The application of such adjustments is an intricate matter and the United States Delegation should leave to other delegations the initiative as to the procedure to be followed. The United States Delegation should, however, give favorable consideration to the calling of a special session of the Contributions Committee during the course of the Assembly to draw up an amended scale, if this action is proposed.

If the states subject to the per capita limitation should be unwilling to waive at this time their claim to further reduction, the United States Delegation should support their move for such reduction. Although the per capita limitation is not an altogether satisfactory rule in practice, the United States is morally bound to support it if the benefiting states insist, since the United States in 1948 accepted the inclusion of the per capita limitation as a necessary condition in gaining acceptance of the one-third ceiling principle.

As stated under "Recommendations", if it should become clear that the United States cannot obtain a reduction to  $33\frac{1}{3}\%$  for 1953, and if in the opinion of the Delegation further United States effort in this direction would run the risk of a complete overthrow of the Contributions Committee's report with the resultant loss of the 1953 reduction recommended for the United States and of the basis for a reduction to one-third next year, the Delegation should so report to the Department and seek further instructions.

315.2/10-3052: Circular telegram

*The Acting Secretary of State to Certain Diplomatic Missions in the Other American Republics and in the Near East and Africa*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 30, 1952—7:22 a. m.

500. Re: A-543 to Rio

Depciragam CON 2133 Apr 18 to Habana

Mexico City  
 San José  
 Ciudad Trujillo  
 Caracas  
 Tegucigalpa  
 Guatemala

Depciragam CON 2122 Apr 18 to Athens

Monrovia  
 Beirut  
 Damascus (AmLeg)

Your reply RefAgams indicated country to which you accredited favorable US budgetary position hold WHO and UNESCO budgets for 1953 to 1952 level. At WHO Conference rep of country to which you accredited did not vote to keep WHO budget to 1952 level. US position was defeated. Decision on UNESCO budget to be made at Gen Conference in Nov. US position will be to hold assessments on govts to 1952 level, i.e., \$8,718,000. In view WHO record, Dept requests you approach appropriate FonOff officials in your discretion along lines RefAgams to ascertain specific position govt to which you accredited on UNESCO budget and what instrs their delts will receive this issue.

BRUCE

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<sup>1</sup> Drafted by Carol C. Laise of the Division of International Administration, cleared with the Director of the Office of International Administration and Conferences (Ingram) and the geographic bureaus, and signed by the Acting Assistant Chief of the Division of International Administration (Anderson). Sent to 12 posts.

320/11-752: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 7, 1952—5:26 p. m.

40. For Hall. Dept concerned over reports LADels pressing for turnover Contributions Comite terms of ref and substitution straight natl income formula. This obviously attempt capitalize on current domestic political situation. USDel, in discussions LA and other delts

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<sup>1</sup> Drafted and signed by the Director of the Office of International Administration and Conferences (Ingram). Cleared in the Bureau of UN Affairs (Hickerson and Sandifer).

and as required in formal statements GA sessions, shld point out in strongest terms that one-third goal US contribution UN, first set under leadership late Senator Vandenburg, represents inflexible unity of opinion both parties. Must do everything possible make other dels understand foreseeable reaction of incoming administration on being faced with rebuff to US on this crucial issue. Cld have greatest effect on US public opinion and cld substantially condition attitude new administration toward fon aid generally and individual country proposals. If LADels continue maintain their concern is effect on own dollar contributions, on supposition wld be impossible burden Sov and satellite states with full impact US reduction one-third, offer to join with them in reducing budget to level which wld permit reduction US to one-third without requiring monetary increase their contribution 1953. Except insofar as modified by requirements this strategy, Dept authorizes del to support UK move 5th Comite for first reading decision on gross expenditure budget of \$48,700,000.

BRUCE

310/11-552

*Document Prepared in the Division of International Administration*<sup>1</sup>

[WASHINGTON, November 18, 1952.]

MEMBER CONTRIBUTIONS TO THE UNITED NATIONS  
AND  
MEMBER POPULATIONS

United Nations (UN)  
Regular 1952 Budget  
\$48,096,780

Country	Member Assessments		Population†
	%	\$42,940,000*	
Afghanistan	. 08	34, 352	Between 11 and 12 million
Argentina	1. 62	695, 628	15,893,827
Australia	1. 77	760, 038	8,431,391
Belgium	1. 35	579, 690	8,653,653
Bolivia	. 06	25, 764	3,019,031

<sup>1</sup> Drafted by G. Rice of the Division of International Administration and concurred in by the Acting Assistant Chief of the Division of International Administration (Anderson). Source text was attachment to letter from the Acting Assistant Secretary of State for Congressional Relations (Brown) to Congressman Prince H. Preston of Georgia, not printed (310/11-552).

\*Regular 1952 budget less \$6,399,800 estimated miscellaneous income, plus \$1,765,400 adjustment in the 1951 budget and miscellaneous income, less \$522,380 savings in 1951 accounts. [Footnote in the source text.]

†Census figures as shown in *The Statesman's Year-Book 1952*. [Footnote in the source text.]



<i>Country</i>	<i>Member Assessments</i>		<i>Population</i> †
	<i>%</i>	<i>\$42,940,000*</i>	
Brazil	1. 62	695, 628	52,645,479
Burma	. 15	64, 410	Estimated 17 million
Byelorussian S.S.R.	. 34	145, 996	10,400,000
Canada	3. 35	1, 438, 490	14,009,429
Chile	. 35	150, 290	5,866,189
China	5. 75	2, 469, 050	452,548,000
Colombia	. 37	158, 878	11,259,700 (Est.)
Costa Rica	. 04	17, 176	8,77288 (Est.)
Cuba	. 33	141, 702	4,778,583
Czechoslovakia	1. 05	450, 870	12,513,000
Denmark	. 79	339, 226	4,281,275
Dominican Republic	. 05	21, 470	2,121,083
Ecuador	. 05	21, 470	3,200,000
Egypt	. 60	257, 640	19,087,304
El Salvador	. 05	21, 470	1,187,136
Ethiopia	. 10	42, 940	8 million to 10 million
France	5. 75	2, 469, 050	42,400,000 (Est.)
Greece	. 18	77, 292	7,603,599
Guatemala	. 06	25, 764	2,787,030
Haiti	. 04	17, 176	3,111,973
Honduras	. 04	17, 176	1,533,625
Iceland	. 04	17, 176	144,293
India	3. 53	1, 515, 782	356,891,624
Indonesia	. 60	257, 640	78,000,000 (Est.)
Iran	. 40	171, 760	Between 14 and 16 million
Iraq	. 14	60, 116	4,799,500
Israel	. 17	72, 998	1,535,000
Lebanon	. 06	25, 764	1,246,580
Liberia	. 04	17, 176	Over 1½ millions
Luxembourg	. 05	21, 470	298,578
Mexico	. 65	279, 110	25,581,250
Netherlands	1. 27	545, 338	10,200,280
New Zealand	. 50	214, 700	1,939,472
Nicaragua	. 04	17, 176	1,053,189
Norway	. 50	214, 700	3,156,950
Pakistan	. 79	339, 226	4,021,616
Panama	. 05	21, 470	801,982
Paraguay	. 04	17, 176	1,405,627 (provisional)
Peru	. 20	85, 880	7,023,111
Philippines	. 29	124, 526	19,234,182
Poland	1. 36	583, 984	Total not given
Saudi Arabia	. 08	34, 352	About 2 million
Sweden	1. 73	742, 862	7,043,701
Syria	. 09	38, 646	3,252,687 (Est.)
Thailand	. 21	90, 174	17,517,742
Turkey	. 75	322, 050	20,934,740
Ukrainian S.S.R.	1. 30	558, 220	38,500,000
Union of South Africa	. 90	386, 460	12,646,375
U.S.S.R.	9. 85	4, 229, 590	143,194,778 †
United Kingdom	10. 56	4, 534, 464	48,998,876

†Does not include Byelorussian S.S.R. and Ukrainian S.S.R. population figures.  
 [Footnote in the source text.]

Country	Member Assessments		Population †
	%	\$42,940,000*	
United States	36.90	15,844,860 †	150,697,000
Uruguay	.18	77,292	2,353,000 (Est.)
Venezuela	.32	137,408	4,985,716
Yemen	.04	17,176	3,500,000
Yugoslavia	.43	184,642	15,772,098

†Gross assessment. Due to credit of \$404,000 as result of adjustment of advances to Working Capital Fund on basis of 1952 scale of assessments, U.S. net assessment is \$15,440,860. [Footnote in the source text.]

IO files, US/A/3548

*Plenary Position Paper Prepared by the United States Delegation to the General Assembly*

RESTRICTED

[NEW YORK,] December 4, 1952.

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS: REPORT OF THE FIFTH COMMITTEE (A/2286)

1. UNITED STATES POSITION

The United States should abstain on the report and the resolution recommended by the Fifth Committee. This resolution adopts the scale of assessments for 1953, recommended by the Committee on Contributions, which reduces the United States share to 35.12%. The resolution also decides that from 1 January, 1954, the assessment of the largest contributor shall not exceed one-third of total assessments against Members. This is the first time that definite assurance has been given the United States regarding the implementation of the ceiling principle adopted in 1948. The United States should vote against the draft resolution proposed by the USSR (A/L.122). This resolution in practically the same form was rejected in the Fifth Committee by a vote of 5-37-6.

The United States should vote under Rule 67 against plenary debate of the Fifth Committee report. It is necessary, however, that the United States explain its vote by a statement along the lines of the attached draft (Annex A).

2. HISTORY IN COMMITTEE

The United States vigorously pressed for an immediate reduction of its percentage to 33 $\frac{1}{3}$ % during Fifth Committee discussions (Press Release #1579). Many delegations were sympathetically inclined toward the United States position, but were fearful that an overthrow of the scale recommended by the Committee on Contributions would lead to a chaotic situation. These delegations, led by the Canadians

who agreed to forego benefits which they would otherwise derive from the per-capita principle as the United States share was reduced, supported the compromise solution contained in this report. This solution was designed to give the United States assurance that its wishes would definitely be accommodated by 1954. The United States abstained in the vote on the resolution now before the Assembly. The vote on the draft resolution as a whole was 38-7-3.

### 3. POSSIBLE DEVELOPMENTS IN PLENARY

It is anticipated that the Fifth Committee report will be adopted. The Soviet bloc may seize this opportunity to again attack the United States along the line followed in Fifth Committee, i.e., "failure to provide income tax exemption for United States nationals on Secretariat, requiring reimbursement to United States Treasury out of United Nations funds; restraint of trade which makes difficult payment of Member assessments; and war profiteering of United States, while others suffered immense devastation". (A full rebuttal to these charges was made by Senator Wiley in a speech in Fifth Committee, on November 14, 1952, Press Release #1583.)

[Attachment] Annex A

#### DRAFT STATEMENT

Explanation of Vote on the Report of the Fifth Committee (Scale of Assessments) by the Honorable Alexander Wiley, United States Delegate to the General Assembly, in Plenary Session, November 1952.

MR. PRESIDENT: I appreciate this opportunity to explain the vote of the United States on the report of the Fifth Committee on contributions for 1953. This is a most important and complex question.

As I have repeatedly attempted to make clear to the Fifth Committee, the reduction of the United States' share of the regular expenses of the United Nations to the one-third ceiling, is a matter of great moment and a source of considerable concern within my government. This is evident from the fact that for two successive years the Congress of the United States has passed laws which place restrictions on our representatives to international organizations with regard to assessed financial commitments on the United States in excess of one-third of the total assessments. My previous statements in the Fifth Committee, urging action to implement the one-third principle *now*, were made with these legal limitations, as well as the United States Delegation's convictions, in mind.

For several years, delegations from the United States have stated the case for the one-third ceiling principle with earnestness and sin-

cerity. They have attempted, as I have endeavored this year, to make it abundantly clear that the United States looks upon this question as one of *principle*—not one of money. I reminded my colleagues in Committee 5 of the vast contributions which the United States Government has freely made to the total undertakings of the United Nations and its related Agencies. Contributions which have reached a total of \$580 millions since 1946—a total which does not, and cannot, take into account the thousands of American lives and billions of dollars being directly spent by the United States in support of United Nations principles in Korea. I mention these considerations, not in an effort to claim credit, but in an effort to again underscore the fact that my Government is primarily concerned about the principle at issue. We believe it is vitally important to the United Nations that it not be dependent upon any one Member State for more than one-third of its regular income. We believe that in an international organization composed of sixty sovereign states, with equal privileges and responsibilities, there should be more equality in contributions. We believe that contrary conditions mitigate against the best long run interests of the United Nations.

I shall not again repeat the many reasons why I believe it would have been both wise and just for this Assembly to have approved the resolution submitted by my Delegation. This resolution would have fixed the share of the largest contributor at one-third as of 1 January 1953. Since this did not find favor with the majority of the Fifth Committee, I had no alternative but to abstain on the proposal to establish the ceiling at one third for 1954. We also abstained on the resolution adopting the report of the Committee on Contributions. In any event, Sir, I believe that it is manifest, as the distinguished delegate and parliamentarian of Norway pointed out in the Fifth Committee, that any commitment of the United States to contribute more than 33 $\frac{1}{3}$ % is based on the provisions of the Charter, and not on the vote of the United States representative.

I should not like to close without a reference to the Committee 5 efforts of the Canadian and other delegates, who obtained Committee agreement on the resolution we have considered today. While this agreement is not all that my Government deems warranted under the circumstances, it does constitute a firm step forward in that, for the first time, there is definite assurance that the ceiling principle will be finally implemented beginning 1 January 1954. This in itself is gratifying, and those who labored to bring about this result, are entitled to the appreciation of all of us who have the best interests of the United Nations at heart.

In summary, Sir, I hope that this Assembly will accept the assurances of my Delegation that the United States will continue to do its part in the support of the United Nations. I hope also that you will

understand that our abstention today was dictated by a spirit of cooperation. Since I could not vote for the report, I did the next best thing by abstaining. I did so because I recognize that there is much that is good in the report on contributions, and because I appreciate the goodwill which lies behind the 1954 assurance. It is my fervent wish, Mr. President, that this example of give-and-take—this product of a willingness to come at least part of the way toward accommodating differing points of view—might spur us on, in the same spirit, toward significant accomplishments in the settlement of the major problems which confront us.

I thank you, Mr. President.

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10 files, SD/A/C.5/203

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

RESTRICTED

[WASHINGTON,] September 8, 1953.

SCALE OF ASSESSMENT FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS: REPORT OF THE COMMITTEE ON CONTRIBUTIONS

#### THE PROBLEM

Although the report of the Committee on Contributions has not yet been issued, it is expected to recommend a scale of assessments for 1954 in which the United States assessment is reduced to 33 $\frac{1}{3}$ % as directed by the last General Assembly (a reduction of 1.79 percentage points from 35.12% for 1953). The assessments of the 3 Soviet states and Poland will be increased somewhat but not to the full extent justified by these countries' capacity to pay. The recommended scale is also expected to include minor adjustments for a number of other states, including some reduction for the United Kingdom. It is not anticipated that other Governments will make a serious attempt to reject the Committee's recommendations. However, in connection with the reduction of the U.S. share to 33 $\frac{1}{3}$ %, an attempt may be made to inject the issue of the continued U.S. delay in granting any sort of exemption or credit to U.S. nationals on the Secretariat as regards U.S. income taxes on their UN salaries. What should be the U.S. position on the Contributions Committee's report if it follows the lines anticipated?

#### UNITED STATES POSITION

1. The United States Delegation should express appreciation for the conscientious work of the Committee on Contributions. It should express gratification in particular at the full implementation of the one-third ceiling principle.

2. The Delegation should express its concern that the Contributions Committee has not recommended the removal of all major discrepancies from the scale for 1954, and should draw attention particularly to the fact that certain countries, including the Soviet states, remain substantially underassessed. It should state the U.S. view that the continuance of these discrepancies is unjustified, and should urge that they be removed as quickly as possible.

3. If it should be proposed to instruct the Contributions Committee to prepare a semi-permanent scale for consideration at the next Assembly, perhaps along the lines contemplated by Rule 159, the United States should oppose such a move as being premature as long as substantial discrepancies remain in the scale.

4. If the issue of U.S. failure thus far to grant tax exemption or tax credit in respect of UN salaries of U.S. nationals is raised in connection with the U.S. assessment, the Delegation should take the position that this issue should be considered separately from the contribution scale.

#### COMMENT

Since the major United States interest in the scale of contributions for 1954 is the final implementation of the one-third ceiling, the Delegation should not take a leading part in the discussion of the scale unless the expected reduction for the U.S. should be called into serious question. The Delegation should, however, call attention to the fact that the Contributions Committee has not carried out its intention of completing the removal of all major discrepancies from the scale by 1954. In particular, the Soviet states remain underassessed and at the present rate of adjustment it would take at least until 1956 to bring them to their proper level. The fact of Soviet under-assessment continue to be a matter of concern to the United States even when the U.S. share is reduced to 33 $\frac{1}{3}$ %. The Delegation should urge that all remaining discrepancies be corrected as quickly as possible. If it would facilitate a solution to lay down specific instructions in this regard for the Committee on Contributions, the Delegation should propose or support such instructions.

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320/9-2853 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, September 28, 1953—1 p. m.

Delga 39. Re United Nations staff assessments, Deptel 115.<sup>1</sup> I have asked Ambassador Wadsworth to handle this question for me. It is his

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<sup>1</sup> Not printed.

view that on administrative and legal grounds it would be preferable to adopt tax exemption legislation. Such legislation would be difficult to obtain at present, in Ambassador Wadsworth's view. Accordingly, he recommends Department request tax credit legislation for United States nationals in international organizations.

LODGE

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10 files, SD/A/C.5/213

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

OFFICIAL USE ONLY

[WASHINGTON,] September 11, 1954.

SCALE OF ASSESSMENT FOR THE APPORTIONMENT OF THE EXPENSES  
OF THE UNITED NATIONS: REPORT OF THE COMMITTEE ON  
CONTRIBUTIONS

THE PROBLEM

Although the report of the Committee on Contributions has not yet been issued, it is expected to recommend a scale of assessments for 1955 in which the United States assessment would remain at 33.33%, and the aggregate assessment of the three Soviet states would be increased by 1.08 percentage points to 17.61%. The assessments of 6 other states including Canada and France would be increased, and the assessments of 15 states would be decreased by minor amounts. What should be the U.S. position on the Contributions Committee's report if it follows these lines?

UNITED STATES POSITION

1. The United States should express appreciation for the conscientious work of the Committee on Contributions.
2. At the same time, the Delegation should express its concern that the Contributions Committee has not recommended the removal of all major discrepancies from the scale for 1955, and should draw attention particularly to the fact that certain countries, including the Soviet states, remain substantially underassessed. It should state the U.S. view that the continuance of these discrepancies is unjustified, and should urge that they be removed in their entirety for 1956 in order to clear the way for consideration of a more permanent scale.
3. If it should be proposed that the draft 1955 scale be applied also to 1956, the United States should oppose such a move as being premature as long as substantial discrepancies remain in the scale.
4. In regard to the principle that no Member shall be assessed more *per capita* than the *per capita* assessment of the largest contributor

(*per capita* limitation principle), the Delegation should informally canvass the delegations of the countries which stand to benefit from the limitation. If it is clear that these countries are prepared to see the *per capita* limitation principle abandoned, the Delegation may support such abandonment. If this is not the case, the United States should make clear in any formal statement that (a) this principle is not necessarily a corollary of the one-third ceiling principle; (b) the United States supported the adoption of the *per capita* principle in 1948 at the time the one-third ceiling principle was adopted; (c) the U.S. agrees that full implementation of the *per capita* limitation should take place only as new membership and improved economic conditions permit such implementation to take place without hardship to other Member states; and (d) the United States does not believe reconsideration of the *per capita* limitation is required at this time.

#### COMMENT

Since the United States has accomplished its major objective of a full implementation of the one-third ceiling principle, it should not take a leading part in the discussion of the draft scale. The Delegation should, however, call attention to the fact that the Contributions Committee has been moving progressively more slowly in eliminating the remaining major discrepancies from the scale. In particular, the three Soviet states remain underassessed, and at the present rate of adjustment it would require more than another year to bring them to their proper level. The fact of Soviet underassessment continues to be a matter of concern to the United States even when the U.S. share has been reduced to 33 $\frac{1}{3}$ %. The Delegation should urge that all remaining discrepancies be corrected for 1956. If it would facilitate a solution to lay down specific instructions in this regard for the Committee on Contributions, the Delegation should propose or support such instructions.

With regard to the *per capita* limitation, the Report of the Contributions Committee is expected to propose a reconsideration of the principle as being of doubtful equity in the allocation of costs among Members. The United States supported the recognition of the *per capita* limitation in 1948 as a practical necessity in obtaining support for the one-third ceiling principle. Canada has been the most active promoter of the *per capita* limitation, and the United States is obligated to support the limitation in principle except in the unlikely event that Canada and the other beneficiary countries are ready to abandon it. It is more likely that these countries will insist upon the retention of the principle but will be willing to forego the benefits for the present.



UNITED STATES POLICY REGARDING PROBLEMS  
ARISING FROM THE QUESTION OF THE REPRESENTATION OF CHINA IN THE ORGANS OF THE UNITED NATIONS <sup>1</sup>

CA files, lot 57 D 663, "Chinese Representation at UN, 1952"

*Memorandum Prepared in the Office of Chinese Affairs*

SECRET

[WASHINGTON,] March 20, 1952.

QUESTION OF CHINESE REPRESENTATION IN UNITED NATIONS AND  
SPECIALIZED AGENCY BODIES

By an informal exchange of communications between the Secretary and Mr. Morrison in June of last year, we reached an understanding with the United Kingdom on the Chinese representation issue. Under this "moratorium arrangement" it was understood that "our two delegations to the United Nations should consult in advance to concert on procedures which both delegations could support for avoiding a vote on this "issue". Pursuant to this agreement the UK and US have supported proposals to postpone consideration of the Chinese representation issue, whenever this question has been raised in the various UN and specialized agency bodies. This postponement procedure has been supported by a large majority of states, including certain non-Soviet states which recognize the Chinese Communist regime. The chief reason for the wide support for the postponement action was the Korean aggression.

If a Korean armistice is concluded <sup>2</sup> the Chinese representation problem may become acute, particularly in those UN and specialized agency bodies so composed that they contain a large number of states recognizing the Chinese Communist regime. Since a number of the European states which recognize the Chinese Communists tend to follow the lead of the UK on the Chinese representation issue, the key to our holding the line will be the continuance of the "moratorium arrangement" or some other agreement with the UK. There was no indication in the exchange of communications with the UK as to how long the "moratorium arrangement" would apply, but the general assumption was that it was operative at least for the duration of the

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<sup>1</sup> Continued from *Foreign Relations*, 1951, vol. II, pp. 209 ff.

<sup>2</sup> For documentation on Korea, see volume xv.

Korean aggression, and the UK has made it clear in its UN statements that the Korean aggression was the reason for its support of the postponement action. We do not know precisely what the UK position is as to the continuance of the "moratorium arrangement" after an armistice. On February 27 of this year, however, the UK representative in the Trusteeship Council, in supporting the US postponement action, stated that "even if . . . the armistice negotiations were successful, it would still be inadvisable to discuss the [Chinese representation]<sup>3</sup> question during the next few months". We plan to have our Mission in New York informally ascertain from Mr. Jebb at an appropriate time whether this statement reflects UK intention to continue the "moratorium arrangement" after the conclusion of a Korean armistice.

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<sup>3</sup> Brackets in the source text.

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340/3-1352 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, March 13, 1952—10:59 a. m.

334. Fol is position which should be taken USReps all functional Comisns ECOSOC, except Narcotics Comisn, on Chi representation issue.

1. Any motion to unseat regular Member or alternate is out of order on ground ECOSOC functional Comisns not competent decide representation question in view fact ECOSOC determines method of representation these Comisns. Consequently, any question re right either regular Member or alternate to participate in Comisns shd be raised in and decided by Council.

2. Re regular Members, in accordance ECOSOC resolutions establishing Comisns, although states are initially elected by ECOSOC, individuals nominated by govts after consultation with SYG, are confirmed by name by Council.

3. Re alternates, rule 13 of Rules of Procedure of Functional Comisns (adopted by ECOSOC for Comisns) provides as follows: "When a member of the Comisn is unable to attend the whole or part of the session, and his govt has designated an alternate in consultation with the SYG, such alternate shall have the same status as a member of the Comisn, including the right to vote". Regular Chi

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<sup>1</sup> Drafted by Betty Gough of the Office of UN Political and Security Affairs (UNP) and approved and signed by David W. Wainhouse, Director of the Office. (During the years 1952-1954 Gough very often was the UNP drafting officer on matters relating to the Chinese representation issue.) Instructions drafted in UNP on the question of Chinese representation normally were cleared by the geographic bureaus, each of which had UN advisers, and by the office of the Assistant Legal Adviser for UN Affairs (L/UNA).

members of the Comisns were designated by name by Chi Natl Govt and confirmed by ECOSOC. Consequently, Chi Natl Govt has right in consultation with SYG to appoint alternate and Comisns are not competent deal with any motion unseat such alternate.

Dept suggests that best procedure is discuss matter in advance with Chairman each Comisn, with view to having matter handled, as has been general past practice, by ruling of chair.

ACHESON

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340/4-552: Airgram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, April 5, 1952.

A-78. Subject: Chinese Representation

1. Following is the basic position paper on Chinese representation which will be included in the instructions to US Representatives to those UN and specialized agency bodies which are composed of government representatives. (See Deptel 334 to USUN, dated March 13, 1952 for US position on the Chinese representation issue in all functional Commissions of ECOSOC, except the Narcotics Commission; since the Narcotics Commission is composed strictly of government representatives, the US Representative to that Commission will be instructed to follow the position set forth below.) Dept will revise the position paper, as necessary, for each body to take into account any special procedural problems or any general political developments affecting the Chinese representation issue.

2. The Department requests that a USUN political adviser assist US Delegations to technical bodies on the Chinese representation issue, both in the diplomatic preparations in advance of the session and at the first meeting. The Narcotics Commission is scheduled to convene on April 17, and the UNICEF Exbd on April 22.

*The Problem*

The problem is to determine US position in the event that the Chinese representation question is raised at the forthcoming session of \_\_\_\_\_

The Chinese representation issue is likely to arise at the outset of the first meeting of the session in the form of a Soviet bloc proposal to exclude the representatives of the Chinese National Government and/or to invite Chinese Communists to participate [or to seat Chinese Communist representatives].<sup>1</sup> It is also possible (although unlikely) that the question may arise in the form of a proposal to include the question of the representation of China in the agenda.

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<sup>1</sup> Brackets throughout this document are in the source text.

*Recommendations*

1. In the event that a proposal is made to exclude the Chinese National representatives and/or to invite Chinese Communists to participate [or to seat Chinese Communist representatives], the United States Representative should initiate or support a motion to postpone discussion of or action on such a proposal. He should ensure that this procedural motion is put to the vote first. It should be made clear that the adoption of this postponement motion would result in the continued seating of the representatives of the Chinese National Government. In advancing this procedural motion, the United States Representative should make a statement along the lines of paragraph 2 of the "Comment" section below.

2. In the event that a proposal is made to include the question of the representation of China in the agenda, the United States Representative should move that the question of the inclusion of such an item in the agenda be postponed. In advancing this procedural motion, the United States Representative should make a statement along the same general lines as paragraph 2 of the "Comment" section below. As in 1 above, it should be made clear that the adoption of this procedural motion would result in the continued seating of the representatives of the Chinese National Government.

3. If it appears that the Chinese representation question is likely to arise, i.e., if USSR or Soviet bloc representatives attend the session, the United States Representative should consult in advance with other friendly members, beginning with the United Kingdom, in an effort to obtain as wide support as possible for the postponement action.

4. If, nevertheless, the above postponement procedure (or some other procedure which avoids a vote on the substance) is not followed and the substance of the Chinese representation question is put to the vote, the United States Representative should actively oppose and vote against any proposal to exclude the representatives of the Chinese National Government and/or seat Chinese Communists. The continued opposition of the United States to any such proposal should be strongly reaffirmed.

*Comment*

1. By advancing a procedural position and avoiding a vote on the substance we can most easily achieve our objective with respect to the Chinese representation issue, i.e., the continued seating of the representatives of the Chinese National Government in all UN and specialized agency bodies. The postponement procedure set forth above has been followed in nearly all UN and specialized agency bodies since June of last year, when the United Kingdom agreed to support such proposals. A large majority of states (including most non-Soviet states which recognize the Chinese Communist regime) have supported this

action. The postponement procedure should therefore be followed unless there is general agreement on some other procedure which will avoid a vote on the substance and which will ensure the continued seating of the representatives of the Chinese National Government.

2. *Statement by US Representative*

"The opposition of the United States Government to the unseating of representatives of the Chinese National Government and to the seating of Chinese Communists has been made clear time and time again. I now reaffirm this position. In the view of my government, it is out of the question even to consider a proposal to exclude the representatives of the Chinese National Government and/or to seat Chinese Communists at a time when the international conduct of the Chinese Communist regime departs so drastically from the normally accepted standards of international conduct, and when this regime has shown no respect for or intention to abide by the principles for which the United Nations stands as exemplified by its action and its defiance of the United Nations in Korea.

"For these reasons, I move that this body postpone further discussion of this question. This motion has precedence over the [Soviet] proposal to exclude the Chinese National Representative and/or to seat a Chinese Communist, and if it is adopted, as my delegation strongly urges, it would result in an indefinite postponement of any further discussion of the proposal and the continuance of the Chinese National representative in this body".

ACHESON

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310.2/5-2852 : Telegram

*The Secretary of State to the Embassy in Egypt*

CONFIDENTIAL

WASHINGTON, June 3, 1952—11:38 a. m.

1879. Re urtel 2117 May 28,<sup>1</sup> you may inform Fawzi as follows:

(1) Except as indicated para 2, USReps all UN and specialized agency bodies are instructed take position that discussion of and action on any proposals unseat reps Chi Natl Govt and/or seat Chi Commies shd be indefinitely postponed on ground Chi Rep issue shd not even be considered at time conduct Chi Commie regime departs so drastically from normally accepted standards intel conduct and when regime has shown no respect for or intention abide by principles for which UN stands as shown by its defiance UN in Korea. If this procedural

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<sup>1</sup> Not printed. The Ambassador in Egypt (Caffery) reported that the Egyptian Foreign Minister had requested information as to "standing instructions which have been issued to our dels to UN groups re their attitude toward Chi Rep when question raised. . . . He wants this information to coordinate instrs to Egypt dels with ours. . . ." (310.2/5-2852)

motion were not adopted and substance Chi Rep issue were put vote USReps wld, of course, actively oppose and vote against any proposal unseat Chi Natl Reps and/or seat Chi Commies.

(2) In certain expert and quasi expert bodies such as Intl Law Comisn, Advisory Comite on Admin and Budgetary Question, Comite on Contributions, ECOSOC functional Comisns, US Members take position these bodies not competent consider or take action on proposal unseat Member on ground individual membership determined by other body.

For ur info, in adopting above position designed deal Chi Rep issue on procedural basis and avoid vote on substance, we have sought (a) to provide formula which all free world UN Members, including those which recognize Chi Commies, cld support and thus avoid public airing basic differing views; and (b) to achieve most easily our basic objective re Chi Rep issue, i.e., contd seating Chi Natl Reps in all UN and SA bodies. Postponement procedure which has been followed in nearly all bodies since June last year has been supported by large majority UN Members. Words "indefinitely postponed" para 1 above normally interpreted each body to mean for duration session.

ACHESON

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310.2/9-2852: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 8, 1952—8:04 p. m.

110. Re Chinese representation. Dept requests you attempt work out with UK, *ad referendum*, precise formulae for dealing with Chi Rep issue in seventh GA. When procedures have been agreed Dept will wish you approach other dels, particularly Can, Mex and Fr.

1. We assume question likely be raised (a) as at fifth GA, at outset session in form Sov motion to exclude reps Republic of China and seat Chi Commies; or (b) as at sixth session, in form Sov request for inclusion question of representation of China in GA agenda.

2. If matter raised latter form most widely acceptable procedure might be have General Comite recommend to plenary resolution along lines it adopted last year (Doc A/1950). Such a resolution might recall recommendation to sixth session; note that nothing has developed to change sense expressed by GA at that time that consideration this question is not opportune or appropriate; recommend therefore that GA reject Sov request for inclusion Chi Rep question in agenda and

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<sup>1</sup> Drafted by Gough and Wainhouse, cleared with the geographic bureaus and L/UNA, and approved for transmission and signed by the Deputy Assistant Secretary of State for UN Affairs (Sandifer). Repeated to London as telegram 1815, Sept. 12.

decide to postpone consideration, for duration seventh session, of any further proposals exclude reps Natl Govt of China from GA or to seat reps Central People's Govt of People's Republic of China to represent China in GA.

3. If issue raised in form (a) above, best course of action might be introduction in plenary of resolution along above lines changing operative part somewhat as follows: decides to postpone consideration, for duration seventh session, of Sov proposal and of any further proposals exclude reps Natl Govt of China from GA, etc. We wld, of course, have to take necessary steps to ensure that this procedural motion is put to a vote before SOV proposal, possibly formally requesting that Pres, in accordance Rule 91, put this question of procedure to a vote.

4. Re question sponsorship Chi Rep formula, Dept wld prefer, as last year, that some other del initiate proposal and that US actively support. Phil is possibility.

5. We assume UK will have no difficulty in agreeing proposals along lines suggested above since these proposals do not differ in substance from formula agreed to in Paris last year.

6. In unlikely event UK indicates preference that action be *sine die*, you shd indicate that we believe it most desirable that some time limit be specified in motion in order ensure that Sovs will not be able obstruct proceedings throughout session by repeatedly raising Chi Rep issue. Only time limit which seems feasible to us wld be for duration seventh session.

ACHESON

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IO files,<sup>1</sup> SD/A/271

*Position Paper Prepared in the Department of State for the United States Delegation to the Seventh Regular Session of the General Assembly*

CONFIDENTIAL

WASHINGTON, September 12, 1952.

#### APPOINTMENT OF THE CREDENTIALS COMMITTEE

##### THE PROBLEM

The problem is to determine the position of the United States Delegation with respect to the composition of the Credentials Committee. This Committee is composed of nine members and is appointed by the General Assembly on the proposal of the Temporary President (Padilla Nervo—Mexico).

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<sup>1</sup> Master files of the Reference and Documents Section, Bureau of International Organization Affairs.

## RECOMMENDATION

The United States Delegation should accept any slate proposed by the Temporary President provided that (a) the geographic distribution of countries approximates that of the last regular session; and (b) the slate reflects Assembly sentiment on recognition of the Chinese Communist regime. As of September 4, only 17 of the 60 UN Members had recognized the Regime, including Byelorussia and the Ukraine.\* On this basis the Committee should include not more than three states which have recognized the Chinese Communists.

## COMMENT

Rule 28 of the Assembly's Rules of Procedure provides that "A Credentials Committee shall be appointed at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. . . ." The appointment of the Credentials Committee is normally the fourth item on the Assembly's agenda; it is preceded by the formal opening of the session, a minute of silent prayer or meditation and a statement by the Temporary President (the Chairman of the delegation from which the President of the previous session was elected, i.e., Padilla Nervo (Mexico)).

The Credentials Committee of the sixth session was composed of the following states: Bolivia, Byelorussia, Ethiopia, France, Haiti, Indonesia, Iraq, New Zealand and Norway.

The Temporary President, in proposing the Credentials Committee slate, acts on the recommendation of the Secretariat, and the Secretariat checks the slate in advance with major delegations, including the United States. In the past the Secretariat has always been amenable to changes suggested in the slate by the United States Delegation. In view of the Chinese representation issue, the Delegation should make every effort to ensure that the slate is drawn up by the Secretariat and proposed by the Temporary President in accordance with the above recommendation. In the unlikely event that such a slate is not proposed, the Delegation should move appropriate changes in the plenary session.

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\*UN Members which have recognized the Chinese Communist regime are as follows: UK, Norway, Sweden, Denmark, Israel, Indonesia, Afghanistan, Burma, Netherlands, USSR, Byelorussia, Ukraine, Czechoslovakia, Poland, Yugoslavia, Pakistan and India. [Footnote in the source text.]



310.2/9-1652 : Telegram

*The Ambassador in the United Kingdom (Gifford) to the Department of State*

SECRET

LONDON, September 16, 1952—6 p. m.

1533. Dept pass USUN New York. Re Chinese representation FonOff anticipates no difficulty United States-UK delegates working out necessary formulae at New York in view fact Dept's views as set forth in tel 1815, Sept 12 (110 to USUN September 8) appear to UK to be in line with "moratorium understanding" this question.

In course conversation FonOff mentioned its concern with Chinese representative question in relation to WHO. UK believes that concurrence in its readmission to and reassessment its share of WHO could be interpreted as implying recognition Chinese Nationalist Government which UK wishes to avoid. Point is evidently worrying FonOff, particularly fact Dept is actively supporting Chinese Nationalists.

GIFFORD

320/9-2352 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 23, 1952—1:02 p. m.

127. 1. Re Chi representation formulae for GA, Dept approves drafts recd from Hyde by pouch<sup>2</sup> which we understand UKDel has accepted without change. Suggest you proceed discuss these procedures with Can, Mex and Fr and subsequently with other appropriate and representative dels. As indicated Deptel 110, although we wld actively support we wld prefer not sponsor proposed formulae and hope you will be able line up appropriate sponsor.

2. Text of draft motion in plenary "I move that the GA postpone for the duration of its Seventh Regular Session consideration of all proposals to exclude reps of the govt of the Republic of China and seat reps of the Central Govt of the People's Republic of China."

3. Text of draft Res in Gen Comite "The Gen Comite

*Recalling* that the GA at its Sixth Regular Session decided to postpone consideration for the duration of the mtg in Paris of the Sixth Regular Session of any proposals to exclude reps of the Natl Govt of China from the Assembly or to seat reps of the Central Govt of the People's Republic of China to represent China in the Assembly; and

*Considering* that the circumstances leading to that decision of the GA have not changed, and that therefore consideration of this question by the GA is neither opportune or appropriate;

<sup>1</sup> Drafted by Gough and Wainhouse, cleared by the geographic bureaus and L/UNA, and approved for transmission and signed by Sandifer.

<sup>2</sup> USUN drafts not found in Department of State files.

*Recommends* that the GA decide to reject the request of the Sov Union for the inclusion on the agenda of the Seventh GA of the additional item entitled '(precise description of SOV item)'; and

*Recommends* that the GA decide to postpone consideration for the duration of the Seventh Regular Session, of any further proposals to exclude reps of the Govt of the Republic of China from the Assembly or to seat reps of the Central Govt of the People's Republic of China to represent China in the Assembly".

ACHESON

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810.2/10-652 : Telegram

*The United States Representative at the United Nations (Austin)  
to the Department of State*

CONFIDENTIAL

NEW YORK, October 6, 1952—6:39 p. m.

326. Re Chinese representation. Gross discussed with Padilla Nervo, Chi representation question (Deptel 127, Sept 23). Padilla strongly inclines to view question cannot properly be raised by point of order and would like our comments. He would be prepared to rule out of order Sov attempt to raise Chi representation question at outset GA and if challenge is made, to call for GA vote at once without discussion on the challenge to his ruling.

Gross explored possible advantage of disposing of matter on basis contemplated para 2 ref tel.

Dept's views urgently requested.

AUSTIN

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810.2/10-652 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 7, 1952—6:19 p. m.

PRIORITY

152. Re Chinese representation, urtel 326. If USSR raises Chi Rep issue on point of order at outset, we wld prefer that question be disposed of at once for whole of session on basis motion outlined Deptel 127. USSR wld bitterly oppose cutting off debate technique suggested by Padilla and despite his efforts obtain challenge and immediate vote there might be involved procedural wrangle. Moreover, suggested

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<sup>1</sup> Drafted by Gough, Wainhouse, and the Deputy Director of the Office of UN Political and Security Affairs (Popper); cleared by the Bureau of Far Eastern Affairs and the Bureau of Inter-American Affairs and L/UNA; approved for transmission by Sandifer; and signed by the Assistant Secretary of State for UN Affairs (Hickerson).

procedure wld certainly lead to question arising short time later in magnified form either in Credentials Comite or in GC on inclusion new agenda item. However, FYI if Padilla insists on ruling Sov motion out of order, we wld ultimately go along.

As technical matter Padilla cld hold Sov motion out of order on ground question shd properly be raised in Credentials Comite or in form proposal to include new agenda item but we think this interpretation of the rules is incorrect. It cld be argued that Rule 29 contemplated right Members challenge seating any Del at outset GA session, and in any case at fifth session Pres did permit discussion of and action on Chi Rep issue at outset.<sup>2</sup>

ACHESON

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<sup>2</sup>In USUN telegram 344, Oct. 10, 10:28 p. m., Ambassador Gross informed Hickerson: "I talked with Padilla Nervo along lines Deptel 152, October 7. He agrees to procedure recommended." (310.2/10-1052).

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320/11-2652: Telegram

*The Ambassador in the United Kingdom (Gifford) to the Department of State*

CONFIDENTIAL

LONDON, November 26, 1952—6 p. m.

2988. UN political Dept FonOff yesterday called Embassy officer in to inform Embassy of seriousness with which FonOff views recent developments in US handling of moratorium on Chi Commie representation.

FonOff summarized US draft res at UNGA Oct 17 recommending that GA postpone consideration Chi Commie representation and that Chi Nationalist credentials be considered in order and developments at UNESCO mtg Nov 12 on similar subj. At latter mtg UK del had been instructed to enter reservation similar to that of India and Yugo, but had neglected to carry out his instruction and opportunity for UK to present its views had been lost. Also, when question was raised by Czech del at recent mtg of Internatl Sugar Council, no reply on Chi rep had been made.

FonOff stated that developments at UNESCO were not to be taken as a precedent and that, if question of Chi Commie representation comes up in this form in future, UK will either enter reservation about Chi Nationalist credentials or abstain. UK understanding is that moratorium is simply to have postponement of question of Chi rep without discussion on substantive matter; it fears that US wants not only postponement but also endorsement of Chi Nationalist credentials and in UK view this is going too far.

Next scheduled mtgs at which matter may arise are ITU and IPU [UPU?]mtgs in Jan; UK is anxious that Dept adhere to understand-

ing originally reached in order that UK not be forced to enter reservation re Chi Nationalist credentials and that possible open US-UK disagreement be avoided.

Brit Emb Wash is being instructed to raise this question with Dept.

GIFFORD

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310.2/12-1952

*Memorandum of Telephone Conversation, by Paul W. Jones of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] December 19, 1952.

Subject: Chinese Representation

Mr. Wenner telephoned me on December 19 to inform me of the British position if the Chinese representation issue should arise in the Fiscal Commission, Population Commission, Statistical Commission and Transport and Communication Commission, which, he said, were meeting in January or February of next year. He stated that the UK took the position that these bodies were not competent to consider the Chinese representation issue and would support a ruling to that effect should the issue arise. I told Mr. Wenner that the United States also took the position that these Commissions were not competent to consider the question and that our Representatives would be so instructed.

At one point in the conversation, Mr. Wenner alluded to "minor deviations" from the moratorium arrangement recently and said that he wanted to be sure that the US and UK positions for the ECOSOC Commissions were coordinated. When I asked Mr. Wenner what the deviations were, he said that he was not concerned with that question at this point. (*Comment:* Presumably Mr. Wenner was referring to the method of handling the Chinese representation issue at the GA and UNESCO to which the Foreign Office has objected. However, I did not press him on the point since he obviously did not want to discuss the matter.)

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320/11-2652: Airgram

*The Secretary of State to the Embassy in the United Kingdom*

CONFIDENTIAL

WASHINGTON, December 23, 1952.

A-907. Re urtel 2988 of Nov 26, UK Emb has not yet approached Dept re recent method handling Chi representation issue. However, if Emb raises matter we intend answer as fol:

(1) This year Chi representation issue at UNGA arose in Credentials Comite which must make finding on credentials of all Reps at each

session. It was necessary adapt moratorium procedure to this function of Comite.

(2) Dept believes Res which US submitted to Credentials Comite after USSR raised Chi representation issue was in accordance with moratorium arrangement. First para called for postponement of consideration Chi representation issue while second para was finding, without going into substance of issue, that credentials of Chi Natl Govt Reps were in proper form. This Res discussed in advance with UK Reps who indicated it was entirely satisfactory. (Since UK is not this year a member of Credentials Comite, it was not required to vote on US Res there). After Comite approval of Res, UN Secretariat, in drafting final Comite Report, prepared Res for GA adoption which first approved report of Comite and second decided postpone consideration Chi representation issue. Because of change in order UK felt obliged abstain on first para of this Res when put to separate vote in GA plenary. US and UK Dels considered requesting vote on second para first, but agreed this procedure too complicated.

(3) In Credentials Comite of UNESCO Conf India and Yugo noted their objections to credentials Chi Natl Govt Reps but did not propose exclusion these reps. US suggested adjournment of discussion but UK and others did not speak in favor this suggestion and Chairman (Venezuela) finally observed report wld state comite had decided by majority to recommend acceptance of credentials Chi Del and had noted Indian and Yugo objections. While Committee might have decided first to postpone consideration of issue and then to accept credentials of Chi Del, postponement did not seem entirely appropriate in this case since India and Yugo had merely voiced objections without requesting consideration of issue. Further, fact remains that because Comite must report on credentials of all reps it wld still have had to make recommendation on credentials Chi Natl Govt Del even if it had postponed consideration of substantive issue.

Since we have not yet been approached by UKEmb, believe UK may have reconsidered and decided not raise matter. FYI only, Member US Del to GA informally mentioned FonOff objections to UKDel legal adviser who confirmed US Res presented UNGA Credentials Comite was satisfactory to UKDel End FYI. However, if FonOff again brings up question, you may discuss developments at UNGA and UNESCO and Dept views as outlined above, expressing hope UK will agree that when issue arises in Credentials Comites of UN bodies, Res along lines proposed by US in UNGA Credentials Comite is satisfactory method of handling issue in accordance moratorium arrangement and at same time of meeting Comite requirement that it make finding on credentials of all reps, and expressing hope that if issue arises in Credentials Comites in future UK will not feel compelled abstain on credentials of Chi Natl Govt Reps if issue disposed of by means of such Res.

ACHESON

310.2/1-253

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

SECRET

[WASHINGTON,] January 5, 1953.

Subject: Madame Pandit and Chinese Communist Representation in the UN.

According to Beirut's 1258, January 2,<sup>1</sup> there is a report that Madame Pandit, during her tour of the Middle East, is urging support for Chinese Communist representation in the UN and is reportedly arguing that the Arab-Asian bloc would be able to exercise a veto power through the Chinese Communists.

I. Madame Pandit's support for seating the Chinese Communists would be consistent with India's habitual position on this question in the UN and with Nehru's recent plea before the Central Committee of the World Council of Churches for greater Western recognition of the Chinese Communists. Support at this time for Chinese Communist representation in the UN might be regarded by Nehru as a means of (a) improving India's standing with Communist China through support of a policy known to be repugnant to this country and (b) covering India's embarrassment at its rebuff on the Korean proposal by suggesting that the basic difficulty was in fact Western rejection of the Chinese Communists.

II. Reference to the advantages of a Chinese Communist veto is somewhat obscure. On most questions of primary interest to the Arabs—colonialism, racial problems and economic development of underdeveloped countries—Arab positions coincide with Soviet positions so that a veto is already at hand. The one important exception is the Palestine question on which the Soviet position has wavered. At the recent GA, however, the USSR voted with the Arabs on the Palestine question—a move which Beirut has reported was a big surprise to the Arabs.

III. It has often been assumed that India would seek a Charter amendment in 1955<sup>2</sup> to enable it to become a permanent member of the Security Council, possibly in place of China. India has also clearly sought to assume a position of leadership among the Arab-Asians. For India to be pushing Chinese Communist representation in the UN on the argument that the Chinese Communists would protect Arab interests would seem accordingly to be somewhat inconsistent with India's previous positions. It will be interesting to see whether Madame Pandit does in fact advance this argument.

<sup>1</sup> Not printed.

<sup>2</sup> For documentation concerning the proposed Charter review conference, see pp. 170 ff.

UNP is drafting a telegram to Beirut asking to be kept informed of developments and pointing out the fallacy in the argument that a Chinese Communist veto would be used in Arab interests.<sup>3</sup>

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<sup>3</sup> Department of State telegram 1200, Jan. 5, 1953, 6:33 p. m., not printed.

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CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

SECRET

[WASHINGTON,] January 12, 1953.

Subject: Chinese Representation at the ECAFE meetings.

On January 9 Djakarta reported that according to the Indonesian Foreign Office the Chinese Communists were expected to send observers to the forthcoming ECAFE conference at Bandung. It was not clear from the message whether the Chinese Communists would seek official status as observers or merely be present in the audience. A further message from Djakarta (1235 January 10) now confirms that the Chinese Communists are definitely sending a group from Peiping. Djakarta adds, however, that Lokanathan, the Executive Secretary of ECAFE, has said that only UN Members may send official observers to the ECAFE conference, that all meetings are open to the public and that the Chinese Communists can only listen and lobby.

*Comment:*

I. *Official Observer Status*

An official observer delegation would have the right to speak but not to vote. If the Chinese Communists should seek this status, it is believed that, despite Lokanathan's reassuring position, many ECAFE members might be disposed to support the request. It appears improbable, however, that the Chinese Communists would seek or accept any status inferior to, or even co-equal with, that of the Chinese National representatives and, accordingly, it is more likely that they would try to have the Chinese National delegation unseated than to obtain observer status for themselves.

II. *Probable Effort to Unseat the Chinese National Representatives.*

It is to be expected that a vociferous effort will be made by the Soviet delegation, with all the assistance that the Chinese Communists can give, to unseat the Chinese National representatives and to seat the Chinese Communists. Failing in this maneuver, the Chinese Communists might remain on the scene for lobbying and other activities.

In the committee meetings preliminary to the main ECAFE meetings, Associate Members which include the three Indochinese States

and three British colonial units have votes. Our voting position in these bodies on Chinese representation has accordingly always been favorable.

Membership in ECAFE itself—where only members have a vote—is evenly divided between states recognizing the Chinese National Government (Australia, China, France, New Zealand, Philippines, U.S., Thailand) and those recognizing the Chinese Communists (Burma, India, Indonesia, Netherlands, Pakistan, USSR, UK). Since working out the moratorium arrangement with the UK, however, we have been able to handle the Chinese representation question on a procedural basis with comfortable voting margins. At the last session of ECAFE, for example, a Soviet motion to unseat the Chinese Nationalists and seat the Chinese Communists was checked by a Thai motion that no action be taken on the question at the session. The Thai motion carried 10 to 4 (USSR, India, Indonesia, Burma).

The problems presented by the Chinese representation question at the ECAFE conference have already been discussed by the Department with the Chinese and British Embassies here. The Chinese Government is sending a delegation of five members. The British Embassy is checking with London to make sure that the positions of the two governments coincide. If all our friends attend and the moratorium agreement holds we should be able to handle the problem on a procedural basis as in past years, but with a more determined propaganda effort.

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310/4-2053

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of Far Eastern Affairs (Bacon)*

CONFIDENTIAL

[WASHINGTON.] April 20, 1953.

Subject: Chinese Request for United States Support with Regard to Various United Nations Bodies.

Mr. Tsui called at his request under instruction to ask for United States support for China in connection with the following matters:

1) *China's Candidate for the International Law Commission.* China has decided to renominate their present representative on the International Law Commission, Dr. Shuhsi Hsu. The election will take place at the next General Assembly. Mr. Tsui gave me the attached biography of Dr. Hsu.<sup>1</sup>

2) *Chinese Budgetary Proposals in WHO.* Mr. Tsui left with me copies of the attached documents.<sup>2</sup> He explained that the first document which is now entitled "Communication from the Republic of

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<sup>1</sup> Not printed.

<sup>2</sup> None attached.



China" should have been entitled "Letter from the Chinese Foreign Minister to the Head of the World Health Assembly." Mr. Tsui referred to a resolution on China's budgetary situation with respect to WHO which was adopted by the Executive Board of WHO in January 1953. The resolution recommends that the World Health Assembly retain China's formal assessment at 720 units but that a token assessment be accepted from China for 1954 and until such time as China's financial condition improves; that a token payment of \$15,000 be applied to the arrearages owed by China to the organization for 1953 and prior years and that the balance of China's arrearages for the years prior to 1954 shall be subject to future arrangements at such time as China's financial condition improves.

Mr. Tsui said that this resolution was very close to the proposal which China had made. If possible, however, China would like to have its token assessment placed at 14 units or about \$10,000 and would also like to have a provision which would make possible the acceptance of payment in Philippine currency or some currency other than U.S.

3) *Chinese Representation Question in the Administrative Council of the ITU.* Mr. Tsui said that that Administrative Council of the ITU is to meet in Geneva on May 2 and it is anticipated that the Chinese representation question will arise. According to Chinese estimates an effort to unseat the Nationalists should be defeated by a vote of about 11 to 7.

4) *Chinese Candidates for the Fiscal Commission and the Social Commission.* China is now a member of both the Fiscal and Social Commissions and plans to run for re-election to both bodies. The election is to take place at the ECOSOC meeting which convenes June 30.

5) *Chinese Representation Question in the Executive and Liaison Committee of the UPU.* The Executive and Liaison Committee of the UPU is to convene in May at Bern, Switzerland. China is not at present a member having failed of re-election last year. If the Soviet bloc should nonetheless bring up the Chinese representation question the Chinese Government estimates that support for the National Government in the Committee at the present time should result in a vote of about 13 to 7 in China's favor. The Chinese Government does not actually expect that the Soviet bloc would attempt to raise the issue in some manner but because of the remote possibility that some such move might be made is taking the precaution of bringing the matter to the U.S. Government's attention.

I told Mr. Tsui that I would bring the Chinese Government's request for United States support in connection with the above matters to the attention of the appropriate officers in the Department and would let him know as soon as possible concerning the United States Government's position. I added that, of course, our position of support of China on the Chinese representation question was well known.

CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum of Conversation, by Paul W. Jones of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] May 5, 1953.

Subject: Chinese Representation WHO

Participants: Mr. Calderwood, UNE  
 Mr. Kotschnig, UNE  
 Mr. Jones, UNP  
 Miss Gough, UNP  
 Miss Bacon, FE  
 [Miss Salt, British Embassy]

Miss Salt called on Mr. Kotschnig April 30 to discuss various WHO matters. Mr. Jones explained that China might resume participation in WHO and that the representation issue might arise at the Health Assembly. He explained the procedure we intended to follow to dispose of any proposals which might be made in a plenary session or in the Credentials Committee to exclude Chinese National Government representatives or to seat Chinese Communists. Miss Salt telephoned Miss Gough on May 4 to say that she had reported the matter to the Foreign Office and that while the latter's reply had been ambiguous, she felt confident that it agreed with our proposed procedure.

In the course of the conversation on April 30, Miss Salt remarked that developments at Panmunjom might have consequences for the UK position. In response to an enquiry from Miss Bacon on this point, Miss Salt said that the UK supported the moratorium procedure because of Chinese Communist aggression and that if there should be an armistice the UK would have to reconsider its position in the light of the circumstances existing at the time.<sup>1</sup>

<sup>1</sup> Marginal notation entered beside second paragraph by Mrs. Kathleen C. Dougall of the Office of Chinese Affairs: "Another indication that the 'moratorium' may be over any day. K.C.D."

CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

CONFIDENTIAL

[WASHINGTON,] May 15, 1953.

Subject: President's Comments on Chinese Representation

According to press reports, the President was questioned at his press conference yesterday about British suggestions that Communist China be admitted to the United Nations. After discussing the recognition question, the President is reported by the press to have said that

certainly he would not say at the moment that admittance of Red China should follow an armistice. (*Note*: In the report of the interview in the Department's "Wireless File", the question to the President is cast in terms of our policy toward recognition, not toward seating in the UN, and the President is reported to have said that he would not personally say that recognition of Communist China should follow an armistice in Korea. The two versions are probably the result of the mingling in one question-and-answer sequence of the two questions of recognition and admittance to the UN.)

Inasmuch as the press is in agreement that the President was discussing admission to the UN and that his statement was less than categorical, we should undoubtedly anticipate further questions on the Administration's position on the representation issue.

The President's avoidance of the easy and obvious answer that we are opposed to the seating of the Chinese Communists in the UN and his background discussion of the recognition issue as it relates to the representation question suggest that he was intentionally avoiding a closed door position at this time on our policy toward seating the Chinese Communists in the event of a truce.

The President's attitude does not necessarily imply a change of position on the basic issue of opposition to the seating of the Chinese Communists. It does, however, suggest a change in present strategy for handling the question and may be expected to present problems for the Department vis-à-vis the press and UN delegations as well as the Congress. FE/P and CA will undoubtedly wish to review with UNA the replies which we have heretofore been giving to inquiries on this question.

I am preparing a general analysis of the UN aspects of the Chinese representation issue for possible background use by FE and CA in advance planning in the event of an armistice.

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CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum by the United Nations Adviser, Bureau of  
Far Eastern Affairs (Bacon)*<sup>1</sup>

SECRET

[WASHINGTON,] May 25, 1953.

Subject: Need for Planning U.S. Strategy on Chinese Representation Question.

The situation with regard to Chinese representation in the United Nations, in the event of a truce in Korea and no incontrovertible evidence of new Chinese Communist aggression elsewhere, will probably be as follows:

<sup>1</sup> Addressed to the Assistant Secretary of State for Far Eastern Affairs (Robertson) and the Deputy Assistant Secretary (Johnson).

(1) Within a brief period the United Kingdom may be expected to seek to terminate the "moratorium" agreement under which the United States and the United Kingdom have been cooperating on procedural motions which retain the present Chinese representation. France, other states of Western Europe, Canada, and possibly a few others, will probably follow the United Kingdom example at about the same time.

(2) Assuming such a shift of votes, there would probably not be an immediate change in Chinese representation in any major UN organ. Changes in minor UN bodies might be expected, however, and if several such changes occurred the move to seat the Chinese Communists throughout the UN would be accelerated.

(3) In any case, with the opening of the General Assembly on September 15, the voting situation on Chinese representation would be close or perhaps adverse. UNP's informal estimate at present indicates a possibility of 31 votes for seating the Chinese Communists out of a total of 60. Political developments during the summer might, of course, subtract from, or add to, this estimate. A possibility that the General Assembly might decide to seat the Chinese Communists exists.

(4) If the Chinese Communists are seated by the United Nations, continued U.S. military aid to the National Government on any substantial basis would be subject to constant UN scrutiny and the spread of Communist influence throughout Southeast Asia would be accelerated. Thus, the Chinese representation question is closely linked to our Far Eastern policies as a whole.

*Recommendations:* A careful estimate of the means open to us of influencing the United Kingdom, France and others to maintain the present Chinese representation and the probable effectiveness of these pressures should be made urgently, and on the basis of these findings our strategy should be mapped in advance. Implementation of the strategy should, if possible, be commenced at the Bermuda conference<sup>2</sup> if a truce has been concluded by then.<sup>3</sup>

<sup>2</sup> For documentation on the Bermuda Conference, see volume v.

<sup>3</sup> Mrs. Dougall of the Office of Chinese Affairs on May 26 routed this memorandum to the Director of CA (McConaughy), the Deputy Director (Martin) and the Officer in Charge of Political Affairs (Jenkins); and wrote in a forwarding chit:

"Re last sentence of attached memo, I had already suggested to Mr. Martin that Chinese representation should be discussed at Bermuda, since it is one of the basic issues in our Far Eastern policy and since it may be assumed that the British will wish to terminate the "moratorium agreement" quite promptly in the event of an armistice. One of the main problems, however, will be to get an agreed position within the Department. I have since talked with Miss Bacon on the matter and will continue to discuss it with her and with CA, with the object of having some briefing papers prepared."

McConaughy noted on Mrs. Dougall's chit: "We might go into high gear on this next week, after Armistice meeting of June 1. W.P. McC". Martin followed up with "Agree ECM".

In returning the memorandum to Mrs. Dougall on the same date (May 26) the Deputy Director (Martin) wrote: "Miss Bacon raised this same question at FE staff meeting today. UAJ [U. Alexis Johnson, Deputy Assistant Secretary] felt that in view of present uncertainty about Korea it would be difficult to get a position *now* for use in Bermuda. EWM".

FE files, lot 55 D 388, "Communist Chinese"

*Memorandum by the Regional Planning Adviser, Bureau of Far Eastern Affairs (Ogburn)*<sup>1</sup>

SECRET

[WASHINGTON,] May 26, 1953.

Subject: Need for Planning U.S. Strategy on Chinese Representation Question

In her memorandum to you of May 25, Miss Bacon notes that the General Assembly might decide at the Session beginning on September 15 to seat the Chinese Communists and recommends that we explore means of influencing the U.K., France, and other members to maintain the present Chinese representation.

I would suggest that before seeking to influence the policy of other nations with respect to China, we decide what our own is to be. Any rational policy toward China must have as its objective detaching China from the Soviet camp. At present, so far from directing our efforts to encouraging Chinese Communist independence of Moscow, we do not even admit for planning purposes that the possibility of a split exists. At the same time we are very far from developing the means required to liberate China from the present regime. The possibility of our eliminating this regime with any instruments now available to us or likely to be developed by us under present planning is almost nil, I would think. The Peiping regime's control of China is not being weakened by anything we are doing. The tendency has been for it to grow stronger. We may note also that our policy toward Formosa is self-liquidating. It is based upon a Chinese Nationalist military force that will become ineffective with age in a few years or be transformed by replacement into something quite different—that is, a provincial Formosan force that very likely will refuse to be ruled by mainlanders and that we can hardly expect to be regarded anywhere as Chinese or national.

If we are going to exercise leadership on the Chinese issue, then it seems to me that we must come forward with a policy and with programs that lead somewhere. I believe we will all agree that our allies have a right to demand as much. Our resort to "pressures" upon them, such as Miss Bacon's memorandum recommends, would be an acknowledgment that our position fails to elicit support by its reasonableness and would indicate that it requires re-examination.

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<sup>1</sup> Addressed to the Assistant Secretary of State for Far Eastern Affairs (Robertson) and the Deputy Assistant Secretary (Johnson).

310.2/5-2653

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Director of the Office of Chinese Affairs (McConaughy)*

CONFIDENTIAL

[WASHINGTON,] May 26, 1953.

Subject: UN Aspects of the Chinese Representation Problem in the Event of an Armistice

Attached is a copy of a memorandum which has been prepared for possible background use in view of the close tie between Chinese representation in the UN and major United States Far Eastern policies.

The memorandum reviews the development of the Chinese representation question in the United Nations and the working out of the "moratorium" arrangement between the United States and the United Kingdom. The memorandum then investigates certain topics including (1) the consequences for the United States if the Chinese Communists should be seated in the UN; (2) the probable attitudes of UN members on the question, including the voting situation in major UN organs; and (3) the need for advance planning on strategy for handling the situation which may develop, and the courses of action open to us.

[Attachment]

CONFIDENTIAL

## MEMORANDUM

Subject: UN Aspects of the Problem of Chinese Representation in the Event of an Armistice.

Indications have been piling up of late that if a truce in Korea is concluded the United States may expect a renewed effort on the part of many of its friends and associates toward seating the Chinese Communists in the UN. Nehru has been reiterating his position; Soviet leaders, both in Moscow and in the UN, have given more than usual prominence to the question; UN Secretary General Lie, in resigning, emphasized this issue and his successor declined to comment; the British Labor Party has been vociferous and Churchill's answer has been "not while the actual fighting is going on." There have been suggestions from New York that the French might be contemplating a more receptive attitude and the interest of both the United Kingdom and French delegations in the possibility of a "political settlement" of the membership question has overtones for the Chinese representation problem as well.

The question of what we can and should do in this situation is tied in closely with our whole Far Eastern policy. As of possible assistance to FE and CA in advance planning on this question there are given

below comments and background information on the specifically UN aspects of the problem.

### I. *Background*

The Chinese representation question first became a major issue in the United Nations in January, 1950. Previously, a Chinese Communist regime had been proclaimed in Peiping in October, 1949, and had been recognized almost immediately by the Soviet bloc, Burma and India. The National Government established itself on Formosa.

On January 6, 1950 the United Kingdom announced its decision to recognize the Communist regime in China. During that same period, ten other states also accorded recognition.

Immediately following the British announcement, the USSR at a meeting of the Security Council on January 10, 1950 proposed to unseat the Chinese National Representative. Three days later, the Chinese Communist regime informed the Secretary General of the UN of the appointment of a Chinese Communist delegate to the UN. On January 13, also, the Security Council rejected the Soviet resolution to unseat the Chinese National Representative by a vote of 3-6 (U.S.)-2(UK, Norway). The Soviet Representative thereupon left the Security Council. He did not return until August, 1950, when his turn came to be chairman of the Security Council which was discussing the Korean aggression.

In order to avoid public differences in UN organs over the question of Chinese representation, the United States and the United Kingdom agreed in June 1951 upon the so-called "moratorium arrangement" through an informal exchange of communications between Secretary Acheson and British Foreign Minister Morrison. Under this arrangement it was agreed that the United States and the United Kingdom delegations would consult in advance of UN meetings in order to concert on procedures which both delegations could support and which would avoid a vote on the substance of the issue. In practice, the moratorium arrangement has usually been applied through resolutions calling for the postponement of consideration of the question of a change in Chinese representation, or through a motion that a Soviet proposal to unseat the Chinese National representatives or to seat the Chinese Communists was out of order for reasons which vary according to circumstances.

To date, the issue has arisen in UN organs or bodies over 135 times. The Chinese Communists have been seated in only one minor body of a Specialized Agency (the Executive and Liaison Committee of the Universal Postal Union) and that body reversed its decision the following year.

The success with which this policy has been applied has been in part a consequence of the outbreak of the Korean hostilities. There has been

wide-spread agreement that it would be out of the question even to consider seating the Chinese Communists while they were engaged in aggression against the UN. The United States Representative, in supporting moratorium-type resolutions in UN bodies, has been instructed not to tie U.S. objection to the seating of the Chinese Communists to the aggression in Korea alone, but to refer also to other acts which illustrate Chinese Communist unwillingness to accept the principles of the United Nations.

So far as the United Kingdom is concerned, British representatives have on occasion said that UK opposition to the seating of the Chinese Communists would not be removed automatically with the conclusion of a truce but would continue for some time thereafter. In March 1953, British Foreign Minister Eden stated in the House of Commons that so long as he was Foreign Secretary he would not be prepared to advocate that the UN admit "a government that is in full aggression against the UN and shooting down our troops."

In a despatch of April 10, 1953 (4840)<sup>1</sup> our Embassy in London gives its estimate of the probable British attitude toward the Chinese representation question in the event of an armistice. This despatch concluded in part:

"In the Embassy's opinion, the extent to which the British Government might be prepared to go to accommodate the Chinese Communists is uncertain, but Her Majesty's Government will at least re-examine such issues as seating Chinese Communists in the UN. Once an armistice is achieved, the opposition in Parliament is sure to make a great play to establish Peiping as the legitimate Chinese Government. Responsible leaders, such as Attlee, Morrison and Younger, have already exerted some pressure to this end. There may be demands for the Government to proceed directly to the discussion of an over-all Far Eastern settlement and to ignore the UN resolution calling for the prior political settlement of the Korean question. In view of these pressures and for other reasons, the Government may feel required to give some ground. However, the Foreign Office states that the Government would not yield to any agitation for placing Formosa under Chinese Communist jurisdiction. Apart from its awareness of strong United States public opinion in support of the National Government, the British Government fully realizes the value of keeping Formosa from falling into the hands of a potential aggressor. The view held by the Foreign Office is that the only permanently workable solution for the Far East would be the neutralization of both Korea and Formosa."

More recently, British Embassy officials here have been suggesting that the Labor Party might force the pace of the present UK Government on this question if a truce is concluded. On May 12, 1953, when Attlee said in the House of Commons that Communist China "is en-

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<sup>1</sup> Not printed.



titled to be one of the Big Five on the Security Council", Churchill answered "not while the actual fighting is going on."

## II. *Effects for U.S. if Chinese Communists Should be Seated in UN.*

The seating of the Chinese Communists in the UN might have the following consequences from the United States point of view:

1) It would be regarded as a major political defeat for the United States and a corresponding political victory for the Soviet bloc and Communism generally;

2) It would raise the prestige of the Chinese Communists throughout Southeast Asia, stimulate the spread of Communist influence in that region and weaken resistance to Communism on the part of Asian states;

3) Continued U.S. military assistance to the National Government might be challenged in the UN as action unfriendly to a UN member.

At present, we are technically aiding a government seated in the UN in dealing with a dissident element seeking to overthrow it. When the Soviet bloc in the past has sought to condemn our aid to China, there have been National Government representatives at hand to deny the charges on our behalf, to assert that a charge of aggression is ridiculous and that U.S. assistance is not merely desired but desperately needed. When a Chinese Communist was heard in 1950, he did not have standing as a representative of a member of the Security Council. If the Chinese Communists are seated in the UN, we shall then technically be in the position of aiding a dissident element seeking to overthrow a government seated in the UN, and Chinese Communist representatives will be at hand to charge us with aggression and to denounce U.S. policies. While we would, in all probability, be able to prevent the passage of a condemnatory resolution, we would be acting under a serious handicap and we might have difficulty in convincing even some normally friendly members of the justice of our position, although they still might vote with us.

4) A vote normally friendly to the United States would be replaced in UN organs by a vote consistently hostile.

The consequences might be especially serious in the Security Council if the General Assembly again accords a seat on the Council to Eastern Europe, a practice which many UN members believe to be required by a Gentleman's Agreement of long standing. In that case, we would start with three hostile Communist votes in a body in which five negative votes or abstentions can halt any action.

5) U.S. confidence in the United Nations, already shaken, would be undermined to an extent likely to prejudice continuing U.S. popular and financial support.

As this Government has characterized support for the United Nations an essential feature of our foreign policy, the consequences would be felt by the United States as well as by the United Nations. Considering the seriousness for the United States of these consequences, it would seem to be desirable to estimate the prospects of our being able to persuade the United Kingdom not to terminate the "moratorium" arrangement and to weigh the courses of action open to us in various possible circumstances.

III. *Considerations Which Might Affect the Attitudes of UN Members.*

A. *The United Kingdom:* The present UK Government would clearly be under strong pressure to terminate the "moratorium" arrangement within a brief period if a truce is concluded and there is no incontrovertible evidence of Chinese Communist aggression in other areas. Factors weighing heavily on UK opinion would be:

- 1) criticism from the opposition party in Parliament;
- 2) hope that this step might ease tensions in Europe and contribute to security there, at least for a brief period;
- 3) concern for the situation in Hong Kong in event of increased Chinese Communist gestures toward the colony;
- 4) different basic approach to the problem of the future of China;
- 5) desire to build up a counter-weight to Japan among Asian states in the area;
- 6) hope, despite recent rebuffs, of regaining some measure of UK's trade with mainland China;
- 7) hope of retrieving the embarrassing situation created by failure of the Chinese Communists to recognize the United Kingdom.

If the Chinese Communists should recognize the United Kingdom—an inexpensive gesture—the effect might well be decisive in changing UK policy toward immediate seating.

B. *France:* The French might be motivated by the following factors:

- 1) hope of easing Chinese Communist pressure on the Associated States—unless Chinese Communist complicity in the existing warfare there is so well established as to prohibit such a step;
- 2) hope that seating the Chinese Communists might contribute to the easing of tensions in Europe, even if only briefly.

Early in 1950 the French were on the point of voting to unseat the National Government Representative in the Security Council when the Chinese Communists recognized Ho Chi Minh. There have recently been indications from New York that the French might now be working with the idea of possibly seating the Chinese Communists. The French might, however, be disposed to take only a part-way step—to unseat the National Representative and to abstain or continue to vote against the seating of the Chinese Communists.

C. *Latin America:* Factors influencing the Latin American states might include:

- 1) a desire to support U.S. policies in matters of this sort;
- 2) deep-rooted opposition to the recognition or seating of the Chinese Communists;
- 3) personal ties of friendship between Latin American representatives and Chinese National Government representatives.

D. *Arab-Asian States:* The Philippines would continue to oppose any change in Chinese representation out of desire to support U.S.

policies and to oppose extension of Communist influence in Asia. The position of the Thais would naturally be influenced to a considerable extent by current developments among their neighbors in Indochina and by the degree of apparent danger of Chinese Communist penetration into Thailand. While basically sympathetic with our position the Thais might abstain if they believe that the Chinese Communists were likely to be seated in any case. Indonesia, Burma and India would vote to seat the Chinese Communists. Pakistan has recognized the Chinese Communists. While more sympathetic than India with our approach to the Chinese representation question, Pakistan at best might abstain.

The Arab states in general have not recognized the Chinese Communists and most of them would normally be reluctant to vote to seat them. The state of political relations between the United States and individual Arab members might, however, lead to some abstentions in place of negative votes.

E. *The Old Commonwealth*: Canada would undoubtedly vote to seat the Chinese Communists as soon as there was any change in the UK position. Australia, New Zealand and South Africa would be likely to continue to oppose the seating of the Chinese Communists.

F. *General Considerations Advanced in Favor of Seating the Chinese Communists*.

An argument in favor of seating the Chinese Communists which has weight with some UN members is based on the proposition that the National Government is not in position to make commitments which will actually be carried out on the mainland. This argument has particular relation to the Specialized Agencies such as the Postal Union, Telecommunications Union and the like. Experience with the Chinese Communists in connection with the Postal Union, however, has not been such as to inspire confidence in their willingness to carry out the obligations of a member of the Specialized Agencies. Participation by the Soviet bloc in these agencies also has in many cases been confined substantially to propaganda efforts rather than to substantive contributions to the actual work of the organization.

Many UN members have also been increasingly concerned with the continuance of this problem and some might favor seating the Chinese Communists in the belief that the Chinese Communist regime has come to stay and that the sooner its representatives are seated the sooner the issue will be settled. If a belief should become current that the Chinese Communists were likely to be seated, some UN members would be reluctant to cast a negative vote and thus, in their view, needlessly incur the hostility of the Chinese Communists.

It is also sometimes argued that the best way to win the Chinese Communists away from the USSR and into greater contact with the western world is to bring them into the United Nations. Some UN members feel that UN membership was an important contributing

factor in Yugoslavia's decision to take an independent course. Other UN members point out that UN contact has had little, if any, appreciable effect on other Soviet satellites such as Poland and Czechoslovakia.

IV. *Do the USSR and the Chinese Communists Actually Desire that the Latter be Seated?*

There has long been a suspicion that the USSR did not, in fact, wish to have the Chinese Communists seated in the UN. Certainly, on several occasions the Soviet Union has not chosen the tactics best suited to seating the Chinese Communists although Soviet delegates are not lacking in knowledge of the technicalities of UN procedures. There has been reason to believe that the Soviet objectives in exploiting the issue have been (a) to create friction between the United States and many of its friends, and (b) to weaken the United Nations. It has been a ready-made propaganda issue.

Similarly, the Chinese Communists have appeared only half-hearted in their efforts to obtain a seat. They have gone through the motions of naming a delegation and demanding a seat on several occasions. Early in 1950, however, when France's position was known to be wavering and it was anticipated that the Chinese Nationalists might be unseated by the middle of February, the Chinese Communists proceeded to recognize Ho Chi Minh. This step made a change in vote in the Security Council on the part of France impossible. The Chinese Communists likewise showed coldness toward the British, Indian and Burmese recognition at a time when those votes in the United Nations were of importance on the seating question. When General Wu was permitted to appear before the Security Council in November 1950, he merely repeated the Soviet propaganda line and made no apparent effort to create a favorable impression to win friends or to give evidence of a cooperative attitude toward the United Nations. By that time, of course, entrance of Chinese Communist forces into the Korean conflict had closed the door for the time being to serious consideration of Chinese Communist admission on the part of most UN members.

It is now possible that under present political conditions the USSR or the Chinese Communists may believe that their interests would be best served by a seat for the Chinese Communists. The USSR may feel less apprehensive concerning the effect of western influence on Chinese Communists representatives. It may believe that the time has now come when admission of the Chinese Communists would weaken the United Nations and embarrass the United States with maximum advantage to the USSR.

The Chinese Communists may also be more interested now than formerly in improving their international status and increasing its influence by taking a place in the United Nations.

It is too early to conclude, however, whether there has been a change in attitude on the part of either or both of the parties chiefly concerned on this question. If there has, in fact, been a change, it may have political implications of considerable interest.

*V. How the Situation Might Develop in the United Nations.*

Assuming (a) no incontrovertible evidence of open Chinese Communist aggression elsewhere and (b) continuation of the Soviet peace offensive, an immediate ground swell toward seating the Chinese Communists on the conclusion of an armistice is to be expected on the part of most states which have recognized the Chinese Communists. India, Indonesia, Burma, some of the Arab states and probably the Scandinavians fall in this group. Only 17 UN members now recognize the Chinese Communists. Unless there are new recognitions, the movement would not accordingly be sufficient to seat the Chinese Communists so long as the United States and the United Kingdom remain united on the "moratorium" arrangement.

If, however, the United Kingdom should terminate the "moratorium" arrangement and openly champion the seating of the Chinese Communists, both in the UN bodies and in contact work with UN members generally, the United Kingdom would undoubtedly carry with it Belgium, the Netherlands, Luxembourg, Canada and France (unless the situation in Indochina absolutely precluded such action). A shift in the UK position might also inspire some new recognitions or a change in vote on the part of some states which have long been unstable on the Chinese representation question.

So far as the major UN organs are concerned, it would appear that termination by the United Kingdom of the "moratorium" agreement would not in itself result automatically in the seating of a Chinese Communist, although the change of a few votes would be sufficient to do so. The votes in question, however, are relatively stable and would probably not change except in response to a major ground swell or other strong pressure.

The situation on major UN organs might be as follows:

(a) *Security Council*: The Council consists of eleven members which, during 1953, are: China, France, USSR, United Kingdom, United States, Chile, Greece, Pakistan, Colombia, Denmark, Lebanon.

Assuming a shift in the UK and French positions there would be five initial votes for seating the Chinese Communists: United Kingdom, France, Pakistan, Denmark and the USSR. Those trying to seat the Communists would then have to pick up two votes from the following four states: Chile, Greece, Colombia and Lebanon. Of these states Lebanon must be counted doubtful and Chile an outside possibility. Greece and Colombia should remain firm, although conceivably Greece might be subjected to heavy pressure to change.

(b) *Economic and Social Council*: This Council consists of 18 members which, during 1953, are: Argentina, Australia, Belgium,

China, Cuba, Egypt, France, India, Philippines, Poland, Sweden, Turkey, USSR, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

Of these 18, six have recognized the Chinese Communists: Poland, Sweden, USSR, UK, India, and Yugoslavia. If we are to assume the situation described above, the following votes would support the Chinese Communists also: Belgium and France. Those supporting the Chinese Communists would have to pick up two votes among the following: Argentina, Cuba, Egypt, Australia, the Philippines, Turkey, Uruguay and Venezuela. Of these, Egypt has wavered in the past and its attitude would probably be influenced by the current state of its relations with the United Kingdom. Similarly, Argentina might be influenced by various political factors.

(c) *Trusteeship Council*: This Council consists of 12 members, only two of which recognize the Chinese Communists (United Kingdom, USSR). Belgium and France would vote to seat the Chinese Communists under circumstances outlined above and those seeking to seat the Chinese Communists would then have to pick up three votes from among the following: Australia, El Salvador, Dominican Republic, Syria, Thailand and New Zealand. Whereas one or two of these votes is unstable, it seems unlikely that three votes could be picked up under the circumstances contemplated.

A somewhat similar situation probably exists in most other UN bodies because in recent years the Department in preparing its slate of candidates to be supported has attempted to avoid having a majority of States recognizing the Chinese Communists or wavering on the question elected to these bodies. In some case this strategem has, of course, not been successful and some UN bodies might seat a Chinese Communist. The Peace Observation Commission, for example, is evenly divided between states recognizing and not recognizing the Chinese Communists. The shift of the French vote alone would be sufficient to seat a Chinese Communist on this body. It seems probable, however, that the shift in votes in UN bodies would not occur at once, but an interval of time to permit a sounding out of a new political situation would probably be allowed by the non-zealous type of UN member. Once, however, Chinese Communists were seated on any considerable number of UN bodies or on a principal UN organ, the situation for the United Nations would become so clearly intolerable that a move toward the Chinese Communists throughout the United Nations might be accelerated.

(d) *General Assembly*: The General Assembly is now scheduled to convene on September 15. 17 UN members now recognize the Chinese Communists. If we add to these 17 states the European states which have not recognized the Chinese Communists or which in the past have voted for the moratorium, perhaps three Latin Americans (Guatemala, Argentina, and Bolivia or Chile), and possibly five Arabs, the voting situation would be close if not adverse. UNP's present informal estimate is that a possibility exists of 31 votes in favor of the Chinese Communists out of 60 members. Political developments during the summer would, of course, affect this estimate.

Although termination by the United Kingdom of the "moratorium" agreement alone would probably not result in an immediate change in the Chinese representation for the United Nations as a whole, it would

make the maintenance over any considerable period of time of Chinese National Government representation far more difficult, if not problematical. By the opening of the General Assembly next September the situation might become acute. Termination of the "moratorium" would also result in the disclosure, at the opening of every UN committee, body or organ, of an open difference of views between the United States and the United Kingdom on a major matter of Far Eastern policy.

*VI. Need for Advance Planning on Strategy.*

If there is an armistice and the Soviet peace offensive continues with emphasis being placed on Chinese representation, the following courses of action would be open to the United States to meet rising pressures to seat the Chinese Communists:

1) We could attempt to hold the United Kingdom and France to support of the Chinese National Representative by exerting strong political pressures, probably in connection with the national security interests of the two states in Europe. Direct political pressures could also be applied to other "doubtful" states. This program would clearly engage our national prestige and if undertaken would have to be a vigorous, all-out program.

2) We could use normal diplomatic pressures in an attempt to prevent the unseating of the Chinese National Representative and the seating of the Chinese Communists. This program, while making clear our opposition to the seating of the Chinese Communists, would not engage our national prestige to the same extent as course (1) but would not be as likely to be effective.

In support of retaining Chinese National representation, the following arguments might be used:

1) Seating of the Chinese Communists in the United Nations would contribute politically to the growth of Communist influence in Asia at the very time when we are striving to curb the spread of Communist influence in Asia and in Europe. There is a basic inconsistency between building up strength to resist Communism in Indochina and in Europe on the one hand and seating the Chinese Communists in the United Nations on the other. Unless we are agreed in our objectives, the United States would have to reconsider its current programs for Europe.

2) Seating the Chinese Communists in the United Nations would undermine U.S. confidence in the Organization and seriously affect prospects for continued U.S. political and financial support. A drastic weakening of the United Nations to this extent would not be in the interests of the United Kingdom and France or of the free world generally.

This program would also involve the working out of a framework as persuasive as possible to other UN members for our position, including an answer to the question whether we intend to oppose the seating

of the Chinese Communist indefinitely and irrespective of their conduct.

Our friends and associates may urge us to follow other courses of action such as :

a) support for the seating of two Chinas in the United Nations—the National Government and the Chinese Communists.

Such a solution has already been proposed informally by a member of the Japanese Foreign Ministry. Aside from the political objections to this proposal there are also certain technical difficulties involved. If two Chinas are to be represented, the admission of one of them would have to be as a new member and new members are subject to Great Power veto. Thus, the new China to be added would be subject to a veto by the China already seated on the Security Council.

b) support for the unseating of the National Government and the non-seating of the Chinese Communists. Under this proposal there would be no China seated in the United Nations.

This course has been discussed in the past by some UN members including France. The result would be only a temporary expedient probably satisfactory to no one. It would be generally regarded as a first step toward seating the Chinese Communists and open, consequently, to many of the same objections.

c) use of the Chinese representation question as a bargaining item in any proposed political conference for the Far East or other multi-lateral discussions.

This course assumes that we are prepared to seat the Chinese Communists and would again be open to the objections attached to that assumption as well as certain added ones related to the bargaining procedure.

## VII. *Conclusions*

1. The Chinese representation question, while relating specifically to China's seat in the UN, has a direct bearing on our policies with respect to China and to the Far East generally.

2. If the US is to meet successfully the pressures to seat the Chinese Communists in the UN which present indications suggest will develop in the event of an armistice and no incontrovertible evidence of fresh Chinese Communist aggression, the US should :

(a) work out its policy in a framework which will be as persuasive as possible to other UN members, and

(b) study the means available to the US of influencing the UK, France and other "doubtful" members to continue to support proposals which would retain Chinese National representation in the UN, estimate the probable effectiveness of these means, and map out in advance the most effective strategy to be followed in the circumstances.



310.2/5-2553

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon)*<sup>1</sup>

SECRET

[WASHINGTON,] May 25, 1953.

Subject: Chinese Representation and the Knowland Resolutions.<sup>2</sup>

There was a discussion Friday afternoon by UNP, L/UNA, FE and EUR of the problems presented for the Department by Senator Knowland's resolutions. These resolutions call for withdrawal of the United States from the United Nations in the event that Communist China is seated.

The two attached drafts<sup>2</sup> were discussed: (1) outlining possible arguments which might be used when Congress asks for comments on the Knowland resolutions and (2) a general statement which the Secretary might issue giving our position on the Chinese representation question.

In connection with the first draft it was pointed out that the Knowland resolutions apparently contemplate permanent withdrawal of the United States from the Organization rather than a temporary walk-out on the Soviet model. Some doubt was also expressed concerning Point 5 of the first draft both as to whether the argument was factually correct and whether it was a useful one to use at this time. (*Note:* I believe that the presence of the Chinese Communists on UN organs might have a more serious effect than indicated in Point 5—especially in connection with probable Chinese Communist charges with regard to U.S. military aid programs to China.)

There was otherwise general agreement on the tenor of the position to be taken on the Knowland resolutions and UNP is to work on a rephrasing of the points. Additional arguments or a new approach would, of course, be welcome.<sup>3</sup>

The second draft attached attempts to present our position on Chinese representation question in a framework which might be as persuasive as possible among UN members generally. Specifically, it attempts to answer the question whether we intend to oppose the seating of the Chinese Communists indefinitely. Clearly, the second draft requires

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<sup>1</sup> Addressed to the Director of the Office of Chinese Affairs (McConaughy) and the Deputy Director (Martin).

<sup>2</sup> These were Senate Resolution 112 and Senate Concurrent Resolution 29, providing for the recall of representatives of the United States from the United Nations and withdrawal of U.S. membership in the United Nations and all organs and agencies thereof in the event that Chinese Communist representatives were seated in the United Nations. Not attached to source text.

<sup>3</sup> In the political files for 1953 of the Office of Chinese Affairs there is a copy of "Draft Reply to Sen. Knowland 5/29/53", not printed (lot 58 D 395, CA files, "Chinese Representation at the UN, 1953"). As it does not seem to correspond to either of the two drafts as described here, it possibly represented "a new approach". The problem seems to have been overtaken by events; see "Notes . . .", June 2, *infra*.

much working over and again any ideas and suggestions would be welcomed by UNP.

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Eisenhower Library, Eisenhower papers, White House Staff Secretary's records

*Memorandum Prepared in the Office of the White House Staff Secretary*

NOTES ON SPECIAL LEGISLATIVE CONFERENCE

[WHITE HOUSE,] JUNE 2, 1953

The President called this special Legislative Conference for the purpose of attempting to influence the Congressional Leaders to withdraw the rider to the UN appropriation bill which would have cut off all United States funds for the UN should Communist China be admitted to the UN.

The President had first shown his concern over the question at the press conference on May 28. By June 1 he felt it essential to communicate directly with the Congressional Leaders. At first, he planned to write a letter expressing his concern and urging elimination of the rider. In the process of preparing such a letter, he determined that it would be more effective to meet with the Leaders and thrash the matter out in discussion.

The meeting began at 11:55, Tuesday, June 2. Present were:

The President  
Vice President Nixon  
Sen. Knowland  
Sen. Millikin  
Sen. Bridges  
Sen. Saltonstall  
Rep. Martin  
Rep. Halleck  
Rep. Arends  
Rep. Taber

The President initiated discussion by stating his distress that this rider might be enacted. He said he opposed the rider because he believed that the United States could not properly serve notice on the UN in such a manner and, more fundamentally, the United States could not live alone. The President emphasized that he was not attempting to tell the Members of Congress what their personal opinions should be or what they could say about it; but he was convinced that enactment of the rider would seriously hamper him in the conduct of foreign affairs. He described the UN as being the only machinery for bringing all these organizations of the world together to discuss problems, and as constituting the hope of the world for creating eventually an association in which laws would replace battlefields.

Such an association was essential because global war was now unthinkable as a result of new and devastating weapons like atomic energy. He pointed out that Communist China was not yet in the UN, that it was not wise to tie our hands irrevocably about affairs in advance, and he pointed to the change in the situation of Germany between 1945 and 1953 as illustrating how rapidly situations and attitudes can change. He asserted that the world situation demanded both patience and courage on our part to prevent frustrations from getting the best of us. He then noted the probable adverse effect in regard to world public opinion if Congress made the mistake of penny-pinching (taking a monetary approach) in order to prove its point of opposing entry of Red China into the UN.

Senator Bridges replied that he and Senators Saltonstall and Knowland had voted for the rider because they were disgusted with the situation now developing, that they thought their action strengthened the hand of the Government by virtue of laying down the rules of the game before the action became critical, that they had no desire to embarrass the President, and that they believed this a legitimate attempt to present to the world the position of Congress, particularly in view of the Republican position through the years and the Democrats' failure to handle the problem.

Representative Halleck stated his agreement with the President's position and his belief that the rider did not make sense, and that it would destroy the UN if the situation developed to the point where the provisions went into effect—that withdrawal by the United States would terminate existence of the UN.

The President then commented that he did not care how thoroughly any one stated opposition to the admission of Red China, but that he did not want the situation foreclosed. He said that the achievement of peace depended upon constantly struggling and working toward that end, whereas the rider would initiate a crumbling of the structure for peace which could have no end except disaster.

Senator Knowland stated the admission of Red China would violate all of his basic beliefs, that the Senate had passed a similar resolution in 1951, that many rumors existed which he believed true to the effect that Britain would press for the admission of Red China soon after negotiation of a cease fire in Korea, that under ordinary procedure the United States could not carry the UN with it on this subject, and that therefore the United States must now take an active aggressive stand.

The President disagreed on the basis that the rider was not the right way to oppose this development, and that if a workable world organization were to be produced, every nation must expect to undergo defeats in the UN from time to time. He asserted that destruction of the UN would result in the break-up of NATO; and he asked where we would be in that event and how could he possibly fulfill his re-

sponsibilities for America's security. He commented that he wanted to be reasonable in the matter, for that was why he had called in his friends to discuss it, and now they had to come to some agreement.

Senator Knowland replied that some other way of expressing Congressional disapproval might be satisfactory, such as a resolution which would have no legal effect on the President nor cut off funds for the UN.

The President then commented on the variations of Government policy in regard to recognition—that it had one meaning to most European Governments but that since the time of President Wilson it had in the United States unfortunately meant approval of the Government recognized.

Senator Bridges indicated his willingness to see the members of the Appropriations Committee individually or call a special commission to study the matter. He noted that Senator Dirksen had submitted the rider.

The President agreed to an alternative action so long as it was not a money approach. He would then be able to go to the leaders of foreign governments, impress upon them the attitude of Congress and its leaders, and warn them that if they forced the issue he would not be able to answer for the reaction of the United States. He then pointed out that no single person in a responsible position had suggested to him that the United States should support the admission of Red China. He repeated that any action which would completely forestall our freedom of action in the future would be unsatisfactory.

Senator Saltonstall pointed out that he had voted for the McClellan Resolution in 1951 and for this rider. He emphasized the Senate concern that should Red China shoot its way into the UN, it would shoot up the UN.

Representative Halleck then voiced his support for the President's proposals.

Representative Taber suggested the wording of the rider be reduced merely to stating that Congress opposes.

The President reviewed his efforts to improve the relations of the United States and its Allies by sending Messrs. Dulles and Stassen abroad twice, his brother Milton to South America, and his plans for the Vice President to make certain goodwill trips. The original wording of the rider would negate such efforts.

Senator Bridges then stated that he and his associates would withdraw the proposal.

The President then promised to begin immediately to inform other heads of governments about the Congressional attitude on admission of Red China. He added the warning that the budget of the United States would have to be increased greatly should our friends begin to fall away.

Senator Millikin urged that the President express his personal opinion in a statement.

The President concluded the meeting with the remark: "Let's not write off our friends".

(*Note:* This report is based on notes taken by Mr. Hagerty during the meeting, and recapitulated immediately thereafter to Minnich.)

MINNICH

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310.2/6-553

*Memorandum by the President to the Secretary of State*<sup>1</sup>

SECRET

WASHINGTON, June 2, 1953.

As you have probably been told, we had a conference this morning with the Congressional leaders on the amendment added by the Senate Appropriations Committee to the bill for the support of the United Nations. It was agreed that the Senate leaders would remove this particular amendment, but that the Administration would seek assurances from our allies, through diplomatic channels, that those allies would not use a Korean truce as an excuse for urging the acceptance of Red China in the United Nations. I stated that I would make it perfectly clear in these representations that the Congress of the United States would be badly shaken by any such development; that the temper of the Congress was such that any determined attempt on the part of our allies of this kind could have the most unfortunate results.

I further stated that so long as Red China was constituted on its present basis, under its present leaders, and so obviously serving the ends of Soviet Russia, that I would *never* be a party to its recognition and its acceptance in the United Nations.

D[WIGHT] D. E[ISENHOWER]

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<sup>1</sup> Source text attached to memorandum of June 5 by Roderic L. O'Connor, Special Assistant to the Secretary of State, to Livingston T. Merchant, Assistant Secretary of State for European Affairs. In forwarding this text, O'Connor informed Merchant that it was a copy of a "part of a memorandum from the President to the Secretary dated June 2. . . . The Secretary has since assured the President that we are proceeding to seek such assurances", as requested by the President. O'Connor said further: "The Secretary has requested that you draft messages to whatever countries you think appropriate, coordinating with Messrs. Hickerson and Robertson, and present them for his signature." (310.2/6-553)

310.2/6-353

*Memorandum of Conversation, by the Assistant Secretary of State for Far Eastern Affairs (Robertson)*<sup>1</sup>

SECRET

[WASHINGTON,] June 3, 1953.

Subject: Korean and Chinese Communist Representation in the United Nations.

Participants: Sir Percy C. Spender, Australian Ambassador  
Minister A. H. Tange, Australian Embassy  
Mr. Walter S. Robertson, Assistant Secretary for Far Eastern Affairs  
Mr. Kenneth T. Young, Jr., Director, Office of Northeast Asian Affairs

Sir Percy referred to today's press accounts of President Eisenhower's meeting with Congressional leaders regarding Communist China's admission in the United Nations and the President's statement, as reported by Senator Bridges, that he opposed such admission at this time and that the United States Government would take active steps against it. I replied that I could not elaborate on what the President may have said to the Congressional leaders as reported in the press. However, I pointed out that there was strong opposition in Congress and among the American people to the admission of Communist China to the United Nations and that I, personally, thought it would be a calamity. I said that Sir Percy knew as well as I that there was an extremely strong feeling in the United States that there should be no deal regarding Korea which would let the Chinese Communists in the United Nations. Sir Percy then asked me whether the United States would vote against such admission if it came up in the United Nations. I told him that I could not add anything more to what the President was reported to have said. Sir Percy told me that he felt, and he knew his Government felt, that the admission of Communist China to the United Nations under present circumstances would be most regrettable.

[Here follows discussion of matters relating to Korea.]

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<sup>1</sup> Drafted by Kenneth T. Young, Director, Office of Northeast Asian Affairs.

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310.2/6-353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET      PRIORITY      NEW YORK, June 3, 1953—6:50 p. m.

757. Personal for the Secretary. Among other topics there are three questions I would like to discuss with you when we meet on Thursday [June 4].

1. *Chinese representation.* As follow-up to statesmanlike action by President with Congressional leaders yesterday, is there anything I can do to assist in execution of our policy? Policy was made clear by President's action but I feel there is no time to lose in consolidating our position and making sure that if and when this question arises again in UN we will get substantial majority of votes supporting our position.

First step would be to get assurances from British and French that they will support us in our desire not to seat the Chinese Reds or at the very least would maintain a completely passive attitude, and I suggest this be kept in mind in connection with other subjects currently being negotiated with Britain and France. We must also be as sure as we can that we have lined up Indians, Canadians, other Commonwealth members, LA's and Arab-Asians. Would it be good idea for me to discuss matter with Tsiang, Chinese representative here, who is very astute and whose government has vital stake in matter?

[Here follows Lodge's exposition of items 2 and 3. In item 2 Lodge dealt with "UN action if armistice talks fail." In the event of failure of the talks, Lodge anticipated that the United Nations would be subjected to strong foreign pressures "involving further concessions to Communists" and equally strong domestic American counterpressures "to adopt extreme measures against Communists." Lodge thought that it was "very important" for the U.S. Government to be prepared "to deal very promptly and effectively with this situation if and when it occurs because if we are unsuccessful the result could involve the destruction of the UN. . . ." (310.2/6-353)]

LODGE

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810.2/6-453

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*

SECRET

[WASHINGTON,] June 4, 1953.

Subject: Your Meeting With Ambassador Lodge This Afternoon.

Ambassador Lodge is coming in to see you and will discuss, *inter alia*, three problems which he refers to in his telegram No. 757, June 3, (Tab A)—Chinese Representation, Korea and Disarmament.

The following comments on each of the foregoing subjects might be useful in your conversation with him.

1. *Chinese Representation*

This question will pose great difficulties if a Korean armistice is concluded. As Ambassador Lodge points out, it is essential to take every feasible step at the earliest practicable time to secure such support from other governments as will be necessary to maintain our position in the post-armistice period. As Ambassador Lodge says, the first

step in such an effort is to seek United Kingdom and French agreement to continue to support postponement of consideration of the Chinese representation question in all United Nations bodies. It would, in our view, be desirable for the President to seek such an agreement in principle at the Bermuda Conference.

It would probably be desirable to postpone pressing this issue with other delegations until this effort to secure an agreed tripartite formula is completed. The United Kingdom and French attitude will, of course, have great influence on the Commonwealth states and the countries of Western Europe. We do not, in any case, anticipate an important shift in the attitudes of the Latin Americans, in the near future.

India, Burma and Indonesia are a separate and much more difficult problem. It is highly doubtful that anything can be done to get them to recede from the position which they have consistently maintained even in the face of the Korean aggression.

The Arab states present a still different problem. They may well determine their position on this issue in the light of our attitude on issues of special concern to them like Palestine and North Africa. It will therefore be necessary to consider most carefully what the most profitable approach to them might be and the timing of such an approach.

Although Dr. Tsiang should be consulted at the appropriate time, it would prejudice our efforts with a number of delegations if he were to play a prominent role. At some point, he can be helpful in speaking to some delegations, particularly those from Latin America.

[Here follow Hickerson's views and recommendations regarding the other two items, his comments on Korea being limited simply to the observation: "You may wish to brief Ambassador Lodge on the developments at Panmunjom last night. This would appear to make it unnecessary to comment on Ambassador Lodge's points at least for the time being." (310.2/6-453)]

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310.393/6-553

*Memorandum by the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 5, 1953.

I have checked with the President whether he felt obligated to write a letter to Bridges about the "Red China" UN situation. He said not. He thought it would be sufficient if I told Senator Bridges that we were actively moving through diplomatic and other channels to get the

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<sup>1</sup> Addressed to the Deputy Under Secretary of State (Matthews), the Legal Adviser (Phleger), the Assistant Secretary for Far Eastern Affairs (Robertson), the Assistant Secretary for Inter-American Affairs (Cabot), and the Assistant Secretary for UN Affairs (Hickerson).



votes against recognition of the Communist Government. The President also suggested that we should suggest to Milton Eisenhower<sup>2</sup> that on his South American tour he should mention our position to the governments there and discreetly suggest that we would appreciate their cooperation.

I have advised Senator Bridges in general terms that we were taking action pursuant to the President's talk with him and other Congressional leaders.

In view of the foregoing, the question of redrafting the letter to Bridges can be dropped.

J[OHN] F[OSTER] D[ULLES]

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<sup>2</sup> For documentation on Dr. Milton Eisenhower's tour of South America, see volume iv.

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810.2/6-953 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET

NEW YORK, June 9, 1953—7:14 p. m.

781. Re Chinese representation. Lunched today with Jebb and Hoppenot at Hoppenot's invitation. Jebb immediately opened up by saying that he thought it was highly illogical for us to oppose the membership of Communist China in the UN when the Soviet Union was also a member. He said he could not see the difference. I said to him: "There is just this difference. In the Korean war, the Chinese Communists have inflicted more than 130,000 casualties on us and the Soviets haven't. To us this is quite a difference." I said that from our viewpoint it was utterly out of the question to bring this matter up. It was a matter involving deep feelings and we could not even consider raising it in the UN.

Hoppenot asked whether sometime in the future it could come up and I simply said that we would have to let time take care of that and cross that bridge when we came to it. I said that we would never ask the French to get into bed with the Germans after a Franco-German war had ended, and that our friends should not ask us to get into bed with the Chinese Communists. Hoppenot asked whether it would make any difference to American opinion if as a condition of membership in the UN the Chinese Communists were to agree to desist from their aggressive tactics in Indochina.<sup>1</sup> I said that of course the American public would take note of such a development with great interest.

[Here follows discussion of procedure in the United Nations attendant upon the signing of an armistice in Korea.]

LODGE

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<sup>1</sup> For documentation on Indochina, see volume XIII.

310.2/6-953 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET      PRIORITY      NEW YORK, June 9, 1953—7:14 p. m.

782. Re Chinese representation. We must prepare for possibility question of seating Chinese Communists will be raised in ECOSOC meeting in Geneva where we will be represented by inexperienced man. Plans should be made now to provide him with necessary help to deal with such attempt. All other meetings which are being held in New York can be covered by me as need arises. My present feeling, subject to further thought, is that SC is most advantageous place for us in which to have Chinese Communist representation question raised because I will be presiding and veto can be used in SC. For this reason I am considering advisability of calling meeting of SC to communicate to its members armistice terms.

LODGE

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795.00/6-953 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET      PRIORITY      NEW YORK, June 9, 1953—8:38 p. m.

786. Personal for the Secretary. Re Korea—Chinese Representation.

1. As I have said before, we should make every effort bilaterally, (even going so far as to approach Soviet Government through American Embassy Moscow) to prevent question of seating Chinese Communists from coming up at all. If it does come up we should make every effort to get a substantial majority of members to vote against seating them. Those who feel they cannot vote against should be persuaded at least to abstain. I assume primary diplomatic targets should be UK and India, latter because they other than Communists are most likely to raise question.

It does not seem to me we can afford to wait until Bermuda to achieve high-level agreement with UK comparable to moratorium agreement reached under previous administration. In addition to any high-level approach President and you may have made or contemplate making to Churchill, I should think comparable approach might be made to Nehru. I can follow up any action you take by trying to build up favorable political climate here among various delegates. We must assume adverse climate is being built up systematically by UK and India, possibly others. Adverse climate will become worse upon announcement of armistice.

Even if it is not possible to reach agreement with UK and India before Bermuda, should we not meanwhile try to line up as many commitments to vote against seating Chinese representatives as possible? I think as soon as expedient we should try to get formal commitments. If we can build up majority against seating Chinese Communists, this simple political fact should strengthen President's hand in dealing with Churchill at Bermuda if latter is still recalcitrant.

2. We should start now developing all different arguments that can be used at various times and places in various ways, public and private, to defeat any attempt to seat Chinese Communists. We should make following points:

(a) This is not procedural question. It is about as substantive as any question can be and we should have all arguments to show that position Acheson and Austin took that it was procedural is fallacious. Has any other nation ever formally gone on record that representation questions are procedural?

(b) Chinese Communists are not peace-loving nation within meaning of UN charter proven by their wanton aggression in Korea and by their abetting aggression in Indochina.

(c) Chou En-lai frankly states that he is subject to orders of Soviets, therefore not head of a really independent government.

(d) It is emotionally and psychologically impossible to ask a people that has suffered over 130,000 casualties to turn around at once and welcome those who inflicted these terrific wounds on us.

(e) It is long-standing international practice that recognition of an enemy after a war awaits peace treaty and is not granted after armistice. Germany and Japan after eight years still await recognition by UN and some of their former enemies.

(f) It is inconceivable that UN should refuse recognition to ROK and grant it to perpetrator of brutal aggression on ROK.

3. A canvass should be made of all different places and ways in which question can be raised. If it is raised in SC it is, in my judgment, subject to veto but what if it should be raised in ECOSOC, in Trusteeship Council, in GA or in any of committees of GA? Of all GA committees, is not Credentials Committee most likely one in which this question would be raised?

4. If matter comes up in one of Councils, will it not be necessary to expel Chinese Nationalists first and, if so, what argument can be given for expelling them? If we are going to start expelling people, aren't there some other people that ought to be expelled before Chinese Nationalists are expelled?

5. Information should be made available on casualties which all other nations who fought in Korea suffered so that we can make common cause with these nations.

LODGE

880/6-1053

*Memorandum of Conversation, by the Acting Officer in Charge of  
Pacific Settlement Affairs (Stein)*<sup>1</sup>

SECRET

[NEW YORK?] June 13, 1953.

Participants: Ambassador Lodge, USUN  
Mr. Ross, USUN  
Mr. Babcock, USUN  
Mr. Bechhoefer, UNP  
Mr. Stein, UNP

*Chinese Representation in the Security Council*

Opening the discussion, Ambassador Lodge referred to his conversation with Sir Gladwyn Jebb in which the latter considered the United States opposition to the seating of the Chinese Communists as "illogical"; Ambassador Lodge told Jebb that the fact of 130,000 United States casualties has created an emotional attitude in this country which makes the seating of the Chinese Communists absolutely unthinkable.

Turning to the problem of the use of a veto to block the seating of the Communists, Mr. Stein pointed out that the veto applies only in the Security Council, whose importance in fact has greatly declined in recent years. The Communists could do as much harm and probably more if seated in the General Assembly which has been doing most of the Security Council's work, in the ECOSOC or in the Trusteeship Council; the problem is to hold the majority on our side; if we manage to hold the majority in the Assembly, we will be able to do so in the Security Council where in fact we need only four other members to join us in blocking the Communists; on the other hand, if we lose the majority, and if seven members of the Security Council are willing to vote to seat the Communists, these same seven members might be willing to vote to overrule an attempt by Dr. Tsiang and the United States to exercise the veto quoting the statement made by the United States Representative in January 1950 in the Security Council to the effect that the veto does not apply to this issue.

It was the consensus of the group that if a Security Council meeting is held in June under the United States Chairmanship for the purpose of noting the armistice, we would be able to head off an attempt to change the Chinese representation. Recognizing that a defeat of the move to seat the Communists would not create a *res judicata* in the Security Council, Ambassador Lodge thought that if the United States takes the initiative in the Security Council and adopts a confident, vigorous attitude on the representation issue it might be psychologically advantageous and improve our chances to keep the Com-

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<sup>1</sup> Conversation was held on June 10.

munists out of other organs. It was agreed that the position of the UK and the French is crucial and that a formula must be found possibly extending the present moratorium agreement. If such a formula is agreed upon, the British and the French in the Security Council and in the forthcoming ECOSOC meeting in Geneva might point to the so-called Cuban resolution adopted by the Assembly in 1950 implying that the Assembly is the organ to consider the representation issue; moreover, if and when the Seventh Session reconvenes following an armistice, it would take  $\frac{2}{3}$  majority to take up the Chinese representation question in view of the Assembly's decision to postpone this issue for the duration of the session. It was agreed that the representation issue will arise in a really acute form in the 8th Session.

Ambassador Lodge pointed out that a great deal of diplomatic preparation is necessary, particularly for the impending ECOSOC meeting in Geneva and it was agreed that a study of the attitudes of the ECOSOC members should be made and the member governments approached on an individual basis. Ambassador Lodge then requested that the Department prepare for him a brief statement of a formula which he would pass to the President for use at the Bermuda conference.

Returning to the problem of the veto, Mr. Bechhoefer pointed out the ambiguities of Article 27 of the Charter. The four precedents of the "double veto" were discussed in detail.

Turning to the problem of whether the decision on Chinese representation is procedural or substantive, Ambassador Lodge thought that there were three separate problems: (1) the question of admission of a state to UN membership, (2) the question of authenticity of credentials of a representative, and (3) the question which of the rival claimant governments is entitled to represent a United Nations member state. In his view, the Chinese representation problem falls in the last category, it involves a decision of far reaching importance as to whether a tyrannical regime which had usurped power over 400 million Chinese people will act as their representative and has nothing to do with the credentials problem. In Ambassador Lodge's view the decision on this issue is substantive and the contrary position of the previous Administration entirely fallacious as was its entire China policy. He added that the Secretary of State agreed with him on the applicability of the veto.

At Ambassador Lodge's request, the Departmental officers explained the thinking behind the position that the decision was procedural. Mr. Bechhoefer pointed out that in January 1950, there was a serious question whether the Soviet Union would attempt to veto the seating of the Yugoslav representative in the Security Council. The Soviets might have argued that if the veto applied to Chinese representation, the Soviet Union could veto the Yugoslav seating. He read the Depart-

ment's letter addressed to Senator Connally as Chairman of the Senate Foreign Relations Committee which was approved by the National Security Council and President Truman and which pointed out the possible consequences upon the operation of the Security Council if a veto should be deemed applicable to the representation issue.<sup>2</sup> The Interim Committee recommendation that the credentials issue be considered procedural was discussed. The general United States position as the anti-veto champion in accordance with the Vandenberg resolution<sup>3</sup> was reviewed and the propaganda effect of a change in the United States position was considered.

Ambassador Lodge thought that the seating of the Chinese at this time would destroy the UN and reiterated his view that the representation issue cannot be considered a credential problem, and, therefore, most of the arguments in the Connally letter were not relevant. It was pointed out that while a good argument might be made to distinguish the representation and credential issues, it might not be possible to maintain such distinction in the Security Council once a precedent is established that the veto is applicable to the representation issue.

It was recalled that in the MacArthur hearings, Mr. Acheson suggested a reference of the question to the International Court of Justice for an advisory opinion; Ambassador Lodge thought that this approach would not be politically appealing.

The question of urgency of consultations with all other delegations in New York was discussed and it was agreed that such consultations should be held on the basis of the forthcoming Departmental message containing instructions as to the line to be taken. It was pointed out that other delegations would ask how long the United States will maintain its opposition to the seating of the Communists. Ambassador Lodge thought that the answer should be along the line of Senator Knowland's phrase that the word "never" does not exist in practical politics.

There was a consensus of the group that (a) any decision as to the applicability of the veto will have to be made in Washington, probably by the National Security Council and the President; (b) our principal problem is to keep the majority with us since the veto even if used might be overruled; (c) use of the veto while possibly preventing the seating of the Communists in the Security Council might do us harm in our efforts to keep them out of the Assembly and other organs; and (d) if it should be decided that the veto is applicable, any such decision should not be publicized and the veto would be used only as an extreme means where all other measures have failed.

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<sup>2</sup> For information on this matter, see *Foreign Relations*, 1950, vol. II, p. 186.

<sup>3</sup> This refers to Senate Resolution 239, June 11, 1948, the so-called "Vandenberg Resolution"; for documentation on the legislative history of this resolution, see *Foreign Relations*, 1948, vol. III, pp. 1-351, *passim*; for text, see *ibid.*, vol. I, footnote 7, p. 25.

810.2/6-1153 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, June 11, 1953—6:50 p. m.

485. Re Chinese representation question in forthcoming sessions TC and ECOSOC.

1. As in past, USSR or satellite will undoubtedly propose in both ECOSOC and TC that representatives Govt Republic of China be excluded and Chinese Commies invited participate.

2. In accordance existing "moratorium arrangement" with UK, matter should be dealt with on basis procedural action taken by both Councils for last two years. In TC motion would be to postpone discussion Chinese representation issue for duration session under Rule 56(1)(g). In ECOSOC motion would be to adjourn debate on [Soviet]<sup>2</sup> proposal for duration session under rule 50. As in past, USRep would (a) ensure this procedural motion put vote first and that, upon its adoption, Soviet motion not voted upon; and (b) state that adoption postponement motion would, of course, result in continued seating of representatives of Govt of Republic of China. Draft statement for use USRep in initiating or supporting procedural action will be set forth in separate message.<sup>3</sup>

3. USUN is requested discuss tactics with friendly Members TC and ECOSOC with view ensuring their support for action outlined above. As USUN is aware, TC convenes June 16.

4. We assume that Members TC who have voted for postponement action as previous Council sessions will agree do so at forthcoming session. These Members are: Australia, Belgium, France, New Zealand, UK, China, Dominican Republic, El Salvador and Thailand. Syria not previously Member TC and you may therefore wish ascertain Syrian attitude soonest.

Re ECOSOC, postponement action adopted at last session of Council by 14 votes to 4. Following *voted in favor*: Argentina, Australia, Belgium, China, Cuba, Egypt, France, Philippines, Turkey, UK, US, Uruguay, Venezuela, Yugoslavia. Following *voted against*: India, Poland, Sweden and USSR.

DULLES

<sup>1</sup> Drafted by Gough and Popper, cleared with the geographic bureaus and L/UNA, approved for transmission and signed by the Director of the Office of United Nations Political and Security Affairs (Wainhouse).

<sup>2</sup> Brackets in the source text.

<sup>3</sup> An examination of Department of State telegram files indicates that apparently no such draft was ever sent.

810.2/6-1153

*The United States Representative at the United Nations (Lodge) to the Secretary of State*

SECRET

NEW YORK, June 11, 1953.

DEAR FOSTER: I believe that I should receive authorization as promptly as possible to use the veto concerning the seating of the Chinese Communists if it appears expedient to do so.

It appears to me now that I would only want to do it as a last resort.

The arguments in favor of adhering to the Acheson position that the seating of the Chinese Communists is procedural seems to boil down to the two arguments—1) that the United States has made a great virtue of not using the veto and has made a big campaign in the past against the Soviets because they did use it; and 2) that if we use the veto in this case, it can be turned against us later.

The contrary argument seems to be much more persuasive. We face a situation of a magnitude which will probably not be repeated—which disposes of argument No. 2. Also the Acheson decision was based on special factors that existed at the time. Furthermore, his administration was so noted for its failure as regards China that it would actually tend to promote confidence if we made it quite clear that we did not consider ourselves bound by his actions.

Inasmuch as this will require action by the National Security Council, I request that such action be taken, so that I may be free to use the veto if it seems desirable.

Sincerely yours,

HENRY CABOT LODGE, JR.

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795.00/6-1253: Circular telegram/airgram <sup>1</sup>

*The Secretary of State to Certain Diplomatic Missions* <sup>2</sup>

CONFIDENTIAL

WASHINGTON, June 12, 1953—5:34 p. m.

1195. For Ambassador from Secretary.

1. Pursuant to instructions from President re representations to be made concerning question Chinese representation in UN bodies following Korean armistice, arrange appointment your earliest convenience with Foreign Minister to convey US views and seek views his government.

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<sup>1</sup> Sent to 51 posts for action, 13 by telegram, 38 by airgram; sent by air to 6 posts for information (including Moscow, Praha, Warsaw).

<sup>2</sup> Drafted by Paul B. Taylor, Officer in Charge, General Assembly Affairs, Office of UN Political and Security Affairs, and Gough, with concurrence of Hickerson and Wainhouse; cleared with the Bureau of Far Eastern Affairs and the Bureau of European Affairs, the Deputy Under Secretary of State (Matthews), and the Executive Secretariat; approved for transmission and signed by the Secretary of State.



2. If there is Korean armistice, efforts will undoubtedly be made by Soviet bloc to seat representatives of Chinese Communist regime in UN bodies in place of representatives of Government of Republic of China, and argument will be made that armistice justifies such change. It is this government's earnest hope that matter will not be raised by countries outside Soviet bloc and that vast majority of free world, particularly those who with troops in Korea have borne major burden of repelling aggression, can remain united against any such move. US believes it imperative that representatives of Government of Republic of China should continue be seated in UN bodies. Following are main considerations which may be used in support our position (see para 4).

a) In this government's view, agreement by Chinese communists to military armistice does not constitute adequate evidence Chinese Commie regime has abandoned use armed force to seek its objectives and those USSR. There is nothing indicate change represents more than tactical shift designed create atmosphere in which resistance to Communist imperialism will be weakened. As result UN resistance Communists have found it unprofitable continue war in Korea but danger renewed aggression by them, particularly in SE Asia, remains.

b) In absence real evidence Peiping regime has changed its conduct and decided abide by Purposes and Principles Charter, seating of its representatives in UN would appear as reward for halting criminal aggression and would, in our considered judgment, not deter in any way Chinese Commies from further aggressive ventures. In fact, this international acceptance would be taken as an indication of free world weakness which Commies would seek to exploit to utmost.

c) US welcomes armistice as successful achievement and important milestone UN efforts maintain international peace. Full benefit may however be lost if essential unity not maintained post-armistice period. In interest solidarity on which common security depends, most important in coming period for countries of free world stand together on major issues and avoid public divergence.

d) I cannot emphasize too strongly most unfortunate effect which renewed attempt seat Chinese Commies in UN bodies would have upon American people who, in response request UN, have so recently suffered, as of May 22, 136,129 casualties and who have contributed so substantially of material wealth. Foreign Minister will be aware recent proposal in Senate, withdrawn only through intervention President, to effect that US contribution to UN budget should cease if Commie China were seated in SC, and concurrent resolution approved unanimously by both Senate and House expressing opposition to seating Chinese Commies.

3. US realizes that some friendly governments may honestly differ with its views as outlined above. In interest of avoiding open difference in UN, with minimum sacrifice by any government of its substantive position on question as to what regime is entitled represent China in UN, US would be willing continue present practice of avoiding vote on substance through some procedural action by which any

proposal change Chinese representation would be postponed indefinitely. If any new procedural arrangements should prove necessary on this point, they can be discussed by UNDEls in NY.

4. Above material is to be used in your discretion in light circumstances of Government to which you are accredited, so as maintain maximum support our position. In few posts it may be judged counter-productive go beyond effort discourage them from raising issue in UN and minimize generally their opposition our position.

5. Report results your conversation together with any recommendation whether additional approaches USUN and Washington would be helpful.

Approach GOI at discretion Ambassador.

If any post believes approach would be counter-productive it should inform Department before taking action.

DULLES

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795.00/6-1253: Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

[Extract]

SECRET PRIORITY

NEW YORK, June 12, 1953—5:10 p. m.

803. Reference Korea.

1. Chinese representation. Although not dealt with specifically in the working papers, I understand a special paper on this is being prepared and will be sent me promptly. I should like to reiterate and cannot stress too much that this is the most important single issue confronting us at United Nations. It is vitally important that we should not wait until Bermuda Conference is hard upon us to build up strong United Nations majority against seating Chinese Reds. Reports from London indicate that Churchill is losing no time in building up his case with Comonwealth PM's and I have no doubt he is doing same diplomatically all around world. Our position could easily be torpedoed if we are not alert and vigorous.

[Here follows discussion of other aspects of the Korean armistice; for documentation, see volume XV.]

LODGE

810.2/6-1253 : Telegram

*The Secretary of State to the Embassies in the United Kingdom  
and in France*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, June 12, 1953—5 : 17 p. m.

7916 (London) and 5985 (Paris). From the Secretary. Problem Chinese representation in UN will of course arise in more acute form in UN organs following signature Korean armistice. We intend discuss this matter at Bermuda meeting. However in view possible early armistice and consequently early UN meetings, please discuss soonest with Churchill and Bidault to assure continued UK and French support for such action as may be necessary in UN bodies to prevent change in Chinese representation.

While undoubtedly India and a few others may be expected join anticipated Soviet efforts change Chinese representation following armistice, and we are also again canvassing other free-world governments re problem, attitude UK and France remains a key factor to continued unity vast majority free world on this issue in immediate future. Thus, President and I consider it of utmost importance that UK, France and US continue stand together on this issue and avoid any public indication of divergence.

As UK and French Governments aware, we are convinced armistice represents no change in Communist objectives or willingness use force or any lessening of danger to SEA. We thus remain firm in our belief that seating its representative in UN now would appear as reward for halting aggression would not deter them from further aggressive ventures and would, moreover, be taken by them as sign of weakness on part free world. In addition we are confident British and French fully aware most unfortunate effect on Congressional and public opinion with probable unfortunate results if conclusion armistice should become occasion for split among allies on question seating Communist China in UN bodies. President has requested this point be stressed.

So long as we continue agree upon objective, details procedure to be followed can be worked out by UN Dels. US prepared continue presently agreed practice of avoiding vote on substance through some

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<sup>1</sup> Drafted by Ward P. Allen, Special Assistant on UN Affairs, Bureau of European Affairs; cleared by the Bureau of UN Affairs, the Bureau of Far Eastern Affairs, the Deputy Under Secretary of State (Matthews), and the Executive Secretariat; transmission approved by the Assistant Secretary of State for European Affairs (Merchant); signed by the Secretary of State. Repeated for information to USUN, New York (487).

procedural action such as postponement consideration any proposals change Chinese representation.<sup>2</sup>

DULLES

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<sup>2</sup> In telegram 6664, June 19, 1953, 1 p. m., the Ambassador in the United Kingdom (Aldrich) reported in response:

"During course my conversation with Churchill this morning, I raised with him the problem of Chinese representation in the UN. Churchill replied he had no intention of pressing for Chinese Communist admission into the UN immediately after an armistice but he did not wish tie his hands indefinitely. He said he would send me an informal note giving his position which he was sure we would find satisfactory." (310.2/6-1953)

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310.2/6-1253 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, June 12, 1953—7:58 p. m.

488. Re Chinese representation.

1. USSR or other del will undoubtedly propose in post-armistice SC and GA meetings that representatives Govt Republic of China be unseated and Chinese Commies seated. Our objective should be to dispose of issue in both bodies in routine fashion and with minimum debate.

2. In SC, following procedure would accord with past practice and with existing "moratorium arrangement" with UK.

(a) If USSR, on point of order, moves that Council unseat representatives Govt Republic of China and seat Chinese Commies, President can state that while Soviet representative can, of course, request that Chinese representation issue be listed in provisional agenda of subsequent meeting, this question is not on agenda present meeting and Soviet motion is therefore not in order. If Soviet representative insists on immediate consideration his proposal, President should formally rule it out of order. If challenged, such ruling would undoubtedly be sustained.

(b) If Soviet representative should request SC meeting to consider Chinese representation issue, matter can probably be most easily disposed of at that meeting by adoption of motion postpone *sine die* consideration question of inclusion item in agenda. Such motion should preferably be made by another Council Member. Greece or Colombia would be appropriate sponsor and would probably be willing to do this.

3. In GA question should be handled on basis that any proposal unseat representatives Chinese National Govt and seat Commies is out of order or constitutes, in effect, motion reconsider decision already taken by this session GA (Rule 82). This should be done preferably on ruling by President. If Pearson does not agree make such ruling, US or

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<sup>1</sup> Drafted by Taylor and Gough with concurrence of Wainhouse; cleared by the geographic bureaus, L/UNA and the Executive Secretariat; approved for transmission and signed by Hickerson.

another Delegation would submit formal motion in above sense in form designed secure maximum support. Action would be based on fact that GA, in resolution 609 (VII), approved credentials representatives Govt Republic of China and decided "to postpone for duration of its seventh session consideration all proposals exclude representatives of Govt of Republic of China and to seat representatives of CPG of the PRC".

4. Procedural questions re problem of possible attempts hear Chinese Commies or North Koreans, as well as any additional procedural points raised in urtels 781, 782 and 786 will be subject separate telegram.

5. In seeking support other delegations SC and GA for procedure outlined paragraphs 2 and 3, it will probably be desirable for you, in your discretion, restate major considerations which lead this Govt believe it imperative Chinese Commies should not be seated in any UN body and that representatives Government Republic of China continue be seated. In this connection you may wish make use of material in Department's circular telegram on Chinese representation, 1195, June 12.

DULLES

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CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum by the United Nations Adviser, Bureau of  
Far Eastern Affairs (Bacon)*<sup>1</sup>

SECRET

[WASHINGTON,] June 12, 1953.

Subject: Draft Paper on Chinese Representation for the Bermuda Conference

Attached is a revised edition of the draft paper on Chinese representation for the Bermuda conference. You saw the first version of this paper and approved its general substance.

UNP informs me that the Secretary personally added the following two sentences:

In numbered paragraph 4, relating to the need for retaining the present policy on Chinese representation pending a future reassessment in the light of the behavior of the Chinese Communists, the Secretary added "In Churchill's own words in connection with the admission of Germany into the League of Nations after World War I, 'They must work their passage back'".

In numbered paragraph 6, relating to the U.S. suggestion that the U.S., U.K. and France agree to continue a policy of postponement, the Secretary added "It may be desirable to continue to postpone the question, at least until the Charter Review Conference in 1955."

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<sup>1</sup> Addressed to the Assistant Secretary for Far Eastern Affairs (Robertson) and the Deputy Assistant Secretary (Johnson).

*Note:* The Secretary's reference to the Charter Review Conference is of special interest. It may be that the Secretary suggested it merely as a possible cut-off date sufficiently far in the future for present purposes. Beyond that the full implications of a possible connection between Charter revision and the Chinese representation question are not entirely clear. The U.K. and France might assume that a revision of the Charter was contemplated under which the provision for China as a permanent member on the Security Council would be deleted. On the other hand, it may be that the Secretary has in mind that a provision might be added to the Charter laying down rules for handling cases of rival claimants for seats in the UN.

## [Attachment]

*Draft Position Paper Prepared by the United Nations Adviser,  
Bureau of Far Eastern Affairs (Bacon)*

SECRET

[WASHINGTON,] June 10, 1953.

## CHINESE REPRESENTATION IN THE UNITED NATIONS

## THE PROBLEM

To obtain UK-French agreement to continue in all United Nations bodies to support procedural action designed to ensure the continued seating of the representatives of the Chinese National Government and the exclusion of Chinese Communists.

## POSITIONS OF UK AND FRANCE

Under a "moratorium arrangement" agreed upon by the UK and US in May 1951, US and UK representatives in all UN bodies have jointly supported action designed to dispose of the Chinese representation issue on a procedural basis and to avoid a vote on the substance. This action usually takes the form of motions to postpone consideration of the Chinese representation issue. The UK bases its support of these motions on the Chinese Communist aggression in Korea. The UK contemplates early abandonment of postponement and active support for the seating of Chinese Communists soon after the armistice is signed.

France, which has not recognized the Chinese Communists, has generally voted with the United States against the seating of Chinese Communists. However, the French attitude on this does not appear to be firm and France might be strongly tempted to recognize the Chinese Communist regime and to support the seating of its representatives in the UN if there were a prospect of successful negotiations on Indochina.

## UNITED STATES POSITION TO BE PRESENTED TO OTHER GOVERNMENTS

1. We consider it imperative that the Chinese Communists should not be seated in any UN body and that representatives of the Chinese National Government continue to be seated, so long as the Chinese Communist regime is constituted on its present basis, under its present leaders, and so obviously serving the ends of the Soviet Union.

2. Agreement by the Chinese Communists to a military armistice in Korea does not constitute adequate evidence that Communist China has abandoned the use of armed force to seek its objectives and those of the USSR. There is nothing to indicate that it represents more than a tactical shift designed to create an atmosphere in which resistance to communist and Soviet imperialism will be weakened; it signifies merely that the Communists have found it unprofitable to continue the war in Korea, and the danger of renewed aggression by them particularly in Southeast Asia, remains.

3. In the absence of further evidence that the Peiping regime has changed its standards of international conduct, international political acceptance of the Chinese Communist regime, including the seating of its representatives in the UN, would have serious consequences. It would greatly enhance Chinese Communist prestige and weaken the resistance to communism of Asian peoples who are still free. It would appear as a reward for halting the criminal act of aggression; by minimizing the penalty it would encourage the Chinese Communists to embark upon or to lend greater aid to further aggressive ventures.

4. It is imperative therefore that the current policy on Chinese representation must be fully retained pending a future reassessment by the three governments in the light of the behavior of the Chinese Communists. In Churchill's own words in connection with the admission of Germany into the League of Nations after World War I, "They must work their passage back".

5. A new public divergence of policy between the US, the UK and France would have most unfortunate consequences for our combined efforts to build our defenses against communism throughout the world. Our Congress would be severely shaken if the US, with British and French concurrence, were to seat the Chinese Communists.

6. Because of the basic difference of view between the UK and the US on the Chinese representation issue, agreement should be reached, in principle, that the three governments will continue, in all UN bodies, jointly to support some procedural action by which votes on the substance can be avoided. The United States suggests that the three governments agree to continue a policy of postponement, leaving the delegates of the three governments to work out the necessary steps to achieve this result. It may be desirable to continue to postpone question, at least until Charter Review Conference in 1955.

## DISCUSSION

An understanding with the UK and France on the Chinese representation issue is essential if we are to continue to keep Chinese Nationalists seated in and Chinese Communists out of the many UN bodies, particularly those smaller bodies which are so composed that a large number of their members recognize the Chinese Communist regime. The other UN countries of Western Europe (all of which recognize the Chinese Communists, except Luxembourg, Belgium and Iceland) and the Commonwealth countries will be strongly influenced by the attitude of the UK and France.

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810.2/6-1553 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET      PRIORITY      NEW YORK, June 15, 1953—7 : 11 p. m.

807. I. Re your 488, June 12, wish you would try to ascertain whatever advantages there might be in splitting motion which would at one and the same time unseat the representatives of the Government of the Republic of China and seat the Chinese Communists. If we can get the question of unseating the Chinese Nationalists considered separately would it not raise the whole question of expelling members from the UN? I believe this might be advantageous at this time. Could we thereby not raise the question of expelling members who have admitted aiding aggressors?

II. Agree that "our objective should be to dispose of issue in both parties in routine fashion with minimum of debate", but wish to underline that if it is not possible to be successful in a routine fashion then it becomes necessary to state our substantive arguments for the world and that we must be prepared to do so and to take three or four days in the process so as to give time for our various arguments to sink in and get adequate treatment and headlines throughout the world.

III. The suggestion that it is not in order to bring up the unseating of the Chinese Nationalists and the seating of the Chinese Communists because it is not on the agenda seems to accomplish nothing except to put off the question for one day and make it appear as though we were avoiding the issue which we have no reason to do.

IV. Heartily approve your suggestion of a motion to postpone *sine die*, but question whether we should not make the motion ourselves rather than having Greece or Colombia do so.

LODGE



310.393/6-1553: Telegram

*The Ambassador in France (Dillon) to the Department of State*

CONFIDENTIAL

PARIS, June 15, 1953—8 p. m.

6465. For the Secretary. In accordance with your instructions in Deptel 5985, I saw Bidault this afternoon. He expressed his acute embarrassment at governmental situation which forced him to receive an American Ambassador at a time when he could not speak with full authority for the French Government.

Regarding the substance of reftel, he said that he was sure that no French Government would take any unilateral decision on the subject of Chinese representation in the UN prior to the Bermuda conference, and he could guarantee that no such action would be taken as long as he had any influence on French foreign policy. He said that he had not been giving any time to detailed questions of foreign policy for the last ten days or so and did not want to make any detailed commitments. However, his own view was that the question of Communist Chinese representation in the UN should only come up as one of the questions to be considered by a broad Asiatic conference which would naturally follow a four-power conference. He did not give any details as to how he thought such an Asiatic conference should be constituted. He thought the situation in Indochina would obviously require such a meeting. All this, however, could be and would be discussed at the Bermuda conference as undoubtedly the question would be raised there by Churchill.

He said that Mendès-France's idea on Indochina was to tell the US at Bermuda: "We can no longer carry the burden in Indochina. What do you want to do about it?" This, he pointed out, was exactly similar to the British action in Greece some years ago. He said that he had opposed this Mendès-France policy with all his strength as being dishonorable, and he will continue to oppose any such policy. He pointed out that he personally had been responsible for preventing Robert Schuman from granting French recognition to Mao three years ago.

He closed by asking that I tell the Secretary for him that he would not continue in his present position in the next French Government unless there were full assurances of the continuity of French policy both in Indochina and in support of NATO objectives, including EDC, and that he would not support any government that would not give such assurances.

DILLON

310.2/6-1753 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL PRIORITY NEW YORK, June 17, 1953—5:53 p. m.

823. Re Chinese representation. Most significant aspect of Soviet representative's effort to get Chinese Communists seated in SC yesterday was fact he referred twice to his proposal as being a substantive one.

Following motion by Sears to postpone, Zonov said, "I have submitted a substantive question." Further along he said, "I ask that my proposal be put to the vote first as a substantive and important proposal."

This ineptitude on Zonov's part may be very substantial advantage to US if and when we are confronted with necessity of using veto in SC against seating Chinese Communist in that body.

This should help us demonstrate that question of seating Chinese Reds is substantive and not procedural.

Copies of verbatim text of Zonov's statements yesterday being sent Sandifer by pouch.

LODGE

310.2/1553 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, June 18, 1953—6:55 p. m.

499. Re: Chinese representation. Department has given careful consideration question raised urtel 807. Views given below follow numbered paragraphs urtel.

1. Re question whether advantage in splitting Soviet motion into two parts: (a) motion to unseat representative of Chinese National Government and (b) to seat Commies; Department convinced our interest lies rather in continuance of procedure under moratorium through which we have uniformly succeeded in keeping Soviet proposals from coming to vote at all, either as whole or in parts. This procedure is means whereby British and others can support us on vote to postpone consideration Soviet proposals although they would vote for Soviet proposals if these were put to vote. Device thus enables us (a) to obtain far better vote for continuing seating Chinese Nationalist representatives and keep out Commies than could be achieved by

<sup>1</sup> Drafted by Taylor and concurred in by Wainhouse; cleared by the Bureau of Far Eastern Affairs and the Bureau of European Affairs, L/UNA, and the Executive Secretariat; approved for transmission and signed by the Deputy Assistant Secretary of State for UN Affairs (Sandifer).

voting on Soviet motion either in whole or in part and (b) avoid open split with friendly countries over Chinese representation issue.

In light past Soviet practice believe likely Soviets themselves will submit their motion in two parts as you indicate since more votes might be obtained for exclusion Chinese Nationalists than for seating Communists unless firm understanding with friendly delegations covering both procedural gambits exists.

Apart from controlling considerations given above, Department does not believe that limiting Soviet motion to unseating Chinese Nationalists would in itself raise or be suitable vehicle for raising question of expelling members who have admitted aiding aggressors, i.e. Soviets. Expulsion of member state that has persistently violated its obligations is provided for in Article 6 of Charter. But expulsion is quite separate matter from determination who is entitled represent particular member state in UN bodies. It has never been suggested or contemplated, so far as we know, that expulsion of a state from UN under Article 6 could be effected by mere process of refusing seat or unseating any representative this member state in SC.

We believe above view so generally accepted throughout UN that vote on question of unseating representative opposed by another claimant would not be taken as opening way to unseating of representative of member in case where there was no alternative claimant.

Department believes any suggestion along these lines by us would be extremely disadvantageous our interests. Any US suggestions unseat USSR would be generally resented as move increase tension at precise moment when others look upon achievement of armistice as basis for further efforts reduce tension.

2. Vote of TC 10-1-1 Chinese representation question and preliminary reactions from field to Deptcirtel 1185 [1195?] indicate strong likelihood that at least in immediate future matter can be handled routine fashion and with minimum debate, in both GA and SC, on procedural basis suggested Deptel 488. This method likely secure maximum vote for our objective of continued seating representative Chinese National Government and exclusion of Chinese Commies all UN bodies. Assume domestic opinion concerned primarily with results rather than method.

Believe your advance inquiries will indicate 9 or 10 votes in SC for motion suggested Deptel 488. We would expect GA vote will probably not depart substantially from vote last fall which was 42-7-11, although returns Deptcirtel 1185 in next few days should show quite clearly what picture is.

3. Requirement that Soviet motion not be considered except under appropriate agenda item is nothing more than reasonable procedural protection against sudden and constant raising issue by USSR in SC proceedings on other questions. Moreover, in light past practice SC,

this is normal way in which proceed. (See Annex memo Wainhouse to Lodge, May 29.)<sup>2</sup>

4. Reason Department suggested that Colombia or Greece make motion was that US will be President SC and it seems to us more appropriate for another delegate to make motion.

DULLES

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<sup>2</sup> Not found in Department of State files.

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310.2/6-1853 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, June 18, 1953—6:55 p. m.

500. Re hearings for representatives ROK and for Chinese Commies and North Koreans at resumed GA. In your preparatory discussions other dels you should indicate our view as follows:

Since, apart from merely noting conclusion armistice, sole business before GA is to make appropriate arrangements for participation UN in Political Conference, it is unnecessary and totally inappropriate for GA hear Chinese Commies and North Koreans, and US will vote against any proposal this effect. As victim aggression and as part of UN side resisting aggression, ROK should properly be represented if it desires on same basis as in previous GA discussions Korean case, i.e., ROK should be invited participate without right vote.

DULLES

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<sup>1</sup> Drafted by Gough and concurred in by Wainhouse; cleared with the Bureau of Far Eastern Affairs, the Bureau of European Affairs, and the Executive Secretariat; approved for transmission and signed by Sandifer; and repeated for action to Canberra as telegram 213.

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310.2/6-1153

*The Secretary of State to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET

[WASHINGTON,] June 19, 1953.

DEAR CABOT: With reference to your letter of June 11 concerning a possible veto in connection with the Chinese representation question, I agree that you should have discretion in following tactics in the United Nations which are best calculated to accomplish our objective of keeping the National Government of China in the United Nations and keeping the Communists out. However, if and when we are con-

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<sup>1</sup> Drafted by Bernhard G. Bechhoefer, Officer in Charge, International Security Affairs, Office of UN Political and Security Affairs, and the Special Assistant to the Secretary of State (O'Connor).

fronted with the problem of seeking to veto a Security Council decision on this matter, the political consequences are so great that my present thinking is that the decision to assert and use the veto or not to veto should be made by the President in the light of the precise circumstances existing at the time the decision is to be made. My first reaction is that neither the United States Representative to the United Nations, the Secretary of State, nor the two acting in conjunction, should make the final decision. If the United States is to be in a position to make its decision either way on the basis of the situation confronting us at the time, it follows that we should avoid disclosing our cards in advance. Certainly, however, we need not, in conversation, *exclude* the possibility of the veto, nor should we assert an intention to veto.

Incidentally, the first responses from our communications to the field indicate clearly that we shall not immediately be faced with the problem of exercising the veto on this question. For a time, at least, the majority of the United Nations Security Council will vote with us.

As taking this matter to the NSC, I have discussed this with our people here and I do not believe such a step to be necessary. I feel that this is a matter clearly within our own jurisdiction, subject of course to the President.<sup>2</sup>

We shall keep you fully informed of all developments. We are herewith enclosing a copy of a memorandum on this subject which is being prepared for the Subcommittee on Far Eastern Affairs of the Senate Foreign Relations Committee.

Sincerely yours,

JOHN FOSTER DULLES

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<sup>2</sup> On the covering memorandum by Deputy Assistant Secretary Sandifer, June 17, 1953, transmitting the draft of this letter for signing, there appeared a handwritten notation, presumably by Dulles: "Nov 1950—Pres took to NSC—".

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340/6-3053 : Telegram

*The United States Delegation to the Economic and Social Council  
to the Department of State*

CONFIDENTIAL    PRIORITY

GENEVA, June 30, 1953—9 p. m.

Ecosoc 1. During entire first day ECOSOC, Communist delegates did not raise Chinese representation issue. United States delegation and United Kingdom feel this may foreshadow surprise Communist move if and when truce signed. Possible at that time Arutiunian (Russia), Katz-Suchy (Poland) or even Sen (India) may raise either on point of order or on basis of credentials report Rule 19 Chinese issue and move seating Communist China. In motion following truce such move might be successful. United Kingdom delegation uncertain position they would take and are cabling London.

United States delegation will continue every effort to prevent seating Communist China. Department may wish approach governments members ECOSOC.

Urgently request additional instructions and statement to be used if eventuality arises.

WARD

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340/6-3053 : Telegram

*The Secretary of State to the United States Delegation to the Economic and Social Council at Geneva and to the Embassy in the United Kingdom*<sup>1</sup>

CONFIDENTIAL      PRIORITY      WASHINGTON, July 1, 1953—5:48 p. m.

Socec 1 (Geneva) and 15 (London). Re Chinese representation question.

I. Since as on some other occasions USSR has failed raise issue at opening plenary, question likely arise in following ways: (a) when report credentials considered in form objection validity credentials representatives Chi Natl Govt; (b) in form request for inclusion new urgent and important item in agenda under Rule 16; or (c) at subsequent plenary meeting in form usual proposal exclude Chi Natl Reps and invite Chi Commies.

II. Following procedural courses appear Dept (a) to accord with "moratorium arrangement" which, on basis reports London, we definitely understand UK intends continue for immediate post-armistice period at least; and (b) on basis our information likely to be supported by large number Council Members whether or not there is armistice in Korea.

A. In event I (a) above USRep should state this raises substance Chi representation issue and should move that Council (1) postpone for duration session consideration of all proposals which would have effect excluding Chi Natl representatives and/or seating Chi Commie representatives; and (2) find that credentials Chi Natl Reps have been submitted in proper form. USRep should ensure this procedural motion put vote first. In advancing motion he should make appropriate statement along lines Dept's A-43 June 12 to USUN which we understand Bell took Geneva.

Important that clauses above procedural motion be submitted in order indicated since it may otherwise be difficult, for technical reasons, for UK and certain other states which recognize Chi Commies give affirmative support. For ur info suggested motion is similar to resolution submitted by US and approved by Credentials Committee seventh GA on Oct 17, 1952. Chi Rep question arose in Credentials Comite

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<sup>1</sup> Drafted by Gough and concurred in by the Officer in Charge, Pacific Settlement Affairs (Stein); cleared with the Bureau of Far Eastern Affairs, the Bureau of European Affairs, L/UNA and the Executive Secretariat; approved for transmission and signed by Wainhouse.

in form Sov proposal calling upon GA to regard as invalid credentials representatives Chi Natl Govt. US resolution was put vote first, at demand US, was adopted and Sov motion not put to vote.

B. In event I (b) above USRep should move that Council decide (1) to reject request for inclusion item in agenda; and (2) to postpone for duration session any further proposals exclude Chi Natl representatives from Council or to seat Chi Commies. In advancing motion USRep should make statement along lines A-43 to USUN, including statement to effect that adoption his motion would mean that Chi Natl representatives would continue be seated.

This procedure along identical lines that used General Comite sixth GA when USSR proposed inclusion urgent and important item entitled "The representation of China in the UN".

C. In event I (c) above, USRep should follow procedure outlined position paper.

III. Suggest USDel discuss above procedures with UKRep soonest. Since "moratorium arrangement" UK has agreed use almost identical procedures when Chi Rep issue raised other UN bodies in same circumstances as those outlined above, and UKRep should therefore have no difficulty agreeing their use ECOSOC.

AmEmbassy London requested approach FonOff with view securing despatch instructions UKDel soonest.

IV. In mid-June US Ambassadors friendly UN countries were requested solicit at high level post-armistice support our position on Chi Rep question. On basis response their capitals, you should have no difficulty in obtaining support Australia, Cuba, France, Philippines, Turkey and UK for above procedures whether or not there is Korean armistice. While no responses yet recd their capitals we have no reason expect Argentina, Belgium, Uruguay and Venezuela will fail support US. On basis Cairo's response Egypt will not support seating Chi Commies, although not clear whether it would support or abstain on procedural action. After you agree on procedures with UK suggest you seek support other friendly Members. In unlikely event ur canvass does not indicate adequate support, Dept will approach appropriate capitals.

DULLES

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310.393/7-153 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

CONFIDENTIAL

LONDON, July 1, 1953—6 p. m.

14. In my telegram number 6664, June 19,<sup>1</sup> I stated I had raised with Churchill the problem of Chinese representation in the UN and that he had said he would send me an informal note giving his position.

<sup>1</sup> See footnote 2, p. 371.

I have now received from Selwyn Lloyd a note which he had prepared in reply to my representations and which he was forwarding personally because Churchill would now be unable to see me. This note in substance reads as follows:

The moratorium procedure referred to in the US Ambassador's memorandum has worked reasonably well since 1950. In practice, the UK delegation normally votes for a procedural resolution, usually moved by the US, that discussion of the question of representation be indefinitely postponed.

HMG agrees that there is no question of changing this arrangement while fighting in Korea continues.

After the conclusion of an armistice this will need to be reconsidered and a decision taken after some reasonable interval in the light of the way events develop in the Far East.

In addition to Lloyd's note Strang said yesterday that HMG is in no hurry to move on the question of Chinese representation.

ALDRICH

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340/7-253 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

CONFIDENTIAL

LONDON, July 2, 1953—5 p. m.

34. Repeated information Geneva 1. Department pass USUN New York 1. Re Reptel 15, July 1. Chinese representation. Foreign Office agrees that moratorium arrangement will be applied if and when necessary during ECOSOC meetings. Procedures outlined Deptel appeared to Foreign Office to be in accord with previous understandings.

UK delegate Geneva will be instructed in accordance with above.

Embassy would appreciate copy Department's A-43, June 12 to USUN referred to in recent telegram.

ALDRICH

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340/7-553 : Telegram

*The United States Delegation to the Economic and Social Council to the Department of State*

CONFIDENTIAL

GENEVA, July 5, 1953—11 a. m.

Ecosoc 12. In light Ecosoc 4 and supplement<sup>1</sup> likely Chinese representation issue raised on report credentials. In unlikely case issue raised inform 1 (B) Socec 1 USDel intends handle issue in accordance

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<sup>1</sup> Neither printed.



position paper moving adjournment debate for duration sixteenth session stating effect would not only be (a) continued seating of Chinese Nationalist representatives but also (b) rejection request for inclusion item on agenda. UK agrees.

WARD

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310.2/7-3053 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

SECRET

LONDON, July 30, 1953—2 p. m.

455. Re Deptel 501; July 29 [28].<sup>1</sup> Similar query received from British Embassy Washington. Foreign Office instructing them that statement made in heat of supplementary questions concerning Korean armistice agreement. Lloyd's comment in answer to Greenwood's (Labor) request for assurance UK would "lose no opportunity at all of pressing upon UN desirability of recognizing Republican Government of China and of admitting her to UN at earliest opportunity." Lloyd's statement quoted reference telegram prefaced by statement: "That is a matter upon which views of HMG are well-known." Lloyd's reference to discussion should be interpreted as "private discussions with other friendly governments" and entire comment should be read in sense of "in due course."

Foreign Office official (Addis) stated to Embassy officer that he prepared give assurances that UK position taken in tripartite discussions and Salisbury statement of July 13 unchanged and that UK has no intention of raising matter August 17 session of GA. Addis commented that exchange in Commons so rapid, particular phrasing of Lloyd's answer not noticed and caused no reaction either side of House. Agrees answer was ambiguous and unfortunately worded.

Department's attention invited to Lloyd's answer to another question same day in which he stated: "So far as recognition by others is concerned, that is matter which will have to be dealt with in the course of or after the political conference." Also Butler in Commons on 29 stated ". . . this question depends upon taking the views of the other nations concerned. No doubt preparatory discussions will be taken at UN Assembly, and we have always taken the view that the recognition of the People's Government does not follow automatically from the conclusion of an armistice but should be decided at the political

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<sup>1</sup> The Department of State had queried a statement made in the House of Commons by Minister of State Selwyn Lloyd (as reported by the *New York Times*) that Chinese Communist admission into the United Nations "is certainly matter which must be considered and dealt with by UN." (310.2/7-2853)

conference." Foreign Office states that again Butler's reference to UN Assembly does not apply to August 17 session.

ALDRICH

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IO files, SD/A/C.1/420

*Position Paper Prepared in the Department of State for the United States Delegation to the Resumed Seventh Session of the General Assembly*

RESTRICTED

[WASHINGTON,] August 6, 1953.

CHINESE REPRESENTATION

UNITED STATES POSITION

1. We will vigorously oppose any move to unseat representatives of the Chinese National Government or to seat Chinese Communists.

2. Since the General Assembly, at the beginning of the current session (October 1952) approved the credentials of the representatives of the Government of the Republic of China and decided to postpone consideration of all proposals on this subject for the duration of the session, we will deal with any attempt to revive the issue by:

*a.* having it ruled out of order; or

*b.* having it treated as a motion to reconsider a previous decision of this session—an action requiring a two-thirds majority under the Assembly's rules.

DISCUSSION

The tactical details will have to be worked out in advance by our Delegation with President Pearson and with friendly Delegations.

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310.2/8-1853

*Memorandum of Telephone Conversation, by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon)*

RESTRICTED

[WASHINGTON,] August 18, 1953.

Subject: Chinese Representation Issue in ICAO, ITU, WHO and the 8th General Assembly

Mr. Tsui phoned yesterday to express to this Department under instruction from his Foreign Office the Chinese Government's appreciation for the cooperation which the Chinese Delegations at recent sessions of ICAO, ITU and WHO had received from the United States Delegations on the question of Chinese representation.

Also acting under instruction Mr. Tsui said that his Government hopes to receive the assistance of this Government on the Chinese representation issue at the 8th session of the General Assembly which is scheduled to open September 15.

310.2/8-2453 : Despatch

*The Ambassador in the Republic of China (Rankin) to the  
Department of State*

SECRET  
No. 96

TAIPEI, August 24, 1953.

Subject: China's Representation in the United Nations.

*Forward:*

This despatch is forwarded with considerable diffidence in view of the specialized nature of United Nations' activities, regarding which various persons in the Department and in New York have expert knowledge far beyond that possessed by officers of this Embassy. Technical treatment of the subject has been avoided, and only the broad lines dealt with as they appear from Taipei.

After describing the peaceful Purposes and Principles of the United Nations in Chapter I, the Charter of that Organization states in Chapter II (Membership), Article 4:

"Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

Experience since the Charter was signed in 1945 has established conclusively that no communist state associated with Moscow qualifies for membership in the United Nations under the clearly stated provision of the Charter. In fact, several of this group of states have, by their actions, made themselves liable to suspension or expulsion under the terms of the Charter.

The question arises whether it would be in the spirit of the Charter and would contribute to the purposes of the United Nations, either to admit additional communist states to membership, or to expel such states as are now members and have qualified for expulsion. Whatever may be said for or against expelling communist members, it may be stated without fear of contradiction in non-communist circles that, based on past experience, the admission of additional communist states would be more likely to hamper than to help the avowed purposes of the United Nations. The arguments in favor of such admission would, if stated honestly, relate to hopes of appeasement and of economic benefit to the supporters of these arguments, rather than to furthering the clearly stated principles and purposes of the United Nations Charter. All such considerations partake of the substance of the matter. There are also procedural considerations within the United Nations Organization; to date the admission of other communist states has been prevented largely in this way, without going openly into

substantive matters, although non-communist states which are eminently qualified for membership have also been excluded in the process.

It has seemed natural and proper to the United States that communist governments should be excluded from the United Nations by procedural methods as long as these were effective. When there is indication that they may fail, however, it would appear to be a clear obligation of the United States to oppose such admission on substantive grounds. This obligation becomes of particular importance in the case of China, the first major country to undertake a deliberate attack upon the United Nations with its armed forces and to be formally branded as an aggressor in consequence. It would require the most convincing evidence of a very tangible character, and over a long period of time, genuinely to persuade the members of the United Nations that the Peking regime has experienced the fundamental transformation which alone could qualify it for membership in the Organization.

There is also to be considered the effect on the remaining non-communist states of Asia in the event of Red China's admission to the United Nations Organization. Certain of these countries appear to favor such action; others oppose. But all would accept it as representing acquiescence by the Free World in Mainland China's definitive loss to communist conquest. Depending upon their individual circumstances, all would either seek a larger degree of accommodation with Peking, or prepare to be overwhelmed by force when the communists got around to them.

If, despite all efforts of the United States, Red China were finally admitted to membership, it would generally be accepted in the Far East that the United Nations as such could no longer be expected to function as an agency of collective security. These responsibilities might then be expected to pass definitively to the field of mutual defense pacts and to the Regional Arrangements foreseen in Chapter VIII of the Charter.

To offset in part the tremendous impact of Red China's success in shooting its way into the United Nations, it would be necessary for the United States to negotiate additional mutual assistance pacts with non-communist states in the Far East, including Free China. This would best be done quickly, if possible before the formal entry of Red China into the United Nations, since the purpose of these pacts would be largely psychological. More important for the longer term would be the necessity of a speedy and substantial expansion of American military aid programs in the Far East. Nothing short of such measures would have any appreciable effect in keeping hope alive among our friends and in maintaining respect for the United States among both friends or foes. It would also be highly desirable to make

clear at the earliest possible moment whether American policy toward communist states is to be one of containment or of liberation.

In pursuing a policy of non-recognition of Red China and of opposition to its acceptance into the United Nations Organization, the United States Government must expect to find itself recurrently in the position of explaining the circumstances under which it might modify this policy. Obviously, a great danger lies here. The exploitation by communist propaganda of the most measured statement on this subject, and the alarm among various non-communist countries of Asia at any suggestion of accommodation between the United States and Communist China, make it of transcendent importance that American policy be stated in the simplest terms.

Technically, of course, there is no necessary connection between the question of American recognition and the membership of Red China in the United Nations, but in the public mind these two are closely related if not to all intents and purposes identical. In explaining the American position, it may be fortunate that this is true. A case can be made out for extending American recognition to the Peking regime on the same grounds adopted by the United Kingdom and several other countries. American traditions are somewhat different in this respect, but from both substantive and legal standpoints, the case against Red China's acceptance into the United Nations Organization appears stronger than that against recognition. The United States is in a position to say that it opposes and will continue to oppose the entry into the United Nations of any and all regimes which fail to qualify under the express terms of the Charter. The various counts under which Red China must be excluded could then be detailed in such fashion that all could understand.

It might appear implicit in the foregoing policy that the United States would acquiesce in Peking's entry into the United Nations Organization, and presumably extend recognition, at such time as that regime could establish itself as qualified. There would be grave danger in positive statements to this effect by high American officials. But there could be a tacit acceptance of this implication. To qualify fully for United Nations membership under the clear terms of the Charter would require such far-reaching changes in Red China's relationships with Moscow, with the Free World, and with the Chinese people, that the China problem would be well on its way to the kind of solution which the United States desires. The Curtain, whether of iron or bamboo, would have been rolled up, and a friendly, stable China would be at hand. The United States should accept no less.

From the propaganda standpoint, there would seem to be considerable merit in representing what now appears to many as a negative position—objection to Red China's acceptance in the United Nations—in the positive light of firm support for the Charter. To place one's

opponents in the position of seeming to attack the Charter has the same advantages as making them appear to oppose "peace".

K. L. RANKIN

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IO files, SD/A/306

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] August 27, 1953.

#### APPOINTMENT OF THE CREDENTIALS COMMITTEE

##### THE PROBLEM

In accordance with Rule 28 of the Rules of Procedure, a Credentials Committee of nine Members will be appointed by the General Assembly, on the proposal of the Temporary President (Pearson—Canada), at the opening plenary meeting.

##### UNITED STATES POSITION

That the United States accept any slate proposed by the Temporary President provided that (a) the geographic distribution of countries approximates that of the last regular session; and (b) no more than three countries which recognize the Chinese Communist regime are included.\*

##### COMMENT

1. The Credentials Committee appointed at the seventh session was composed as follows: Belgium, Burma, Lebanon, New Zealand, Panama, Paraguay, Sweden, the USSR and the United States.

2. The Credentials Committee should include not more than three states which recognize the Chinese Communist regime, because the Committee should reflect Assembly sentiment as a whole on the recognition question and only 17 of the 60 Members (including Byelorussia and the Ukraine) recognize the Chinese Communists.

3. The Temporary President, in proposing the Credentials Committee slate, acts on the recommendation of the Secretariat, and the Secretariat checks the slate in advance with major Delegations, including the United States. In the past, the Secretariat has always been amenable to changes suggested in the slate by the United States Delegation. Since the Chinese representation issue will undoubtedly be raised in the Credentials Committee, the Delegation should make every

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\*The following UN Members recognize the Chinese Communist regime: UK, Norway, Sweden, Denmark, Israel, Indonesia, Afghanistan, Burma, Netherlands, USSR, Byelorussia, Ukraine, Czechoslovakia, Poland, Yugoslavia, Pakistan and India. [Footnote in the source text.]

effort to ensure that the slate, as drawn up by the Secretariat and proposed by the Temporary President, is composed of a safe majority of states which are certain to support our view on the Chinese representation issue. In the unlikely event that such a slate is not proposed, the Delegation should move appropriate changes in the plenary session.

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310.2/8-2753

*Memorandum of Conversation, by the Officer in Charge of General Assembly Affairs (Taylor)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 27, 1953.

Subject: General Assembly Matters: UN Membership

Participants: Miss Barbara Salt, First Secretary, British Embassy  
Mr. Paul B. Taylor, UNP  
Mr. Eric Stein, UNP

Miss Salt came at her request for a general discussion of problems to be expected at the Eighth General Assembly. In particular, she was under instructions to raise the question of United Nations membership.

[Here follows discussion of the membership question, see page 961.]

2. *Chinese Representation*

Miss Salt said she assumed we would probably wish to continue the moratorium in some form. She gave every indication of earnestness in stressing that it is the desire of the foreign office not to split with us on this issue at the coming session. It wants, she said, to avoid differences with us on this issue just as long as the political situation in Britain permits. She said that the foreign office is thinking along the lines of a motion or resolution, at the outset of the session, which would postpone, for the duration of the session, any proposals to change Chinese representation. We told her that when a position on this is approved, we will talk with the British further about specific procedures.

[Here follows brief discussion of "Miscellaneous Items".]

PAUL B. TAYLOR

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<sup>1</sup> Source text indicates this memorandum was dictated Nov. 13.

IO files, SD/A/309

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

SECRET

[WASHINGTON,] August 29, 1953.

## QUESTION OF CHINESE REPRESENTATION

## THE PROBLEM

The Soviet Representative served notice at the recent meetings of the Seventh Session on Korea that the USSR intends to press strongly at the Eighth Assembly Session for the seating of the Chinese Communists. It is probable that this issue will also be raised by such delegations as India which actively support the seating of the Chinese Communists. The issue is likely to be raised as follows: (a) as at the Fifth General Assembly, at the outset of the opening plenary meeting, in the form of a proposal or proposals to exclude the Representatives of the Government of the Republic of China and invite Chinese Communist Representatives; (b) as at the Sixth General Assembly, in the form of a request for the inclusion of the question of the representation of China in the Assembly's agenda; or (c) as at the Seventh General Assembly, initially in the Credentials Committee, in the form of a proposal calling upon the General Assembly to declare invalid the credentials of the Representatives of the Government of the Republic of China.

## UNITED STATES POSITION

1. If the question arises as indicated in (a) above, the United States should initiate or support in the plenary a motion along the following lines:

I move "That the General Assembly postpone for the duration of its Eighth Regular Session consideration of all proposals to exclude the Representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China".

The United States should take the necessary steps to ensure that this procedural motion is put to the vote before the substantive proposal and, upon its adoption, that the substantive proposal is not put to the vote.

2. If the question arises as indicated in (b) above, the United States should initiate or support in the General Committee a resolution along the following lines:

*"The General Committee,*

*"1. Recommends that the General Assembly decide to reject the request of the [Soviet Union] <sup>1</sup> for the inclusion in the agenda of its*

<sup>1</sup> Brackets in the source text.



Eighth Session of the additional item entitled '(precise title of item)'; and

"2. *Recommends* that the General Assembly decide to postpone consideration for the duration of its Eighth Regular Session of any further proposals to exclude Representatives of the Government of the Republic of China from the Assembly or to seat representatives of the Central People's Government of the People's Republic of China to represent China in the Assembly".

3. If the question arises as indicated in (c) above, the United States should seek to have the Credentials Committee adopt a proposal along the following lines:

*"The Credentials Committee,*

"1. *Recommends* that the General Assembly postpone for the duration of its Eighth Regular Session consideration of all proposals to exclude the Representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China; and

"2. *Finds* that the credentials of the Representatives of the Government of the Republic of China conform with the provisions of rule 27 of the Rules of Procedure of the General Assembly".

The necessary steps should be taken to ensure that this proposal is put to the vote before the [Soviet bloc proposal] <sup>2</sup> and, upon its adoption, that the [Soviet bloc proposal] is not put to the vote.

4. In the unlikely event that procedural action along lines outlined in recommendations 1, 2, and 3 above, is not taken and the substance of the Chinese representation question is put to the vote, the United States should actively oppose and vote against any proposal to exclude the Chinese National representatives and/or seat Chinese Communists.

#### COMMENT

By taking a procedural position which avoids a vote on the substance we can achieve our basic objective (the seating of the Representatives of the Chinese National Government and the exclusion of the Chinese Communists) with minimum difficulty and with maximum free-world support.

In June 1951 the United Kingdom agreed to a "moratorium arrangement" under which United Kingdom and United States Representatives jointly support in all United Nations and specialized agency bodies procedural action (usually postponement) which avoids votes on the substance but results in the seating of Representatives of the Chinese National Government and the exclusion of Chinese Communists. This arrangement has been supported by a large majority of states including, in addition to the United Kingdom, most of our key allies which recognize the Chinese Communists. The support of the

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<sup>2</sup> Brackets in the source text.

United Kingdom and other recognizing states (which follow the United Kingdom lead on Chinese representation) for the "moratorium arrangement" was based originally on the continuance of hostilities in Korea. The Chinese representation issue was raised by the Secretary in the tripartite meetings last June. The agreed communique stated that the Foreign Ministers of the United States, the United Kingdom and France "considered that, in existing circumstances and pending further consultation, the common policies of the three Powers toward Communist China should be maintained." Subsequently, UK officials have emphasized the need to handle the Chinese representation issue in the UN by way of extension of the "moratorium arrangement" (period unspecified but for the duration of the eighth GA) so as to make it unnecessary for the British representatives to vote directly on the issue of seating the Chinese Communists. Under this procedure, we would jointly seek to prevent the seating of the Chinese Communists through adoption of procedural action. While, for the present, we could undoubtedly continue to command the necessary majority to achieve our objective in the General Assembly and plenipotentiary bodies of the specialized agencies without the continued affirmative support, under the "moratorium arrangement", of the United Kingdom and states which follow its lead, it is essential that this working arrangement be maintained if we are to continue to achieve our basic objective in certain other smaller United Nations and specialized agency bodies which are so composed that a majority or near majority of their members recognize the Chinese Communists. Moreover, it should be noted that last June,<sup>3</sup> in view of the imminence of a Korean armistice, we instructed our ambassadors to express to other friendly UN Member Governments our continued vigorous opposition to the seating of the Chinese Communists, and to indicate that in the interest of avoiding open differences among the free-world states in the UN we would be willing to continue the present practice of avoiding votes on the substance through procedural action by which consideration of any proposal to change Chinese representation would be postponed indefinitely. The results of these representations show that we can continue to command the broadest support for our position through procedural action.

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<sup>3</sup> Circular telegram 1195, June 12, 1953, p. 667.

310.2/9-253 : Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*<sup>1</sup>

SECRET

NEW YORK, September 2, 1953—4 p. m.

144. Verbatim Text re Chinese Representation. UK delegate informed USUN as "urgent" matter that Lord Salisbury had devised new formula to replace "moratorium" agreement as follows:

*Begin Verbatim Text.*

The Assembly decides to postpone consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China until such time as the Assembly has been able to consider the position in the light of developments resulting from the Assembly resolution of August 28 concerning the establishment of a political conference on Korea.

*End Verbatim Text.*

Salisbury plans put formula before cabinet on ninth. UK delegate would like US reactions before this Friday. Arguments made by Crosthwaite in course conveying new formula to USUN as follows:

1. UK wish avoid public split, as happened over Indian participation Korean conference. They favor "moratorium" but one with less rigid language than last year's. UK formula did not mean UK wished bring up substance of Chinese representation question.

2. UK wished not to tie own hands publicly for full year until Ninth GA by old language. In this connection, recalled decision of Sixth GA confined postponement of consideration Chinese representation only to meetings in Paris.

3. UK feel fact of armistice as "changed situation" should be reflected in a new formula which would not freeze situation unalterably for next 12 months. Crosthwaite hoped, if Salisbury formula not acceptable to US, that US would offer some alternative language.

WADSWORTH

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<sup>1</sup> Repeated to London as priority telegram 1186, Sept. 3, 5:36 p. m. (310.2/9-253).

310.393/9-253 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the  
Department of State*

CONFIDENTIAL

LONDON, September 2, 1953—7 p. m.

940. 1. Understand Foreign Office has instructed UKUN and British Embassy discuss with US, UN and Department tentative British views re continuation moratorium Chinese representation UN. Purpose of exercise said to be clear own minds, sound out US think-

ing and avoid if possible public airing of differences in forthcoming session UNGA.

2. In brief, UK position is that moratorium lasting throughout session would present practical difficulties, would be incompatible with statements by government spokesmen and would leave government vulnerable to attack by opposition. Selwyn Lloyd, for example, on July 30 stated in Commons among factors which would have to be taken into consideration would be results of political conference and behavior of Chinese outside conference. UK would wish explore with US possibilities of moratorium for shorter term, or until UNGA has had opportunity study report from political conference.

3. In explanation above views, Foreign Office stated UK wished avoid inflexibility in approach to this delicate subject. ROK, it was felt, would be more likely create difficulties than Communists, and UK has no desire have Rhee dictate British policy toward China. If, for example, Chinese Communists were to release foreign internees and give British businessmen in China a break, or if they gave satisfactory guarantees to French re IC, UK would be hard put to defend continuance moratorium. Foreign Office assures Embassy that it not indulging in wishful thinking as it quite likely Communists will prove as difficult at political conference as at Panmunjom; in such case moratorium would be continued indefinitely, UN would still retain freedom of action, and it would be in better bargaining position vis-a-vis Communists.

ALDRICH

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CA files, lot 58 D 395, "Chinese Representation at UN, 1953"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

SECRET

[WASHINGTON,] September 2, 1953.

**Subject: United Kingdom Position on Chinese Representation.**

USUN is sending a telegram tonight giving full details of the UK instructions on Chinese representation. These instructions, which have not yet been approved by the Cabinet, are in effect to go along with the moratorium but to seek a change in the formula embodied in our various proposals. The Department has also received on an informal basis from the British Embassy the substitute formula which the UK proposes.

The formula which we have proposed would have the GA postpone consideration of all proposals for changing Chinese representation "for the duration of its 8th regular session".

The British substitute formula reads as follows: "The Assembly decides to postpone consideration of all proposals to exclude the Representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China until such time as the Assembly has been able to consider the position in the light of developments resulting from the Assembly resolution of August 28 concerning the establishment of a Political Conference on Korea." The reason given by the British for this change is a fear that the 8th GA will continue all year after the manner of the 7th GA.

*Comment:* The UK raised a similar problem at the Paris GA in 1950 which was solved by a compromise formula postponing the Chinese representation question for the duration of the 5th GA "meeting in Paris."

My tentative views are as follows:

(1) The formula which the British suggest would not be acceptable to us.<sup>1</sup>

(2) We shall have to decide whether, in rejecting the British formula, to work through New York or direct in a message from the Secretary to London. The latter would probably be the more effective.

(3) The British will probably not be willing to accept our formula and we should now work actively at trying to find some form of words which will give us what we want and yet be reasonably acceptable to the UK. I have talked with UNP and we are both working to turn up all possibilities. No action need be taken until the telegram is received from New York.

<sup>1</sup> Marginal notation by the Deputy Director of the Office of Chinese Affairs (Martin), beside (1): "Agree EWM". There is inscribed also the initials of Alfred leS. Jenkins, Officer in Charge Political Affairs.

Secretary of State's memoranda of conversations, lot 64 D 199,  
"Sec's memo of conv (May-September 1953)"

*Memorandum by the Secretary of State of a Conversation With the  
British Ambassador (Makins)*

SECRET

[WASHINGTON,] September 3, 1953.

1. The Ambassador spoke with apparent approval of my Legion speech, at least to the extent of saying that it was a clear-cut, vigorous statement.

2. He stated that his Government wished to change the present technique of dealing with Communist China in the United Nations and that his Government suggested action along the lines of the attached draft. I said that I did not care to make any comment until I had studied the matter fully. The Ambassador said his Government was anxious to avoid any open difference between our Governments at the United Nations as had been the case with reference to India, and that they would be glad to consider changes in language.

[Here follows discussion of other Asian matters.]

7. The Ambassador said that his Government was quite strongly opposed to the suggestion which he understood had been made at New York that there would be introduced into the United Nations General Assembly agenda an item attacking the Soviets for their conduct in the satellite areas. He felt that this was pushing the cold war too strongly and that this was not the right time for such an item to be pushed.

[Attachment—Copy]

The Assembly decides to postpone consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China until such time as the Assembly has been able to consider the position in the light of developments resulting from the Assembly Resolution of August 28 concerning the establishment of a Political Conference on Korea.

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320/9-353

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of Far Eastern Affairs (Bacon)*

CONFIDENTIAL

[WASHINGTON,] September 3, 1953.

Subject: Credentials Committee for the 8th General Assembly

Mr. Tan called to express Ambassador Koo's concern about the possible composition of the Credentials Committee at the 8th GA. T. F. Tsiang had reported to the Embassy from New York that he had been informed by Ambassador Lodge that the US would vote on the first ballot for Madame Pandit as President of the GA. The Embassy said that if Madame Pandit won she might select a Credentials Committee which would find in favor of the Chinese Communists and against the Chinese Government representatives. In the Embassy's view the GA President would probably consult with the UN Secretariat for advice on the selection of the Committee and Ambassador Koo wondered whether there was not something that the US might be able to do in this situation.

I read Mr. Tan Rule 28 of the GA Rules of Procedure which provides for appointment of a Credentials Committee on the proposal of the President "at the beginning of each session". The proposal would accordingly be made by the retiring President, Mr. Pearson, prior to the election of a new President. I added that I believe it was customary for the President to obtain advice from the Secretariat and in past years the Credentials Committee had been broadly representative of the GA membership geographically and had also reflected the proportionate distribution between recognizing and non-recognizing states

among the membership. Thus, in a committee of nine there had been in the past usually no more than three recognizing states and it was to be expected that the Secretariat would advise following a similar pattern this year.

Mr. Tan also mentioned the Chinese Government's hope that we would support Dr. Shuhsi Hsu for the International Law Commission. I repeated what I had previously told Mr. Tsui (April 20) that while we were not yet in position to make commitments with regard to our slate for the International Law Commission we believed that the Big Five should be represented on the Commission.

R[UTH] B[ACON]

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310.2/9-353 : Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

SECRET

NEW YORK, September 3, 1953—7 p. m.

154. Re Chinese Representation. At luncheon conversation with Kiang (China) USUN discussed question Chinese representation, explaining our present view that last year's procedure be followed again, i.e., postpone consideration for duration Eighth GA. Kiang said Chinese delegation believed this wrong approach; would produce some [garble] of resentment on part their people as it already has by leaving impression time might come soon when we would change our position on substance of matter. They therefore favored simply voting down each motion on representation question wherever raised and leaving it at that. This would permit delegations like UK, for example, to vote for Soviet motions if they wished.

We pointed out two factors that ought be considered this connection: (1) We did not wish have public differences with our principal allies that could be exploited by Communists to disadvantage of all including China, and (2) that Kiang's proposal would mean issue would come up at each and every meeting of a UN body without convenient reply that issue had been postponed. Kiang said he recognized these difficulties but believed advantages of his suggestion outweighed them.

Kiang said in view importance of composition credentials committee to the Chinese representation question his delegation would like suggest following membership: Australia, Greece, Pakistan, ( a country who had recognized Communist China would have to be on the committee and Pakistan seemed best), USSR, two from the following LAs: Brazil, Cuba, El Salvador, Dominican Republic; Turkey, USA, and either Thailand or Philippines.

WADSWORTH

Hickerson-Murphy-Key files, lot 58 D 33, "8th Session UN General Assembly"

*Memorandum of Conversation, by the Assistant Secretary of State  
for United Nations Affairs (Murphy)*

SECRET

[WASHINGTON,] September 4, 1953.

Subject: Technique of Dealing with Communist China in the United Nations

Participants: The Secretary  
British Ambassador Sir Roger Makins  
Mr. Robert Murphy, Assistant Secretary for United Nations Affairs

The Secretary said that he had carefully considered the language of the proposal suggested by the UK as reported to him by the Ambassador on September 3. It would not be possible for us to go along with this exact language, but he thought that perhaps the problem could be solved by the following language, of which he provided Ambassador Makins with a copy:

"That the General Assembly postpone for the duration of its Eighth Regular Session consideration of all proposals to exclude the Representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China."

In addition to the language of the proposal, there would be an understanding that we would work for adjournment of the Eighth Assembly session in December 1953. The Secretary was given to understand, he said, that under present rules a firm date for adjournment *sine die* could be agreed by the Assembly. The Secretary explained also that for reasons of a purely domestic nature the United States was eager to have a definite adjournment of the Eighth Assembly session in December. For example, some of the delegates accepted their appointments on that basis and would not be available for later service, as in the case of Governor Byrnes and the two members of Congress.

Ambassador Makins explained that the language in the present British proposal is designed to retain a certain flexibility. He referred to the discussion in the House of Commons as illustrating the desire of his government to avoid freezing the position for a period as long as the session of the Seventh General Assembly, which lasted over eleven months. He thought that the Secretary's present suggestion might possibly meet the British point of view, and he would recommend it to his government.

The Secretary pointed out that should there be need for a further meeting of the Assembly in 1954 prior to the Ninth Session, this could be handled by a special session, for which there is precedent.

ROBERT MURPHY



320/9-453: Telegram

*The Ambassador in the Republic of China (Rankin) to the Department of State*

CONFIDENTIAL

TAIPEI, September 4, 1953—6 p. m.

147. T. F. Tsiang has indicated to Chinese Foreign Ministry his alarm over Mme. Pandit's candidacy for President UNGA.<sup>1</sup> Vice Minister Hu told me Chinese Government understands how desire gratify India after latter's rejection from political conference on Korea might lead US to vote for Mme. Pandit but hopes US will not endeavor line up additional support for her.

Hu also asked me to express Chinese Government's belief that Mme. Pandit selection would have most serious effect on its interests particularly in connection president's influence over credentials committee.

While appreciating good support in UNO received from US to date Hu expressed hope that in due course Department might instruct US delegation to concert with Chinese delegation in finding definitive formula for Chinese representation in place of successive postponements.

In above connection see my despatch 96, August 24.

RANKIN

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<sup>1</sup> For documentation on this matter and other elections to UN organs, see pp. 414 ff.

310.2/9-853: Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

SECRET

LONDON, September 8, 1953—noon.

993. Department pass USUN 10; Deptel 1235, September 5. Foreign Office hesitates concur Secretary's suggestion re Chinese representation UN, pointing out new GA ruling has never been tested. If, for example, GA did fix December closing date, there would be nothing prevent GA on closing date issue new ruling it would merely adjourn and resume after Christmas recess. If, on other hand, Foreign Office could be assured firm closing date December, it would go along.<sup>1</sup>

Foreign Office plans telegraph USUN in above sense this afternoon.

ALDRICH

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<sup>1</sup> Marginal notation by the Director of the Office of UN Political and Security Affairs (Wainhouse), with reference to the words "be assured firm closing date December, it would go along", in the last sentence of this paragraph: "We will do our best & with UK support we are reasonably certain to prevail. We can't give guarantees on this however. D[avid] W[ainhouse]".

810.2/9-853 : Telegram

*The Secretary of State to the Embassy in the United Kingdom and to the Mission at the United Nations*<sup>1</sup>

SECRET WASHINGTON, September 8, 1953—7:26 p. m.  
PRIORITY (London)

1272 (London) and 99 (New York). As indicated Deptel 1235, GA is required under new rule 2 fix closing date at outset session and we will actively support establishment date at around mid-December. Any proposal change this decision later in session would in our view constitute reconsideration and thus require two-thirds vote for adoption. US would vigorously oppose reconsideration and with support UK feel confident our view would prevail.

DULLES

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<sup>1</sup> Drafted by Betty Gough of UNP; cleared by Ruth Bacon of FE and Hayden Raynor of BNA; approved for transmission by Murphy.

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810.2/9-953 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

SECRET LONDON, September 9, 1953—7 p. m.

1027. Department pass USUN New York 11. Foreign Office still actively studying question Chinese representation United Nations and attempting find formula which will (1) enable it ward off opposition PQs, (2) avoid embarrassment to Department, (3) deep public airing United States-United Kingdom differences out of United Nations forum, and (4) afford flexibility in dealing with Communists. Foreign Office states United States formula described Department telegrams 1235 and 1272 presents difficulties in that question of credentials must be taken up before fixing of closing date for General Assembly, and moratorium for duration will certainly render government subject attack and may harden Communist attitude toward political conference.

Embassy given to understand, however, in absence something better, United Kingdom likely concur in formula similar to that suggested reference telegrams.

ALDRICH

310.2/9-953 : Telegram

*The Secretary of State to the Embassy in the United Kingdom and to the Mission at the United Nations*

SECRET

WASHINGTON, September 10, 1953—7:55 p. m.

PRIORITY (London)

1316 (London) and 109 (New York). General Committee makes recommendation to GA re establishment closing date. At both sixth and seventh sessions re urtel 1027 General Committee report acted on by GA several days before report Credentials Committee considered. Moreover, at both sixth and seventh sessions General Committee acted on question establishment target date for adjournment (old rule 2) before it took up question of inclusion items in agenda. We see no reason expect different procedures will be followed this year, and we could informally make arrangements with view ensuring this. On this basis, postponement formula will not be acted on until after action taken on fixing closing date, if Chinese representation issue raised (a) as at sixth GA in form inclusion new agenda item or (b) as at seventh GA in form challenge in Credentials Committee of validity credentials representatives Govt Republic of China. Issue might also be raised on point of order at outset first plenary meeting. In this event postponement procedure would have to be applied before establishment closing date.

Although likelihood is that closing date will have been fixed first, we do not as practical matter see why this is so important if we have firm understanding with UK that closing date will be set and if both Dels obtain necessary support in advance to ensure this. UK, in its statement in support our formula, could indicate it understands "for duration eighth session" to mean until closing date fixed by GA, i.e., approximately mid-December.

DULLES

310.2/9-1153

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] September 11, 1953.

Subject: Chinese Representation

Participants: Sir Roger Makins, UK Embassy  
Mr. Murphy, UNA  
Mr. Wainhouse, UNP  
Mr. W. P. Allen, EUR

Referring to his previous conversations with Secretary Dulles on this matter, in which the US had proposed postponement for the dura-

tion of the session proposals on Chinese representation, with an understanding that we would seek to end the session before Christmas, Sir Roger stated that his government desired to meet our position so far as possible and felt that we were both in agreement on the basic idea of postponement until the end of the calendar year. The UK was, therefore, prepared to accept our suggested formula but in view of the slight uncertainty as to whether our plans for adjournment before Christmas would actually carry, they desired to have the following underlined words included: "That the GA postpone for the duration of its Eighth Regular Session for the current year consideration of all proposals, etc." Mr. Murphy indicated that although we were somewhat reluctant to make so specific the time qualification, nevertheless, he felt that the British suggestion might prove acceptable. In view of the Secretary's close personal interest in this matter, however, Mr. Murphy indicated we would have to discuss it with him before giving Sir Roger a definitive reply.

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310.2/9-1153 : Telegram

*The Secretary of State to the Embassy in the United Kingdom*<sup>1</sup>

SECRET

WASHINGTON, September 11, 1953—7:22 p. m.

1341. Re: Chinese Representation. British Ambassador came in and suggested following compromise formula:

"That the General Assembly postpone for the duration of its Eighth Regular Session for the current year consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China".

This formula appears satisfactory to us, and you can so inform Foreign Office.

DULLES

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<sup>1</sup> Drafted by the Director of the Office of United Nations Political and Security Affairs (Wainhouse), cleared with the Bureau of Far Eastern Affairs, the Bureau of European Affairs and the Executive Secretariat, approved for transmission by the Assistant Secretary of State for United Nations Affairs (Murphy), and signed by the Secretary of State.

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310.2/9-1453 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

CONFIDENTIAL

LONDON, September 14, 1953—1 p. m.

1082. Department pass USUN New York 12. Deptel 1341, September 11, repeated USUN 117.

1. Embassy passed to Foreign Office morning twelfth substance reference telegram. Foreign Office expressed gratification this problem satisfactorily resolved.

2. In effort avoid diverging interpretations of agreed US-UK Chinese representation formula, Foreign Office is supplying background guidance reliable press here that (a) formula merely takes care of problem to end present calendar year, (b) UK free to review problem next year in light circumstances then obtaining, (c) formula does not mean UK will press for admission ChiCom's into UN next year, but (d) formula does keep situation fluid.

3. Foreign Office briefing friendly nations, through their London missions, in above sense, Australia, New Zealand, Canada, South Africa, and France informed fourteenth, and Belgium and Holland will probably be informed today.

ALDRICH

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FE files, lot 55 D 388, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

[Extracts]

SECRET

[WASHINGTON,] September 16, 1953.

Subject: Items of Special FE Interest in New York's Daily Secret Summary [for September 15, 1953]

7. *Credentials Committee.* The GA yesterday approved a Credentials Committee with the following membership: Cuba, Iceland, Indonesia, New Zealand, Peru, Syria, the USSR, the UK and the US. (*Note:* This slate had been informally checked by the UN Secretariat with the US Delegation before submission. There are six states which do not recognize the Chinese Communists and three which do—a proportion reflecting the actual situation in the General Assembly. This lineup ensures a credentials report in support of the Chinese Nationalists.)

8. *Vote on Chinese Representation.* The US proposal to postpone consideration of the Chinese representation question for the 8th GA during the current year was approved. The vote on Chinese representation was 44-10 (Soviet bloc, India, Indonesia, Burma, Sweden and Yugoslavia)-2 (Afghanistan, Syria) with four countries not voting.

320/9-1653 : Telegram

*The Chargé in the Republic of China (Jones) to the Department of State*

CONFIDENTIAL

TAIPEI, September 16, 1953—6 p. m.

164. Re Embtel 147, September 4. Foreign Minister in expressing appreciation for US support in United Nations suggested possibility of eliminating phrase "during current year" in resolution on Chinese representation question. He pointed out this would make resolution conform with wording in resolution 609, December [*October*] 25 last year and avoid attachment undue significance to new wording.

He thought opportunity for such elimination might be provided in Credentials Committee consideration.

*Comment:* I pointed out to Minister that wording of resolution had undoubtedly been given careful consideration and in view of discussion in UN Assembly yesterday it was probably too late to consider revision, but at his request I agreed to report his views to Department.

Foreign Minister referred to earlier opposition of Chinese Government to election of Madam Pandit as President UNGA recalling that major objection was power of President to appoint members Credentials Committee at opening of next session. Pointing out that the Credentials Committee appointed by Pearson included only two representatives of Communist bloc he hoped that US would be in position to exert influence over next appointees.

JONES

320/9-1653 : Telegram

*The Acting Secretary of State to the Embassy in the Republic of China*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 17, 1953—7:06 p. m.

228. Re urtel 164 inform Foreign Minister it would not be feasible delete phrase since GA has already adopted resolution. You should also explain we expect 8th GA to adjourn (and not recess) by end 1953. In this event, deletion of phrase would have no practical effect.

Credentials Committee already appointed by Pearson as Acting President. Committee of nine has only three Members (UK, USSR, and Indonesia) which recognize Chinese Communist regime. Furthermore, even if Chinese representation issue raised in Committee, we believe latter could not consider it in view action already taken by Assembly.

SMITH

<sup>1</sup> Sent also to USUN (for the U.S. Delegation to the General Assembly) as telegram Gadel 6.

FE files, lot 55 D 388, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of  
Far Eastern Affairs (Bacon)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 29, 1953.

Subject: Chinese Representation at this Morning's General Assembly

UNP reports the following developments on Chinese representation at this morning's plenary session of the General Assembly. When the report of the Credentials Committee was presented to the General Assembly, the Soviet Delegation moved that the credentials of the Chinese Delegation were invalid. (*Note:* UNP is vague on the precise nature of the Soviet motion.)

Mrs. Pandit ruled that she would have to consider the Soviet motion out of order in view of the decision on Chinese representation taken earlier in the session. The subject might, of course, be considered under Rule 82 which provides that when a proposal has been adopted by the GA it may not be reconsidered at the same session unless a two-thirds majority of the GA so decides. She added that, of course, her ruling could be contested. No objection to her ruling was made.

Mrs. Pandit then announced that speakers might be heard on the Credentials Report. Menon of India said that the Indian Delegation did not see how a ruling of the General Assembly adopted prior to the appointment of a Credentials Committee could bind that committee. The Indian Delegation did not regard the credentials of the National Government as valid and the Indian Delegation accordingly would not approve that part of the Credentials Committee Report relating to the Chinese credentials.

The Credentials report was then approved by a vote of 48-5-5.

(*Note:* Our Delegation talked with Mrs. Pandit yesterday and had received assurances from her on the handling of the Chinese representation issue when it came up this morning. Mrs. Pandit, in fact, took a firmer line in ruling the Soviet proposal out of order than did Mr. Pearson under similar circumstances at a previous session. Mr. Pearson chose to interpret the Soviet proposal as a motion to reopen the question and put the Soviet proposal to a vote.)

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<sup>1</sup> Addressed to the Assistant Secretary of State for Far Eastern Affairs (Robertson) and the Deputy Assistant Secretary (Johnson).

FE files, lot 55 D 388, "United Nations"

*Memorandum by the Assistant Secretary of State for Far Eastern Affairs (Robertson) to the Assistant Secretary of State for United Nations Affairs (Murphy)*

CONFIDENTIAL

[WASHINGTON,] October 1, 1953.

Subject: Chinese Representation and the ECOSOC Slate

The following comments are with further reference to our conversation this afternoon on the question whether the United States should support Indonesia or Afghanistan for ECOSOC, with special reference to the Chinese representation question.

As you know I am by strong personal conviction committed to doing everything possible to prevent the unseating of the Chinese National Representatives or the seating of the Chinese Communists in the UN. This position is also the firm policy of the United States Government. We are accordingly in complete agreement on this objective. When, however, it is urged that we support Afghanistan in preference to Indonesia in the belief that, if at some future time the moratorium is terminated and the United Kingdom and other states withdraw their support from postponement proposals on Chinese representation, Afghanistan will remain staunch in an abstention and that abstention may save the day for Chinese representation on ECOSOC, I am unable to follow the reasoning.

A basic factor in the situation is that both Indonesia and Afghanistan have recognized the Chinese Communists. We shall be indulging in dangerous self-delusion if we regard any recognizing state as "safe" after the moratorium terminates.

At the present time while the moratorium continues, we have an adequate majority on the Chinese representation question in ECOSOC. Whether we support Indonesia or Afghanistan there will be 8 states which recognize the Chinese Communists out of a total council membership of 18. Some of these 8 states, however, will vote with us while the moratorium holds. If we were to support Indonesia, accordingly, the vote on our usual postponement motion might be about 12-6-0 in our favor; if we support Afghanistan the vote might be 12-5-1. In either case, there would be no problem at the present time.

The problem will arise if the moratorium terminates. In that case we have to consider both Indonesia and Afghanistan as probably opposition votes. At the opening of the 7th General Assembly both states abstained on the Chinese representation question. At the opening of this General Assembly Afghanistan abstained and Indonesia voted against the postponement proposal. A few days later in the Credentials Committee, when the USSR was ruled out of order by the Chairman for attempting to reopen the issue, Indonesia abstained.



While in my view the Soviet proposal was clearly out of order the Indonesian position nevertheless indicates a willingness to avoid an extreme position. There is no assurance that Afghanistan, like Indonesia, may not move from an abstention to a negative vote. Similarly, it is conceivable that if we support Indonesia for something it strongly desires—instead of continually rejecting all its requests for United States support for UN council seats—it might move back from a negative vote to an abstention. As both are recognizing states neither can be considered as “safe” if the moratorium terminates and we do not need the vote of either state while the moratorium remains in effect. In the meantime, if we are to go to Indonesia, which has formally asked our support, and tell it that once again we will not support it for ECOSOC but intend instead to support Afghanistan, we shall be losing the opportunity which our support might afford for promoting our objectives in Indonesia, tightening its ties to the UN and developing its sense of responsibility through acceptance of a seat on a major council.

I may point out that our present slate contemplates our supporting Norway which has recognized the Chinese Communists and no longer can be regarded as supporting the moratorium. The Department also recently decided to support Pakistan, which has recognized the Chinese Communists and will follow the United Kingdom lead if the moratorium should be terminated, in preference to the Philippines which was at the time a candidate and which is completely firm on the Chinese representation question. Is it proposed that we should reconsider our position with respect to Norway and keep our support for Pakistan open in the event that the Philippines re-enters the race?

For the above considerations I believe that the case for our supporting Afghanistan in preference to Indonesia at this time is not convincing. I believe that there is no evidence that we can count upon any substantial difference between the position of Afghanistan and Indonesia on the Chinese representation question if the moratorium terminates.

CA files, lot 58D 395, "Recognition of Communist Regime"

*Memorandum by John L. Stegmaier, Acting Officer in Charge of Public Affairs, Bureau of Far Eastern Affairs, to Mr. Roberts of the United States Information Agency*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] November 10, 1953.

Subject: The Secretary's Comments at his press conference of November 9, 1953 on Chinese Representation in the United Nations and Recognition of a Communist Government in China.

For your information in preparing guidance for USIA media on Secretary Dulles' press conference comments on Communist China, the following points should be noted:

1. The Secretary's discussion of the question of recognition of Communist China and the position of the U.S. on the admission of Communist Chinese representatives to U.N. bodies was not a part of his prepared statement, but developed in the question-answer period of his conference.

2. His statements were made in clarification and restatement of factual situations—clarification of the credential procedures of various U.N. bodies, restatement of some of the reasons the U.S. Government is unable even to consider the question of the recognition of the Chinese Communist regime as the government of China.

3. There is no indication that the Chinese Communist regime has any intention or ability to meet the conditions indicated by the Secretary as prerequisites to the consideration by the U.S. Government of the question of the recognition of the Chinese Communist regime as the government of China.

4. No speculation or dissemination of speculations of possible changes in the policies of the U.S. on these questions is warranted.

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<sup>1</sup> Concurrences by the Assistant Secretary for Far Eastern Affairs (Robertson) and the Director of the Office of Chinese Affairs (McConaughy).

Conference files, lot 60 D 627, CF 185

*United States Delegation Memorandum of the Restricted Session of the Fourth Tripartite Heads of Government Meeting, Bermuda, Mid-Ocean Club, December 7, 1953, 11 a. m.*<sup>1</sup>

TOP SECRET

STRICTLY LIMITED DISTRIBUTION

Participants: United States—	President Eisenhower Secretary Dulles Assistant Secretary Robertson Lt. Colonel Walters
United Kingdom—	Prime Minister Churchill Foreign Secretary Eden Mr. J. Colville
France—	M. Bidault M. Bougenot M. Roux M. Andronikov

The President opened the meeting by saying that he understood that it was desired to have additional members of delegations present when the questions of security guarantees and Indo-China were discussed, but that the meeting should be restricted for the discussion of Far Eastern and Middle Eastern problems. Sir Winston Churchill then said he would like to discuss what was to be done if the truce were to break down.

The President then said that he would ask Secretary Dulles to express our position on this. He understood that the French would want additional members of the delegation in for the discussion on Indo-China. They could discuss the Far East in the first place, then the Middle East and finally follow with a discussion on Indo-China. Sir Winston then stated that he hoped the meeting would be held particularly secret. He said he wished to bring up the question of the Suez Canal in which the French also had a historic interest as well as a financial interest. The President then said that they might begin discussion by having Secretary Dulles make a statement on the Far East.

Secretary Dulles said that the Far Eastern situation was a very confusing one for our policies were at variance with each other. This was not surprising. The Soviets were also somewhat confused and, as M. Bidault had mentioned, they had had three ambassadors to China in eighteen months. The Secretary felt the Chinese Communist rule was pretty solidly established, though less so in the South and North. There did not appear to exist in an open form resistance forces seriously

<sup>1</sup> For documentation on the Bermuda Conference of the Heads of Government of the United States, United Kingdom, and France, December 4-8, 1953, see volume v.

threatening the Communist rule over the mainland. In the question of relations between Communist China and the USSR, it was difficult to come to a clear conclusion but he thought we were justified in believing that there was strain. This would seem logical. Mao Tse-tung was himself an outstanding Communist leader in his own right. His prestige, while less than that of Stalin's was greater than Malenkov's. It was natural, therefore, that there should be a certain unwillingness on the part of Mao to be dictated to by Moscow as had been possible with Stalin because of the latter's enormous prestige resulting from his internal and external victories. Stalin's prestige had been such that Mao could be second to him. This was not the case with Malenkov. The very fact that the Soviet Communist leaders went to such extremes to eulogize Mao and push him forward as a major figure in the international scene was partly because of self-interest and partly because of the necessity of treating Mao as an equal partner on the world scene. The fact that this relationship exists is important and may eventually give us an opportunity for promoting division between the Soviet Union and Communist China in our own common interest.

There were major differences between the three powers in their approach to this problem, especially as between the United Kingdom and the United States. It was the view of the United States that the best hope for intensifying the strain and difficulties between Communist China and Russia would be to keep the Chinese under maximum pressure rather than by relieving such pressure. There were two theories for dealing with this problem. One was that by being nice to the Communist Chinese we could wean them away from the Soviets, and the other was that pressure and strain would compel them to make more demands on the USSR which the latter would be unable to meet and the strain would consequently increase.

The United States adhered to the latter view that pressure should be maintained on Communist China both politically and economically and to the extent possible without war, military pressure should likewise be maintained. In the view of the United States this was the course to be followed rather than to seek to divide the Chinese and the Soviets by a sort of competition with Russia as to who would treat China best. This would put China in the best of worlds. The Secretary felt that if contradictory policies were applied to China, none of them could make progress toward success and each would cancel out the other's efforts. He felt a very serious effort should be made to try to bring policies on China into closer harmony than was the case at present. We recognize the fact that the United Kingdom had given political recognition to the Communist regime in China. The Secretary had understood from what the Prime Minister had said the other day that this did not carry moral approbation. The British had said that one must recognize even one's enemies. This was true, but the fact that

they were recognized did not mean that you had to give them aid of a political, moral or economic nature. The conduct of Communist China as a proclaimed aggressor in Korea, promoting aggression in Indo-China and generally attempting to arouse all Asia against the Western Powers created a situation which brought up the question as to whether they should be given *de facto* recognition. The Secretary did not feel that we should give them aid and comfort as was the case when some seemed to promote the admission of Communist China to the United Nations despite the standard of conduct required of members of the United Nations, i.e., to be peace-loving countries willing to undertake the obligations of the Charter. That seemed to be carrying recognition far beyond the conditions of the recognition of a *de facto* government. The Secretary felt that if we could align policies in the United Nations, taking the position that Communist China was an aggressor in Korea, as well as a promoter of aggression in Indo-China, and she had not proved her willingness to be peace loving and faithful to the obligations of the United Nations Charter, this would be helpful in establishing a common policy with some chance of success. As things stood now, some opposed the admission of Communist China to the United Nations while others were supporting it, despite its derelictions. This cleavage could be exploited by our enemies so that the policies of neither of us would be effective.

The Secretary said that he was mentioning the point at this time because the moratorium agreement at present in effect on preventing this issue from coming up in prolonged debate would expire at the end of December, and the whole question of future policy on this subject would force itself on our attention. It was probable that the United Nations would recess until January or February. The first thing we could expect after this recess would be the resumption of the move by Vishinsky for acceptance of the credentials of the Communist regime in China and we must have agreement on that point.

[Here follows extended discussion of other aspects of the Far Eastern situation: commercial relations with Communist China, Korea, and Formosa.]

Mr. Eden then said that they had listened with the greatest interest to every word in the masterly survey of Far Eastern problems by the Secretary of State. Mr. Eden said that it was a puzzling question to know how far we can by our actions help to foster a division of opinion between the Chinese Communists and the Russians. It probably to some extent exists and will grow. History was on our side, for these two had never worked harmoniously together for long, but it might be long for in China things take centuries which require but years elsewhere. They were trying to divide the three of us, just as we were trying to divide them, and that in itself was in a measure an excuse for argument for not thinking it wise to break off all contacts, however

unsatisfactory our relationship with the Chinese Communists might be at present. The Foreign Secretary said that he would not go into the question of recognition at that time, all were familiar with the reasons for which it had been done and how it had been done. We should freely admit that we had a problem to face at the United Nations in February and we should immediately start talks. We would, of course, like to consult the Commonwealth Governments so that we might work out a common line to be used in February. It would be very bad if we found ourselves in disarray.

[Here follow other remarks by Eden. Bidault followed, and concluding remarks were made by President Eisenhower. Neither Eisenhower nor Bidault referred to the Chinese representation question.<sup>2</sup>]

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<sup>2</sup> For Eisenhower's brief reference in his memoir to the Chinese representation question at the Bermuda Conference, see Dwight D. Eisenhower, *The White House Years: Mandate for Change, 1953-1956* (New York, Doubleday and Co., 1963), pp. 248 and 249. A Policy Planning Staff briefing paper of Dec. 2, 1953 (Conference Document BM Special 3c) contains this entry:

"C. Communist China

Until the regime stops promoting aggression in Korea and Indochina and shows its willingness to conform to principles of UN Charter, the U.S. will not consider recognizing the Communist regime in China, will oppose its admission to the U.N., and will maintain a trade embargo."

In a private meeting with Churchill (presumably a luncheon) at the Bermuda Club on Dec. 4, 1953, Eisenhower and Churchill had a brief exchange of views about Communist China, in which "the President urged a closer alignment of UK policy with the U.S." (Conference files, lot 60 D 627, CF 185)

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340.290/12-2853, Circular airgram

*The Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 28, 1953.

CA-3371. Subject: Chinese Representation Issue at Forthcoming ECAFE Meetings.

The Tenth Session of the Economic Commission for Asia and the Far East (ECAFE) will meet in Kandy, Ceylon, from February 8 to February 18, 1954. Prior to this session, two of the Commission's subsidiary bodies will also meet at Kandy. These bodies are the Inland Transport Committee, convening on January 20, and the Committee on Industry and Trade, convening on January 26.

It is expected that the Soviet Union will raise the Chinese representation issue at each of these meetings, probably in the form of a proposal to exclude the representative of the Government of the Republic of China and to invite a Chinese Communist to participate. If any such proposal is made in the Inland Transport Committee or the

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs, cleared with the geographic bureaus, and approved for transmission by the Director of the Office of UN Political and Security Affairs.

Committee on Industry and Trade, we believe that the best way to dispose of the proposal would be to declare it out of order on the grounds that these Committees were established to deal with specific technical subjects and not with political questions of the character of Chinese representation, and that as subsidiary bodies of ECAFE, it would be entirely inappropriate for them to consider the proposal and they should be governed by previous action of ECAFE. A firm precedent exists for such an out-of-order procedure in these Committees, since this is the procedure which has been consistently followed in the past by the Committee on Industry and Trade when the Soviet Union has raised the Chinese representation issue. (The Soviet Union has not attended meetings of the Inland Transport Committee and the issue has never been raised in that body.)

If the Soviet Union makes any proposal at the Tenth Session of the Commission designed to exclude the representative of the Government of the Republic of China and to invite a Chinese Communist, we believe that the best way to dispose of the matter would be to adjourn debate on the proposal for the duration of the Session. This is the same procedure followed by the Commission at its last two sessions. In support of a motion to adjourn debates, we would stress that the Soviet proposal should not even be considered since the international conduct of the Chinese Communist regime departs so drastically from normally accepted standards and since this regime shows no respect for the purposes and principles of the United Nations.

The Embassy will realize that by advancing a procedural position along the above lines which avoids a vote on the substance of the Chinese representation issue we can best assure the continued seating of the representatives of the Government of the Republic of China and the prevention of Chinese Communists from participating in any capacity. In addition to countries which recognize the Government of the Republic of China, certain others which recognize the Chinese Communist regime, including the United Kingdom, Netherlands and Pakistan, have supported our position on the Chinese representation issue in UN bodies if the matter is handled on a procedural basis.

In view of the great importance the United States attaches to the continued seating of the representatives of the Government of the Republic of China and the exclusion of Chinese Communists, the Department requests that the Embassy outline the above procedures to the Foreign Office, inquire whether it plans to send delegations to each of the meetings in question and express the hope that its delegations to these meetings will be instructed to support the procedures recommended. However, it is left to the discretion of the Embassies in New Delhi, Djakarta and Rangoon whether such representations would be counterproductive and therefore should not be made.

The Embassy at Bangkok is also requested to keep the Department informed as to the Members and Associate Members which have notified the ECAFE Secretariat whether they plan to attend the three ECAFE meetings.

DULLES

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310.3/393/12-2953

*Memorandum of Conversation, by the United Nations Adviser, Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] December 29, 1953.

Subject: Chinese Representation

In the course of a *tour d'horizon* of UN problems, Miss Salt recalled that the US-UK moratorium arrangement as embodied in the resolution of the 8th GA on this subject expires at the end of the year. Although no instructions have been received from the UK Foreign Office, the UK Delegation in New York suggested that the Embassy in Washington raise the problem with us. I stated that with respect to the forthcoming ECAFE meetings, which will be the first meetings of UN bodies in 1954 at which the question is likely to arise, we had already sent a circular instruction to friendly members, including the UK, proposing that the procedure previously followed again be adhered to. If the question should arise in one of the two ECAFE committees, we would take the position that it is out of order; if it should arise in the Commission itself, we would initiate or support a motion to adjourn debate for the duration of the session. Miss Salt did not indicate that she expected there would be any difficulty in the UK going along with this procedure, but preferred to withhold official comment until word from London.

On the general problem I stated it is our desire that the moratorium arrangement should be continued indefinitely. I pointed out that in our view there had been no development which would warrant any more relaxed attitude on the part of either government. I stated we had under consideration the possibility of making a high level approach to the British Government on this matter in the near future.

Miss Salt inquired specifically as to whether this continuation of the arrangement would apply to the forthcoming session of the TC and any resumed session of the GA. When I replied in the affirmative she sought to explore an appropriate type of wording for the motion to be introduced at the outset of any resumed session of the GA. I suggested that the simplest would be a motion to postpone consideration of the question "for the duration of the session". Miss Salt speculated that since the 8th GA did not terminate in December as originally



planned and now is likely to resume its session in February, it is very likely that at the conclusion of that portion the Assembly will again simply recess rather than adjourn. She felt therefore that a formula to postpone the question "for the duration of the session" would probably not prove acceptable to the UK Government. She suggested instead language along the following lines: "The GA decides to postpone consideration of this question until the termination *or until the next recess* of the 8th session of the GA". I commented that if the probable resumed session did not adjourn but again recessed until later in the spring or summer, the only reasons for which it would again reconvene would be reasons connected with the refusal of the Chinese Communists to hold a political conference on any reasonable basis or a deadlock at the conference due to their intransigence. In either case the circumstances would be such that the US would continue to be opposed to any change in representation in the UN, and assumed the UK would likewise. It seemed to me therefore that the preferable course would be to postpone discussion for the duration of the 8th Session.

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310.2/1-554

*Memorandum by the Secretary of State of a Conversation With the British Ambassador (Makins), Held January 4, 1954*<sup>1</sup>

SECRET

[WASHINGTON,] January 5, 1954.

I mentioned to the Ambassador that our "moratorium arrangement" with reference to Communist China and the UN technically expired at the end of last year and that I thought we should know where we stand for the future. I urged that they should take a stronger position politically against the Chinese Communist government even though they do technically recognize it. I said that this would help them have a better press here despite their insistence on trade.

The British Ambassador said that he could assure me that so far as meetings of the subsidiary bodies were concerned that would not change their position, that the issue would only become active if and when the UN Assembly met again and that before then he would let me know about his government's position.

JOHN FOSTER DULLES

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<sup>1</sup>Drafted by Dulles. Copies sent to the Under Secretary of State (Smith), Deputy Assistant Secretary Drumright (FE), Deputy Assistant Secretary Bonbright (EUR), and Assistant Secretary Key (UNA). Dulles also sent copies to the Director of the Office of UN Political and Security Affairs (Wainhouse) and to Paul W. Jones of that Office (UNP).

810.2/1-754

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] January 7, 1954.

Subject: Chinese Representation

Miss Salt confirmed that the UK Ambassador's assurance to the Secretary January 4 that the moratorium arrangement would continue as to "subsidiary bodies" of the UN is meant to cover not only ECAFE and other subsidiary bodies, but also the Trusteeship Council, Security Council and Economic and Social Council, all of which have early scheduled meetings. She also stated that the Ambassador is again seeing the Secretary today to propose that, regarding the probable resumed session of the GA in February, we agree to a formula which would postpone the question for the duration of that portion of the session only. The Foreign Office is unwilling to agree to postponement until the 9th GA next September. (See my memo of conversation with Miss Salt of Dec. 29, 1953.)

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Secretary of State's memoranda of conversations, lot 64 D 199

*Memorandum of Conversation, by the Assistant Secretary of State for  
European Affairs (Merchant)*

CONFIDENTIAL

[WASHINGTON,] January 7, 1954.

Participants: The Secretary  
Sir Roger Makins, British Ambassador  
Mr. Merchant—EUR

At the end of his call on the Secretary to discuss another matter, the British Ambassador stated that he had a reply from London concerning the question of dealing with the Chinese representation issue at the resumed session of the Eighth General Assembly. He stated that insofar as subsidiary organs are concerned, the British position will remain as heretofore. He went on to say that Mr. Eden felt that for parliamentary reasons it was not possible for him to tie himself down at this time with respect to the Ninth General Assembly opening next fall. The Ambassador said, however, that London was willing to go along with the present agreement at the February resumed session of the Eighth Assembly and he then handed the attached proposed formula to the Secretary. The Secretary indicated that the British answer seemed acceptable. The Secretary, however, reminded the Ambassador of the parliamentary confusion which arose on this issue at the opening of the Eighth General Assembly last fall. He said that it might not be possible to avoid a vote on the merits of the issue.

The Ambassador reiterated that the British have no intention of raising the question of Chinese Communist admission at the resumed session.

[Attachment]

FORMULA PROPOSED FOR DISPOSING OF THE CHINESE REPRESENTATION  
ISSUE AT THE RESUMED SESSION OF THE EIGHTH GENERAL ASSEMBLY

"The General Assembly decides to postpone until the adjournment or the termination of its Eighth Regular Session, whichever is earlier, consideration of all proposals to exclude the Representatives of the Government of the Republic of China and to seat Representatives of the Central People's Government of the People's Republic of China."

WASHINGTON, January 7, 1954.

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320/1-1854

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] January 18, 1954.

Subject: Chinese Representation—UK Formula for Resumed Eighth GA.

Miss Salt came in at my request to discuss the formula which Ambassador Makins gave to the Secretary on January 7 and which reads as follows:

"The General Assembly decides to *postpone until the adjournment or the termination of its Eighth Regular Session, whichever is earlier*, consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China."

I pointed out to Miss Salt that the words "adjournment" and "termination" in General Assembly parlance mean the same thing. The phrase "whichever is earlier", qualifying the words "adjournment or termination" is thus meaningless.

I suggested that the formula could be amended without changing the intention to read: "postpone for the duration of the Second Part of the Eighth Regular Session" or, alternatively "recess or adjournment" in lieu of "adjournment or termination".

Miss Salt readily agreed that the words "adjournment" and "termination" meant the same thing, and said that she thought London would be agreeable to the language "postpone for the duration of the Second Part of the Eighth Regular Session".

As soon as Miss Salt hears from London on the change of language in the formula she will inform us.

DAVID W. WAINHOUSE

310.2/1-2354

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] January 23, 1954.

Subject: Chinese Representation

Miss Salt came in at her request to say that the change in the Chinese representation formula which I had discussed with her on January 18 is entirely agreeable to the Foreign Office, the UK Delegation and to the Embassy. The formula as accepted now reads:

“The General Assembly decides to postpone for the duration of the Second Part of the Eighth Regular Session consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China.”

DAVID W. WAINHOUSE

310.2/3-254

*Memorandum by the United States Representative at the United Nations (Lodge) to the Secretary of State*

CONFIDENTIAL

[NEW YORK,] March 25, 1954.

Subject: Attitude of Secretary-General Hammarskjold re Chinese Representation

During a translation in the Security Council meeting today, after the Secretary-General had given me a note on another subject, I raised with him the matter of Chinese Representation in his speech before the Pilgrim Society in London and in his most recent press conference. I told him that his arguments for giving Red China a seat in the UN could justify the inference that he was trying to twist the UN into something different from what it was originally intended to be. The UN, I said, was not created to be a band of international adventurers not bound together by a common love of peace. The San Francisco conference envisaged a moral sanction in the words “peace-loving” which are in the Charter. Were the conditions prevailing now prevalent then, the US would undoubtedly have opposed Soviet membership.

Hammarskjold flushed visibly at this and answered that this question was very fundamental, with which I agreed. He stated that the Chinese Communists must some day become members of the UN—take China’s seat. To that I asked how he would feel if the Chinese Communists were occupying Stockholm as they are now occupying Pyong Yang. Would he not see things in a different light? I added that he was bringing to his concept of the job of Secretary-General new elements

on which we had strong feelings, which were in opposition to our point of view, and which involved a change in the spirit of the Charter which would not be ratified by the US Senate if it were submitted to that body.

I broke off the conversation at this point as the translation had ended and a new speaker took the floor. He returned to his seat around the Council table still rather red.

Later, I understand, he spoke to Wadsworth to indicate concern at what he considered was a misinterpretation by me of his intentions. He claims not to have advocated seating the Chinese Communists now, or in the foreseeable future, unless and until they have purged themselves of aggression. He also stressed to Jerry the differences between a "good-boys" club and a universal organization.

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310.2/3-2554

*Memorandum by the United States Representative at the United Nations (Lodge) to the Secretary of State*

SECRET

[NEW YORK,] March 30, 1954.

1. It is of the highest importance to reach another agreement with the British for postponing the question of Chinese Representation to the United Nations and I hope that such an agreement will be reached.

2. In view of the Geneva Conference,<sup>1</sup> however, and the recent remarks of Jebb, Hammarskjold, Prime Minister St. Laurent, and Pearson, new elements have been brought into this situation which raise a new doubt as to whether an agreement for postponement can be reached.

3. We must, therefore, be ready for an attempt to raise the main question at the next General Assembly and we must be able to debate the issue on its substantive points and meet it head on.

4. United States opposition to seating the Chinese communists is a matter of the utmost necessity. Admission of Red China would be a blow of major proportions to public confidence in our U.S. Administration. Apart from the fact that U.S. public opinion and the U.S. Congress is overwhelmingly opposed to it, there are two other reasons, relating particularly to the United Nations, which must be controlling:

A. To seat the Chinese communists would be to give formal sanction to a basic change in the nature of the United Nations. The United Nations Charter was based on the moral concept of an organization of peace-loving nations. This, of course, would be completely flouted by deliberately admitting a government which, at the time of admission, flagrantly advocates the use of war and aggression as an instru-

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<sup>1</sup> For documentation on the Geneva Conference, see volume XIII.

ment of its national policy. The fact that the Soviet Union also believes in using aggression as an instrument of its national policy and that the Soviet Union is a member, is, of course, no argument whatever for seating the Chinese communists. For one thing, two wrongs don't make a right and for another, the United States would never have favored having the Soviet Union a member in 1945 if the truth about the Soviet Union had been known at that time. To change the United Nations from an organization devoted to maintaining peace into a "continuing diplomatic conference", to use Hammarskjöld's phrase, or into a group of opportunistic political adventurers, is a change of such magnitude that it should only be accomplished by a revision of the Charter and it is not hard to imagine how such an attempt to revise the Charter would fare when it came up for ratification by a  $\frac{2}{3}$ 's vote of the United States' Senate.

B. The United Nations at present is a marvelous vehicle for organizing the free world coalition in case World War III should ever come. It is only prudent to assume that World War III is a distinct likelihood, provided that our assumptions do not cause us to do things which will accelerate the likelihood of World War III. As regards the admission of the Chinese communists, there is no doubt whatever that their admission would seriously weaken the great potential of persuasion and voluntary action which exists in the United Nations and which would play a tremendous part in getting all kinds of support—moral, material and in manpower—in case World War III should come. If we have reached the stage in world affairs where it is either we or they—and prudent statesmanship must assume that this is the case—it would be folly to weaken and vitiate this great potential organ for organizing the free world in case of war.

5. The following steps should be undertaken in anticipation of an attempt to bring the matter up at the Ninth General Assembly:

A. There should be a series of carefully planned dinners, receptions and other entertainments now so as to establish friendly feelings and good personal relationships at a time when it does not appear that we want anything out of anybody. I have started such a program.

B. If the matter is brought up in Plenary Session, I would seek to have it referred to a committee, either the *ad hoc* Political Committee, Committee 1 or any other appropriate group.

C. In this committee, I would plan to deliver several full-length speeches, spaced several days apart so as to take fullest advantage of the opportunity to answer pro-Red arguments and with an eye to adequate press coverage. Subjects for these speeches might be generally grouped as follows:

- (a) Direct aggression in Korea—verdict of GA
- (b) Indirect aggression in Indochina—participation on Red Side at Geneva
- (c) Maltreatment of foreign nations—following communist practices
- (d) Enslavement of Chinese people—following communist practice
- (e) Expansionism—Tibet, Mongolia, North Korea
- (f) Subservience to Moscow, alien rule, etc.

(g) Violation of international agreements—Korean Armistice, Geneva Conventions re POWs

(h) The greatness of Chinese culture and the excellence of U.S.-Chinese relations in the past

(i) Conclusion on essential nature of United Nations—an organization with a moral purpose or a mere continuing diplomatic conference?

D. In addition to the campaign of speeches and of close political liaison with our allies, in order to get out the largest possible anti-communist vote, I would also insist that the subject come under the heading of "Important Question" for the purpose of requiring a  $\frac{2}{3}$  vote in the Assembly in the event we should lose in committee.

6. The above plan is originally designed for Ninth GA use, if necessary. On the other hand, should we find ourselves in a major campaign on the subject in the Economic and Social Council this summer, or in any of the other Councils, Commissions or Committees of the UN that may meet between now and next September, a selection of this material can be used by me or the regular United States Representative on such body. Above all, we must keep and be kept current with our Western European allies, the Commonwealth and all others who have heretofore indicated support for denying Red Chinese membership.

7. We would probably win with this program, but we would certainly retain the confidence of U.S. public opinion in ourselves if we lost. We must square our jaw and make a last ditch fight.

8. *Recommended action:*

(a) An agreement with the British to postpone the question should be obtained.

(b) The question of admitting Red China to the United Nations should not even be discussed in Geneva. We should try to get the British and the French lined up ahead of time to fight off any attempt to bring it up in Geneva. It is not a matter concerning which we can even talk at all.

(c) The possibility of changing policy on trade between the East and the West should be very carefully studied to see whether the view of the previous administration did not fail to take into account certain advantages which we can derive from East-West trade.<sup>2</sup> If we determine that a new type of East-West trade could be advantageous to us, it would be good tactics for us to propose it ourselves so as to show the neutralists in this world that we are not rigid.

(d) If we make concessions to the British viewpoint on East-West trade, we should receive, as a minimum, assurances of support on the issue of Chinese representation.

(e) If the Chinese communists abandon their aggressive tactics in Korea and Indochina, there will be a demand here in the United Nations to alter the United Nations embargo. Consideration should be given to the United States sponsoring a resolution to revise the United

<sup>2</sup> For documentation on East-West trade, see volume I.

Nations embargo so that we could control the procedure ourselves and, as a *quid pro quo*, obtain support of our position on Chinese representation. Our own embargo is, of course, a different matter.

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Hickerson-Murphy-Key files, lot 58 D 33, "Memoranda of conversations (General), 1954"  
*Memorandum of Conversation, by the Deputy United States Representative at the United Nations (Wadsworth)*

SECRET

[NEW YORK,] April 2, 1954.

Subject: Geneva Conference; Communist Chinese Representation in the United Nations

In a conversation this noon at the UN Headquarters, Ambassador von Balluseck stated his opinion that it would be extremely difficult to achieve anything at the Geneva Conference; that his Government was not at all anxious to participate, but felt that they should.

Pursuing the subject in a friendly and understanding manner, he thought it a pity that the United States position on Red Chinese UN membership had to be so inflexible. He explained this by giving his opinion that Red China, together with other Communist countries at the Conference, might well come forward with a proposition whereby they would guarantee to cease aggression or any kind of intervention in Korea and Indo China as a price for admittance to the United Nations. In such a situation, he believed, the United States would be put in a position of a flat refusal in the face of an apparently bona fide offer to take a dramatic stride toward peace in the Far East.

He said he realized the force and quality of American public opinion, and that it would take a "politically untouchable" person to start the ball rolling toward a conditioning of public and Congressional opinion toward what he considers was an inevitable acceptance of the Peiping regime as the *de facto* government of China.

I pointed out that the American people would hesitate to place great faith in guaranties offered by the Peiping Government, and that neither the American people nor the Congress could be expected to soften their position toward the Chinese Communists merely on the ground that they had offered such guaranties. He admitted the validity of the "deeds not words" argument, but held to his original position that it was a pity that the United States had taken such a rigid stand. He intimated that in the face of apparently bona fide assurances on the part of the Chinese Communists and the Soviets, it would be extremely difficult for public opinion in Europe to understand our position.



830/4-254

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Director of the Office of Chinese Affairs (McConaughy)*

CONFIDENTIAL

[WASHINGTON,] April 2, 1954.

Subject: Chinese Representation Question in the Security Council under Soviet Chairmanship.

The USSR (Vishinsky) has the chairmanship of the Security Council for the month of April and it is accordingly possible that the USSR may raise the Chinese representation issue at the Security Council meeting next Monday. There should be a safe voting margin to overcome any such Soviet tactics provided there is advance agreement on our side on the counter-measures to be used. UNP has discussed the various possibilities with USUN and has emphasized that consultations should be held today with key delegations, particularly with the British, to ensure an agreed position and to make possible representations here or in London in case of any divergency.

Background information on possible Soviet tactics follows:

In August 1950, during the Korean crisis, the USSR returned to the Security Council to assume the chairmanship. At that time the USSR circulated in advance of the Security Council meeting a provisional agenda which included Chinese representation as a separate item. When the Security Council meeting convened under Malik's chairmanship, he ruled that the Chinese representative was not entitled to sit. His ruling was successfully challenged.

Subsequently, the Security Council decided against including the Soviet proposed item on Chinese representation on the agenda. On the latter vote the United Kingdom abstained. This vote preceded agreement on the moratorium arrangement.

Possible Soviet tactics include the following:

(1) Ruling by the Chair that Tsiang is not entitled to his seat: This should be voted down and we should be able to count on wide support because of the clearly arbitrary nature of such a ruling.

(2) Proposal of an agenda item: This proposal also should be voted down. The United Kingdom might suggest that in accordance with the moratorium agreement an effort should be made to postpone discussion of the item rather than vote it down. Inasmuch as, however, the Security Council has no formal session but meets throughout the year upon call the moratorium formula would not be applicable and we would hope that the United Kingdom would agree with us in a straight negative vote.

(3) A formal statement for the record of the Soviet position with regard to Tsiang's status: This would be met by a formal statement by Ambassador Lodge and, we would hope, by others.

(4) Refusal by the Chair to recognize Tsiang in his official capacity (Vishinsky will probably call on Tsiang by name and not as the representative of the Republic of China.): Tactics on this may be left to

Ambassador Lodge. Our experience in challenging a similar form of address by a Committee Chairman at the last G.A. led to an involved and bitter wrangle which did not enhance the status of the Chinese representative. If Vishinsky overplays this tactic, however, it may become desirable to meet it in some way.

(5) A statement by the Chair after a vote has been taken that the Chinese vote cannot be counted because it is illegal: There have been some indications that the Soviet Union may be returning to its position, often expressed before, that proceedings of the Security Council are illegal if participated in by the Chinese representative. Tactics in meeting this situation will have to be left to Ambassador Lodge because it is difficult to predict beforehand the precise turn which Vishinsky may adopt.

A further tactical point involves the desirability of our relying on other members of the Council to take the initiative in some of these tactics.

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310.2/4-554: Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, April 5, 1954—8:03 p. m.

581. Re Chinese Representation. We must assume that Vyshinsky, as president of the Security Council, will raise the question of Chinese representation at the first possible opportunity and in a way to cause us the maximum amount of embarrassment. The overwhelming magnitude of this question makes it essential that we be thoroughly prepared and that we anticipate all of the various ways in which Vyshinsky can raise the issue and what is the best way for us to meet it.

Two methods which he obviously can use are: (a) to make a ruling that T. F. Tsiang cannot sit and (b) to place an item on the provisional agenda to the same effect. (See Malik's attempts August 1950).

Common sense and regard for truth indicate that this is a substantive question of the most substantial kind. We must be prepared to deal with this issue too.

For all these reasons, it is urgent that I have all the best possible legal advice from Washington. I hope particularly that Stein, Gough and Meeker and anyone else whom you think should participate come to New York at the earliest possible opportunity so as to get this whole thing nailed down.

LODGE

FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright)*

CONFIDENTIAL

[WASHINGTON,] April 6, 1954.

Subject: Chinese Representation in the Security Council

New York's 581, April 5, mentions some of the possibilities on Chinese representation which may develop in the Security Council under Vishinsky's chairmanship. It concludes with a plea that technical reinforcements be rushed to New York. Len Meeker (L/UNA) and Betty Gough (UNP) flew up this morning. Eric Stein (UNP) who works on the Security Council did not go.

As you know, this whole subject was discussed by phone with USUN by UNP last week (Memorandum to CA, April 2).

It is understood that the paragraph in the telegram beginning "common sense and regard for truth" refers to Ambassador Lodge's intention to use the veto on the Chinese representation question if necessary.

Our voting margin in the Security Council on the Chinese representation question is so large that there should be little cause for concern on that point. If Vishinsky should rule that Tsiang was not entitled to represent China, the ruling undoubtedly would be so phrased as to require our side to come up with seven votes to over-turn it. As the ruling would be so clearly out of order on the part of the chairman, we should be able to count upon support even from those Security Council members which recognize the Chinese Communists. Undoubtedly, however, Vishinsky, who is a connoisseur of tactics in the Security Council, can make the situation very difficult—if he chooses.

In this connection it is interesting to note that Ambassador Lodge, in New York's 571 of April 2,<sup>1</sup> after commenting on the recent affability of Soviet delegates remarked "it is also noteworthy that the Soviet gesture on behalf of the admission of Communist China could not possibly be more perfunctory. They content themselves with a routine statement, never make a motion, or really agitate the thing at all." It is accordingly possible that Vishinsky on Thursday may not in fact make a determined drive to displace Dr. Tsiang but may content himself with a sharp statement for the record and with addressing Dr. Tsiang not as "the representative of China" but as "Mr. Tsiang" or some less pleasant equivalent.

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<sup>1</sup> Not printed (611.61/4-254).

310.2/4-654 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, April 6, 1954—9 p. m.

591. Re: Chinese representation. We met with Dixon, Crosthwaite, and Ramsbotham of UKDel this afternoon to review possible developments when SC meets on April 8 under Vishinsky chairmanship. Discussed two main forms in which Soviets might raise Chinese representation question: (1) ruling by chair that Tsiang not entitled to represent China and (2) motion by Vishinsky as Soviet representative to unseat Tsiang, seat Chinese Communist representative, or both. UK agreed that in event of (1) it would be desirable to challenge Vishinsky's ruling on ground that president lacked authority to make such a ruling to overturn an earlier Council decision approving Dr. Tsiang's credentials. Agreed that this approach should also be followed if Vishinsky gave ruling based on point of order raised by himself as Soviet representative.

UK apprehensive that Soviets instead will follow course (2) above, which would threaten possibility of open split with US on merits of representation question unless moratorium formula can be applied here. UKDel suggested possibility of countering course (2) by motion for simple postponement of discussion under rule 33(5) of SC provisional rules of procedure. Text of motion contemplated by UK would not fix any date for discussion of question, nor would it state that postponement was indefinite or being *sine die*. However, it would be made clear in statements to Council that postponement was for indefinite period, and motion was therefore within scope of rule 33(5).

It was suggested to Dixon that if postponement motion were put "to postpone . . . indefinitely" he could protect UK position by explaining this did not mean postponement to Greek calends, motion would be squarely within rule and not subject to mischief-making by Vishinsky and would reflect solidarity between US and UK which would be ten-strike for both of us in resisting intensified Soviet efforts to split free-world countries.

Dixon indicated he might make statement that postponement was not to Greek calends but simply for an indefinite period of time without setting a day on which discussion would be taken up. UKDel planned to report to Foreign Office. Dixon believed London would prefer simple postponement.

We raised point as to whether Soviet motion would be in order, since it would not relate to any item on council agenda. UK believed motion could be made without agenda item.

Pending Foreign Office reaction, we expect to continue discussions with UK on procedural points and tactical possibilities re Chinese

representation issue in SC. In connection with possible motion by Vishinsky, will explore with UK idea of having motion declared out of order in absence of agenda item, with inclusion of item on agenda being voted down if proposed.

LODGE

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310.2/3-3054

*The Secretary of State to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET

[WASHINGTON,] April 10, 1954.

DEAR CABOT: I have read with interest your memoranda on your recent conversations with Hammarskjold and on the Chinese representation issue generally.<sup>2</sup> We are, of course, in complete agreement on the over-riding importance of maintaining our position on the Chinese representation issue. The evidence now at hand indicates that a sufficient number of UN Members continue to agree with this government that it will not serve the interests of world order to bring into the UN a regime which is a convicted aggressor, which has not purged itself from that aggression, and which continues to promote the use of force in violation of the principles of the Charter. The recent statements of both Jebb and Pearson can be interpreted in substantially these terms. Since there is nothing to show that the Chinese Communists are likely to purge themselves of their aggressive policies, it would not appear that there is any immediate danger of the Chinese Communists getting the seat of China in the UN.

I have definitely in mind the necessity of seeking a further agreement with the UK on Chinese representation in advance of the next Assembly. I am not, however, now able to determine just when it would be most advantageous for me to make this approach. I would hope that agreement on this matter would follow naturally from the Geneva discussions.

We must, of course, be ready to deal with the substance of the Chinese representation problem whenever this is necessary. Specific tactics at the Assembly, such as the matter of committee referral, will, of course, have to depend upon the form in which the question is raised, the general tactical situation prevailing at the time and the degree of support for a particular procedure, as ascertained through advance consultations.

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<sup>1</sup> Drafted by Gough of the Office of UN Political and Security Affairs and concurred in by the Director of that Office (Popper); cleared with the Bureau of Far Eastern Affairs, the Bureau of European Affairs, and the Economic Defense Staff of the Office of Economic Defense and Trade Policy.

<sup>2</sup> See Lodge's memoranda, Mar. 25 and 30, 1954, pp. 719 and 720, respectively.

Whether we would invoke the two-thirds voting requirement would depend upon the substance of the action proposed. For example, two proposals might be before the Assembly, one providing for the seating of the representatives of the Government of the Republic of China and the other for the seating of representatives of the Chinese Communist regime. If the Assembly decided that a two-thirds vote were required on this matter, the result could be that no representative would be seated for China. All of these tactical points will need to be carefully studied so that we will be clear as to the precise course we should pursue in various eventualities with a view to keeping the China we recognize in the UN and the Chinese Communists out. Mr. Key will see that this is done.

With respect to the Geneva Conference, in my speech of March 29 before the Overseas Press Club, I made clear to our allies and to our enemies, beyond the possibility of any misunderstanding, that this Government will not trade commitments for promises in respect, in particular, of recognition of the Chinese Communist regime and Chinese representation.

As to the embargo against Communist China, as you indicate there can be no question of lifting the embargo so long as the Chinese Communists continue their aggressive policies. In the recent Stassen talks, the UK and France reaffirmed their agreement with us on this point. If the millennium arrives and the Chinese Communists change their ways, we will, of course, have to review our attitude on the embargo in the context of our general Far Eastern policy. However, I doubt that in these circumstances it would be productive to attempt to trade Chinese representation against the lifting of the embargo, since the position of a crucial number of UN Members on both questions presumably obtains only so long as the Chinese Communists continue to behave like international bandits.

At the direction of the President the National Security Council conducted last year an intensive review of the policy this Administration inherited on East-West trade. In a nutshell, the Council concluded that the basic policy and objectives of the security trade control program should be maintained, but that the strategic lists should be re-examined with a view to determining, on the basis of stricter criteria, those commodities and services which would not contribute significantly to the war potential of the Soviet bloc, and which, therefore, might be eliminated from control. This review does not include trade with Communist China. The UK also conducted a review of its policy and forwarded proposals to us this past February which revealed a basic difference between us on the criteria to be used in the review of the strategic lists. The recent discussions of Governor Stassen with the British and French have happily resulted in an agreed decision concerning the criteria for an orderly multilateral review of the

strategic lists. This review will naturally take a considerable time. It will be conducted solely on the basis of the agreed criteria and purely technical considerations. I am sure that you will agree that in the circumstances it would not have been practicable to have injected any extraneous issue into the negotiations with the UK and the French on East-West trade. Quite apart from this, however, I am most dubious about using Chinese representation as a bargaining point. I have no doubt that if we did so others would quickly turn the tables and try to extract fundamental concessions from us on all kinds of issues, in return for their continued support of our position on Chinese representation.

Sincerely yours,

JOHN FOSTER DULLES

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright)*

SECRET

WASHINGTON, April 23, 1954.

Subject: Netherlands Position on Chinese Representation

The Hague's 1106, April 22,<sup>1</sup> reports that the Dutch Government intends "to reprimand Von Balluseck, Dutch representative to the UN, for his public advocacy in New York of Chinese Communist admission to the UN." The telegram adds that the Balluseck statement was not only completely unauthorized but also contrary to the views of the Netherlands Government.

*Comment:* I have no recollection of any conspicuous statement recently by Von Balluseck on Chinese representation, nor has EUR. UNP has a vague recollection that he may have said something a month or so ago. The Netherlands normally goes along with the moratorium arrangement.

Although there are several possible explanations for the Netherlands approach to our Embassy, one consideration may be related to the Netherlands Government's interest in obtaining the GA presidency<sup>2</sup> and the seat on ECOSOC. The Netherlands may also have wished to remove any possible misapprehensions concerning their position on Chinese representation on the eve of the Geneva Conference.

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<sup>1</sup> Not printed (310.2/4-2254).

<sup>2</sup> For documentation on this matter, see pp. 414 ff.

Hickerson-Murphy-Key files, lot 58 D 33, "Amb Lodge-1954"

*The United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

NEW YORK, May 26, 1954.

DEAR DAVE: A recent British Institute of Public Opinion poll on Communist China has just been brought to my attention.

This poll shows that United Kingdom opinion in favor of the admission of Communist China to the United Nations has declined from 52% in 1953 to 45% in 1954.

I think this trend is heartening news which should be helpful to us in getting a common front with the United Kingdom against the admission of Communist China.

Could you let me know what our present timetable is on discussions with the British for continuing the moratorium on this matter? If we have a resumed session or special session on Indochina, do you expect the question of Chinese Representation to come up and if so how do we plan to deal with it?

The poll referred to above can be found in an unclassified Intelligence Report No. 5550.155 of May 3, 1954.

Sincerely yours,

HENRY CABOT LODGE, JR.

310.2/6-1654

*The Assistant Secretary of State for United Nations Affairs (Key) to the United States Representative at the United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON,] June 16, 1954.

DEAR CABOT: Your letter of May 26 on Chinese representation raises the question whether the matter will arise at a resumed or special session of the General Assembly and how to handle it; and concerning our timetable for discussions with the British on continuing the moratorium.

It seems by no means certain that the Soviets will formally raise the Chinese representation issue at a resumed or special session held in the immediate future, although they will undoubtedly state their position for the record. They might instead direct their efforts toward securing hearings for the Chinese communists, the Vietminh and the phantom Communist regimes of Laos and Cambodia. In any event, it seems obvious that the moratorium formula should be held ready for such a meeting and you may remember that a formula for a resumed session was agreed upon with the British last January. In pursuance of a general discussion between the Secretary and Sir Roger Makins in anticipation of a possible session on Korea, a text was agreed upon as follows:



"The General Assembly decides to postpone for the duration of the second part of the eighth regular session consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China."

Copies of the relevant memoranda were sent to USUN in January. If we decide upon a resumed session, it should merely be necessary as a formality to recheck this formula with the UK Delegation in New York.

If a special session is held this formula would be varied only slightly. It would read: "*postpone for the duration of the third special session*", etc. This form of words has not been discussed with the British but they should have no difficulty with it. As you know, the problem in reaching agreement with the UK concerning regular General Assembly sessions has been their reluctance to commit themselves for a long period of time. Since a special session would presumably not last more than a week or two the UK should accept postponement for the duration of such a session.

As soon as negotiations on the SC phase have been completed and firm agreement has been reached on the convening of the GA and the kind of a session to hold, we should discuss with the UK delegation the precise language of the formula and details of tactics on the Chinese representation issue.

The other problem you mention concerns the reaching of an agreement with the UK concerning the longer range handling of the Chinese representation problem. Obviously this must be done some time this summer. The Department is now considering whether this question should be brought up for discussion during the Churchill-Eden visit which has just been announced for the weekend of June 26-27. I shall let you know as soon as our thinking here on the matter of timing has progressed a little further.

I had not seen the recent poll of the British Institute of Public Opinion, and I am glad you drew it to my attention. It is indeed encouraging that the May poll shows a decline in the sentiment in favor of seating the Chinese Communists.

Sincerely yours,

DAVID MCK. KEY

310.2/6-2154

*The United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

NEW YORK, June 21, 1954.

DEAR DAVID: In reply to yours of June 16th, I think there can be no question at all that the President at his meeting with Churchill and

Eden should come to an agreement on not having the Chinese representation question come up at the United Nations. I cannot conceive of anything which is more important for them to agree on.

Sincerely yours,

HENRY CABOT LODGE, JR.

CFM files, lot M 88, box 169, "Churchill-Eden Visit"

*Memorandum of Conversation, by the Assistant Secretary of State for Far Eastern Affairs (Robertson) <sup>1</sup>*

SECRET

[WASHINGTON,] July 2, 1954.

CEV MC-6

Subject: Churchill-Eden Visit—"Seating of Communist China in the US."

Participants:	<i>United States</i>	<i>United Kingdom</i>
	Secretary	Mr. Eden
	General Smith	Amb. Makins
	Mr. Merchant	Sir H. Caccia
	Amb. Aldrich	Mr. Allen
	Mr. MacArthur	Mr. Scott
	Mr. Bowie	Mr. Joy
	Mr. Robertson	
	Mr. Sturm	
	Mr. Gilman	

After coming to agreement on certain language changes in the minutes on Germany, Southeast Asia and Egypt, and the reply to the French Government on Indochina, the following discussion took place.

Mr. Eden said he realized that this subject was dynamite for the United States but at the same time it would be extremely difficult for the British Government to hold out against the popular opinion in that country. He said that he could not give an unequivocal pledge that the question would not come up but that he would do everything possible to keep it from becoming a problem for us.

Mr. Dulles replied that admission of Communist China into the United Nations at this time was an impossibility for us. Trade also was a bad problem but it did not have the same degree of gravity as

<sup>1</sup> The meeting took place at 5 p. m. on June 27 at Secretary Dulles' house.

The subject-title of the memorandum was "Seating of Communist China in the UN". On the previous day, Saturday, June 26, at a meeting in the President's office, Eisenhower and Churchill had exchanged views about Communist China:

"They discussed Red China. Of admittance to the UN, Churchill said, "My line about recognition is that there has got to be peace first." The President said that if they would withdraw to their own borders, release our prisoners, and say they would observe propriety in international relationships, he would consider using his influence to obtain recognition." (Eisenhower Library, Eisenhower papers, Whitman file, "Whitman Diary, Saturday, June 26, 1954")

U.N. admission. If Communist China were admitted to the UN Mr. Dulles made it clear that it would probably be impossible to keep Congress from demanding U.S. withdrawal, including U.S. financial support. He said he did not think he could exaggerate the difficulties for us inherent in such a proposal. He noted that although it had been attributed to him, he had never said that this was our policy under all conditions at all times. However, the Security of the Pacific Ocean was of vital national importance. The Chinese Communists are constantly challenging that position. So long as the Chinese Communist regime continues its campaign of venom against the United States, we would have to oppose any policy that would add to its power. If and when the Chinese Communists became decent and respectable in deeds, not just in words, then it would be time for us to take another look at the situation.

Mr. Dulles said that he had often thought of the desirability of altering the structure of the United Nations so that permanent members of the Security Council could be changed from time to time. Although the US originated the idea of China becoming one of the permanent members, Mr. Dulles believed this concept was ill-advised. Certainly under present conditions a country like India would be a more suitable permanent member than China. Prime Minister Churchill had said to Mr. Dulles that he could well understand that the US was not prepared to abandon Nationalist China, which had long been their loyal ally. The Prime Minister had indicated that consideration might be given to the possibility of having two Chinas in the General Assembly. He did not feel that the Nationalist Government rated membership in the Security Council.

Mr. Eden stated that the U.K. and some of the Commonwealth and European countries felt that the longer Red China was kept out of the United Nations the more difficult the world situation would be.

The Secretary suggested that Mr. Eden let his imagination play upon the problem of how the United Nations Charter could be revised, changing conditions for membership in the Security [Council]. The Secretary felt that perhaps the organization should have no permanent members or at least not permanent in the sense of perpetuity. Both Mr. Eden and the Secretary thought Russia would be opposed to any change.

810.2/7-654

*Memorandum of Conversation, by the Secretary of State*

SECRET

[WASHINGTON,] July 6, 1954—10:30 a. m.

## MEMORANDUM OF CONVERSATION WITH SENATOR KNOWLAND

Senator Knowland said he wanted to talk with me about the China situation and the possibility of having some testimony before the Foreign Relations Committee on the legal aspects of Chinese Communist admission, e.g., whether it took a two-thirds Assembly vote and whether it was veto-able in the Security Council. He asked whether Cabot Lodge was qualified to testify on this matter. I said that while undoubtedly he could be so qualified, the legal work and policy decisions were primarily taken in the State Department.

I discussed the probable British position and indicated that there was at least some hope that the British would go along with us in trying to postpone the issue at the next United Nations Assembly. I said that I thought that the recent despatches from London probably did not reflect the talks which Churchill and Eden had had with the President and me because Churchill and Eden were not yet back in London.

Senator Knowland referred to his recent proposals on China and said that they had received overwhelming support—over 90% favorable. I said that I saw no objection to Congressional action to make clear that the Senate took this matter very seriously. I did question, however, the desirability of a threat to cut off our payment of expenses to the United Nations as long as we were a member. I said this would itself be a violation of the Charter, and that our case against the Chinese Communists would be much better if we came into the United Nations with clean hands. Senator Knowland said he recognized that so long as we were a member we would have to pay a share of the expenses and that he would not try to prevent this. I said that it would, of course, be entirely possible to raise the question of continuing U.S. membership in the United Nations, and I discussed with him the Charter understanding with reference to withdrawals. I gave him a copy of a portion of a memorandum on this point, which I had dictated the day before.<sup>1</sup> It referred to the hearings before the Senate Foreign Relations Committee in 1945.

[Here follows a brief discussion concerning United States representation at Geneva “for the further development of the Indochina phase of the Conference”.]

The Senator in leaving expressed the hope that he and I could keep closer together and have informal talks from time to time, perhaps in

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<sup>1</sup> Not found in Department of State files.

the evening. He said that, in general, there was harmony between his views and those of the Department and he wanted to keep it that way.

J[OHN] F[OSTER] D[ULLES]

810.2/7-654 : Telegram

*The Secretary of State to the Embassies in New Zealand and Australia*

SECRET

[WASHINGTON,] July 6, 1954—6:46 p. m.

3 (Wellington) and 4 (Canberra). Ticker reports Webb in Foreign Affairs debate urges admission Communist China to UN. Department amazed such far-reaching announcement would be made by New Zealand Minister without prior consultation especially view fact no intimation whatsoever that such statement in offering made by New Zealand representative at ANZUS meeting few days ago. Ascertain all background you can regarding reason issuing statement.

Wellington repeat to Canberra

Add for Canberra:

You are instructed do everything you can prevent Australian concurrence with this statement which Department gathers should not be difficult in view your reports re Menzies' thinking this question.

DULLES

810.2/7-754 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

LIMITED OFFICIAL USE  
PRIORITY

NEW YORK, July 7, 1954—9 p. m.

17. For the Secretary. Re admission Communist China. The new Philippine representative Serrano appears wobbling on the question of Communist China. While he says he agrees with US he has been led to believe by the British that we don't really care and that we are just going through the motions. He wanted to know whether we were in earnest and I told him we were in deadly earnest and intended to fight this Red China business to the finish. I understand Vice President Garcia, who is also Foreign Minister is even less rugged on the subject. I urgently request that our Ambassador in Manila tell them how vital this is, using the President's press conference this morning as the basis of his argument. Please advise when you have a response from Manila.<sup>1</sup>

LODGE

<sup>1</sup>Notation to the Secretary of State: "Chi Rep in UN—Lodge seeks to strengthen Phil support to keep out Red China."

310.2/7-754 : Telegram

*The Chargé in New Zealand (Scotten) to the Department of State*

WELLINGTON, July 7, 1954.

5. Minister External Affairs Webb in Parliamentary foreign affairs debate advocates recognition Communist China and admission into UN. Recalling his previous position that having committed aggression in Korea, Communist China would have to give evidence she would be worthy member, Webb declares "I am bound to confess now that in view part China at present playing connection with Indochina affair I find it hard to deny right to be admitted to UN". Says firmly convinced absence prevents lessening international tension, that by cold shouldering China, West is driving her into Russian orbit and that to thwart Communism it is necessary to drive wedge between China and Russia. Calls for united action on diplomatic front for early consideration admission. Webb supported by both sides House.

Despatch follows.<sup>1</sup>

SCOTTEN

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<sup>1</sup> Not printed.

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310.2/7-854 : Telegram

*The Chargé in New Zealand (Scotten) to the Department of State*

SECRET      PRIORITY

WELLINGTON, July 8, 1954—noon.

6. Deptel 3, July 6. I found McIntosh greatly disturbed at Webb's statement which McIntosh said does not reflect government's policy and was not cleared in advance with Cabinet or Prime Min. Added Webb went entirely too far and that inconceivable New Zealand would vote against US on question admission Communist China to UN. However, he believes, as statement undoubtedly reflects Webb's sincere personal conviction, it very improbable Webb could be induced change his words publicly.

McIntosh said (asking not to be quoted on this point) New Zealand policy this question well expressed in editorial yesterday's *Evening Post* reading in part as follows :

"Mr. Webb spoke, in blunt rather than diplomatic terms, of driving a wedge between Russia and China. We must beware also that a sharp wedge is not driven into the accord of the Western nations. We do not suppose for a moment that Mr. Webb is insensible of this danger. His advocacy of admission of China to the United Nations was not a commitment to action, but—and it is important to note the difference—a statement that the time was coming for reconsideration of present policy. We are inclined to agree, but with the definite proviso that, in their consideration, we shall attach full weight to the maintenance of

Western accord and not gamble heavily on the prospect of Communist division.”

McIntosh at loss to know what action government can or will take clear up this muddle, but feels this incident might well result in much closer control New Zealand foreign policy by Cabinet.

SCOTTEN

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310.2/7-854 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

LIMITED OFFICIAL USE

NEW YORK, July 8, 1954—4 p. m.

16. Re admission Communist China. Ardlan (Iran) says he is strongly opposed to seating of Communist China. Serrano (Philippines) says he is against it but questioned our intention to go through. Forsyth (Australia) was surprised and shocked by Foreign Minister Webb of New Zealand's declaration in favor of admitting Communist China.

LODGE

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310.2/7-954 : Telegram

*The Chargé in New Zealand (Scotten) to the Department of State*

SECRET PRIORITY

WELLINGTON, July 9, 1954—1 p. m.

8. Embtel 6, July 8. Foreign Minister Webb, concluding foreign affairs debate in Parliament last night, noted his previous remarks on seating Chinese Communists UN had been subject considerable comment abroad, and said he proposed clarify his position. His subsequent remarks, however, left position still unclear. Without retracting previous statements, he did qualify them to some extent by saying that he felt this problem cannot be dismissed without serious consideration, and that it should be resolved by patient negotiation.

McIntosh, commenting to me on Webb's remarks, said he thought they had been to some extent helpful in making it clear that Webb does not necessarily favor immediate action to seat Chinese Communists but realizes that there are many problems to be considered and solved before such action taken. McIntosh said he was certain no clear statement of New Zealand Government's policy on this question would be issued. The situation would be left where it is, as any public statement by Prime Minister which would repudiate Webb would undoubtedly cause latter's resignation which Prime Minister definitely unwilling to risk view Webb's key position in government. McIntosh

added that the Prime Minister somewhat injudiciously he thought had in private conversations with various people expressed the view that Webb had gone too far.

McIntosh indicated he strongly hopes no efforts will be made at this time to force official clarification New Zealand Government's position this issue. This would be "calamitous" as it would put Prime Minister in impossible position.

McIntosh cabling Munro today interpretation of Webb's remarks last night in above sense.

SCOTTEN

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810.2/7-1254

*Memorandum by the Deputy Assistant Secretary of State for  
European Affairs (Elbrick)<sup>1</sup>*

SECRET

[WASHINGTON,] July 12, 1954.

Subject: Exposition of United States Position on Admitting Communist China to the United Nations

One of the most recent manifestations of increasing sentiment among certain governments for the seating of the Peiping Regime in the United Nations was the statement in the New Zealand Parliament by Foreign Minister T. Clifton Webb that the Chinese Communist delegation should be seated "in an endeavor to drive a diplomatic wedge between Russia and Red China." His position seems to be that the Government of so many people cannot indefinitely be kept out of the United Nations; that opposition to it in the United States is "emotional" and that the seating of the Peiping Government in the United Nations is necessary in order to "reduce international tension." Some of this argumentation was also used by Mr. Eden during his recent visit.

In thinking about the problems thus posed for us, Mr. Outerbridge Horsey of BNA developed a possible tactic which I think has great merit and which I submit for your consideration.

He suggests that a paper be prepared stating the substance of our position on this matter in forceful terms—not only on legal and moral grounds, but on the grounds of practical security as well. It would point out, among other things, the effect of such a move on other countries in the area, on the status of Formosa and on the overseas Chinese colonies. It would include a cogent rebuttal of the "reduce international tension" line and put the trade argument in practical and realistic perspective. Such a paper could be handed by some of our

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<sup>1</sup> Addressed to the Assistant Secretary of State for UN Affairs (Key) and the Assistant Secretary of State for Far Eastern Affairs (Robertson).



Missions to certain Governments with a request for comments in detail on the substance of our position. The idea would be to force them to think through their own positions and put them more on the spot than we do by more informal (and generalized) oral appeals for support.

In discussing this, some fear was expressed that a request for comments might tend to "freeze" the position of the Governments thus addressed. This, together with the question of which Governments should be addressed, is a tactical matter which should be examined in due course. We have found general agreement thus far that the principle of such a paper so used is sound. We also believe that, properly handled, the operation could be very productive in terms of public affairs. This aspect, of course, would have to be handled most carefully after a thorough examination of all possible ramifications.

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310.2/7-754 : Telegram

*The Secretary of State to the Embassy in the Philippines*

LIMITED OFFICIAL USE

WASHINGTON, July 12, 1954—8 p. m.

134. Secretary emphasized our position re Communist China to Garcia but did not elicit direct response. Suggest you reiterate our strong opposition to seating Communist China to Neri or Foreign Office using as basis statement by President and Secretary contained daily wireless file 150 and 151 July 7 and 8.

DULLES

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310.2/7-1354 : Telegram

*The Acting United States Representative at the United Nations (Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, July 13, 1954—4 p. m.

33. Re Chinese representation. USUN officers yesterday discussed with UKUN method of handling Chinese representation resumed session GA. Formula contained in June 16 letter from Key to Lodge which would postpone "for the duration of the second part of the 8th regular session, consideration of all proposals" re Chinese representation seemed acceptable to UKUN and in accord with moratorium agreement. They agreed give US definite answer. They raised question of whether Credentials Committee would have to meet again, and if so, whether Credentials Committee would again be seized with proposals re Chinese representation made by India at first part 8th session and put on ice until end of first part. UKUN also referred to difficulties encountered at opening plenary 8th GA and to possibility

procedures could be worked out which would operate more smoothly to achieve desired result. Further consultations will be held.

WADSWORTH

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310.2/7-1354 : Telegram

*The Chargé in the Philippines (Lacy) to the Department of State*

CONFIDENTIAL

MANILA, July 13, 1954—6 p. m.

114. Pass USUN. Reference Deptel 134, July 12. Department's firm opposition seating Communist China was reiterated to Neri July 13, making full use President's and Secretary's referenced statements and intimating grounds for misgivings that neither Serrano nor Garcia realize deadly seriousness US determination.

Neri, showing immediate eagerness get Department's views on subject, said his own position identical US stand. Said he intended next morning to press President Magsaysay send appropriate telegram to Serrano and also try get message to Garcia before latter reaches Honolulu in attempt ensure he does not "talk out of turn" on arrival there. Neri feels Magsaysay "90 percent" likely send telegrams.

LACY

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310.2/7-1454 : Telegram

*The Chargé in New Zealand (Scotten) to the Department of State*

SECRET

WELLINGTON, July 14, 1954—6 p. m.

10. At Prime Minister's request, I called on him today. Webb and McIntosh present. Prime Minister referred to controversy caused by Webb's two recent speeches, stating press had distorted Webb's meaning. He added friendship of US extremely important to New Zealand. Replying to my query both he and Webb stated that Webb's reference to desirability of early consideration of entry of Chinese Communists in UN did not mean consideration should be given at September meeting General Assembly. On the contrary, New Zealand would oppose any action to seat Chinese Communists. Webb said, however, he strongly feels eventual consideration must be given this matter in effort split Chinese Communists from Soviets. Webb has no intention saying anything further on this subject to press as he fears further distortion his remarks.

*Comment:* Webb's speeches were accurately reported by press and Prime Minister in my opinion trying to get him out of a hole.

SCOTTEN

310.2/7-1454 : Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, July 14, 1954—5 p. m.

38. Re Chinese representation. Tsiang (China) raised with Ross today question of cooperation between two delegates in handling Chinese representation issue. He is not too much concerned re resumed session, but raised following points with reference to 9th GA:

1. Under the rules and past practice, outgoing president (in this case Madame Pandit) nominates credentials committee, although secretariat plays a substantial role in consultation with principal delegates in making up list of nominees. Tsiang stressed crucial importance of acceptable list of nominees at 9th session. He is mistrustful of Pandit and he is aware of disadvantages of any challenge of undesirable list of nominees she might propose.

2. Tsiang felt that postponement formula adopted at 8th session (only until end of calendar year 1953) was retrogressive compared with formula on previous occasions. He pressed quite strongly for idea of voting down any Soviet or India substantive proposal to unseat nationalist representatives or seat Communist representatives. He asked whether we could not persuade UK at least to abstain if such substantive proposal were pressed to vote. He said they could explain their abstention (or negative vote) on grounds stated by Churchill on Monday. Tsiang has made analysis of past voting in UN on Chinese representation issue and will provide us with copy thereof. He is aware that vote on substantive issue would probably not be as favorable as vote on postponement. He is also aware that public generally would be more conscious of size of vote than precise formulation on which vote was taken. He feels we are probably best judges of psychological and political effects of smaller vote on substantive issue. It is our impression that Tsiang is under instruction to press for vote on substantive issue but he at least does not seem strongly convinced this is best way of handling matter.

3. Tsiang is under instruction to lobby actively with all delegates. He asked our active help with following two lists:

- a. Ethiopia, Liberia, Luxembourg, Saudi Arabia, Yemen;
- b. Afghanistan, Denmark, Israel, Netherlands, Pakistan, Iceland, Norway, Sweden.

The first list (a) represents countries more or less favorably inclined but with whom he has no contact. The second list (b) represents countries which recognize Chinese Communists and with whom he does not feel he would have any influence. Tsiang also expressed a certain amount of confidence in support of Egypt and Iraq but he is worried concerning other Arabs. He thought that two or three of our Latin friends (e.g. Brazil) might be very helpful in enlisting support of these other Arabs.

Tsiang was assured that we wanted to work very closely and cooperatively with him. Any comments or instructions Department may have concerning foregoing would be appreciated.

WADSWORTH

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310.2/7-1654 : Instruction

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 16, 1954.

CA-142. Re Chinese representation (urtel 33).

1. Re UKUN giving definite answer on formula for resumed session, USUN will wish to bear in mind that last January UK Embassy official informed Department that this formula "entirely agreeable" to Foreign Office. In light this and recent Churchill statement that UK would not press for change in Chinese representation at this moment UKUN should have no objection formula.

2. We assume it will be necessary for Credentials Committee meet since some new representatives certain to be accredited, e.g., Guatemala.

3. We are puzzled by UK query whether Credentials Committee would again be seized with proposals made by India at first part eighth session and put on ice. We do not recall India made any formal proposals on this subject. Major developments in GA last fall were as follows:

(a) At opening plenary: (1) on point of order USSR submitted proposal under which GA would "consider it necessary" that representatives appointed by Chinese Communist regime should take "lawful" seat of China in General Assembly and other organs of UN; (2) US moved that GA postpone for duration eighth session in current year consideration of all proposals to exclude representatives of Government of Republic of China and to seat Chinese Communists; (3) US moved under rule 91 that US proposal be put vote first and this procedural motion adopted by GA; (4) US postponement proposal then adopted; and (5) GA adopted Thai motion under rule 91 that Soviet proposal should not be voted upon.

(b) In his general debate speech on September 28 Menon said in substance above procedure incorrect; matter should have been considered as credentials problem and in first instance by Credentials Committee; he would challenge Chinese credentials when report Credentials Committee considered.

(c) This report considered following day. As in Credentials Committee USSR moved Chinese credentials be declared invalid; President ruled this motion out of order in absence formal motion under rule 82 to reconsider September 15 decision; President's ruling not challenged. Menon reiterated view September 15 procedure incorrect and stated India would vote for Credentials Report except part on China since India did not accept that Chinese credentials had been

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<sup>1</sup> This instruction was sent by pouch.

issued by Head of State or Minister for Foreign Affairs of China as required by rule 27. First report Credentials Committee (covering Chinese and most other delegations) then put to vote as whole and approved.

3. [4] Following occur to us as principal ways in which Chinese representation issue might be raised at resumed session :

(a) Soviet motion in Credentials Committee that Chinese credentials be declared invalid. In this event we would immediately state that this raises substance Chinese representation issue and move that Committee recommend to GA that it postpone for duration second part of eighth regular session consideration of all proposals to exclude representatives of the Government of Republic of China and seat Chinese Communists. Unless Chair (Munro) prepared suggest or rule that our postponement motion be put vote first we would formally so move under rule 91. After adoption our motion we would move under same rule that Soviet proposal not be voted upon (unless Chair willing rule this sense). Same routine would be followed in plenary when Credentials Committee report considered. It would of course not be necessary in plenary secure priority in vote for postponement proposal since Committee resolution would automatically have priority.

If question status Chinese credentials raised we would take position that it is unnecessary for credentials be approved; credentials Chinese representatives attending resumed session were approved at first part eighth session.

(b) Alternatively Chinese representation issue may be raised on point of order, possibly at opening plenary meeting. Soviets might submit proposal along lines their proposal of last September. Menon might challenge seating of Chinese and request under rule 29 his challenge be referred Credentials Committee. President might put latter procedural question to GA or might rule that such proposals must in first instance be considered by Credentials Committee.

If this matter put to GA our present thinking is we should vote against referral to Credentials Committee on ground issue raised by Soviet [or Indian] <sup>1</sup> proposal constitutes important political question of first magnitude and not simple credentials question; this already recognized by GA in resolution 396 (V) in which GA stated *inter alia* that precisely this type of issue "should be considered in the light of the Purposes and Principles of the Charter"; such questions should be considered in plenary or in First Committee. We think best course at resumed session is direct plenary consideration.

If President rules matter should be referred Credentials Committee we could formally challenge ruling on above grounds. Alternatively, we could acquiesce in referral Credentials Committee but in order safeguard our position for future state for record our views along above lines, making clear we reserve right on some future occasion to propose this question be considered in First Committee or directly in plenary.

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<sup>1</sup> Brackets are in the source text.

If question is not referred Credentials Committee and is dealt with directly in plenary, we would submit our postponement proposal and would take steps ensure it put vote first and upon its adoption that Soviet proposal not be voted upon, if necessary formally so moving under rule 91 on both points or arranging for another delegation to do so.

DULLES

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810.2/7-754: Telegram

*The Chargé in the Republic of China (Cochran) to the Department of State*

SECRET

TAIPEI, July 17, 1954—4 p.m.

17. Foreign Minister today called me to his office to discuss problem of efforts to admit Red China to UN. He asked first what British attitude had been in talks between President Eisenhower and Mr. Churchill, and I gave him gist Department's 4, July 2, 8 p.m.<sup>1</sup>

2. He then asked what was President Eisenhower's and Department's impression of probable British policy, now that talks completed? He asked to be informed on this point, in confidence, in as much detail as possible. Second, he asked whether we had any indications whether UK would propose Red China's admission to UN or whether it would support resolution this effect which his information indicates India will probably present to GA. He feels votes of members Commonwealth will be very important factors in the voting especially if decision whether or not matter is substantive has to be settled by majority vote. Third, Dr. Yeh emphasized China's desire to collaborate closely with us in this matter and asked that instructions be issued to Ambassador Lodge, as he was sending them to Dr. Tsiang, to coordinate their efforts, which he considered should be done well before GA meeting. He felt there were some areas where China could line up votes, e.g., Thailand, leaving us free to solicit support in areas where its influence most likely to attain success.

Foreign Minister's attitude naturally is that only his government can represent China in UN since only it is legitimate; and second regarding British policy statement confirming Morrison's 1951 declaration of policy, he holds that Red China still flouts every tenet international law, decent conduct and principles and purposes of charter(!) He would obviously like a GA resolution adopted which would settle matter favorably on more permanent basis rather than by postponement of issue as heretofore but appears to realize chances of this are less this year than in past.

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<sup>1</sup> Not printed (611.93/7-254). It was a summary of the Dulles-Koo conversation of July 1.

He indicated his government intended to approach all governments with which it maintains diplomatic relations, seeking support for his position opposing entry Red China into United Nations.

COCHRAN

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810.2/7-1654 : Telegram

*The Acting United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, July 19, 1954—8 p. m.

48. Re Chinese representation. Ramsbotham (UK) called this afternoon concerning formula for handling Chinese representation at a resumed session GA (USUN 33, July 13). He said formula discussed with USUN officers July 12 is agreed to by Foreign Office. Ramsbotham added that this was without commitment concerning ninth session. Ross said he thought UK Prime Minister had settled this matter. Ramsbotham said he had not really committed himself.

If there were to be special rather than resumed session Foreign Office would prefer reference to "this special session" rather than "third special session".

We are preparing comments on Department's airgram CA-412, July 16.

WADSWORTH

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810.2/7-1454 : Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, July 20, 1954—3:12 p. m.

46. Your conversation with Tsiang on handling of Chinese representation issue at Ninth GA your 38.

1. Credentials Committee. Slates nominated by previous Presidents were:

a) geographically representative (Since fifth session general pattern has been: Western Europe 1 or 2; Latin America 2; Arab-Asian bloc 2 or 3; Commonwealth 1 or 2; Soviet bloc 1; Great Powers 1, 2 or 3); and

b) have included since 1950 no more than three states which recognize Chinese Communist regime on basis that Nine Member Committee should reflect Assembly sentiment as whole on substance Chinese representation issue and less than one-third GA Members recognize Communist regime.

It is difficult see how Temporary President (Chairman Indian delegation and therefore not necessarily Madame Pandit) this year could

advance any plausible justification for nominating slate which departs from these criteria. If criteria are applied it is difficult see how slate could fail include majority states which support us on Chinese representation issue assuming we dispose of matter on basis moratorium formula and assuming there is no unexpected change attitude significant number countries. If criteria not applied and unacceptable slate proposed we would move appropriate amendments or possibly even an alternative slate. Since President's action would have been flagrantly partisan we should have no difficulty obtaining adequate support in GA.

2. Department believes course suggested by Tsiang most unwise. Moratorium arrangement provides basis on which maximum number free world states can act together to keep representatives Government Republic of China seated and Chinese Communists excluded. Even if we could get UK merely abstain in vote on substance, essential in this critical period maintain free world unity whenever possible and particularly on Far Eastern issues. Moreover moratorium arrangement designed keep Chinese Nationalists seated and Chinese Communists excluded throughout whole UN system; certain smaller UN and specialized agency bodies are so composed that there is considerable doubt we could continue achieve our objective without affirmative support UK and certain other states on basis moratorium formula (e.g. ECAFFE) even if it were possible do so in larger bodies like GA.

3. Department requests you continue make representations other delegations on Chinese representation issue, in particular those delegations mentioned by Tsiang. We intend supplement your activities by making representations at Embassies here and at appropriate capitals.

DULLES

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751G. 00/7-2354 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, July 23, 1954—5 p. m.

75. Re Chinese representation. We agree with Paris Embassy's comment (Embtel 283, July 21<sup>1</sup>) that possibility French recognition Peking regime bears close watching. In view great importance this subject, I strongly recommend that we urge French Government to withhold such recognition. I also strongly recommend that we immediately endeavor get agreement from them, as well as UK, to abide by moratorium arrangement on admission ChiComs to UN.

WADSWORTH

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<sup>1</sup> Not printed (751G.00/7-2154).



810.2/7-3054 : Telegram

*The Secretary of State to the Embassy in France*

CONFIDENTIAL

WASHINGTON, July 30, 1954—6:30 p. m.

402. Your 359.<sup>1</sup> Notwithstanding your 397 Department concerned possibility French may be considering recognition Communist China. USUN shares this concern USUN 75. Department concurs USUN belief representations should be made French Government in strong terms to withhold recognition and continue oppose seating in UN.

You should seek early appropriate opportunity inform French Government United States earnestly hopes it will continue non-recognition Communist China and support Chinese Nationalist Government in UN and elsewhere. United States position stems from fact Communist China is aggressor and acts in violation all standards international conduct. Any increased diplomatic acceptance of Communist China would directly serve Communist purposes. Anti-Communist forces in Laos Cambodia Vietnam faced with difficult future in view communist penetration already present those areas would undoubtedly be weakened by French recognition Communist China. Important overseas Chinese communities Southeast Asia, already targets large-scale Communist propaganda, would be adversely affected. Thailand Philippines Republic of China among free world's best friends in Far East would be dealt severe blow and Communist elements Burma Indonesia strengthened and emboldened. Result would be important damage French and free nations Far East and gain for Communist orbit all over world.

Mention might be made adverse effect on United States public opinion as to France. You may wish remark United States Government has no reason believe French Government has any intention departing from firm position it has consistently and usefully maintained on this issue since 1950. However these views are set forth to insure that our understanding on this important matter remains complete.

DULLES

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<sup>1</sup> In Paris telegram 359, July 26, the Embassy reiterated the fears of the Chinese Chargé in France (Tuan), already set forth in Paris telegram 283, July 21, that French recognition of the Peking régime was imminent and that "U.S. persuasion only hope forestalling such action." (751G.00/7-2654)

<sup>2</sup> In Paris telegram 397, July 28, the Embassy reported that French Foreign Ministry official Roux "again confirmed today that although possible recognition of Communist China has been advanced by Geneva no action is in prospect at present. He agreed with Embassy that perhaps West is apt to exaggerate importance Chinese attach to diplomatic recognition pointing out that subject was never broached by them at Geneva. Roux expressed further opinion that Peking attention was concentrated on participating in international meetings and acquiring membership in international organizations, particularly U.N. itself, rather than to obtaining diplomatic recognition from those powers who have failed to grant it to date." (751G.00/7-2854)

310.2/7-3054 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, July 30, 1954—5 p. m.

100. Re Chinese representation. In preliminary review of ninth GA agenda items with UKDel yesterday, we emphasized Churchill's statement in Parliament on this subject, our assumption that UK is wholly with us on continuation of moratorium in ninth GA and our assumption that overwhelming majority of GA would support us.

Crosthwaite said this was "leaping a stage". The moratorium understanding now in existence between us, he said, applied only to a resumed eighth or special GA session and not necessarily to the ninth. Selwyn Lloyd, he said, had also made a statement in Parliament to the effect that the UK would not force the issue. His statement had not been as fully publicized as Churchill's but should also be considered.

UKDel, Crosthwaite went on, had not yet received instructions as to the handling of this issue in ninth GA, he promised to let us know soon as they did. It is essential in my view that we take initiative and get this question settled with UK right away. In doing so I think we should insist that moratorium agreement apply for full length of ninth session and not be limited to end of calendar year as it was last session.

I am urging this on Dixon today and Department may also wish to take action in London or Washington.

LODGE

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310.2/7-3054 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL      NEW YORK, July 30, 1954—9:16 p. m.

102. Re Chinese representation: Deptel 46, July 20 and our telegram 38, July 14. I attach greatest importance Department's plans make representations Embassies Washington and in appropriate capitals (paragraph 3 Deptel 46). USUN has begun such representations in New York and I hope Department's efforts will proceed simultaneously.

I understand Dixon (UK) will ask to see Secretary early next week and suggest Secretary take up with him importance we attach to continuance moratorium agreement. I was unable to reach Dixon as I indicated I would in my telegram 100, July 30.

LODGE

810.2/7-3154

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy)*

CONFIDENTIAL

[WASHINGTON,] July 31, 1954.

Participants: Sir Pierson Dixon, UK Representative at the United Nations

Robert Murphy, Deputy Under Secretary of State

At dinner July 31 at the British Embassy, I had opportunity for a long conversation with Sir Pierson Dixon. I inquired what the British position is regarding the question of Red China's admission to the United Nations, remembering that the British moratorium agreement expired December 31, 1953. Dixon said he had not yet received firm instructions but that he felt this question would be a most embarrassing one during the Ninth Session of the General Assembly. He said his personal opinion is that Red China should be admitted. He referred to his participation at San Francisco in 1945, recalling that the British position then was in favor of minimizing Chinese participation, for example, as a permanent member of the Security Council, whereas the United States then seemed to be very eager to build up Chinese participation on a Great Power basis. He referred to the development of events since that time intimating that British prescience in Far Eastern matters has proven more acute than ours. His thinking seems to be along the lines that Red China qualifies for membership under the Charter, but he gagged a little on my question whether Red China could so promptly after Korea qualify under Article 4 as a peace-loving state, able and willing to carry out the obligations of the Charter. He asserted that unless the United Nations is to be universal, as it was originally intended, it may defeat its own purposes.

Dixon also expressed concern at our alleged tendency to use the United Nations as a vehicle in our campaign against communism. I thought at first that he was referring to Cabot Lodge's desire to have the subject of "Communism, the new Colonialism" included in the agenda for the Ninth Session of the General Assembly, but Dixon indicated that that was not specifically in his mind; rather our conduct in the United Nations during the past year when we sought out every occasion to use the machinery of the United Nations in an anti-communist campaign. I told him that I hesitated to use the word naive, but that under all the circumstances which he knew as well as all of us, that sort of attitude at least seemed innocent. Dixon referred to the heavy pressure that HMG would be under in connection with this issue and also to considerable sentiment on the part of other delegations in favor of the admission of Red China. He said that he was aware of the strong and emotional sentiment prevailing in this country

on this question and I said that he should be under no illusions regarding the especially strong opposition to it which prevailed in the United States Congress. He said that while he had not been in this country for long, he began to realize how determined this opposition seems to be.

[Here follows discussion of other matters.]

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310.2/8-354 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, August 3, 1954—5 p. m.

107. Re Chinese representation: Our telegram 38, July 14; Deptel 46, July 20, mytel 102, July 30. At meeting on ChiRep question yesterday Tsiang (China) told us Chinese Government had open mind on question of substantive vote at Ninth GA versus continuing moratorium formula and that if after our further consideration we believed it desirable continue moratorium agreement and avoid substantive vote for reasons indicated reftels, China would accept this procedure.

We indicated desire continuing close cooperation and informed Tsiang we were moving ahead with consultations other members UN and particularly those on whom he had asked our help. We told him these representations being made in New York, Washington and at foreign capitals.

Tsiang expressed concern over attitude of French who, he felt, may have made bargain with Communists at Geneva. Although he doubted Mendès-France had agreed change French position before coming Ninth GA, he feared bargain may have been entered into for post-General Assembly period.

I suggest this possibility be taken fully into account in preparation our continuing talks with French on Southeast Asian situation.

We indicated confidentially US views being communicated to French Government.

LODGE

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310.2/8-654 : Telegram

*The Deputy United States Representative on the Security Council (Ross) to the Department of State*

CONFIDENTIAL

NEW YORK, August 6, 1954—7 p. m.

121. Re Chinese representation—slates. In general preliminary discussion of ninth GA items with French and Dutch representatives yesterday and today, we bore down heavily on Chinese representation

issue. We indicated very strong opposition on part not only of American Government but also entire American people to admission Chinese Communists, indicating this opposition much stronger now than in previous years. We mentioned Churchill comments to Lodge that admission Chinese Communists "unthinkable" while they are at war with UN.

In conversation with French (Lucet in Hoppenot's absence) we took line any adverse attitude on part our friends would undoubtedly have had effect on American public opinion in regard to items, e.g., North Africa, which would come up on agenda. Lucet said he had no doubt whatever that French would support moratorium arrangement. We emphasized importance establishing this arrangement for duration ninth session and not merely for calendar year. Lucet saw no difficulty in this.

Dutch seem to be strong for continuance moratorium arrangement, so far as delegation here is concerned, for duration of session.

They emphasized Van Kleffens solid on this point, but said this only personal view.

[Here follows a brief summary of other matters.]

Ross

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320/8-1654 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL      PRIORITY      NEW YORK, August 16, 1954—7 p. m.

139. For the Secretary. Re Chinese representation. Tsiang (China) called on me at his request today. On instructions from his government he informed us of the unfortunate effect last year's moratorium formula had had in Formosa. He again proposed that we consider meeting the issue substantively and vote it down when it is raised. I told him that while this idea appealed to me personally, nevertheless one had to be realistic and look at it from the point of view of getting the largest possible number of votes. Likewise the Assembly's action was only part of a much larger picture and its action could well be controlling in many other areas of the UN where the balance was not so favorable to our position.

Tsiang then suggested that if we could not agree to deal with the matter substantively, we give consideration to a motion that "the ninth GA decides not to consider any proposals" re Chinese representation. This would omit both "postponement" and "current year" phrases from formula and would have much better impact in Formosa, although the use of the words "ninth GA" does indirectly bring in the time factor.

I told Tsiang his formula appeared to have considerable merit and that I would send it at once to the Department for their consideration. I understand Murphy is seeing Scott tomorrow and I strongly recommend Department consider this wording and attempt get British and others' agreement on it. I will telephone Secretary Dulles about this Tuesday a. m. because this is a vital matter and should be dealt with at highest level.

LODGE

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310.2/8-1754

*Memorandum of Telephone Conversation, by the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

[WASHINGTON,] August 17, 1954.

Subject: Negotiations with UK on Chinese Representation Issue

Ambassador Lodge called this morning to urge that Mr. Murphy take a very strong position on the Chinese representation issue when he sees Mr. Scott, UK Minister. He pointed out that we should push the UK at least as hard on this as the Labor Party is pushing us, reminding me that Churchill had agreed with him that the Chinese Communists "could not be admitted to the UN so long as they are at war with the UN".

Ambassador Lodge urged that Mr. Murphy point out to Minister Scott that the Chinese question is of greater concern to us than anything else on the Assembly's agenda and that it is a very serious political issue in this country. He suggested that Mr. Murphy inform Scott that we prefer a vote on the *substance* of the issue. He recognized that the UK will not agree to this, but suggested that if we begin with this proposal it might be possible to reach agreement on a formula such as Dr. Tsiang has suggested, whereby the Assembly would decide not to consider the matter rather than merely to postpone consideration.

Ambassador Lodge further suggested that, if necessary, we point out to Scott that there is a great preponderance of opinion in this country that Cyprus should be turned over to Greece and that we will have to take this into account in our position on this question.

I replied that I fully shared his view as to the extremely serious political implications involved in the outcome of the Chinese question in the Assembly and agreed that we should make strong representations to the UK.

DAVID MCK. KEY

320/8-1754

*Memorandum of Conversation, by the Assistant Secretary of State  
for United Nations Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 17, 1954.

Subject: Chinese Representation in the United Nations.

Participants: Sir Robert Scott, Minister, British Embassy  
Mr. Robert Murphy, Deputy Under Secretary of State  
Mr. David McK. Key, Assistant Secretary for United  
Nations Affairs

Mr. Murphy opened the meeting by explaining to Sir Robert that he had asked the latter to come to the Department for the purpose of seeking a US-UK understanding on the subject of Chinese representation at the forthcoming 9th General Assembly. Mr. Murphy stressed the vital importance of this issue in American politics of which he felt certain Sir Robert was fully aware and reminded Sir Robert of the statement made by Prime Minister Churchill in the House of Commons on July 14, 1954 to the effect that Red China could not be admitted to the UN so long as they were technically at war with the latter. Mr. Murphy then handed to Sir Robert the text of a formula, which he described as reflecting our present thinking and which might cover the position of both governments and which read as follows:

“The Ninth General Assembly,  
*Decides* not to consider any proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China.”

Mr. Murphy stated the urgent desirability of early agreement on this very important question between the two governments and the hope that the UK would meet us on it.

Sir Robert stated that he would be glad to convey this formula to his government with a view to obtaining the latter’s views. Up to the present, no instructions had been received regarding his government’s attitude. He asked whether the formula envisaged a limited period of time or whether it would apply for the duration of the 9th GA and was informed that we had in mind the latter. Sir Robert foresaw that this might raise some difficulties since the British position had always been that it did not wish to commit itself beyond a limited period. Reverting to Prime Minister Churchill’s statement, Sir Robert said that the Foreign Office had indicated that the statement applied to a resumed session of which there had been talk at that time. It did not apparently apply to the forthcoming General Assembly.

<sup>1</sup>The substance of this conversation in regard to the Chinese representation question was conveyed to London in telegram 1006 and to USUN in telegram 104, both Aug. 19, 7:10 p. m. (320/8-1954).

In closing Sir Robert stated that he was fully cognizant of the intensity of American political sentiment on this issue and that he would get in touch with the Department as soon as he had obtained the views of his government about the formula which Mr. Murphy had given him.

[Here follows discussion of two other matters.]

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Secretary of State's memoranda of conversations, lot 64 D 199

*Memorandum of Conversation, by the Deputy Director of the Office of Western European Affairs (Tyler)*

SECRET

[WASHINGTON,] August 18, 1954.

Subject: Visit of French Ambassador

Participants: The Secretary  
Ambassador Bonnet, French Ambassador  
Mr. William R. Tyler, WE

Ambassador Bonnet called on the Secretary at the latter's request.

1. The Secretary told him that he hoped that the French Government would not deviate from its present policy of non-recognition of Communist China and that it would observe the moratorium during the forthcoming General Assembly session. He added that rumors had come to our ears of a possible change in the French position and that if these were true, we would consider it a serious matter.

The Ambassador unhesitatingly replied that no change was contemplated by the French Government. He had read the transcript of the conversation of Mendès-France with Chou En Lai and there had been no reference whatsoever to the subject. The Ambassador was convinced that there was no secret agreement or understanding between France and Communist China concerning recognition. Indeed, he said, there were no conversations going on between the two countries on any subject and France was maintaining the embargo on strategic materials.

[Here follows discussion of several other matters.]

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320/8-1954 : Telegram

*The Chargé in the Republic of China (Cochran) to the Department of State*

CONFIDENTIAL

TAIPEI, August 19, 1954—5 p. m.

125. Department also pass USUN unnumbered. Embassy has received memo from Foreign Office on Chinese representation issue at ninth session UNGA. Text memo being air pouched. Summary follows:



Expressing gratification at US firm stand against admitting Peiping regime into UN, Chinese Government asks closer cooperation, more frequent contacts with US against Commies redoubled efforts at ninth session UNGA to get Peiping into UN. Chinese Government endorses Dulles July 8 statement that question of Chinese representation in UN is important matter and properly subject to veto in Security Council.

Chinese Government is canvassing friendly governments through its Missions abroad to obtain support on Chinese representation issue at next session UNGA. Record of UN members indicates that, apart from US and China, 18 certain support Chinese, support of 12 others almost certain, that of 9 others hopeful, 8 likely to abstain and 11, including Russia and satellites, will vote against China. Chinese Government asks US in approaching UN members to support Chinese Government to give special attention to wavering of unfavorable free nations, notably Afghanistan, Burma, Denmark, Ethiopia, France, Iceland, Indonesia, Israel, Liberia, Luxembourg, Netherlands, Norway, Pakistan, Saudi Arabia, Sweden, Syria, UK and Yemen. Chinese Government asks be informed of US action and results above.

Chinese representation issue, raised every year in UNGA since its fifth session, was disposed of procedurally without vote on its substance. At eighth session UNGA issue was postponed for duration of session for current year. This formula gives impression UN is awaiting a more opportune time to admit Peiping regime. Chinese Government wishes stronger resolution in support of its UN representation but does not underestimate difficulty of obtaining majority vote for its adoption. Strategy on dealing with issue may have to be worked out at delegation level at UNGA ninth session but Chinese Government hopes US Government will bear above view in mind. If it should clearly appear that such a substantive resolution would greatly reduce number of favorable votes, and might fail of passage, Chinese Government would prefer commit-submitted resolution favoring Peiping be rejected by UNGA to adoption of procedural resolution to postpone decision. In case of procedural resolution, it should state that UNGA decided not to discuss Chinese representation and should leave out mention of postponing its consideration or any qualifier of time such as "in the current year". Insertion of qualifiers of time in a counter-resolution is unnecessary and psychologically undesirable.

COCHRAN

320/8-1954 : Despatch

*The Chargé in the Republic of China (Cochran) to the Department of State*

CONFIDENTIAL  
No. 90

TAIPEI, August 19, 1954.

Ref: Taipei's 125 to Department; Unnumbered to USUN

Subject: China Representation in the United Nations

There follows the verbatim text of the unofficial English translation of the Ministry of Foreign Affairs' memorandum of August 18, 1954, on the subject of Chinese representation in the United Nations:

MEMORANDUM

I.

The Government of the Republic of China has noted with gratification the firm stand recently reiterated by the Government and supported by the people of the United States of America against the admission of the puppet Peiping Communist regime into the United Nations. It has particularly taken note of the statements on this subject made by President Eisenhower and Secretary of State Dulles on July 7 and 8, 1954 respectfully and of the resolutions unanimously adopted by the United States House of Representatives on July 15, 1954 and by the United States Senate on July 29, 1954. At a time when an appeasement policy towards the Communists is being pursued by certain Powers at the expense of the principles of the United Nations, this strong and just position taken by the United States will help restore confidence in that organization and strengthen the moral basis on which it is founded.

It is expected that, in the impending ninth session of the General Assembly of the United Nations, the Communists will redouble their efforts in bringing the puppet Peiping regime into the United Nations. Their sinister design would be facilitated by the compromising attitude of some of the non-Communist member states. In the face of this situation, the Chinese Government wishes to seek closer cooperation and more frequent consultations with the United States Government with a view to thwarting the Communist design and ensuring the representation of China by the only legitimate Chinese Government in existence.

II

The question of China's representation in the United Nations is not a question of whether one government or another should represent China in that organization. It is not a question which concerns the Chinese people alone. A far large issue is at stake, and, in the words of President Eisenhower, a moral question is involved. It affects the

future course of the United Nations and, indeed, the very existence of the United Nations itself.

When the question was first raised early in 1950, its significance was perhaps not immediately realised by the free nations. Even the Representative of the United States in the Security Council thought that the question was one of procedure. In connection with a Soviet proposal to exclude the duly accredited representative of China from the Security Council, Mr. Ernest Gross of the United States made a statement at the 460th meeting of the Council held on January 12, 1950 in which he said :

“I should like to make it clear that the United States Government considers that the Soviet Union draft resolution presents to the Council a procedural question involving the credentials of a representative of a member. Accordingly, a vote against the motion by my Government could not be considered as a veto, even assuming that seven members of the Council voted in favor of the resolution. I wish to make it clear that my Government will accept the decision of the Security Council on this matter when made by an affirmative vote of seven members.”.

The stand taken by Mr. Gross indicates that the United States was not at the time fully appreciative of the gravity of the question and that she was not prepared at the time to assume the role of leadership on this issue in the United Nations. The United States Government has since come to modify its views as shown in the statement made by Secretary Dulles at his press conference on July 8, 1954 :

“I believe that as far as the General Assembly is concerned this certainly is an important matter which would require a two-thirds vote. Anybody that says this is not an important matter is certainly not facing up to the realities of the situation. I believe that in the Security Council it is a matter which is properly subject to veto.”

While it is not expected that there will be need to invoke the veto in this matter, its recognition by the United States Government as an important matter has served to place the question in its proper perspective and to underline the fact that it is a question deserving the most serious attention of the members of the United Nations.

### III

The Chinese Government is now canvassing the various friendly governments, through its missions abroad, with a view to securing the support of the largest possible number of United Nations members on the so-called question of Chinese representation when that question is again raised by Communist or pro-Communist delegations at the ninth session of the General Assembly. The Chinese Government will keep the United States Government fully informed from time to time of the outcome of such contacts. It is requested that the United States

take what action it may think fit to line up the widest possible support on the same question.

In the meantime, a careful study of such past records of the attitudes of the United Nations members as are available to the Chinese Government shows that eighteen United Nations members apart from China and the United States are certain to give support to the legitimate representation of the Chinese Government; the support from twelve others is almost certain; that of nine others is hopeful although their stand has not been consistent; there would be eight abstentions; and eleven members, including Soviet Russia and its satellites, would certainly oppose the representation of the Chinese Government. A list grouping the United Nations members into the above categories is attached herewith for the reference of the United States Government.

The Chinese Government further wishes to request that, when the United States Government decides to approach the other member Governments on this issue, it pay particular attention to and bring its influence to bear upon those free nations whose stand is wavering or unfavorable. Most of them have severed, or have no diplomatic relations with the Chinese Government. A few others are political fence-sitters or are inclined to appease the Communists. These members are: Afghanistan, Burma, Denmark, Ethiopia, France, Iceland, Indonesia, Israel, Liberia, Luxemburg, Netherlands, Norway, Pakistan, Saudi Arabia, Sweden, Syria, United Kingdom, and Yemen.

The Chinese Government will be grateful if the United States Government will keep the Chinese Government informed of what action it may deem fit to take or may have already taken in this respect and the result of such action.

#### IV

The United States Government will recall that the question under discussion has been raised every year in the General Assembly since its fifth session. However, no decision has yet been made on its substance. Each time it was raised, it was disposed of procedurally by a resolution of the General Assembly to postpone its consideration for the duration of the session. At the eighth session of the General Assembly, the consideration of the question was postponed for the duration of the session "in the current year" only. While the advantage of this formula in securing more favorable votes can not be ignored, it nevertheless gives the impression that the United Nations is merely awaiting a more opportune moment to admit the puppet Peiping Communist regime. Such a resolution is at best a compromise resolution lacking in moral force. It is one on which it is difficult for the Chinese Government to vote.

The Chinese Government, which has recently given much thought to this problem, is anxious to see a stronger and more positive resolu-

tion in support of its representation in the United Nations. Such a resolution will not only greatly improve the position of the Chinese Government, but will also strengthen the morale of the free world. However, at a time when the atmosphere seems to be heavily laden with desires to appease the Communist aggressors, the Chinese Government is not under-estimating the difficulties involved in attempting to obtain the desired majority to adopt such a resolution.

The actual strategy in dealing with the question may perhaps have to be worked out at the delegation level shortly before or during the ninth session of the General Assembly in the light of prevailing circumstances. It is hoped, however, that the United States Government will bear the above view in mind in making a decision on this matter. If it should appear obvious that such a resolution would greatly reduce the number of favorable votes, the Chinese Government would prefer to have the Communist resolution rejected by the General Assembly rather than have any counter resolution at all. If some counter resolution should be found necessary to express the sense of the General Assembly, it is hoped that it may be so worded as to simply provide that the General Assembly decides not to discuss any question of the representation of China, leaving out any mention of the postponement of its consideration and any such qualifier of time as "in the current year" or even "for the duration of the present session". Since under Rule 82 of the Rules of Procedure of the General Assembly a reconsideration of the Communist resolution at the same session after having been rejected is virtually impossible, it is believed that the insertion of such qualifiers of time in a counter resolution is not only unnecessary but would have an adverse psychological effect.

TAIPEI, August 18, 1954.

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| <p>I. <i>Support</i><br/><i>Certain</i> (20)</p> <ol style="list-style-type: none"> <li>1. Brazil</li> <li>2. China</li> <li>3. Colombia</li> <li>4. Costa Rica</li> <li>5. Cuba</li> <li>6. Dominican Republic</li> <li>7. El Salvador</li> <li>8. Greece</li> <li>9. Guatemala</li> <li>10. Haiti</li> <li>11. Honduras</li> <li>12. Nicaragua</li> <li>13. Panama</li> <li>14. Paraguay</li> <li>15. Peru</li> <li>16. Philippines</li> </ol> | <ol style="list-style-type: none"> <li>17. Thailand</li> <li>18. Turkey</li> <li>19. United States</li> <li>20. Venezuela</li> </ol> <p>II. <i>Support</i><br/><i>Almost Certain</i> (12)</p> <ol style="list-style-type: none"> <li>1. Australia</li> <li>2. Belgium</li> <li>3. Ecuador</li> <li>4. Egypt</li> <li>5. Ethiopia</li> <li>6. Iraq</li> <li>7. Liberia</li> <li>8. Mexico</li> <li>9. New Zealand</li> <li>10. Luxemburg (<i>sic</i>)</li> <li>11. Union of South Africa</li> <li>12. Uruguay</li> </ol> |
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- III. *Support Hopeful but Inconsistent* (9)
1. Argentina
  2. Bolivia
  3. Canada
  4. Chile
  5. Iran
  6. Lebanon
  7. Saudi Arabia
  8. Syria
  9. Yemen
- IV. *Hopeful Abstentions* (8)
1. Afghanistan
  2. Denmark
  3. Israel
  4. Netherlands
  5. Pakistan
  6. Iceland
  7. France
  8. United Kingdom
- V. *Unfavorable Votes* (11)
1. Burma
  2. Czechoslovakia
  3. Byelorussian Soviet Socialist Republic
  4. India
  5. Indonesia
  6. Norway
  7. Poland
  8. Sweden
  9. Union of Soviet Socialist Republics
  10. Ukrainian Soviet Socialist Republic
  11. Yugoslavia

A copy of this despatch has been pouched to Hong Kong.

*Action Requested:* Department please send copies of despatch to USUN, London and Paris.

For the Chargé d'Affaires:  
ROBERT W. RINDEN  
*First Secretary of Embassy*

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310.2/8-2054

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Regional Planning Adviser, Bureau of Far Eastern Affairs (Ogburn)*

CONFIDENTIAL

[WASHINGTON,] August 20, 1954.

Subject: Chinese Representation

The Secretary informed the Belgian Ambassador yesterday that we would like very much to support Belgium for a Security Council post.<sup>1</sup> Indicating that there was no sense of trade involved, the Secretary expressed the hope that the Belgians would continue to support our position on Chinese representation. The Belgian Ambassador, without giving any commitment, made assuring remarks to the general effect that Belgium had taken a prominent part in the finding of aggression against the Chinese Communists and that this and other matters would have to be cleared up, of course, before consideration could be given to seating the Chinese Communists in the United Nations.

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<sup>1</sup> For the text of the memorandum of conversation, see p. 580.

330/8-2154 : Telegram

*The Secretary of State to the Embassy in Belgium and the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 21, 1954—1:43 p.m.

192. (Brussels) and 108 (New York). During call on Secretary yesterday Belgian Ambassador expressed hope US would support Belgium's candidacy for seat in Security Council soon to be vacated by Denmark. Ambassador did not ask for immediate response to this request but hoped US after giving matter consideration would reply favorably. Secretary replied we would like to support Belgium but he made no final commitment. Secretary then referred to question of Chinese representation in UN and expressed hope Belgium would continue support US position against seating Chinese Communists. Ambassador appeared to agree that action to seat Chinese Communists at this time at least premature and presumably he will report our views to his Foreign Office.

DULLES

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<sup>1</sup> Drafted by the Deputy Assistant Secretary of State for European Affairs (Elbrick) and signed by the Secretary of State.

320/8-2454 : Circular airgram

*The Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

[Extracts]

CONFIDENTIAL

WASHINGTON, August 24, 1954.

CA-1368. Subject: Ninth Regular Session of United Nations General Assembly

*(d) Chinese Representation*

We will of course vigorously oppose any efforts to exclude representatives of the Government of the Republic of China and to seat Chinese Communists. We are now considering details of the precise procedures which we will advocate in the Ninth General Assembly to achieve our policy objective and this matter will be dealt with in a subsequent communication.

You should reiterate our firm opposition to the seating of the Chinese Communists to the Government to which you are accredited. Fol-

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<sup>1</sup> Sent to U.S. Missions in 53 countries members of the United Nations, for action; to Moscow, Praha, and Warsaw for information only; to Tokyo for information only; and to USUN. This instruction was one of several sent out in August and September in pursuance of the Department of State's policy for advance diplomatic consultations with foreign governments regarding items on the agenda of the forthcoming General Assembly.

lowing are points which you might advance in stating our policy. (See President's press statement of July 7, 1954 and Secretary's press statement of July 8, 1954.)

(1) The Chinese Communist regime is disqualified by its consistent record of opposition to and contempt for the principles of the United Nations. It is a convicted aggressor against the United Nations in Korea; it has not purged itself of that aggression. At the Geneva Conference it continually denounced and vilified the United Nations and demanded that the United Nations be repudiated. In Southeast Asia it promoted aggression. There is no evidence that the Chinese Communist regime meets the Charter test of being "peace loving" and "able and willing" to carry out the Charter obligations.

(2) Any increased acceptance of Communist China would directly serve Communist purposes. Anti-Communist forces in Asia would undoubtedly be weakened. Conversely, Communist elements would be strengthened and emboldened. The result would be serious damage to the free nations of the Far East and a gain for the Communist orbit all over the world.

(3) If appropriate, reference might be made to the serious adverse effect on the attitude of United States public opinion toward the United Nations and toward individual states which support the seating of the Chinese Communists.

DULLES

310.2/8-2554

*Memorandum of Conversation, by Samuel DePalma of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] August 25, 1954.

Subject: Netherlands Position on Chinese Representation Issue in the UN.

Participants: Mr. deBeus, Minister, Netherlands Embassy  
 Mr. Key, IO  
 Mr. Allen, EUR  
 Mr. DePalma, UNP

Mr. Key explained that he had asked Mr. deBeus to call in order to ascertain the present position of the Netherlands with regard to the Chinese representation question, adding that he did not think it necessary to dwell on the supreme political importance of this issue in the United States.

Mr. deBeus replied that he had no reason to think the Netherlands position has changed in any respect. His Government would have favored the admission of Communist China before the aggression in Korea, but has opposed it since then. He pointed out that the Netherlands has not exchanged full representatives with the Communist



regime and, according to his understanding, will not do so if the Netherlands is asked to support the admission of this regime to the UN in exchange for such an agreement. He assumed that the Netherlands' position would remain unchanged so long as the Chinese Communists are branded as aggressors, but added that he would check with his Government.

Mr. Key then gave Mr. deBeus a copy of the formula for disposing of this issue in the General Assembly which we have suggested to the UK. In response to Mr. deBeus' question, Mr. Key stated we had no reason to believe that the UK position on this issue has changed, although we do not know just how they would like to have the issue disposed of at this Session.

Mr. deBeus then asked whether the Department had reached any decision with respect to the Netherlands candidacy for ECOSOC and the question of Western New Guinea, adding that the Netherlands will oppose the inscription of the New Guinea item on the Assembly's agenda, Mr. Key replied that these matters were under active study and that he would inform him of our decisions as soon as possible.

DAVID MCK. KEY

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CA files, lot 59 D 110, "Chinese Representation at UN, 1954"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

OFFICIAL USE ONLY

[WASHINGTON,] August 25, 1954.

Subj: Proposed New Policy Concerning U.S. Participation in International Meetings with Chinese Communists.

The attached draft memorandum to the Secretary, prepared in UNA,<sup>1</sup> is occasioned by a recent Cabinet decision that this Government should accredit an official delegation to the 10th World Poultry Congress to which the Chinese Communists had been invited. UNA has been unable to learn whether this Cabinet decision was a fully considered decision to alter present policies of non-attendance at meetings with the Chinese Communists.

In its present form the memorandum lists only arguments in favor of a change in the present policy. If the memorandum is to be approved it should include arguments on the other side as well. For example, a change in our policy of non-attendance might in itself increase the number of invitations extended to the Chinese Communists, might be interpreted as an indication that we are accommodating ourselves to the idea of working with the Chinese Communists, and might

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<sup>1</sup> Not attached.

encourage some states to negotiate more freely with the Chinese Communists. While the meetings referred to in the draft memorandum are of comparatively minor importance, the question may arise of our attendance at meetings of considerable substantive significance such as a conference on peaceful uses of atomic energy or on certain aspects of the disarmament question.

The qualification in the recommendation that accreditation should be limited to conferences in which it can be shown that the national interest would be served is not clear. It is difficult to see what meeting would be excluded if the Poultry Congress involves the national interest. I am told that the second part of that same qualification referring to "special considerations arising from the conference in question" is intended to cover the possibility of Communist sponsorship.

The recommendation might then be rephrased somewhat as follows: "That although we should avoid appearing to make a general practice of sending official U.S. Delegations to international conferences attended by representatives of Communist regimes which we do not recognize, existing policy should be applied with sufficient flexibility to authorize the accreditation of official U.S. Delegations provided (a) it can be shown that official U.S. participation will result in substantial benefit to this country's interest and there are no special considerations arising from the meeting in question which would make such participation politically undesirable, and (b) (as before)."

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310.2/8-2654

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy)*

CONFIDENTIAL

[WASHINGTON,] August 26, 1954.

Subject: Red China  
Cyprus

Participants: Sir Robert H. Scott, British Chargé,  
Mr. J.H.A. Watson, Counselor, British Embassy,  
Acting Secretary of State Smith,  
Assistant Secretary of State Merchant (EUR)  
Deputy Under Secretary of State Murphy (G)

Incident to Sir Robert Scott's call on the Acting Secretary regarding another matter, he broached the subject of his recent conversation with Mr. Murphy concerning the admission of Red China to the United Nations. He said that, according to his instructions from his Government, it appeared that London might be willing to agree to the same type of moratorium which was approved for the Eighth Session

of the General Assembly. In effect, this would mean that the moratorium would apply to the Ninth General Assembly until December 31, 1954. It will be recalled that the formula we had suggested to HMG envisaged an understanding between the UK and the US to oppose bringing up the matter of Red China's admission during the Ninth General Assembly. Sir Robert suggested that the question undoubtedly would be handled by our delegations in New York, which was agreed. [Here follows a brief discussion of the Cyprus question.]

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320/8-2654 : Telegram

*The Chargé in the United Kingdom (Butterworth) to the Department of State*

CONFIDENTIAL

LONDON, August 26, 1954—2 p. m.

989. Deptel 1006, August 19.<sup>1</sup> In course informal conversation Foreign Office, Embassy officer received distinct impression UK will not go beyond terms last year's moratorium agreement re Chinese representation problem in UN, and will insist on specific time limit. Embassy understands ministerial decision expected momentarily and will be transmitted through British Embassy Washington.

BUTTERWORTH

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<sup>1</sup> See footnote 1, p. 754.

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320/8-2754 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL PRIORITY NEW YORK, August 27, 1954—7 p. m.

178. Re ninth GA agenda. USUN is under mounting pressure from other dels for US position on outstanding items such as disarmament and atomic energy, Tunisia and Morocco, Cyprus and New Guinea. At same time they are reluctant indicate their views until hearing ours and it is difficult make real progress on Chinese representation question in absence formula agreed between US and UK. Result is consultations are seriously hampered and other dels are likely be resentful later when we need their help quickly.

If Department could provide preliminary views particularly on above items we would be in immeasurably better position vis-à-vis other dels and perhaps be able provide Department with some useful information on currents of thought in New York.

LODGE

310.2/8-3054

*Memorandum by the Deputy Legal Adviser (Cowles) to the Secretary of State's Special Assistant (O'Connor)*

SECRET

[WASHINGTON,] August 30, 1954.

In response to your memorandum of August 25, we have assembled, jointly with UNA[IO] and FE, the documentation referred to in the draft "Communist China in the U.N." and have appended this documentation to a redraft of the original draft you sent to us in the hope that the redraft will be useful to the Secretary.<sup>1</sup> There is also attached a list of "Four Additional Charges".

The redraft, in addition to suggested elaborations of the argument at various points, contains some small suggested changes. These will be readily apparent by reference to the copy of the original draft submitted to L.

The documents have been tabbed from "A" through "L". References to these tabs appear in the text of the redraft and (except for "A", "B" and "C" which are new items) in the margin of the draft as submitted to this office.

Documentation will be supplied separately on the four additional charges set out on the attached list.

*Re paragraphs 7 and 8:* FE suggests that in subsequent redrafting, account should be taken of the fact that the Chinese Nationalist Government is far more representative of the Chinese people than is the Communist regime, and that representation by the Communist regime would mean less, not more, "universality".

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<sup>1</sup> With reference to the documents mentioned in this first sentence: the O'Connor covering memorandum of Aug. 25 has not been found in the Department of State files; the S draft entitled "Communist China in the U.N." was attached to the instant memorandum by Cowles, but is not printed here since the attachment below constituting the joint L-IO-FE memorandum is an amplification of it; the assembled documentation, tabbed from "A" through "L" is not printed and is located in the "Confidential Bulky Files" of the Department of State; the "redraft", as noted above, follows immediately. A notation on the original S draft indicates that the information was being compiled for exposition in the Secretary of State's forthcoming general debate speech at the opening of the Ninth Regular Session of the General Assembly at New York in September.

There is evidence that there was a connection between this project and an exercise conducted from mid-July by a working group of the Operations Coordinating Board of the National Security Council, in developing information briefs for the use of Ambassador Lodge as evidence supporting the exclusion of Communist China from the United Nations. Documentation regarding this matter is in CA files, lot 59 D 110, "Chinese Representation at UN, 1954".

[Attachment]

COMMUNIST CHINA IN THE UNITED NATIONS<sup>2</sup>

## I.

*Arguments Against Seating*

1. It is an aggressor against the United Nations in Korea, so found by resolution 498 (V) of February 1, 1951 which still stands.

In resolution 396 (V) of December 14, 1950 (copy attached—Tab A) the General Assembly recommended that “whenever more than one authority claims to be the government entitled to represent a Member state in the United Nations and this question becomes the subject of controversy in the United Nations, the question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case”. The Chinese Communist regime has consistently acted in callous contempt of the Purposes and Principles of the Charter.

In resolutions of June 25 and 27, 1950 (copies attached—Tabs B and C) the Security Council called for the immediate cessation of hostilities in Korea; called upon the North Korean authorities to withdraw their forces to the thirty-eighth parallel; called upon all Members to refrain from giving assistance to the North Korean authorities; recommended that Members furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area.

The Chinese Communist authorities, in contempt of the United Nations, despatched their troops to fight against the forces of the United Nations. On February 1, 1951 the General Assembly found that the Chinese Communist regime “by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against United Nations forces there, has itself engaged in aggression” (copy of resolution 498 (V) of February 1, 1951 attached—Tab D).

The same resolution goes on to call upon the Chinese Communist regime to “cause its forces and nationals in Korea to cease hostilities against the United Nations forces and to withdraw from Korea”. Although the Armistice Agreement signed at Panmunjom on July 27, 1953 brought about a complete cessation of hostilities pending negotiation of a final peaceful settlement, no such settlement has been reached and forces and nationals of the Chinese Communist regime have not withdrawn from Korea. By its continued direct aid and assistance to these forces and nationals and to others who were already committing aggression in Korea, the so-called Central People’s Government must

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<sup>2</sup> Prepared jointly by the Legal Adviser, the Bureau of International Organization Affairs and the Bureau of Far Eastern Affairs.

be considered still to be engaged in aggression in Korea within the meaning of General Assembly resolution 498 (V).

2. At the Geneva Conference the Chinese Communist regime treated the United Nations with the utmost contempt and refused to admit the validity of any of its actions with reference to Korea.

[The text of the statement by Chou En-Lai on May 3, 1954 at the sixth plenary session of the Geneva Conference is attached (Tab E).]<sup>3</sup>

The following, among others, are illustrations of the official Chinese Communist attitude toward the United Nations and its action regarding Korea:

“ . . . The Delegates of the United States and certain other countries . . . endeavor to use, as before, the illegal resolutions of the United Nations for insisting on interfering in the internal affairs of Korea and in preventing the Korean people from solving their own problems themselves”. (p. 127)

“ . . . Those member nations of the United Nations which followed the lead of the United States . . . went so far as to discredit the just action of the Chinese People’s Volunteers in resisting aggression and aiding Korea, and slandered the People’s Republic of China as an aggressor”. (p. 128)

3. It continues to defy the UN Resolution of 1950 establishing a United Nations Commission for Korea, although that Resolution stands and the Commission is today in South Korea.

General Assembly resolution 376 (V) of October 7, 1950, among other things, established the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK). The Commission convened at Tokyo on November 20, 1950, and is still in operation. The text of this resolution is attached, together with an account of the establishment of UNCURK from the President’s Report for 1950 (Tab F).

4. It actively supported the Viet Minh aggression of Ho Chi-Minh against Laos and Cambodia. While these two countries refrained from bringing their case to the United Nations, the facts are demonstrable. (For documentation on Chinese Communist support of the Viet Minh see Tab K.) Thailand was threatened and showed its alarm by appealing to the Security Council for a Peace Observation Commission, their appeal being vetoed by the Soviet Union (Thai resolution attached—Tab G).

5. The conduct of the Chinese Communist regime is exactly the kind of conduct which, under Article 5 and 6 of the Charter, should subject a member to suspension of membership rights or even expulsion from the Organization. Article 5 authorizes suspension of a Member whose conduct is such as to warrant the application of preventive or enforcement action against it, and Article 6 authorizes the expulsion of a

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<sup>3</sup> Brackets are in the source text.

member which has persistently violated the Principles of the Charter. The Communist regime is one against which the Member States of the United Nations were authorized to take, and against which they did in fact take, preventive and enforcement action, both military and economic. It seems senseless to seat in the United Nations a regime whose conduct is unmistakably the kind of conduct which calls for suspension or expulsion.

6. The China case represents a precedent of the utmost importance. It is the first time that conflicting claims have been made for the seat of a country and the way this is handled can have important future consequences in other cases.

The National Government is the Government which signed the United Nations Declaration of January 1, 1942, which qualified China under subsequent agreements for original membership in the United Nations Organization. It is in control of a part of what both sides claim to be "China". It is recognized by a large majority of members of the United Nations—only 15 Members (excluding Byelorussia and the Ukraine) recognize the Communist regime—and the Soviet Union, by its note of August 14, 1945, agreed in substance to recognize it for thirty years (the life of the Sino-Soviet Treaty of Friendship and Alliance of August 14, 1945, of which the note was agreed to form a part). (Text of Sino-Soviet Treaty of 1945 attached—Tab G!) It may be noted that, by resolution 505 (VI) of February 1, 1952 (text attached—Tab H) the General Assembly determined "that the USSR, in its relations with China since the surrender of Japan, has failed to carry out the Treaty of Friendship and Alliance between China and the USSR of 14 August 1945". Soviet recognition of the Communist regime is consistent with its other violations of the Sino-Soviet Treaty.

It is true that the Communist regime exercise *de facto* control over the greater part of China and the greater number of Chinese. However, *de facto* control is not a conclusive test for purposes of recognition, and even less so for purposes of representation under the Charter. Even the Chinese Communist regime fails to apply the test to recognition, since it recognizes the Communist regime of East Germany and the Communist regime of North Korea as the Governments of Germany and Korea, respectively, and has refused to recognize the Governments headed by Chancellor Adenauer and President Rhee, although these Governments freely rule the greater part of Germany and the Germans, and of Korea and the Koreans. [For facts on Communist recognition of East Germany and North Korea see Tab L.]

The Chinese Communist regime does not conform to accepted standards of international law and practice. It is an aggressor against the United Nations. Its general conduct in other instances has shown a similar disregard of legality and morality. For example:

(a) After the killing and wounding of American citizens in a British civilian plane, it has refused even to receive U.S. notes calling for indemnification and for punishment of offenders, the guilt of which was not denied. (Documentation available in L and FE. Text of U.S. note of August 4, 1954 attached—Tab I)

(b) It holds in prison 30 American citizens without trial, without a statement of charges, and often under intolerable physical conditions. (See attached document—Tab J—entitled “Mistreatment of Foreign Nationals and Interests in Communist China”.)

7. The Charter does not provide for “universality” but for the membership of peace-loving states which both accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

While it is true that the Charter talks in terms of “states” and not “governments”, the reality is that states only act through governments and states cannot carry out their obligations except through governments. Therefore, the character of a government is necessarily decisive. The important point is, however, that Article 4 conclusively does away with argument that the Chinese Communist regime should be admitted on the ground that the Charter contemplates “universality”.

The point has even greater weight when dealing with a government which would take its seat on the Security Council. The Charter makes clear (Article 23) that membership on the Security Council should reflect “the contribution of members of the United Nations to the maintenance of international peace and security”. The Security Council has (Article 24) “primary responsibility for the maintenance of international peace and security”. In view of these provisions, it is the height of folly to seat a regime condemned of violating by armed force international peace and security.

8. Those who argue for the admission of Communist China in the interest of “universality” not only ignore the Charter language which rejects this principle but they also ignore the fact that the Soviet Union, by exercising the veto power, has prevented the admission of some fourteen nations, against whose record there is no blemish whatsoever, unless it be that their governments are non-Communist: Jordan, Ireland, Portugal, Italy, Austria, Finland, Nepal, Ceylon, Libya, Republic of Korea, Japan, Viet-Nam, Laos and Cambodia. It is perfectly clear that the USSR would also veto Germany and Spain if they applied. The states rejected through the Soviet veto thus include German, Italy and Japan, and represent much human population and power in the world. Thus, the argument which we so often hear, that the UN is being “bypassed” because of the absence of Communist China, is too one-sided to be convincing. It disregards the fact that the absence of these many nations which play a major part in international affairs has for years, while the Soviet Union was vetoing their



admission, made it necessary for the United Nations to be "bypassed" in many essential respects.

Those who want "universality" should not concentrate upon the absence of one single government of dubious status and reputation, but rather upon the absence of the many. Unless the Soviet Union alters its position with respect to vetoing the admission of those obviously qualified for membership, the whole matter should perhaps be reserved for consideration at the prospective Charter Review Conference.

*Four Additional Charges*

The CPG has:

1. failed to accept China's recognized treaty obligations;
2. supported the Communist side in Korea in the commission of atrocities and, more recently, in violating the Armistice Agreement by frustrating the work of the NNSC;
3. maliciously collaborated in developing and publicizing false evidence in support of spurious germ warfare charges;
4. systematically suppressed human rights at home.

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310.2/9-154

*Memorandum of Conversation, by the United Nations Adviser, Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] September 1, 1954.

Subject: Netherlands Position on Chinese Representation

Participants: Dr. DeBeus, Chargé, Netherlands Embassy  
 IO—Mr. Key  
 UNP—Mr. Bond  
 EUR—Mr. W. P. Allen

Dr. DeBeus, calling at his request to respond to Mr. Key's recent inquiry, stated his Government's position as follows:

The Netherlands Government remains opposed to seating Chinese Communists in the UN now since they have not purged themselves of their aggression. This would apply for the duration of the GA in accordance with the suggested formula we had indicated to them. This is the position the Netherlands Government will take at the forthcoming meeting of the Brussels Pact Powers at which UN matters will be discussed. However, if the other Brussel Powers take a different view the Netherlands Government would necessarily have to re-examine its position.

Mr. Key thanked the Chargé for this encouraging report and requested that he advise us of the final decision of the Netherlands Government as soon as possible following the Brussels meeting. Dr. DeBeus agreed to do so.

310.2/9-154

*Memorandum of Conversation, by the Deputy Under Secretary of State (Murphy)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 1, 1954.

Subject: Admission of Communist China to UN

Participants: Baron Silvercruys—Ambassador of Belgium  
Mr. Charles Muller, Second Secretary, Belgian Embassy  
Mr. Murphy, Deputy Under Secretary  
Mr. Key, Assistant Secretary, IO  
Mr. C. Burke Elbrick, Deputy Assistant Secretary, EUR

Mr. Murphy referred to Ambassador Silvercruys' call on the Secretary recently at which time the Secretary had inquired concerning Belgium's position with respect to the admission of Communist China to the UN. The Ambassador said that he had reported the Secretary's views to Brussels and he recapitulated the various points of his conversation with the Secretary, which corresponded almost identically with the memorandum of conversation prepared in the State Department at the time of that previous visit.

Mr. Murphy said that the United States Government feels very strongly about this particular issue, and he inquired whether the Ambassador had received any reaction from Brussels following the reported conversation with the Secretary. The Ambassador said that he had not had specific instructions but that he thought he understood the thinking of the Belgian Government. Under present circumstances, and in view of the 1951 UN resolution which labeled Communist China an aggressor nation, he was sure that the Belgian Government would not agree to the admission of Communist China. He hedged somewhat, however, saying that much would depend on the type of resolution which might be presented to the General Assembly. Anyone, he said, is entitled to say anything on any subject in the General Assembly and he doubted that all discussion of this subject could be choked off. Mr. Murphy said that this was quite a different matter, and he and Mr. Key both pressed the Ambassador for a definite reply as to the Belgian attitude and the action that Belgium would take in the General Assembly on the specific issue of Communist China membership. The Ambassador said that he would inquire again of his Government and would let Mr. Key know definitely what position the Belgian Government would take.

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<sup>1</sup>Drafted by the Deputy Assistant Secretary of State for European Affairs (Elbrick).

In the course of the conversation the Ambassador referred to the request that he made of the Secretary for support of Belgium's candidacy for a seat in the Security Council. Mr. Murphy said that we were considering the matter sympathetically and that he could add no more at this time to what the Secretary had already told the Ambassador.

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310.2/9-354: Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, September 3, 1954—5 p. m.

201. Re Chinese representation. USUN officers have held two sets consultations at their request with Kiang and Cheng Hsi-ling (Chinese delegation) concerning Chinese representative at Ninth GA. They again put up to us, on instructions, idea of voting on merits of question. USUN gave them same arguments as before against such vote, and desirability of adopting suitable moratorium formula to maintain highest possible vote. In discussing wording of formula, they reiterated opposition to use of words "postpone", "current year", and "to exclude representatives of Government of Republic of China". Their preferred version would state:

"The Ninth Regular Session of the GA decides not to consider the question of Chinese representative".

USUN pointed out possibility it could be argued this formula would prevent GA from approving credential their delegate. Therefore, suggested wording (already put up to UK):

"GA decides not to consider any proposals to exclude representatives of Government of Republic of China or (and) to seat representatives of CPG of PRC."

Today Kiang said his delegation had considered matter further and would be able accept latter formula, but urged that in putting it up to other delegates words "Chinese Communist regime" be substituted for "CPG of CPR". USUN officer said this would be our strong preference, too, but doubted likelihood of any general acceptance in view of past practice of GA references to Chinese Communists as CPG of PRC.

In earlier conversations, USUN officers went over various ways in which subject of Chinese representative could be raised, and different methods of dealing therewith. USUN left it expressly understood no final decisions could be reached on these at this stage. Among various possibilities, most of which more or less obvious, were following:

1. Some delegate might propose appointment special committee to consider matter, pending results of which: (a) Chinese delegate would be seated provisionally, or

- (b) Neither contender would be seated.
2. Chinese Communists might send in credentials for own set of delegates, which would then be before the House along with Nationalists credentials.
  3. USSR might try barter change in its position re new members for agreement from other delegates to support seating Chinese Communists.
  4. Presidential ruling either that subject is "important matter" on which two-thirds needed for any proposals, including approval of credentials or tied with this a proposal from chair for special committee, or ruling in opposite sense that this solely a matter of credentials. Other possibilities could obviously be covered by moving moratorium without difficulty. Enumerated ones would probably require additional Parliamentary tactics to knock down.

In connection with Chinese representative, Kiang today suggested following composition for credentials committee:

US, Philippines, El Salvador, Brazil, Egypt, Australia or Turkey, USSR, UK, and Norway. Balance would be 6 to 3 in favor of Nationalists, and probably 8 to 1 for moratorium, although Norway may have difficulties.

Cheng urged that in US instructions to the field on this subject that emphasis be placed on US feeling this not simply credentials matter at all but one of greatest political importance. He felt this necessary in some quarters where, although US opposition known, this particular point not understood.

BABCOCK

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320/9-354 : Telegram

*The Acting Secretary of State to the Embassy in Denmark*

CONFIDENTIAL

WASHINGTON, September 3, 1954—8:32 p. m.

201. Department concerned by reports Scandinavian Foreign Ministers agreed Communist China should be seated UN "as soon as possible". Unless you have already done so request you reiterate Foreign Office our strong opposition seating Communist China using arguments section (d) of Dept CA-1368, August 24, 1954.<sup>1</sup> In addition you should inform Foreign Office US will seek agreement free-world UN Members to dispose Chinese representation issue Ninth Session GA on procedural basis to avoid substantive action.

Under this procedure GA would not act on any proposals to seat Communist China or to reject credentials Republic of China. Since vote would avoid substance of issue we strongly hope Government to which you accredited will support US position and thus dispose of

<sup>1</sup> See extract from airgram CA-1368, p. 762.

issue in manner least likely provoke unhelpful debate and promote disunity among non-Communist Members at time when so many controversial issues on GA agenda.

SMITH

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320/9-754 : Telegram

*The Ambassador in Sweden (Cabot) to the Department of State*

CONFIDENTIAL

STOCKHOLM, September 7, 1954—5 p. m.

160. In reply to representation made in conformity with Department's instructions (Deptel 167, September 3)<sup>1</sup> Foreign Minister pointed out to me that Sweden had always taken position that Communist China should be admitted to UN and that government could not now reverse its position even on basis of a procedural question. He mentioned that at Reykjavik meeting Denmark and Norway had shifted their positions towards favoring admission of Communist China.

British Ambassador informs me he has seen minutes of Reykjavik decision and that it is not so completely negative from our viewpoint as Unden and news reports indicate. Expect to get from him and transmit its substance.

CABOT

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<sup>1</sup> Not printed.

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320/9-854 : Telegram

*The Ambassador in Sweden (Cabot) to the Department of State*

CONFIDENTIAL

STOCKHOLM, September 8, 1954—1 p. m.

161. Notes made by British Ambassador (Embtel 160, September 7) from minutes of Reykjavik meeting say following re question of Chinese representation in UN:

*a.* If there is a proposal for the Peking Government to represent China, the Swedish Government would vote for it.

*b.* If there is a proposal to exclude Chiang Kai-shek or Formosa from the UN, the Swedish Government would abstain.

*c.* If there is a proposal to postpone the whole issue or leave it to the GA as a whole, the Swedish Government would vote against it.

Notes indicate this was package deal for common action between four Scandinavian countries.

CABOT

320/9-854 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 8, 1954—7:11 p. m.

133. Re procedure for handling Chinese representation issue at Ninth GA.

1. Essential there be firm agreement friendly delegations in advance opening session on precise procedure which will dispose of Chinese representation issue promptly, definitely and with minimum confusion. Fact that initiation these broad consultations must necessarily await agreement with UK on text moratorium formula points up necessity such agreement at earliest possible time. As soon as formula worked out, suggest you initiate consultations on procedure first with UK, then with China, Thailand and Netherlands, and subsequently with others. If Mrs. Pandit is definitely to be in chair at opening session procedure should also be discussed with her.

2. Procedural courses must be considered in light fact that unlike previous years we cannot this year rely on cooperation Acting President. Alternatives include:

(a) As at previous sessions we could wait until issue raised by others [in early plenary meeting, probably in form usual motion; in Credentials Committee in form proposal that Chinese credentials be declared invalid; in form request inclusion new item in GA agenda]<sup>2</sup> and then move to have our counter proposal voted upon first, followed by motion that no other proposals be voted upon. This has worked reasonably well in past, but leaves initiative to others and, if issue raised before election President, subjects us to vagaries Acting President.

(b) We could take initiative in raising matter by proposing our formula at outset opening plenary. This course seems impracticable in absence certain measure cooperation Acting President and if Menon in chair we would expect him employ every possible procedural device thwart us and general confusion could prevail.

(c) In initial consultations with UK you may wish to explore following alternative. If issue raised by others at outset opening plenary, US or other delegation could immediately move that GA adjourn debate on matter until first plenary meeting following completion organization ninth session. Under rules 76 and 78 such motion has priority and only two speakers may speak in favor and two against, after which must be immediately put to vote. In putting forward this motion we would stress desirability of completing formal organizational steps before substantive questions considered.

At plenary meeting following election officers, by prearrangement with President and Secretariat we would speak early, possibly first, in

<sup>1</sup> Drafted by Samuel DePalma of the Office of UN Political and Security Affairs, cleared with the Bureau of Far Eastern Affairs, the Bureau of European Affairs, L/UNA, and the Executive Secretariat, and approved and signed by the Assistant Secretary of State for UN Affairs (Key).

<sup>2</sup> Brackets are in the source text.

debate and propose our moratorium motion. Since proposal which initiated debate would normally have priority over our motion in vote, we or some other delegation, just before vote, would move under rule 93 that our proposal be put vote first. Following adoption our proposal, we or some other delegation would then move, also under rule 93, that other proposals not be voted upon (assuming President did not rule that in light adoption moratorium formula it would be inconsistent for GA act on other proposals).

If Chinese representation issue not raised at outset opening plenary, we would take initiative this matter by moving our moratorium proposal immediately following election of officers, basing our action on inevitability this matter arising and desirability settling it promptly. In this case our motion would automatically have priority in vote, but following its adoption we would formally move that other proposals not be voted upon (assuming President does not rule that in light adoption our motion it would be inconsistent for GA act on other proposals).

This course of action probably best ensures our control over procedures to be used for disposal Chinese representation issue. However, it may be difficult obtain broad agreement, which we consider essential, on this course. Proposal to adjourn debate at outset plenary may be regarded as transparent move against Menon, while Dutch and Thais may feel it implies their candidate for presidency is committed to support us on this question. Moreover, UK might contend our taking initiative following election officers and in absence other proposals inconsistent with moratorium arrangement which has been understood provide basis for joint action if issue raised by others. It may also be argued that our majority would be greater if moratorium proposal applied in reaction to Soviet initiative.

In any event, if UK (which is key to cooperation Western European and Commonwealth countries) strongly prefers (a) or (b) above, we should not press this course.

3. It is likely that in course proceedings Menon will reiterate view he put forward last year that Chinese representation issue should be taken up initially in Credentials Committee and might formally propose that all proposals be referred that Committee. We would oppose such course on ground no need refer this matter to Credentials Committee and moreover Chinese representation issue constitutes important political question and not simply credentials question as recognized by GA in resolution 396 (V) in which GA stated *inter alia* that this type issue "should be considered in light of the Purposes and Principles of the Charter". We would argue that such questions can best be decided by Assembly as whole, preferably in plenary session.

If instead of formal motion and in absence any proposals on Chinese representation question Menon while Acting President announces

he does not intend accept any proposals on this question since he believes this matter should be dealt with initially by Credentials Committee, we would attempt get floor to state that while we welcome effort to prevent surprise substantive motions before Assembly even organized, we must reserve our right at later time to state our opposition to consideration this important matter by Credentials Committee.

4. Position paper on appointment Credentials Committee pouched USUN sets forth criteria for balanced slate and proposal that US or some other friendly delegation move substitution of complete alternative slate in event Acting President nominates unbalanced group. Complete substitute slate much preferable to proposing amendments substituting individual countries since tends to avoid direct slap at particular countries. Here too need for advance consultations vital. In particular it will of course be necessary ascertain from each country on our alternative slate that it is willing serve.

Suggest as first step that USUN ascertain from Cordier nature slate Secretariat plans recommended Temporary President. You should take occasion emphasize our view that slate must be constructed on basis criteria used in past, i.e., it must be geographically representative and must include no more than three countries which recognize Chinese Communist regime. (For details see position paper.)<sup>3</sup> Slate suggested by Chinese (urtel 201) satisfactory.

SMITH

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<sup>3</sup> See Department of State Position Paper, Sept. 9, p. 781.

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310.2/9-954 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET  
PRIORITY

NEW YORK, September 9, 1954—1 p. m.

217. For the Secretary. Re: Chinese representation and Cyprus. Pursuant to our conversation before your departure for Manila and your memorandum of August 31<sup>1</sup> I conferred with Dixon.

I said that I understood that Scott of the British Embassy had called at the State Department and in the course of his visit had brought up both the matter of Cyprus and also Chinese representation. Bearing in mind your caution not to do anything which savored of "crudity", I asked him whether he would have any objection to discussing these two subjects concurrently.

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<sup>1</sup> Not found in Department of State files.



He laughed and said that he was glad I had asked that question because it so happened he had instructions from Eden not to "link" the two topics. He said, however, that it was an obvious fact that the two were linked and that that fact could not be gainsaid.

I said that I had hoped that he and I could reach an agreement which could then be referred to Dulles and Eden for final approval but that in view of what he reported from Eden it was hard to see how an agreement between us could be reached.

I said, however, that I did wish in any event to expound to him our position on the Chinese representation question. I said that if the United States delegation were to be totally responsive to United States public opinion we would vote no on the substantive question itself. We realized, of course, that this was not a question which was in accordance with British policy and in the interests of Anglo-American harmony. We hoped that they could at the least agree to a simple declaration that the General Assembly would not consider the question. In our judgment, this was far preferable to use of the word "postpone" which implied that the matter would come up at a future time regardless of any change in the behaviour of the Chinese Communists. Naturally, no one in the United States Government had ever used the word "never" or the word "irrevocable". But by the same token we did not think it was right to give the implication that we favored automatically having the question come up at some future date regardless of any change in the Chinese Communist behavior.

He appeared greatly interested in this idea. He said that there apparently was a disposition on the part of the British to agree to a postponement similar to the arrangement which was reached last year, but the postponement would only carry over through the balance of the calendar year. I pointed out that this would not take care of situations in which the matter might come up in the next calendar year in the Trusteeship Council, the Economic and Social Council or any one of a number of subsidiary bodies and that the proper thing was to have it agreed not to discuss the matter for the period ending when the next General Assembly comes in, in September, 1955.

He said that he would report all this to Mr. Eden. He gave me a long talk about the matter of Cyprus, bringing up arguments with all of which I am sure you are familiar. When he asked me for my view I said that I felt that the Greek claim to Cyprus was not a good one and deplored the matter being brought up at all. I felt that it was a pity to try to divert the United Nations from its principal function of preventing war into a device to effectuate all kinds of internal changes.

When he asked me how we would vote I said that I could not speak officially on the subject, that I knew it had always been our policy to vote in favor of inscribing items on the Agenda in the interests of free speech, but that I believed we were not in favor of voting to inscribe

this item on the Agenda. We could thus either abstain or we could vote "no" or we could vote "no" and lobby our friends. Those were three possible alternatives. But whatever position we might take, our information indicated that the item might well get on the Agenda. What our decision would finally be I could not possibly tell.

He said that if we abstained they would surely lose, that if we voted "no" they might win, although it would be close, and that if we voted "no" and lobbied, they would surely win.

He added that it looked to him as though the United States would not define its position on Cyprus until the UK had made itself clear on Chinese representation. I said nothing.

My guess is that this deal will have to be made between you and Eden and that in getting the facts developed on both items I have accomplished all that can be accomplished at this time. Going on to other matters, he said he wished to tell me that he felt that the British policy had been "doctrinaire" on the matter of Guatemala and that he had sent many strong telegrams objecting very much to the Whitehall attitude on this question. Selwyn Lloyd had been particularly obdurate.<sup>2</sup>

LODGE

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<sup>2</sup> For documentation on Guatemala, see volume iv.

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IO files, SD/A/328

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

WASHINGTON, September 9, 1954.

APPOINTMENT OF THE CREDENTIALS COMMITTEE

THE PROBLEM

In accordance with Rule 28 of the Rules of Procedure, a Credentials Committee of nine Members will be appointed by the General Assembly, on the proposal of the Temporary President (Chairman of the delegation of India), at the opening plenary meeting.

UNITED STATES POSITION

The United States should accept any slate proposed by the Temporary President provided that (a) no more than three countries which recognize the Chinese Communist regime are included\*; and (b) the

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\* The following UN Members recognize the Chinese Communist regime: UK, Norway, Sweden, Denmark, Israel, Indonesia, Afghanistan, Burma, Netherlands, USSR, Byelorussia, Ukraine, Czechoslovakia, Poland, Yugoslavia, Pakistan and India. [Footnote in the source text.]

geographic distribution of countries accords with the pattern followed at previous sessions.

Unless such a slate is proposed, the United States should initiate or support appropriate action to ensure the appointment of an acceptable slate which conforms to the above criteria.

#### COMMENT

The slate nominated by the Temporary President at each of the ten previous Assembly sessions (including the two special sessions) has been accepted by the Assembly without discussion and without objection. These slates were geographically representative. An examination of the previous slates shows that the normal geographic pattern was as follows: Latin America—2; Commonwealth—1; Soviet bloc—1; Western Europe—1 or 2; Middle East—Asia—Africa—2 or 3. Included in the group was at least one of the Great Powers. On five occasions the United States was included, with a consequent decrease of 1 in the representation of Western Europe or the Middle East-African-Asian area. Since 1950, when the Chinese representation issue was formally raised in the United Nations for the first time, an additional criterion applied in the formulation of the Credentials Committee slate—only 3 states which recognize the Chinese Communist regime were included on the ground that the Committee should reflect Assembly sentiment as a whole on the Chinese recognition question and only 17 countries (including Byelorussia and the Ukraine) or less than  $\frac{1}{3}$ rd of the 60 United Nations Members recognize the Chinese Communist regime.

Even if the plenary Assembly acts on the Chinese representation issue prior to the convening of the Credentials Committee, the matter will undoubtedly nevertheless be raised again in the Credentials Committee. It is therefore essential that the Delegation make every effort to ensure that the Committee is composed of a majority of states which are certain to support our view on the Chinese representation issue.

It is difficult to see how the Temporary President (Chairman of Indian delegation) this year could advance any plausible justification for nominating a slate which departs from the two criteria noted above. If the criteria are applied it seems unlikely that the slate could fail to include a majority favorable to our position on the Chinese representation issue, assuming that (1) this issue is disposed of on the basis of procedural action and a substantive vote is avoided; and (2) there is no unexpected change in the attitude of a significant number of countries. If the criteria are not applied and an unacceptable slate is proposed, the United States should initiate or support appropriate action to ensure the appointment of an acceptable slate. Since the President's action will have been clearly partisan, we should be able to obtain adequate support in the Assembly for our position.

A possible procedure would be to propose amendments providing for the substitution of a state or states in place of states nominated in the President's slate. Such a procedure seems undesirable. The process of openly substituting one state for another would undoubtedly stir up resentment and might alienate the votes of countries which would otherwise support us on our general objective. The best procedure would be to propose a substitute slate which conforms to the two criteria noted above, i.e., includes no more than 3 countries which recognize the Chinese Communist regime and is geographically representative. Such a slate might include, for example, the following countries: Brazil, Honduras, UK, USSR, Denmark, Philippines, Iraq, Australia and the United States. Under this procedure, it would be necessary to move under rule 93 that the alternative slate be put to the vote first since the President's slate would otherwise automatically have priority—under the rules proposals are put to the vote in the order in which they are submitted *unless the Assembly decides otherwise*. It should be noted that it will, of course, be necessary to ascertain in advance that the countries included in the alternative slate are willing to serve. Consideration should also be given to the desirability of having another delegation take the initiative in proposing the substitute slate.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

SECRET

[WASHINGTON,] September 10, 1954.

Subject: Chinese Representation

Attached are two telegrams<sup>1</sup> reporting on developments on the Chinese representation situation. From these telegrams it appears that we have the choice of (a) accepting last year's moratorium formula which involves "postponing" consideration of the question "for the current year", or (b) recommending that the Secretary send a personal message to Eden asking the United Kingdom to accept a formula under which the General Assembly decides not to consider the Chinese representation question.

*Background:*

Following a suggestion by the Chinese Delegation in New York, the US proposed to the United Kingdom on August 17 agreement upon

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<sup>1</sup> Not attached, but presumably New York telegram 139, Aug. 16, 7 p. m., and telegram 217, Sept. 9, 1 p.m., pp. 752 and 779, respectively.

a moratorium formula under which the GA would decide not to consider any proposals on Chinese representation. The UK Embassy replied in effect that this formula presented difficulties but that the UK would probably be prepared to accept last year's formula under which the GA would decide to postpone for the duration of the session in the current year consideration of all proposals on Chinese representation. Ambassador Lodge then asked for time to negotiate with the UK using our position on the Cyprus item as a bargaining point. New York's 217 indicates that Lodge now feels that he has gone as far as he can and that "my guess is that this deal will have to be made between you and Eden." London's 1238, September 9,<sup>2</sup> does not mention Chinese representation but reports that the UK now estimates that it will lose the fight to keep Cyprus off the agenda. Accordingly, our London Embassy comments that while the UK hopes that the US will vote against the inscription of the Cyprus item an abstention will not have serious unfavorable impact with the UK.

*Comment:*

From the above it appears that the UK does not intend to bargain on the basis of Cyprus and that if we are to try for a better formula on Chinese representation than last year, the Secretary personally will have to be involved. The question remains: Is there enough prospect of success to justify involving the Secretary and causing further delay in reaching agreement with delegations in New York on procedural tactics? Use of phrases such as "postpone" and "current year" are psychologically objectionable both in the US and in China. In the past, however, these phrases have not caused us trouble as they have been offset by a strong speech by the Secretary giving our position. If the GA terminates, instead of adjourning, in December, omission of reference to the "current year" will not in fact prolong the duration of the arrangement. My own feeling is that the UK will probably insist on last year's formula and that valuable time would be lost without practical result by carrying the issue further.

On the other hand in view of the importance of this issue, particularly this year, it may be that we should be able to show that we have left no stone unturned in our effort to get a formula which does not contain the word "postpone" and does not limit our action to "the current year". In such case we should recommend to the Secretary that he send a personal message to Eden asking the UK to go along with the formula which we suggested in August. I understand that IO (UNA) has not yet determined its position.

Texts of the two formulas follow:

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<sup>2</sup> Not printed (747C.00/9-954).

Formula handed to the British Embassy by Mr. Murphy on August 17:

“The Ninth General Assembly,  
*Decides* not to consider any proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China.”

Formula adopted by the GA at its last session:

“The General Assembly,  
*Decides* to postpone for the duration of its eighth regular session in the current year consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China.”

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310.2/9-1354 : Telegram

*The Deputy United States Representative at the United Nations  
 (Wadsworth) to the Department of State*

OFFICIAL USE ONLY                      NEW YORK, September 13, 1954—6 p. m.

229. Re Chinese representation. Confirming Telecon with Key, Dixon (UK) called on me at his request this a. m. in order to communicate his instructions on above subject. He said the UK was unable to support extension of the moratorium beyond the end of this calendar year. Dixon was “happy”, however, to be able to say that the UK would agree to modifying the language of the moratorium formula in order to eliminate the concept of “postponement”. Dixon left with me the following tentative language: “Decides not to discuss, at its ninth session during 1954, any proposals to . . .”<sup>1</sup>

WADSWORTH

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<sup>1</sup> Parentheses were penciled around “1954” in the source text, and a notation added: “the current year”.

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FE files, lot 55 D 480, “United Nations”

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

CONFIDENTIAL

[WASHINGTON,] September 14, 1954.

Subject: Chinese Representation Issue

IO (UNA) informs me that at the meeting in the Secretary’s office this noon, the latest formula suggested by the UK for handling Chinese representation at the 9th GA will be discussed.

This formula reads as follows :

“The GA decides not to discuss at its 9th session during 1954 any proposals to exclude representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China.”

*Comment :*

This formula involves the acceptance by the UK of one of the two points we had sought. It deletes the word “postpones”. The formula, however, retains the time limit of this calendar year which we had sought to avoid.

It marks a distinct improvement over last year’s formula. Efforts to obtain the full measure of our request might be fruitless and in any case would involve time which will be needed in lining up support for this formula in New York .

*Recommendation :*

It is recommended that we go along with this proposal.

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Secretary of State’s memoranda of conversations, lot 64 D 199

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Key)*

OFFICIAL USE ONLY

[WASHINGTON,] September 14, 1954.

Subject: Chinese Representation

Participants: The Secretary of State

Assistant Secretary David McK. Key, IO

Deputy Assistant Secretary David W. Wainhouse, IO

I showed the Secretary the action copy of USUN telegram No. 229 of September 13, in which it was reported that the United Kingdom was not prepared to enter into a moratorium on Chinese representation extending beyond December 31, 1954, but that it was prepared to change the word “postponement” in the proposed resolution to more affirmative language such as “decides not to discuss at its Ninth Session during the current year any proposals, etc.”

After briefly reviewing the negotiations which had preceded receipt of the message above-mentioned, I inquired whether we should accept the British proposal. The Secretary replied in the affirmative.

I advised Messrs. Robertson and Barbour of the Secretary’s decision, both of whom expressed satisfaction.

DAVID MCK. KEY

810.2/9-1354 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

OFFICIAL USE ONLY WASHINGTON, September 14, 1954—7:03 p. m.

146. Urtel 229 re Chinese representation. Department accepts moratorium formula proposed by Dixon but would prefer use phrase "during the current year" instead of "during 1954". Please so inform Dixon. If British unwilling accept this change you are authorized inform Dixon we agree to formula as set forth urtel.

DULLES

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<sup>1</sup> Drafted by the Deputy Director of the Office of UN Political and Security Affairs (Bond), cleared by the Bureau of Far Eastern Affairs and the Bureau of European Affairs, and signed by Assistant Secretary Key.

320/9-1454

*Memorandum of Conversation, by the Deputy Director of the Office of United Nations Political and Security Affairs (Bond)*

CONFIDENTIAL

[WASHINGTON,] September 14, 1954.

Subject: Netherlands Position on Chinese Representation and other General Assembly Matters

Participants: Ambassador J. H. Van Roijen—Netherlands Embassy  
Baron van Voorst—Minister Counselor, Netherlands Embassy

Mr. Key—IO

Mr. Allen—EUR

Mr. Bond—UNP

Ambassador Van Roijen called today to introduce the newly-arrived Minister-Counselor of his Embassy, and to discuss certain questions regarding the forthcoming General Assembly.

With regard to the question of Chinese Representation, Ambassador Van Roijen said that the Embassy had received no reply to DeBeus' telegram on that subject and that, in the absence of any indication to the contrary, he felt he could assure the Department that his Government would agree to "postponing" consideration of the question of seating the Chinese Communists during the forthcoming session for the remainder of the calendar year. Mr. Key then said that USUN had had further conversations with Sir Pierson Dixon in New York on this subject and that the British were now prepared to agree to a formula similar to that used last year, but substituting for the phrase "Decides to postpone consideration of" the phrase "Decides not to discuss". He then asked whether the Netherlands Government would support a moratorium formula in those terms. Ambassador Van Roijen said that he would have to consult his Government on the suggested



change of wording, which he seemed to feel might represent a slight departure from the position agreed upon at the recent conference of the Brussels Pact Powers. It was pointed out to Ambassador Van Roijen that this was not a substantive change and was not, therefore, one which should create any difficulties for the Netherlands Government. Ambassador Van Roijen said that we were obviously in substantial agreement on this question and that he would inform the Department of any further views which his Government might have on the suggested formula.

[Here follows discussion of other matters.]

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310.2/9 -1554 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

PRIORITY

NEW YORK, September 15, 1954—7 p. m.

233. Verbatim Text. Re Chinese representation; Deptel 146, September 14, and mytel 229 September 13. Moratorium formula worked out with UKDel and USUN staff this afternoon confirmed over phone by me with Dixon as following:

“Decides not to consider, at its ninth session during the current year, any proposals to exclude the representatives of the government of the Republic of China or to seat representatives of the Central People’s Government of the People’s Republic of China.”

Procedures for handling Chinese representation at closing meeting eighth GA, 20 September, and opening ninth GA to be worked out tomorrow with UKDel and USUN staff. Will attempt confirm this with Dixon Saturday a. m.

LODGE

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IO files, SD/A/333

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 15, 1954.

### QUESTION OF CHINESE REPRESENTATION

#### THE PROBLEM

The Soviet Union has sought unsuccessfully since the Fifth Session of the General Assembly in 1950 to have the Chinese Communist regime seated in place of the Government of the Republic of China.

In order to maintain the largest possible majority in opposition to these proposals, the United States has taken the initiative in formulating procedural motions under which the substance of the question was not put to the vote and the Assembly decided instead not to take any action on the matter. These procedural tactics made it possible for a large majority of the member states, including several of the free world members which have recognized the Communist regime, to vote with the United States on this issue.

It is anticipated that the issue will be raised again at the Ninth Session, probably on the initiative of the USSR and possibly also by India. In order to achieve its dual objective of preventing any change in the representation of China and at the same time maintaining the greatest possible degree of free world unity on this issue, the United States Delegation will have to exercise strong leadership, working in close cooperation with friendly delegations.

#### UNITED STATES POSITION

1. If the issue of Chinese representation is raised, the United States Delegation, working in concert with the United Kingdom and other friendly delegations, should propose a motion under which the General Assembly would decide not to consider, at its Ninth Session during the current year, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China. The United States should take the necessary steps to ensure that this procedural motion is put to the vote before the substantive proposal and, upon its adoption, that the substantive proposal is not put to the vote.

2. In the unlikely event that the procedural action suggested above is not successful and the substance of the Chinese representation question is put to the vote, the United States Delegation should actively oppose and vote against any proposal to exclude the representatives of the Government of the Republic of China and/or to seat representatives of the Communist regime, and should make every effort to persuade the largest possible majority of other delegations to vote with us on this issue.

#### COMMENT

The primary objective of the United States with regard to the question of Chinese representation is to prevent the seating of the representatives of the Communist regime or any other action which would in any way impair the right of representatives of the Government of the Republic of China to represent that country in the United Nations and in the Specialized Agencies. It is important to the attainment of this objective that the tactics we employ should command the support of the largest possible majority, and in particular of the United Kingdom, whose lead on this issue is followed by a number of states. The

support of the largest possible majority is important as a demonstration of continued free world solidarity on this issue, which might otherwise take on the appearance of a contest primarily between the United States and the Communist governments. It also tends to restrain a number of governments from recognizing the Communist regime.

While, for the present, we could continue to count on the the necessary majority to achieve our objective in the General Assembly and in the plenipotentiary bodies of the Specialized Agencies even without the support of the United Kingdom and of the governments which follow its lead, it is essential that we retain their support if we are to continue to achieve this objective in certain smaller organs of the United Nations and in Specialized Agency bodies, some of which include a majority or a near majority of states which have recognized the Communist regime.

To achieve our objective with maximum free world support it is necessary to utilize the Assembly's Rules of Procedure to avoid a vote on the substance of the representation question. This makes it possible for the United Kingdom and most of the governments which have recognized the Communist regime to vote with us on this issue. The United Kingdom has agreed since June 1951 to a "moratorium arrangement" under which United Kingdom and United States representatives have jointly supported in all United Nations and Specialized Agency bodies procedural action which has avoided a vote on substance and resulted in the continued seating of representatives of the Government of the Republic of China and the exclusion of the Chinese Communists. This arrangement has been supported by a large majority of states.

In the course of recent consultations, the United Kingdom has again emphasized the need to handle the representation issue by an extension of this "moratorium arrangement" and has agreed to support the procedural motion which is set forth below. In consultations with most free world members of the United Nations we have also sought assurance of their support on the understanding that we would again employ the procedural action which has been successful in past sessions.

In the past, the Chinese representation issue has been raised by the Soviet Union and India in various ways: (a) At the Fifth Session by a motion at the outset of the opening plenary meeting to exclude the representatives of the Government of the Republic of China and to invite representatives of the Communist regime; (b) At the Sixth session by a request for the inclusion of the question of the representation of China on the Assembly's agenda; (c) At the Seventh Session by a proposal in the Credentials Committee calling upon the General Assembly to declare invalid the credentials of the representatives of the Government of the Republic of China; and (d) At the Eighth

Session by a proposal at the outset of the opening plenary declaring that the Assembly considers it necessary that China be represented in the United Nations by the Communist regime, followed by a motion in the Credentials Committee to declare invalid the credentials of the Representatives of the Government of the Republic of China.

It is necessary, therefore, to devise procedural actions for various contingencies:

1. If the question is raised during the plenary meetings at the opening of the session, the United States representative should move as follows:

*“The General Assembly,*

*“Decides not to consider, at its Ninth Session during the current year, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People’s Government of the People’s Republic of China.”*

The United States should ensure that this motion is put to the vote before the substantive proposal and, upon its adoption, that the substantive proposal is not put to the vote. The latter could be done by a ruling of the Chair. Alternatively, the United States or another delegation would formally so move under *Rule 93*.\*

2. If the question is raised in the form of a request that a new item on the question of the representation of China be included in the Assembly’s agenda, the United States would move in the General Committee as follows:

*“The General Assembly,*

*“1. Recommends that the General Assembly decide to reject the request of the [Soviet Union]<sup>1</sup> for the inclusion in the agenda of its Ninth regular session of the additional item entitled \_\_\_\_\_; and*

*“2. Recommends that the General Assembly decide not to consider, at its Ninth Session during the current year, any proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China”.*

3. If the question is raised initially in the Credentials Committee in the form of a proposal that the Chinese credentials be declared invalid, the United States should move as follows:

*“The Credentials Committee.*

*“1. Recommends that the General Assembly decide not to consider, at its Ninth Session during the current year, any proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People’s Government of the People’s Republic of China; and*

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\**Rule 93* reads as follows: “If two or more proposals relate to the same question, the General Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The GA may, after each vote on a proposal, decide whether to vote on the next proposal”. [Footnote in the source text.]

<sup>1</sup> Brackets are in the source text.

"2. *Finds* that the credentials of the representatives of the Government of the Republic of China conform with the provisions of Rule 27 of the General Assembly Rules of Procedure."

*Note:* For technical legal reasons the United Kingdom would insist that the above clauses be numbered in the order indicated.

It is possible that a proposal may be made to refer the Chinese representation question to the Credentials Committee (see also separate position paper entitled "Appointment of the Credentials Committee"). The United States Delegation should oppose such a suggestion on the ground that there is no need to refer to that Committee a question which can more easily and quickly be settled in plenary session. The United States Delegation should also point out that the Chinese representation issue constitutes an important political question and not simply a question of proper credentials. This was recognized in Resolution 396 (V) in which the General Assembly declared *inter alia* that this type of issue "should be considered in the light of the Purposes and Principles of the Charter".

The procedures set forth above assume that we would not ourselves take the initiative in moving any of the suggested motions in the absence of proposals to the contrary, but would move the "moratorium formula" immediately after the China issue is raised by others. Consultations with other friendly delegations may indicate the possibility of the United States taking the initiative on this matter in an early plenary meeting even if the issue is not raised by others. Since this would constitute a departure from the moratorium understanding and might, therefore, reduce the size of the majority in favor of our motion, the United States should not take this course of action unless it has the support of a large number of delegations and, in particular, of the United Kingdom.

The United States position on the Chinese representation question is based on a number of important considerations, which may be summarized as follows:

(1) Communist China is an aggressor against the United Nations in Korea. The General Assembly resolution which found Communist China guilty of aggression still stands. (Resolution 498 (V)).

(2) Through its military dominance of North Korea, Communist China has continued to defy the General Assembly's resolution 376 (V) which established the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK).

(3) At the Geneva Conference the representatives of the Chinese Communist regime treated the United Nations with utmost contempt, repudiating its past actions with respect to Korea and denying its competence to seek the unification of Korea.

(4) Communist China actively supported the Viet Minh aggression of the Ho-Chi-Minh regime in Indochina.

(5) The conduct of the Chinese Communist regime, far from justifying its seating in the United Nations, is of a nature which, under Articles 5 and 6 of the Charter, would subject a Member State to

suspension of membership rights or even expulsion from the Organization.

(6) The Chinese Communist regime has not conformed to accepted standards of international law and practice, but has demonstrated a callous disregard of legal and moral standards.

(7) This question constitutes a precedent of utmost importance since it is the first time that conflicting claims have been made for the seat of a country. The way this issue is handled can have important future consequences in other cases.

(8) The Charter does not provide for "universality", however desirable this principle may be, but specifies that membership is open to peace-loving states which both accept its obligations and, in the judgment of the Organization, are able and willing to carry out these obligations.

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310.2/9-1654

*Memorandum of Telephone Conversation, by the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

[WASHINGTON,] September 16, 1954.

Subject: Chinese Representation

Participants: The Netherlands Ambassador, Mr. van Roijen  
Mr. David Key, Assistant Secretary of State for International Organization Affairs

In further reference to the attitude of the Netherlands Government regarding the question of Chinese representation, Ambassador van Roijen telephoned me this morning and informed me that his government was agreeable to the modification which I had submitted to him when he last called, namely that there be substituted the words "decides not to consider, etc." instead of "postpones consideration, etc." The Ambassador added that while his government was still not prepared to enter into a moratorium agreement extending beyond the end of the current year, he thought it likely that during any discussion of this subject an opportunity would be taken by the Netherlands Delegation orally to state that it did not favor excluding the representatives of the government of the Republic of China or of seating the representatives of the Central Peoples Government of the Peoples' Republic of China during the entire session (even if the session should extend into 1955).

The Ambassador stated that the Netherlands Foreign Minister, Mr. Luns, wished to call on me during his stay in Washington and it was arranged that he and the Ambassador should call on me tomorrow at 4 p. m.

DAVID MCK. KEY

810.2/9-1654

*Memorandum of Conversation, by the Director of the Office of British  
Commonwealth and Northern European Affairs (Raynor)*

CONFIDENTIAL

[WASHINGTON,] September 16, 1954.

Subject: Chinese Representation in the UN; Other UN Matters.

Minister Thors called this noon at my request.

[Here follows brief discussion of a General Assembly committee chairmanship question.]

*Chinese Representation.* I said that there was a UN matter of the greatest importance to the US which I wanted to take up with him; namely, the question of Chinese representation in the UN. I said we had been somewhat disturbed when we had read the communiqué emanating from the Foreign Ministers Conference at Reykjavik but that we gathered that the terms of the communiqué did not necessarily bind the conferees to support the seating of the Chinese Communists at the Ninth Session. I said in this connection that I had been most gratified to receive a report over night from our Chargé, Thomas Dillon, in Reykjavik to the effect that the Foreign Minister had told him yesterday that Iceland would not vote for the admission of Peiping but hoped that the question would not come to a vote. (The Minister obviously had not had a report of this conversation.)

I then said that it was planned that a resolution almost identical to the one passed at the Assembly last year would be introduced which would call for not acting on this matter in the Ninth Session during the current year. I gave the Minister a copy of the text. He inquired as to other countries which in our view would support this resolution. I told him that we had reached agreement on the resolution with the British and that I thought we would obtain approximately the same favorable vote on it this year as we had last.

He then reviewed briefly the discussion of this matter at Reykjavik saying that the Swedes had pressed the matter strongly; the Norwegians somewhat less so and the Danes still less. He said on his advice that his Foreign Minister had explained that Iceland was in a different position from the other three in that Iceland had not recognized Communist China and did not have a mission in Peiping. He said as a result of this Iceland had reserved its position on the matter and minutes of the Reykjavik meeting so stated. He said when it came to writing the communiqué the Swedes had pressed for using the expression "soonest possible" and Iceland had succeeded in watering this down to "as soon as possible". He said the latter expression was the same as had been used in the communiqué in 1953 and in his opinion did not bind any of the parties to voting for Chinese admission at this Session. He said that he had been talking to the Norwegians and Danes

attempting to get them to see the matter in his light. I gathered he plans to continue these discussions. He said the Danish Permanent Representative, Borberg, has requested instructions from his government. I gather he has not had much luck in his talks with the Norwegians. He asked if we would be talking to the Norwegians and Danes and I told him I was quite certain we would.

I pressed him several times during the conversation to say that Iceland would support the resolution no matter what position the Norwegians and Danes might take. On the first two attempts the Minister did not respond directly. At one point he said that there would be criticisms in Iceland and possibly domestic political trouble if they voted different from the Scandinavians. I said I thought they should take into account how the NATO countries in general voted and I said I felt confident almost all of the NATO countries would vote for this resolution with the possible exception of Norway and Denmark. I added that he, Minister Thors, must know how strong the feeling here in this country is on the question. I said should Iceland vote against us on the matter it would certainly not be in the interest of furthering US-Icelandic relations. Finally the Minister said "my Foreign Minister will do what I advise him to do on this matter. I will, of course, have to talk with him when he arrives in New York but I believe we will support the resolution".

H[AYDEN] R[AYNOR]

Note: I believe that the chances are at least 95% favorable on this matter.

H. R.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

[WASHINGTON.] September 21, 1954.

Subject: General Assembly Approves US Resolution on Chinese Representation

The General Assembly this afternoon approved by a vote of 43-11-6, the U.S. resolution under which the question of Chinese representation would not be considered during this year.

States voting against were, in addition to the Soviet bloc, Burma, India, Norway, Sweden, Denmark and Yugoslavia. Abstentions were: Afghanistan, Egypt, Indonesia, Saudi Arabia, Syria and Yemen. Indonesia's abstention instead of a negative vote is of interest.



FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright)*

OFFICIAL USE ONLY

[WASHINGTON,] September 22, 1954.

Subject: Chinese representation at the opening of the 9th GA

The USSR raised the Chinese representation question at the outset of the General Assembly with a resolution proposing the seating of the Chinese Communists in the General Assembly and other UN organs and bodies. Ambassador Lodge, in a brief speech devoid of any arguments whatever, proposed the U.S. resolution on Chinese representation and proposed also that the U.S. resolution be given priority in the vote. There followed a more extensive debate than has been customary in recent years. Speakers included China, Poland, UK, Australia, Burma, Yugoslavia, and Czechoslovakia. The Indian representative (Menon) reserved his comments for two interventions after the voting had actually started. The vote on giving the U.S. resolution priority over the Soviet resolution was 45-7 (Soviet Block, Sweden and Burma)-5. The vote on the U.S. resolution on Chinese representation was 43-11 (Soviet Block, Norway, Sweden, Denmark, Yugoslavia, Burma and India)-6 (Saudi Arabia, Yemen, Syria, Afghanistan, Egypt and Indonesia).

*Comment.* During the debate the UK made a relatively weak speech arguing chiefly that as Chinese representation was a "violently controversial issue" the UK believed it unwise to consider the issue at present. By contrast, Australia made a strong speech noting that there was a code of conduct in the UN which the Chinese Communists had violated. The Communist speeches were of the usual character except that reference was made to "peaceful China" frequently and especially to "peaceful Chinese" contributions to the Indochina armistice and the Geneva Conference and its cooperative relations with its neighbors, especially India and Burma. Burma as usual spoke briefly but strongly in favor of seating the Chinese Communists while China made an effective statement of its claims to speak for China. In the course of his speech the Chinese representative said that Communist China had been repudiated by most of the thirteen million overseas Chinese despite the fact that most of them resided in territories under governments which "for reasons of expediency" had recognized the Chinese Communists.

Vishinsky sought to bait Lodge by referring to the U.S. resolution as "wishy-washy", taunting that the U.S. was afraid to vote on the straight-forward Soviet resolution, pointing out that even the U.S. press agreed that the U.S. position on Chinese representation was

weaker than last year. (With reference to Hamilton in the *New York Times*.) Lodge did not reply.

The Indian representative, on a point of order after the voting had already started, charged that the whole proceedings were illegal because there was no Chinese representation item on the Agenda. When Madam Pandit asked if the Indian intervention constituted a challenge to her ruling that the voting might proceed, Menon retreated, and Madam Pandit proceeded with the voting.

In the voting Indonesia's abstention is notable inasmuch as last year it voted against the U.S. resolution. Denmark this year joined Sweden and Norway in opposition to the U.S. resolution, but Iceland, alone of the Scandinavian states, voted with us.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

CONFIDENTIAL

[WASHINGTON,] September 23, 1954.

Subject: General Assembly: Credentials Committee

The Credentials Committee nominated by Madam Pandit was approved without opposition. The Committee is favorably constituted from the Chinese representation point of view. Of the nine states only three have recognized the Chinese Communists and one of these three (Pakistan) normally votes with the U.S. on moratorium type proposals. The Committee consists of Burma, El Salvador, France, Lebanon, New Zealand, Pakistan, USSR, U.S., and Uruguay. The Credentials Committee will report to the General Assembly whether all credentials (including the Chinese) are in order.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Director of the Office of Chinese Affairs (McConaughy)*

SECRET

[WASHINGTON,] September 29, 1954.

Subject: Status of Chinese representative in Committee 3 of the GA

A problem has arisen in Committee 3 (Social and Humanitarian) of the General Assembly which is under the chairmanship of a satellite representative, Nosek of Czechoslovakia. Following the precedent set last year by the Polish chairman of another committee, Nosek ad-

dresses the Chinese representative not as the "Delegate of China" but merely by name. The Chinese representative yesterday protested.

Anticipating trouble, USUN had already approached the Secretariat, and Hammarskjold had tried prior to the meeting to induce Nosek to follow usual UN procedures. Nosek, however, said that his instructions on the point were very strict. The Secretary General is to make another attempt to work out a solution with Nosek. USUN has asked the Department to consider what course we should follow in the event Nosek persists in his present policy.

*Comment:* Last year a similar problem arose in Committee 6 under Polish chairmanship. The U.S. representative challenged the chairman's action and a heated and unpleasant exchange followed. Eventually the U.S. succeeded in getting a resolution through the committee calling on the chairman to follow the usual proprieties in addressing all committee members. The resolution was approved toward the very end of the committee sessions, and the Chinese representative avoided asking for recognition subsequent to the resolution.

The present situation is complicated by the possibility that, if we were again able to obtain passage of a resolution along the lines of last year's, Nosek might, under his instructions, disregard the resolution. We would then be faced with the alternatives of acquiescing in a slight to the Chinese Government or seeking to obtain Nosek's ouster as chairman. The latter step is unprecedented and would be difficult to achieve.

Some hope exists that some solution may yet be worked out, such as referring to "the Chinese Representative". Nosek is personally not an obnoxious type such as the Polish chairman last year, and the Chinese delegation last year showed a willingness to look for reasonable ways out of the difficulty. If, however, Nosek is strictly bound by instructions, the problem may become troublesome.

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Hickerson-Murphy-Key files, lot 58 D 33, "Amb Lodge—1954"

*Memorandum by the United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for International Organization Affairs (Key)*

CONFIDENTIAL

[NEW YORK,] October 18, 1954.

I called on Hammarskjold Saturday p. m. (October 16) and told him that the United States did not want to promote a showdown on the question of his circulating documents coming from the Chinese communists. I said that it was clear to us that his office must have leaked to the papers the story which was printed in yesterday's *New York Times* about our not being willing to receive the Chinese communist document and that we had noted that he, himself, had given out a

formal interview Friday which had been printed in the press Saturday morning. Under these circumstances we were considering the issuance of a Press Release, the text of which I handed to him as follows:

“Secretary General Hammarskjold saw fit to issue a press release on October 15 concerning past procedure in circulation of communications from Communist China by the United Nations secretariat.

“The United States has no desire to prolong this issue which, of course, the United States did not raise in the first place. But in all fairness it should be made clear that the procedures referred to are neither “firm” nor “well established”. The United States has protested similar occurrences in the past. In fact, this procedure would appear to place the Secretary General in conflict with the General Assembly, which has convicted Communist China as an aggressor. It has the effect of providing a gratuitous service to a regime which has shown only contempt for the United Nations and for its proceedings. It is also questionable whether the Secretary General should circulate any documents at the request of non-members.

“The Secretary General also saw fit to characterize the attitude of the United States toward the delivery of this communication. When he said that the United States returned it without comment he failed to set forth our position in its true light. This position, however, was revealed to him in a letter dated October 12, the text of which is as follows:

“Dear Mr. Secretary General:

“It is my understanding that you are in receipt of a communication from the Chinese communist regime making serious charges against the United States, and that you have been requested to circulate the text of this communication to the Delegations of the United Nations General Assembly with the exception of the Delegation of the Republic of China.

“The communication to which I refer is another in a series of false and malicious charges against a Member of the United Nations by an aggressor regime which is a non-Member of the United Nations and which has been branded an aggressor by the United Nations.

“The fact that this regime is a convicted aggressor is, in our opinion, enough justification for you to disregard all their communications.

“In the opinion of the United States Delegation the Secretary General is under no obligation either to release or to circulate such a communication. It is, in fact, not conducive to the cooperation which is so necessary between the Secretary General and the Members of the Organization for the Secretary-General's office to be the instrument through which false charges can be made and published.

“I am confident that you will share this opinion and will not permit the abuse of your high office intended by the Chinese communist regime.

Sincerely,

HENRY CABOT LODGE, JR.’”

He said that that would be very bad and would help nobody and would raise issues which we all should want to avoid having raised.

I said that we did not want to promote a showdown but that when he or his office continually put these matters into the press, we had to think of our own record and our own position and that I would try to persuade my associates not to insist on the publication of this release.

He then said that he was in a dilemma because this policy of distributing Chinese communist documents had been followed for so long that he didn't see how he could change it. I said that when one has done a wrong thing for thirty times then the time has come to stop doing it. He said that he thought study ought to be given to his devising a formulary or rationale for handling the distribution of these communications. He said that he had complaints from the British because he had circulated a Greek statement containing the views of the Archbishop of Cyprus who is a British subject and the thing was in a terrible mess and that his idea was to develop a set of rules which he would then publish and then let anyone object who wanted to.

I said that this looked to me like a very promising procedure and I hoped he would go ahead with it.

As I told you, I have no intention whatever of publishing the release but I did hope to achieve precisely the result which was obtained.<sup>1</sup>

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<sup>1</sup>Notation by Deputy Assistant Secretary Wainhouse on routing and reference slip dated Oct. 19: "We should encourage the SYG to get up a set of ground rules on this problem."

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

SECRET

[WASHINGTON,] December 17, 1954.

Subject: Proposed Approach to UK Ambassador on Chinese Representation

The attached draft memorandum from Mr. Key to the Secretary <sup>1</sup> recommends that the Secretary reiterate to the British Ambassador the importance we attach to the continuation of the "moratorium arrangement" for handling the Chinese representation question in UN bodies. The approach is suggested because the resolution adopted last September for handling the Chinese representation question during the 9th General Assembly was expressly made applicable only "during the current year".

While it is believed that an approach at this time is probably not necessary, it will do no harm and our failing to do so in view of our

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<sup>1</sup> Not attached to source text.

approach last year to the British under similar circumstances might be interpreted by the UK as indicating a lessening of our interest.

It is accordingly recommended that you concur in the draft memorandum.

In view of the Secretary's extensive acquaintanceship with the question of Chinese representation, it is believed that no suggestions need be made concerning the precise content of the approach.

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CA files, lot 59 D 110, "Chinese Representation at UN, 1954"

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] December 22, 1954.

Subject: Chinese Representation in the UN

Participants: Sir Robert Scott, British Minister

Mr. Key—IO

Mr. Wainhouse—IO

Mr. Allen—EUR

Mr. Popper—UNP

I told Sir Robert that the Secretary had asked me to talk to him about the continuation of the working arrangement between our Governments under which we had disposed of the Chinese representation issue in all UN and Specialized Agencies bodies through procedural devices which excluded the Chinese Communists without a vote on the substance of the question. I pointed out that, so far as the General Assembly itself was concerned, the decision last September had been not to consider the subject during the current year—i.e. 1954. I said we assumed that the current arrangement would continue to be applied in UN bodies meeting after January 1 such as the series of ECAFE meetings convening in January. I said we would like to have his Government's confirmation that our understanding was correct.

Sir Robert agreed to consult the Foreign Office. He was especially interested in the question whether we are planning for a resumption of the General Assembly. I told him the Assembly had adjourned; that if there were to be any further meetings before next fall they would take the form of a special session; and that we had no present plans for calling such a session.

DAVID MCK. KEY

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<sup>1</sup> Drafted by the Acting Director of the Office of UN Political and Security Affairs (Popper).

CONTINUING UNITED STATES CONCERN WITH  
THE ISSUE OF EXPANDED UNITED NATIONS  
MEMBERSHIP; THE UNSUCCESSFUL UNITED  
STATES INITIATIVES TO BRING ABOUT THE  
ADMISSION OF JAPAN (1952) AND TO MAKE  
POSSIBLE NON-MEMBER PARTICIPATION IN  
THE GENERAL ASSEMBLY (1954)<sup>1</sup>

UNP files, lot 59 D 237, "Membership"

*Briefing Paper for the Under Secretary of State (Bruce)*<sup>2</sup>

CONFIDENTIAL

[WASHINGTON,] March 24, 1952.

ADMISSION OF NEW MEMBERS

The question of the admission of new members has been and continues to be one of the most pressing problems confronting the United Nations. The applications of a number of qualified candidates, whose admission the United States and the large majority of other United Nations Members strongly support, have long been pending before the Security Council, some since 1946. The Soviet Union has demanded as the price for its agreement to admit these applicants a "package deal" involving the simultaneous admission of the five Soviet candidates. Thus far, the majority of the members of the Security Council have not been willing to pay this price. The problem has therefore remained deadlocked, the Soviet Union vetoing the non-Soviet applicants and the majority rejecting the Soviet candidates or a "package deal".

At the last session of the General Assembly, the Soviet Union submitted a proposal which in effect recommended that the Security Council act favorably on fourteen applications simultaneously. These fourteen included nine non-Soviet applicants (Austria, Ceylon, Finland, Ireland, Italy, Libya, Jordan, Nepal and Portugal) and five Soviet candidates (Albania, Bulgaria, Hungary, Outer Mongolia, and Rumania). The United States strongly opposed this proposal on the grounds that under the membership provisions of the Charter, each applicant is entitled to separate consideration on its own merits and that the Soviet applicants are not qualified for membership. Further, the

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<sup>1</sup> For previous documentation relating to this subject, see *Foreign Relations*, 1951, vol. II, pp. 286 ff.

<sup>2</sup> Drafted by Paul W. Jones of the Office of U.N. Political and Security Affairs.

list excluded the Republic of Korea and also Vietnam. Moreover, if all Soviet applicants were now admitted, the Soviet Union would probably veto non-Communist states which have not yet applied. Included in this latter category are Japan, the Republic of Germany, Spain, Laos and Cambodia.

However, the Soviet proposal received a majority vote and was defeated only because it failed to receive a two-thirds majority. While a similar Soviet proposal was easily defeated in the Security Council, the vote on the Soviet resolution in the General Assembly shows that a large number of members are probably willing to compromise principle to achieve the admission of qualified applicants. The United Kingdom and France seemed to be preparing for acceptance of such a compromise. They abstained in both the Assembly and the Security Council. Their action was undoubtedly influenced by a strong desire not to offend Italy, which is exerting pressure for a settlement of the membership problem and favors the Soviet proposal as a solution which would achieve Italy's admission.

The Security Council may consider the membership question this year and the General Assembly will do so in the fall. There will probably be increasing pressure for a solution to the membership problem. For this reason, and because of our own concern over the continued impasse, the Department is now reexamining its position.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper) to the Officer in Charge of General Assembly Affairs (Taylor)*

CONFIDENTIAL

[WASHINGTON,] March 4, 1952.

Subject: Membership.

As you will note from a memorandum of conversation between Mr. Hickerson and Ambassador Tarchiani today<sup>1</sup> we are committed to further discussions with the Italians on the membership problem. Mr. Hickerson wishes that we stimulate activity on this in the Membership Team. His current thinking is to work out a proposal under which we would announce our willingness to amend Article 4 of the Charter by striking out the reference to qualifications, and pending the approval of such an amendment we would put up to the Soviets a deal involving all present and possible future applicants (i.e. Spain, Japan, Switzerland, etc.) but omitting areas in which there are rival claimants (Korea, Vietnam, Germany).

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<sup>1</sup> Not printed (UNP files, lot 59 D 237, "Membership").



I think it is important to work out a preliminary paper along this line as quickly as possible and to get our discussion on it started in the Department.

DAVID H. POPPER

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[WASHINGTON,] March 28, 1952.

Subject: Admission of New Members to the United Nations

Attached is a summary of a Membership Team discussion of your suggestions concerning a possible package deal. While only preliminary views were expressed and although FE and GER in particular had reservations, there was a general disposition to proceed with exploring such an arrangement. However, there was little support for a Charter amendment.<sup>1</sup>

At this stage, the following points arise for decision:

1. *Package Proposal*

a) *States to be Included.* There are now eleven non-Soviet applicants. Japan will probably apply soon and Germany, Spain, Laos and Cambodia are possible future applicants. Of all these, Korea, Germany and Vietnam would probably have to be excluded to prevent a Soviet veto. If Vietnam is excluded, Laos and Cambodia would also have to be omitted. FE appears willing to consider this, but believes that we would have to justify the exclusion of Korea and Vietnam on other grounds than the fact of rival claimants. Spain presents another problem. We believe it should be included, but this could mean a Soviet veto.

The Soviet Union would in all likelihood insist on the inclusion of all five of its candidates. Of these, Outer Mongolia is especially difficult, particularly if Korea is excluded. However, FE is willing to consider this.

b) *Timing.* If the Department should decide to accept a package proposal, should we wait until the Seventh Session of the Assembly or should action be taken earlier in the Security Council? Should we suggest that Japan apply in the near future? Should we approach Spain to apply for membership if it is decided that it should be included?

2. *Amendment to Article 4*

We are not sure what your present thought is concerning the nature of the amendment. The following alternatives suggest themselves:

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<sup>1</sup> For documentation on the projected 1955 Charter review conference, see pp. 170 ff.

(*a*) removal of the qualifications for membership; (*b*) removal of the veto from votes on membership; (*c*) elimination of the role of the Security Council admission procedures; and (*d*) a combination of (*a*) and either (*b*) or (*c*).

[Attachment]

SUMMARY OF MINUTES OF MEMBERSHIP TEAM ON QUESTION OF  
ADMISSION OF NEW MEMBERS

A meeting of the Membership Team was held on March 25, 1952 to consider our position on the membership question. Particular attention was given to the suggestion that we might propose the admission of all present and future applicants except for areas over which there are rival claimants and at the same time propose an amendment to article 4 to remove the membership qualifications. The opinions expressed at the meeting were only preliminary views.

Mr. Sale said that EUR believed the suggestion should be seriously considered. Mr. Howard (NEA) and Mr. Fensterwald (I/UNA) thought that their offices could support a package arrangement, although they believed it would be unwise and unnecessary to propose an amendment to article 4. Mr. Monsma (ARA) expressed the opinion that ARA would probably be willing to go along with a package proposal if the parts of the Department most closely involved believed this to be the best solution, although he thought that we should continue to consider ways to achieve the admission of only the qualified through circumvention or overriding of the Soviet veto.

Miss Bacon (FE) pointed out the various problems for FE of a package proposal which omitted Korea and the three states of Indo-China and which included Outer Mongolia. She stated that FE would like to reserve its position pending further developments. However, she believed FE might be willing to accept a package arrangement as the only way to achieve the admission of Japan and others we favor. If Korea and Vietnam were excluded, she thought that we would have to justify their omission on other grounds than that they are areas over which there are rival claimants. While Mr. Sale thought Spain should be included, Miss Bacon expressed the opinion that this would mean a Soviet veto. Miss Bacon did not believe that we should try to amend article 4. Mr. Williams (GPA) mentioned the difficulties involved if Germany was excluded. Nevertheless, he did not wish to say that GER would stand in the way but thought that we should await further developments.

It was generally agreed that the Department would have to weigh very carefully public reaction to a package proposal and that a final decision to modify our position could only be made at the highest level.

There was also general agreement that in view of our past position on the membership question, it would probably be easier for the United States to accept a satisfactory package arrangement proposed by another member than to propose an arrangement itself.

Messrs. Sale, Howard and Fensterwald hoped that in the near future we could sufficiently crystalize our position so as to begin consultations with the United Kingdom, France, Italy and others. Miss Bacon, however, believed that it was too early to carry on consultations with other governments and that we should wait until later in the year to finalize our views.

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310.2/3-2152

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Director of the Office of Northeast Asian Affairs (McClurkin)*

CONFIDENTIAL

[WASHINGTON,] March 21, 1952.

Subject: Japanese Membership in the United Nations.

With the near approach of the entrance into force of the Japanese Peace Treaty,<sup>1</sup> the question of Japan's desire to become a member of the UN enters the stage of a practical problem. It is to be expected that Japan may approach us in the near future for advice on the best tactics to be followed. In any case, Japan's probable candidacy will become a factor in our general planning on the membership question.

[Here follows a brief background resumé of the membership question.]

The Department is now restudying its membership position. There is a general feeling that a change is necessary and that the only apparent avenue for progress is in the direction of a package deal. The question remains: What states should be in the package?

## II. *Situation With Respect To Japan.*

Japan's candidacy will raise to 17 the number of states awaiting admission and will further increase the disbalance in our favor between Soviet and non-Soviet candidates.

Our main interest in connection with Japan should be to secure its admission at the earliest possible date. Will Japan be likely to fare better as part of a package or on an individual basis?

On an individual basis there is the matter of the Soviet veto. It might be argued that as the USSR is intent on cultivating Japan it would not risk alienating Japanese opinion by a veto of Japan's application. Similar considerations, however, existed in connection with

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<sup>1</sup> For documentation on this subject, see volume XIII.

Italy and the Soviet Union vetoed the application. In the case of Japan, the Soviet Union might seek to justify its veto on the technical basis that a state of war still legally exists between the USSR and Japan or on the propaganda basis that Japan under the peace treaty is not in fact an independent state.

There would, of course, be no obstacle to Japan's attempting a separate candidacy and, if that were vetoed, trying again as part of a package deal. So far as the US is concerned there might be some political gain from the USSR's being forced to veto a Japanese application. There might at the same time be a slight disadvantage in that Japan would thereupon be publicly labelled as a non-Soviet candidate and hence the construction of the package deal might become more expensive.

Japan, of course, must be included in any package deal that we might favor. Its inclusion will, however, present problems. Barring a political settlement for Korea or Indochina, between now and the next GA, there is no possibility that the USSR would be prepared to accept any package deal whatever that included either candidate. Inclusion of Japan and the omission of Korea would add to our already existing difficulties with respect to public opinion in Korea; while omission of the two countries would also make their eventual admission problematical at best. It is certain that the USSR will wish to include Outer Mongolia.

### III. *Conclusions.*

1. If the Japanese approach us for advice we should explain fully the procedural problems involved in Japanese membership. We should inform them that we would not be prepared to consent to any over-all membership arrangement that did not include Japan. We should also state that if Japan wishes to try a separate candidacy we would, of course, support Japan's admission.

2. Comments on the situation of other Far Eastern candidates will be reserved until a specific proposal for a package deal, now in preparation in UNA as a basis for discussion, is received.

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310.2/4-2852 : Telegram

*The Secretary of State to the Embassy in Japan*<sup>1</sup>

SECRET

WASHINGTON, April 28, 1952.

12. Re application Japan for UN admission: Dept believes US shld not approach Japan re its application at this time. However if

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<sup>1</sup> Repeated to the United States Mission at the United Nations (USUN), New York, as telegram 405 (for information). Drafted by Paul W. Jones of the Office of UN Political and Security Affairs and concurred in by the Director of the Office (Wainhouse), cleared with the geographic bureaus, and signed by the Assistant Secretary for UN Affairs (Hickerson).

FonOff approaches Emb you shld assure it we attach great importance Japan's admission and will strongly support its application. If FonOff requests our views re timing its application Dept suggests you state that is question Japan itself shld decide, although you might also inform FonOff SC is expected take up question admission new members before next GA sched meet in fall and GA will certainly do so.

Emb will realize membership question has been one of most difficult problems for UN. Admission is effected by GA decision upon recommendation SC. However applications of a nr candidates have long been pending before SC. Non-Sov candidates have been vetoed by USSR while Sov candidates have never recd required majority. As price for agreement admit non-Sov candidates, USSR has demanded package deal involving simultaneous admission five Sov candidates. Thus far majority in SC, including US, have been unwilling pay this price. However at last GA Sov proposal recommending in effect SC act favorably on 14 applications, including nine non-Sov applicants (Austria, Ceylon, Finland, Ireland, Italy, Libya, Jordan, Nepal, and Portugal) and five Sov applicants (Albania, Bulgaria, Hungary, Outer Mongolia and Rumania) but excluding ROK and Vietnam, recd majority vote in GA over opposition US and was defeated only because it failed receive two-thirds majority.

Dept's best estimate is USSR wld veto Japan's application if considered separately. FYI only, however, USSR might suggest inclusion Japan in package deal with objective of embarrassing US-Jap relations.

Dept extremely concerned over deadlock on membership question and realizes Japan's eligibility makes problem even more acute. We are considering possible solutions but have not reached any decision.

ACHESON

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310.394/5-152

*The Japanese Embassy to the Department of State*

WASHINGTON.

AIDE-MÉMOIRE

The Government of Japan has the intention to assign a permanent observer delegation to the United Nations Headquarters with the least possible delay after the coming into force of the Treaty of Peace with Japan. The observer who holds the rank of an ambassador extraordinary and plenipotentiary will represent the Government of Japan and act on its behalf at the United Nations. His office is to be established in New York and staffed with a counselor, a secretary and an attaché.

The Government of Japan wishes to be informed if the establishment of the above office will meet with the approval of the Government of the United States of America, and if the immunities and privileges of a diplomatic mission will be extended to such delegation. In case the above delegation is not to be entitled to such immunities and privileges, the Government of Japan intends to station a minister and his staff in New York who will be members of the Embassy of Japan in Washington, D.C.<sup>1</sup>

MAY 1, 1952.

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<sup>1</sup>Based on the Department of State's *aide-mémoire* in reply on May 20, in which the Department indicated it had no objection to the assignment of Japanese observers to the United Nations "and indeed welcomes this indication of the interest of the Government of Japan in the United Nations", but which pointed out that observer delegations did not enjoy full diplomatic privileges and immunities, the Japanese Embassy in a further *aide-mémoire* on June 20 notified the Department of State that the Japanese Government had decided to attach additional staff to the Japanese Embassy in Washington, consisting of one minister and approximately three assistants "for purposes in connection with the United Nations" and with the understanding that such staff would enjoy full diplomatic privileges and immunities. The Department acknowledged this communication in an *aide-mémoire* of June 27. (310.394/5-152, 310.394/6-2052)

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310.2/6-652

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Director of the Office of Northeast Asian Affairs (Young)*

SECRET

[WASHINGTON,] June 6, 1952.

Subject: Japan's Membership in the UN

Tokyo's 390 June 5<sup>1</sup> reports that the Japanese Government has not yet decided whether to seek UN membership immediately or to wait until after the conclusion of Malik's presidency on July 1.

1. *Immediate action required:* Tokyo has already been given general background information with regard to Japan's candidacy for UN membership (Deptel to Tokyo 12, April 28). As Japan is aware of the situation with regard to the Soviet veto it is believed that we do not need to offer any advice at this time but should permit Japan to make its own decision with regard to the timing of its application.

2. *Possible developments in the Security Council:* When Japan's application reaches the Security Council, various developments are possible and the exact procedures which may be followed cannot be foreseen now.

When Japan's application is presented the USSR might approve it or might veto.

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<sup>1</sup>Not printed (310.2/6-552).

Alternatively the USSR might submit a substitute resolution proposing the admission of 14 applicants (the list submitted in the Security Council in February) or variations on that list.

Alternatively the USSR might seek to amend the Japanese application by adding additional applicants.

Problems for the U.S. to decide would include:

(1) Should we sponsor a resolution putting the Japanese candidacy before the Security Council? (Such action would show our interest but also would place Japan specifically under our sponsorship.)

(2) Should we vote down the Soviet proposals or seek to amend them by adding candidates of our own (e.g. Korea, Vietnam, and Laos)?

(3) Should we favor discussion of the Japanese application in the Security Council or in the committee of a whole?

Some of these questions involve the much disputed general membership problem, renewed consideration of which will be necessary at once. I have talked with UNP and it is hoped that UNP, NA and FE can get together on these problems in the near future.

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310.2/6-1352

*Memorandum of Conversation, by Paul W. Jones of the Office of United Nations Political and Security Affairs*

SECRET

[WASHINGTON,] June 13, 1952.

Subject: Admission of New Members to United Nations

Participants: Miss Barbara Salt, First Secretary, British Embassy  
 Mr. Wainhouse—UNP  
 Mr. Sale—EUR  
 Mr. Taylor—UNP  
 Mr. Jones—UNP

Miss Salt called upon instructions from the Foreign Office to discuss the question of the admission of new members to the United Nations. She said that the Foreign Office had been officially approached by the Italians in March concerning implementation of the Tripartite Declaration of September, 1951 regarding Italy's admission. She understood that Italian representatives had been instructed to make similar approaches in Washington and Paris. She explained that the Foreign Office was presently giving serious consideration to the membership question and wanted to reply to the Italian inquiry before too long. It therefore wished to inform the United States and France of its preliminary thinking and to ask for any views they might have on the membership issue.

The Foreign Office, she said, had mentioned various alternative courses of action. First, the Security Council might recommend the admission of applicants *en bloc*, leaving it to the General Assembly subsequently to vote down certain of the Soviet applicants. The difficulty with this course, Miss Salt stated, was that a Security Council recommendation to admit applicants simultaneously was contrary to the 1948 opinion of the International Court of Justice.

Second, Miss Salt said, the Assembly might request a Court opinion regarding the validity of a Soviet veto of Italy's application, or the Assembly might phrase a question to the Court in general terms so as to apply to the Soviet vetoes of all the non-Soviet applicants. Miss Salt explained, however, that a question which concerned only the Italian case was difficult for the United Kingdom in view of its interest in the admission of Ceylon and other applicants. On the other hand, a Court question phrased in general terms had the disadvantage that it might weaken the right of veto.

In addition to these alternatives, Miss Salt mentioned another course, involving separate General Assembly action to admit applicants in the absence of a Security Council recommendation. She noted that such action would, however, be clearly contrary to the Court's 1950 opinion and seemed unacceptable to the United Kingdom.

Miss Salt explained that the Foreign Office had not yet formulated its position on the membership question but that it presently seemed to be thinking about a general question to the Court which would apply to the Soviet veto not only of Italy's application but of others as well.

Mr. Wainhouse stated that the Department was very glad to receive the preliminary views of the Foreign Office and that we have likewise been giving very serious attention to the membership question. The working levels were presently studying the whole problem and it was hoped that in due course a high-level decision would be made on the basis of which we could begin consultations with the United Kingdom, France, Canada and others in New York. He mentioned that consideration was being given to the possibility of some arrangement for the admission not only of all present applicants but also of future applicants like Japan and Spain. However, there were serious problems involved and a number of differences of opinion as to details. He therefore could not say what the end result would be.

With respect to the alternatives mentioned by Miss Salt, Mr. Wainhouse expressed the opinion that the Soviet Union would probably not agree to a recommendation for the admission of all applicants by the Security Council unless it had assurance that the Soviet applicants would be admitted by the Assembly. He agreed that General Assembly action in the absence of a Security Council recommendation would be clearly illegal, and saw less difficulty from a legal standpoint



in a Security Council recommendation to admit all applicants provided prior agreement was attained.

Mr. Wainhouse assured Miss Salt that we would want to consult closely with the United Kingdom when our thinking had crystallized further. It was agreed that it would be preferable to wait until the United States, United Kingdom and France had further discussions before consulting with the Italians and that our consultations with Italy should be closely coordinated.

Miss Salt thanked Mr. Wainhouse for our views and said that she would give only an interim reply to the Foreign Office.

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330/6-1652 : Telegram

*The Acting United States Representative at the United Nations  
(Gross) to the Department of State*

RESTRICTED      PRIORITY      NEW YORK, June 16, 1952—1 : 39 p. m.

938. Verbatim Text. Re SC meeting June 18—membership item. Following is advance text res on membership submitted by USSR for SC meeting June 18 :

“Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the UN of all fourteen states which have applied for such admission.

“The Security Council recommends that the General Assembly should simultaneously admit to membership in the UN the following states which have applied therefor: Albania, Mongolian Peoples' Republic, Bulgaria, Rumania, Hungary, Finland, Italy, Portugal, Ireland, Hashemite Kingdom of Jordan, Austria, Ceylon, Nepal, Libya.”

GROSS

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330/6-1652 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET      PRIORITY      WASHINGTON, June 17, 1952—7 : 02 p. m.

489. Re Sov res on membership to be submitted SC June 18 (urtel 938) :

1. Sov res unacceptable to Dept because: (1) while we are presently reviewing our over-all position on membership, we have not reached a decision this matter and it is not feasible to do so this particular time; and (2) Sov list omits present and future applicants eligible for admission. However, Dept does not wish appear responsi-

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<sup>1</sup> Drafted by Jones and concurred in by Popper, UNP, cleared by the geographic bureaus and the Assistant Legal Adviser for UN Affairs (Meeker) (L/UNA), and signed by Assistant Secretary Hickerson.

ble for preventing admission of Italy and other non-Sov applicants included SOV list by opposing Sov res.

2. Our conclusion is that best procedure wld be either postpone consideration Sov res until shortly before Seventh GA wld act on membership, or refer res to Membership Comite, thus avoiding discussion of membership question this time and also avoiding vote on Sov res. Dept believes such procedure cld be justified on fol grounds: (1) postponement wld not delay admission any candidate since final action must be taken by GA. SC action this time therefore not necessary; (2) SC members shld be given opportunity consider their positions on membership in light any new applications which may be submitted before Seventh GA and reports thereon by Membership Comite.

3. Dept requests you discuss above procedure with other friendly SC dels, pointing out in confidence reasons (para 1 above) Dept cannot accept Sov res and suggesting postponement or referral to Membership Comite as best course under present circumstances. Since it wld be preferable for US not take lead this matter in SC, Dept suggests you explore possibility of some other member moving postponement or referral to Membership Comite.

4. While Dept does not wish close door to possibility of omnibus settlement membership question, as noted above decision on this matter is not feasible at this time. Therefore you shld not make any statement which cld be interpreted as commitment to accept an omnibus settlement later.

ACHESON

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330/6-2052 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, June 20, 1952—7:11 p. m.

499. Re SC membership item:

1. In view new wording of agenda item 3 on membership, motion for postponement of discussion or referral to Membership Comite suggested Deptel 489 shld cover both sub-paras A and B rather than Sov res only.

2. In supporting above procedure, Dept believes US shld make brief statement which wld (a) recognize need for solution membership problem; (b) leave door open to possibility of solution without, however, committing US in any way as to its subsequent position; and (c) express considerations which in our view make postponement SC discussion desirable. To achieve this, it is suggested that statement include fol points:

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<sup>1</sup>Drafted by Jones and concurred in by Popper of UNP, cleared by the geographic bureaus and L/UNA, and signed by Hickerson.

a) US has always believed in universality as desirable ultimate UN objective and has never blocked admission of any candidate by use of veto.

b) Large majority UN members, including US, have become increasingly concerned over failure of SC to reach solution to membership problem because of Sov policies. GA has requested SC reconsider matter and report to next GA. SC members are thus faced with heavy responsibility of attempting to reach agreement on problem.

c) In light GA position, US hopes all SC members will give careful consideration their position on membership and will be willing consult on this matter. Further, we believe it is desirable that SC members consider gen problem not only in light of applications already submitted but also from standpoint of any new applications which might possibly be submitted before Seventh GA and any reports which might be made thereon by Membership Comite. These considerations lead us to believe gen discussion of membership shld not take place at this stage but rather shortly before GA wld act on membership. This procedure cld not operate to delay admission any candidate, since final action must be taken by GA which does not meet until fall.

d) If discussion takes place re submission of evidence as suggested Peru res, you may state US wld, of course, welcome submission of evidence by applicants if they so desire.

ACHESON

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330/6-2352 : Telegram

*The Acting Secretary of State to the Mission at the United Nations* <sup>1</sup>

SECRET      PRIORITY

WASHINGTON, June 23, 1952—5 : 58 p. m.

503. Dept understands Jap Counsel [New York] <sup>2</sup> under instructions submit membership application to SYG early this week. We believe that question of timing is for Japan itself to decide and that US shld not attempt advise this matter.

Assuming Japan's application is submitted to SC before SC consideration agenda item 3, it is conceivable USSR might add Japan to its list. Dept wld not oppose this move but wld continue position outlined Deptel 489 and 499 in favor postponement consideration Sov res.

However, we believe it wld be desirable to provide for separate handling Japan's application in order show our own deep interest in Japan's admission and to place onus on USSR if it vetoes. Fol procedure, which wld be discussed with Japanese if they apply, is suggested :

a) At outset of first SC mtg on membership, US or, if Japan prefers, some other friendly member, wld propose inclusion, under agenda

<sup>1</sup> Drafted by Jones and concurred in by Popper, UNP, cleared by the geographic bureaus and L/UNA, and signed by Hickerson.

<sup>2</sup> In telegram 590, June 19, 5 p. m., from Tokyo, the Embassy in Japan had informed the Department of State that Shimadzu, Japanese Consul General, New York, was being designated Japanese observer at the impending Security Council meetings, with regard to the Japanese membership application (330/6-1952).

item 3, of new sub-para which wld relate to Japan's application. During consideration this sub-para, US wld express strong support Japan's admission, and indicate willingness to bring application to vote immediately. However, if other SC Members prefer referral of application to Membership Comite, US wld accept this procedure.

b) US wld, in accordance Deptels 489 and 499, support postponement of discussion of present sub-paras A and B or referral to Membership Comite.

Your comments this suggested course re Japan appreciated. You may in ur discretion discuss matter with friendly SC delts.

BRUCE

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330/6-2452

*Memorandum by the Assistant Secretary of State for Far Eastern Affairs (Allison) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

SECRET

[WASHINGTON,] June 24, 1952.

Subject: Membership Proposals in the Security Council

I recommend that we take the following action (or some procedurally appropriate variant) on the membership question in the Security Council: (1) propose the addition of Japan to the list of candidates now included in the Soviet list and then vote or abstain on the entire proposal; or (2) if the USSR itself adds Japan to its list, vote for or abstain on the amended proposal; and (3) in either case, if procedurally possible without prejudicing the success of the project, propose the addition of other present candidates (Korea, Vietnam and Cambodia) to receive anticipated Soviet vetoes before we accept the residual list.

This procedure, if successful, would open the way for the admission of the following states: Austria, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Libya, Nepal and Portugal; and Albania, Bulgaria, Hungary, Rumania and Outer Mongolia.

In connection with these steps we would make a statement stressing our continued opposition to the policies and practices of the satellites, our continued support for the candidacies of Korea and Vietnam, our disappointment that the intransigent attitude of the USSR had for so long prevented the admission of many worthy candidates and our decision, in view of the obstructive Soviet attitude and of the necessity in the interests of the UN as a whole of breaking the stalemate, to vote for (or abstain on) the proposal.

It is my understanding that the Department now has under consideration the possibility of accepting a package proposal in connec-

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<sup>1</sup> Drafted by the UN Adviser (Bacon).

tion with the 7th GA. I realize that strong arguments exist against as well as for acceptance of such an arrangement. I realize also that there are reasons against as well as for taking such a step at the present moment. A statement of the various arguments on each side of these questions is attached.<sup>2</sup>

On balance, I believe that the arguments in favor of immediate acceptance of a package proposal, if it includes all candidates having any realistic expectancy of admission under present circumstances, outweigh the arguments for either postponing or rejecting the proposal. I accordingly recommend that action be taken along the lines indicated in the first paragraph above on an urgent basis in view of the probable SC timetable.

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<sup>2</sup> Not attached to source text.

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310.2/7-152: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 1, 1952—1:10 p. m.

2. Re UN Membership:

1. Dept supports Cambodia's admission to UN. We wld be inclined follow Fr initiative re method of handling and we believe Fr shld make principal presentation of case. Same applies if question raised re Vietnam's application submitted last year.

2. Fol info may be useful in supporting these applications:

a) Both Cambodia and Vietnam have been recognized by over 30 states, including US.

b) Both have already demonstrated desire make constructive contribution to UN efforts. Each is member of UNESCO, FAO, WHO, ITU and UPU, and is an associate member of ECAFE. Vietnam also member of ILO. In addition, both countries have made or pledged contributions to special UN programs: Vietnam to Korea, Palestine and Technical Assistance and Cambodia to Korea and Technical Assistance.

3. Dept assumes if proposal made refer these applications to Membership Comite, USSR may counter with request that cablegram from "Democratic Republic of Vietnam" of Dec 29, 1951 shld be considered by Comite. You shld oppose such move on fol grounds:

So-called "Democratic Republic of Vietnam" so obviously does not measure up to commonly accepted criteria of state that document

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs, cleared with the geographic bureaus and the Assistant Legal Adviser for UN Affairs (L/UNA), and signed by the Director of the Office of UN Political and Security Affairs.

purporting to apply for UN membership on behalf so-called republic shld not be sent to Membership Comite. Purported application for membership is unauthenticated cablegram. So-called republic does not even have established capital. It is simply name given by Vietminh to their armed rebellion against recognized authority. This rebellion cld be compared with dissident Huks in Philippines and Commie guerillas in Burma.

FYI only, Vietminh has recently sent "Ambassador" to Moscow.

**BRUCE**

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310.2/7-252

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Deputy Under Secretary of State (Matthews)*

SECRET

[WASHINGTON,] July 2, 1952.

The enclosed memorandum deals with the subject of admission of new members to the United Nations which has plagued us since 1946 and on which there has been an absolute stalemate since 1950.

I am convinced that this stalemate cannot be broken unless we are prepared to acquiesce in a basket arrangement for the admission of a large number of states. As you know, we are under terrific pressure from Italy and FE and UNA attach very great importance to the early admission of Japan. I believe that the time has come when we should seriously consider whether we could acquiesce in an arrangement to blanket-in countries mentioned on page 3 of the enclosed memorandum. I should, therefore, be grateful if you would call a meeting early next week in order that we could discuss this problem.

It is my feeling that we should not, at this time, reach a final decision on this matter but that I should be authorized to begin consultation with our principal allies and tell them that although we have not reached a decision, we are giving the idea serious consideration. I would like to consult initially with the United Kingdom, France, and Canada, and following consultation with these three, with China, in view of her position on Outer Mongolia. Depending upon how our consultations with these countries go, I should then like to consult with the remaining friendly members of the Security Council—Brazil, Chile, Netherlands, Greece, Turkey, and Pakistan.

**JOHN D. HICKERSON**

[Enclosure]

SECRET

JULY 1, 1952.

## ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

This paper presents the principal background factors regarding the possibility of an omnibus arrangement to resolve the long-standing stalemate over United Nations membership, and recommends that the Department begin consultations on this matter with its principal allies.

## BACKGROUND OF MEMBERSHIP STALEMATE

Article 3 of the Charter provides that the original members of the United Nations are the states which, having participated in the San Francisco Conference or having signed the Declaration by United Nations of January 1, 1942, signed and ratified the Charter. There are fifty-one original members. These include the Soviet bloc of five.

The qualifications for new members and the procedures for their admission are governed by article 4, which reads as follows:

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The International Court of Justice has given two advisory opinions on article 4. In the first, it stated that a Member cannot subject its consent to the admission of a state to the condition that other states be admitted simultaneously. In the second, the Court stated that the General Assembly cannot admit a state in the absence of a Security Council recommendation. It has been understood from the beginning that a recommendation for the admission of a new member is a substantive question subject to the veto.

Only nine states have been admitted as new members since the founding of the Organization. These nine are: Afghanistan, Burma, Iceland, Indonesia, Israel, Pakistan, Sweden, Thailand, and Yemen. The last time that a state was admitted was in 1950, when Indonesia was accepted.

Fourteen others have been voted upon separately but have been rejected. The Soviet Union has used its veto 23 times to block the admission of nine of the fourteen (Austria, Ceylon, Finland, Ireland, Italy, Jordan, Republic of Korea, Nepal and Portugal). The remaining five, all of which are Soviet-sponsored (Albania, Bulgaria, Hungary, Rumania, and Outer Mongolia),\* have never received the seven

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\*The North Korean and Vietminh regimes have also submitted communications purporting to be membership applications. [Footnote in the source text.]

votes required for a Security Council recommendation. In addition, there are four other applicants which have not been voted upon separately. These are Libya and Vietnam, which applied late last year, and Japan and Cambodia, which have just applied. It seems evident that the Soviet Union would veto these four if each were put to a separate vote.

The Soviet Union has for some time proposed the simultaneous admission of most (but not all) of the non-Soviet applicants and of the five Soviet candidates, always making clear, however, that it would continue to use its veto to block the admission of the non-Soviet applicants unless its own candidates were also admitted. Thus far the majority on the Security Council, including the United States, have not accepted this package deal. The membership question has therefore remained deadlocked, the Soviet Union vetoing the non-Soviet applicants and the majority rejecting the Soviet candidates or a package deal.

The large majority of Members have become increasingly concerned over this stalemate. At the last session of the General Assembly, a Soviet proposal which in effect recommended that the Security Council take favorable action on fourteen candidates (the Soviet five and Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal) but which omitted the Republic of Korea and Vietnam, received, over the strong opposition of the United States, a vote of 21 in favor to 12 opposed with 25 abstentions in the Committee. It obtained a vote of 22 in favor to 21 opposed with 16 abstentions in the Plenary vote and was rejected only because the Assembly, upon the request of the United States, determined the matter to be an important question requiring a two-thirds majority. While this same Soviet package proposal was defeated in the Security Council on February 6 of this year, the vote on the Soviet resolution in the Assembly shows that a large number of Members are probably willing to compromise to break the deadlock.

The Soviet Union on June 14 of this year resubmitted its package proposal to the Security Council without including the Republic of Korea and Vietnam. Since it submitted the proposal, Japan and Cambodia have applied.

Our position is to postpone consideration of this proposal until shortly before the next General Assembly. We have taken this position because we wish to reconsider the possibility of an omnibus arrangement but do not want to make a decision now.

#### DISCUSSION OF OMNIBUS ARRANGEMENT

It seems clear that the only way to break the membership stalemate is through an omnibus arrangement along the lines of the Soviet proposal. Obviously, such an arrangement should preferably include all



of the non-Soviet applicants (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Libya, Nepal, Portugal, and Vietnam) and also the states which have not yet applied (Federal Republic of Germany, Spain and Laos). However, it appears certain that the Soviet Union would not accept a list which includes the Republic of Korea, the three Indo-China states, and the Federal Republic of Germany. At present, we have no way of knowing whether it would accept Japan or Spain, if it applies. It is believed that under no circumstances could the United States acquiesce in an arrangement which omits Japan and that we should also desire the inclusion of Spain if it should submit an application. The issue to be resolved is whether we could consider an arrangement which includes all the states we favor except the Republic of Korea, the Indo-China states and the Federal Republic of Germany and which includes the five Soviet candidates.

Some of the arguments which can be advanced to justify our acquiescence in such an arrangement are the following:

1. In 1946 the United States itself waived certain doubts regarding Albania and Outer Mongolia and proposed the *en bloc* admission of all the then eight applicants: Afghanistan, Albania, Iceland, Ireland, Jordan, Outer Mongolia, Portugal and Sweden. (This proposal was withdrawn when it became evident that the Soviet Union would not accept it.)

2. At the last session of the General Assembly many Members appeared ready to accept a package proposal. It is expected that there will be stronger pressure in this direction at the next session.

3. Admission to the United Nations is a matter of political importance to many of the non-Soviet applicants, particularly Italy and Japan. Their admission is also important from the standpoint of our own relations with these countries. We are under continuing and heavy pressure from Italy to get her admitted.

4. Perhaps a greater moral influence could be exercised over the Soviet satellites if they were inside rather than outside the United Nations.

5. The Soviet applicants are no worse than some present United Nations Members—i.e., the Soviet five.

6. United Nations membership, by furnishing an additional method of contact with the free world, tends to offset exclusive Cominform control over the satellite countries and might somewhat strengthen the position of elements therein opposed to Moscow domination.

7. The admission of a large number of countries would in all likelihood result in a reduction of the United States financial contribution to the United Nations to the one-third goal. We are under constant pressure from Congress to reduce our contribution to one-third and have with some difficulty defeated House moves the last two years to cut our appropriations arbitrarily to that level.

However, there are a number of arguments which can be cited against an omnibus arrangement including the following:

1. Since 1946, the United States has maintained that article 4 requires that each applicant must be considered on its own merits and that the Soviet candidates do not meet the Charter qualifications. At the same time, the conduct of the Soviet applicants has become progressively worse.

2. The admission of Soviet applicants might dignify the puppet regimes, could be interpreted as tacit acquiescence in their present status, and might have an unfortunate effect upon the peoples within these states still looking with hope to the West.

3. The admission of Outer Mongolia would give some sanction to the Soviet effort to organize Asia into pseudo-independent states.

4. If we accepted an omnibus settlement omitting the Republic of Korea, the Federal Republic of Germany and the Indo-China states, the U.S.S.R. would be even less likely to agree to their admission later. It would be difficult to omit the Republic of Korea, particularly at a time when the United Nations is taking action to defend it against Communist aggression.

5. Even though the questions of membership and representation are technically unrelated, willingness to admit the Soviet satellites might make it more difficult to obtain support for our position on Chinese representation.

6. Whereas the Soviet bloc now comprises only  $\frac{1}{12}$ th of the total membership, it would represent between  $\frac{1}{4}$ th and  $\frac{1}{8}$ th of this total if the five Soviet applicants were admitted along with 11 non-Soviet applicants. This would increase Soviet obstructive capabilities. Further, on many issues we could not count on the votes of all eleven non-Soviet applicants.

7. An increase in the number of Soviet satellites in the Organization would correspondingly increase the scope of our internal security problem in New York.

On balance it is believed that some of the difficulties and disadvantages to an omnibus settlement could be overcome if the matter is handled carefully, and that the advantages of obtaining membership for Italy, Japan and others might make it worthwhile for the United States to acquiesce in such a settlement. We could not vote for an omnibus arrangement ourselves because of our strong objections to the satellite candidates. Nevertheless, if the other Members wish to accept the arrangement, and in view of our own deep interest in the admission of the non-Soviet candidates, we might indicate that we are prepared to see the plan carried out, making absolutely clear, however, that our attitude towards the Soviet candidates has not changed in any way and that we ourselves cannot vote for the proposal but will abstain.

The working levels of the Department have seriously considered this question during the past months. Although there are a number of differences as to details, there exists a general feeling that while an omnibus arrangement is in many respects distasteful, the need for some solution to the membership problem is urgent and that, subject to certain conditions, the United States could probably acquiesce in a package proposal.

## IMMEDIATE ACTION RECOMMENDED

It is not believed that the United States should decide now whether to acquiesce in a package proposal or that it should decide the many questions of tactics and procedure that would be involved. Before doing so, it would be desirable to begin consultations with our principal allies in order to obtain their views. Such consultations would assist the United States in determining its own position.

During these consultations we would, of course, make it perfectly clear that we have not reached a decision with respect to an omnibus settlement but we would indicate that we are giving the idea serious consideration.

Since it is not known how long the membership question can be postponed in the Security Council, and in view of the considerable time that will be required to work out details if we should decide to acquiesce, it is believed that consultations should be undertaken as soon as possible.

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310.2/7-352

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Allison)*

SECRET

[WASHINGTON,] July 3, 1952.

Subject: Membership in the UN

Attached is a memorandum from Mr. Hickerson to Mr. Matthews<sup>1</sup> suggesting that a meeting be called early next week to discuss the possibility of an omnibus membership arrangement. Mr. Hickerson points out that he believes that no final decision should be reached at this time on the question, but that authorization should be given to discuss the matter with various key delegations at the UN.

The memorandum, after outlining the history of the membership question and noting the pressures which have developed toward reaching some settlement of the problem, lists the arguments for and against the membership deal and goes on to recommend, on balance, that it might be worthwhile for this country to acquiesce in some such settlement.

The details of the suggested omnibus arrangement (page 3) have not been completely worked out by UNA but it would appear that the plan envisages an arrangement which would include Austria, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Libya, Nepal, Portugal and Spain (which has not yet applied) and would exclude the Republic

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<sup>1</sup> *Supra.*

of Korea, the Associated States of Indochina (two of which have applied) and the Federal Republic of Germany (which has not applied). The memorandum suggests that we abstain on such an omnibus arrangement indicating at the same time, however, that we are prepared to see the plan carried out.

*Comments:*

1. The proposal as now framed, though intentionally vaguely worded, would appear to have the intent of making the admission of Spain as well as Japan a *sine qua non* to U.S. acceptance of the proposal. It is stated that the attitude of the USSR toward the admittance of both Spain and Japan is not known.

It is believed on the contrary that the Soviet attitude toward Spain has been made quite clear and there seems no possible doubt that Spain's admission would not be acceptable to the Soviets (or to many other UN members). It should be noted in this connection that in the present session of ECOSOC the USSR as well as Poland and Czechoslovakia vigorously attacked the application of Spain for membership in UNESCO.

Under these circumstances it would appear that the omnibus arrangement was foredoomed to failure and accordingly it is believed that FE could not support the proposal. In taking this position it can be pointed out that we would be asked to sacrifice the candidacies of Cambodia, Vietnam and possibly Laos as well as the Republic of Korea, to a proposal which has no chance of being accepted.

2. If on the other hand UNA and EUR are willing to accept the arrangement without insisting upon the admission of Spain, it is believed that FE should support the proposal.

In this connection, however, it is our belief that we could not agree to dropping Japan as well as Spain. A deal which omitted Japan would not only be damaging to our relations with that country but would pose severe difficulties for our relations throughout the Far East since we would then be omitting five friendly Far Eastern States, Japan, the Associated States of Indochina and the Republic of Korea, while agreeing to the admission of Outer Mongolia.

*Recommendations:* that at the meeting you take the position:

(1) that despite the political cost, FE would be prepared to acquiesce in an arrangement which would include all present applicants but which, in residual form, might exclude the Republic of Korea, the three Associated States and West Germany;

(2) that under no circumstances could FE acquiesce in any arrangement hinged upon the inclusion of Spain;

(3) that you be unequivocal on point (2) above in view of the persistence with which Spain's case has been urged by EUR and UNA for the past four months;

(4) that you should be equally unequivocal that Japan must be included in any arrangement.

310.2/7-952

*Memorandum by William B. Sale of the Bureau of European Affairs*

SECRET

[WASHINGTON, July 9, 1952.]

## ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

During the EUR Directors' meeting of July 7 it was agreed that Mr. Hickerson's memorandum of July 1 [2] to Mr. Matthews provided a satisfactory basis for consultation on this problem with the UK, France and Canada, and, in the light of the results of such initial consultation, with other friendly members of the Security Council. It was agreed that EUR's concurrence should be subject to the following conditions and clarifications:

(1) Such consultation should not prejudice our freedom of action in determining our final position with respect to the general problem of admission of new members, nor with respect to tactics to be employed in presentation of the proposal in the United Nations. Specifically, it should be made clear that EUR favors a preliminary effort to obtain an amendment to the Charter to remove certain qualification requirements for membership. We consider that procedure toward such amendment should be initiated before the admission of new members whom we consider to be unqualified under present Charter requirements; we consider that such action is essential to provide moral justification of our support of, or acquiescence in, the blanket admission of the proposed new members.

(2) EUR considers that our position should provide for strong support for inclusion of Spain in any *en bloc* admission and we would not agree to the acceptance of any "package" without Spain, at least until every effort has been made to obtain Spain's inclusion.

(3) It should be made clear that the approval of a final US position on this problem must be subject to bi-partisan Congressional and "executive" agreement.

(4) The procedure for implementation of the proposed position should provide for ascertaining the views of the Soviets regarding an acceptable package prior to any US public announcement of our final position.

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310.2/7-752 : Telegram

*The Acting United States Representative at the United Nations  
(Gross) to the Department of State*

CONFIDENTIAL

NEW YORK, July 7, 1952—6:46 p. m.

19. Verbatim Text. Re Japanese membership application. Shimadzu and Yamanaka (Japanese reps) called today at their request to in-

form us of instructions received from Tokyo in reply to questions raised in their previous interview here. They read out and left with us following paper:

“The Japanese Government anticipates that, in accordance with the rules of procedure of the SC, consideration of its application for membership will have been completed 25 days prior to the seventh session of the GA. It is not desired that any particular country should be requested to push consideration of the matter, setting aside any other items on the agenda.

If a member of the council should include the Japanese application in the simultaneous admission plan, it is hoped that the US will approve of the plan. However, in case approval should prove difficult, it is desired that the Japanese application be considered as a separate item as soon as possible.

The Japanese Govt has no intention of compromising with the Soviet Union in return for admission to the UN.”

In ensuing discussion, Yamanaka, mentioning rules of procedure wondered whether case would go direct to membership comite from SYG. We replied that in recent past SC on proposal of a member had declined whether to take on agenda applications newly before it and if so whether to send them to membership comite or itself deal with them at once.

We reiterated our strong sympathy Japanese desire for admission and our own strong hope their application would be successful. Referring to rules they had cited, we explained to Japanese we thought debate on membership item should be postponed until date closer to seventh GA and we felt from what they said that their FonOff views coincided with this tactic for dealing with current Sov item in SC. We said we thought majority of SC wld desire that course. We urged them keep in close touch with us and said we would do same with them.

Shimadzu asked if Japanese should talk with UKDel. We said seemed good idea and we suggested that before he approached UK we talk with UKDel and let him know general UK view.

From conversation it appeared clear to us Japanese wanted be assured application would not fall by wayside. We also noted no indication Japanese wanted force Sov veto for any special reason.<sup>1</sup>

GROSS

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<sup>1</sup> The following is an excerpt from Daily Classified Summary No. 6, July 9, from the USUN in New York:

“During the SC meeting, July 9, USUN showed Yamanaka (Japan) the SC agenda as adopted, without an item on Japan's membership application, and re-explained the United States position. Yamanaka fully confirmed that his government preferred no separate action on its bid at this time while the membership question as a whole remained wide open.” (310.2/7-1052)

UNP files, lot 59 D 237, "Membership"

*Memorandum by the Officer in Charge of General Assembly Affairs  
(Taylor)*<sup>1</sup>

SECRET

[WASHINGTON,] July 16, 1952.

Subject: Circumvention or Overriding of Soviet Veto of Applications for United Nations Membership

At a meeting of the Assistant Secretaries last week, during which it was generally agreed that we should not acquiesce in a package proposal on membership, Mr. Hickerson said that we would again look into the possibility of circumventing or overriding the Soviet veto of membership applications.

I hope that we can have a meeting some time this week to discuss this problem. Attached is a paper on the subject to serve as a basis for our discussion.

[Attachment]

DRAFT PAPER FOR DISCUSSION PURPOSES ONLY  
ADMISSION OF NEW MEMBERS<sup>2</sup>

CIRCUMVENTION OR OVERRIDING OF SOVIET  
VETO OF MEMBERSHIP APPLICATIONS

In the past, various alternative courses have been suggested as possible ways to circumvent or override the Soviet veto of recommendations for the admission of new members. We have rejected some of these because we believed that they were illegal and because of their implications regarding the veto power. We have been reluctant to accept others because in our view they would not achieve the desired result.

There follows below a brief discussion of the major alternatives which have been suggested.

1. *Security Council Determination that a vote on Membership Applications is Procedural*

Since 1947, the United States has consistently declared that it would not use its vote to prevent the admission of any state receiving as many as seven affirmative votes in the Security Council. However, we have always taken the position that a recommendation to admit a new member is a substantive decision and that a permanent member has a right to veto such a recommendation if it so desires.

<sup>1</sup> Addressed to the Director of the Office of UN Political and Security Affairs (Wainhouse) and the Assistant Legal Adviser for UN Affairs (Meeker).

<sup>2</sup> Drafted by Paul W. Jones, UNP.

The various organs of the United Nations concerned with this problem have never suggested that a recommendation to admit a new member is procedural. The Interim Committee, in its 1948 Report to the Assembly, concluded that the Assembly should recommend to the permanent Members that they agree that a recommendation on the admission of a new member should be adopted by the vote of any seven members regardless of whether such a recommendation was considered procedural or non-procedural. The General Assembly, in April 1949, in accordance with this conclusion of the Interim Committee, recommended that the permanent members seek agreement to forbear to exercise their veto when seven votes have been cast in favor of a recommendation to admit a new member. Later in the same year it approved a resolution requesting the permanent members to refrain from the use of the veto in connection with recommendations for membership. Thus the Assembly, while requesting that the veto right not be used, has recognized that this right exists in connection with membership applications. Finally, the Security Council has consistently treated as a veto the Soviet Union's negative vote on membership applications receiving seven or more votes.

However, opinions on this matter have not been unanimous. Certain Latin American countries, notably Argentina, have long contended that the veto should not apply to a recommendation on admission of a new member. At the last session of the Assembly, Cuba maintained that according to the Four-Power Declaration at San Francisco, only questions relating to the maintenance of international peace and security were subject to the veto, and that it therefore followed that the admission of new members was a procedural question. Cuba also maintained that the Assembly could itself decide that the question was procedural and could admit candidates which had received at least seven favorable votes.

We would, of course, strongly object to the thesis that the Assembly could determine whether a question before the Security Council was substantive or procedural, since this is a matter which the Security Council itself must determine. However, in view of the history of the membership question, it would be difficult for the Security Council now to decide that a vote on a membership application was procedural. In any event, a decision of this nature is itself subject to the veto. The procedure which has been used to override a double veto could hardly be applied since this procedure was contemplated only for those matters which have been defined as procedural either in the Charter or in the San Francisco statement, or where a question is so clearly procedural that a contrary claim is virtually frivolous.

Aside from these considerations it might not be in our own future interest to go on record as in favor of a determination that a decision on a membership application is procedural.



2. *Referral to the International Court of Justice of the Question Whether a Negative Vote of a Permanent Member can Nullify a Security Council Recommendation for Admission Which has Obtained Seven or More Votes.*

The Central American countries introduced a draft resolution to the Sixth Session which would request an advisory opinion from the International Court of Justice as to whether a negative vote of a permanent member can nullify a recommendation for admission which has obtained seven or more affirmative votes. In commenting upon this draft resolution, the Department indicated to the United States Delegation that the Court might not consider itself competent to give an opinion on this question, and that even if it should consider itself competent, a favorable opinion would be unlikely. We also said that we were reluctant to go to the Court on a question the answer to which in our view was clear.

The Sixth Assembly postponed consideration of this draft resolution until the Seventh Session. While we would probably have no serious objection to submittal of this question to the Court if desired by others, it is far from certain that any tangible results would be achieved. However, if the Court should give a favorable opinion, it might be easier to override a double veto in the Security Council or for the Assembly to take action to admit applicants.

3. *Security Council Determination that a Negative Vote on a Membership Application Which is Cast on Non-Charter Grounds is Null and Void*

During the Sixth Session there was also some discussion of the possibility of a Security Council determination that a negative vote on a membership application cast solely on non-Charter grounds does not constitute a legal vote and is null and void. It was suggested that the President of the Council might make such a determination or that he might refer the matter to the Security Council.

A Presidential ruling of this nature would establish a far-reaching precedent that the President has a right to rule on the effect of a Member's vote. To permit the President to make such a ruling subject only to rule 30 of the Council's Rules of Procedure would mean that the legality and effect of a Member's vote would be left in the hands of the President and four other Members. The dangers of abuse of such a procedure cannot be minimized. For instance, on such a precedent the Soviet Chairman might rule that the vote of the Chinese National representative is illegal and it might not be possible to get seven votes to override him.

Referral of the question of the legality of a Member's vote to the Security Council would be less objectionable since seven votes would be required to declare a Member's vote illegal. However, there is no

clear authority for such a procedure in the Charter or in past Security Council practice. Further, the question of the legality of a Member's vote would itself appear to be subject to the veto.

In addition, it should be noted that the Soviet Union, by vetoing on alleged Charter grounds or by stating no reasons, could complicate a Security Council determination that a negative vote based on grounds lying outside of Article 4 is null and void.

4. *Referral to the International Court of Justice of the Question Whether a Negative Vote of a Permanent Member Cast on Non-Charter Grounds can Nullify a Recommendation for Admission Which Has Obtained Seven or More Votes.*

The General Assembly could request an advisory opinion from the International Court of Justice as to the legality and effect of a Soviet negative vote cast on non-Charter grounds. At the last session of the Assembly, Nisot (Belgium) informally suggested a revision of the Central American draft resolution (see alternative 2 above) along these lines. The Department preferred Nisot's suggestion to the Central American draft because it believed that the Court might be more likely to consider a question framed in this manner and because we saw more likelihood of a favorable answer. However, it must be realized that the possibility of a favorable opinion from the Court on this question might still be remote. In addition, the Soviet Union could negate the usefulness of referral of the question to the Court by vetoing membership applications on alleged Charter grounds. However, if the Court did give a favorable opinion, there would be some basis for Assembly action to admit applicants.

5. *Separate General Assembly Action to Admit Applicants Even Though The Security Council has not Made a Favorable Recommendation Because of the Negative Vote of a Permanent Member*

The International Court of Justice has stated that the General Assembly cannot admit a state to membership in the absence of a favorable Security Council recommendation. We have repeatedly supported this view and the General Assembly and the Security Council have consistently proceeded on this basis.

Nevertheless, some Members, from the Latin American group, still contend that if the Assembly is not obliged to endorse a favorable Security Council recommendation, it need not be bound by an unfavorable decision and can itself proceed to admit Members. Moreover, the Italian Government last year attempted to justify independent action by the Assembly when it pressed us to agree that the General Assembly could admit Italy since the U.S.S.R. had vetoed its application on other than Charter grounds. However, we maintained that even though a negative vote is cast on non-Charter grounds, it does not follow that this negative vote is null and void or that the General

Assembly is in a position to assume this. Further, we feared that acceptance of the Italian thesis could lead to a gradual whittling away of the veto power.

Nevertheless, a number of members may come to support independent General Assembly action if no other solution to the membership problem develops. In this connection, it will be recalled that some of the Latin American countries regard the Peruvian resolution as a first step in the elimination of the role of the Security Council in admission procedures. This resolution declares that the judgment of the United Nations on the admission of new members ought to be based exclusively on the conditions contained in Article 4; recommends that the Security Council, in considering membership applications, take into account such facts and evidence as applicants may present; and that it base its action exclusively on the conditions contained in the Charter and on the facts establishing the existence of these conditions. If the Security Council should reconsider applicants in the light of this resolution, and if the Soviet Union should continue to veto on other than Charter grounds, a number of delegations may attempt to use the provisions of this resolution to justify independent General Assembly action without prior recourse to the Court.

In support of such action, it might be pointed out that in the case of the extension of the term of office of the Secretary-General, the United States, during the Plenary debate, based its position in favor of General Assembly action mainly on grounds of political necessity. However, it is also clear that there is a firmer legal basis for independent Assembly action to extend the Secretary General's term of office than for independent Assembly action to admit new members. Furthermore, independent General Assembly action in the case of membership could have serious implications regarding the powers of the Security Council, a matter of vital interest to us. If the General Assembly assumed the power to admit applicants in the absence of a Security Council recommendation on the grounds that a permanent Member's vote was cast on illegal grounds, it might in the future assume Security Council powers over other matters. Furthermore, the Soviet Union could frustrate independent General Assembly action by vetoing the non-Soviet candidates on alleged Charter grounds. In particular the Soviet Union, technically at war with Japan, might charge that Japan is not a peace-loving state.

315.2/7-1452

*Memorandum by the Acting Legal Adviser (Tate) to the Deputy  
Under Secretary of State (Matthews)*

.SECRET

[WASHINGTON,] July 14, 1952.

Subject: Admission of new members to UN

At the meeting in your office last week directed to the question of admitting new UN members, Mr. Ferguson, of S/P, urged that we try to see if there is some way of establishing that the veto does not apply to questions of membership when the Security Council is considering applications. This is a matter which has been considered in the Department from time to time in the past. The conclusion has uniformly been reached that the veto did apply to applications for membership. A review now undertaken by this Office of the relevant materials leads again to the same conclusion.

*Does the Veto Apply?*

Twice since 1945 the General Assembly has asked the International Court of Justice for advisory opinions on the membership problem. Neither time did the questions submitted ask the Court to pass on the issue of the veto's applicability to membership applications in the Security Council. And in neither of its advisory opinions did the Court express any views on this matter. In the absence of any expression from the Court on this question, there are a number of other factors which point without exception to the conclusion that the veto applies.

At the Yalta Conference, when the Security Council voting formula now contained in Article 27 of the Charter was proposed by the United States, Secretary Stettinius explained to Marshal Stalin and Prime Minister Churchill what categories of decisions by the Council would require the vote of seven members including the concurring votes of the permanent members. In the first of these categories he listed recommendations on the admission of new members.

Later on, at the San Francisco Conference which completed the Charter, there was considerable discussion of the Yalta voting formula. In response to questions submitted by some of the smaller powers, the Big Four issued a statement on the veto. This statement did not mention recommendations of the Security Council on admission of new members, but in listing some of the Council decisions that would be considered procedural the statement made no mention of admission to membership.

In 1948, at the request of the General Assembly, the Interim Committee made a study of the veto. In its report to the General Assembly, the Interim Committee included two lists. In one of these were listed decisions of the Security Council which ought to be considered pro-

cedural. Recommendations of the Council on admission to membership were not included in this list. In the other list the Interim Committee mentioned a number of Council decisions on which the permanent members should, if possible, "forebear to exercise their veto". This latter list included recommendations for the admission of new members. The General Assembly, when it considered the Interim Committee's report, adopted in Resolution 267 (III) recommendations following up the Interim Committee's report. The first two operative paragraphs of the Assembly resolution dealt with the two lists prepared by the Interim Committee. The membership question was considered to be subject to veto.

Toward the close of the 80th Congress, Senator Vandenberg introduced in the Senate S. Res. 239, which was subsequently passed and has come to be known as the Vandenberg Resolution. Among its provisions, this resolution recommended that the United States seek to limit the exercise of the veto in the Security Council, in particular with respect to pacific settlement of disputes under Chapter VI of the Charter, and with respect to the admission of new members. Thus again the clear implication was that the veto did apply in the Security Council on membership questions.

In the last five years the Soviet Union has cast a large number of negative votes in the Security Council on Membership applications. Without exception, these have been treated by Security Council presidents as constituting vetoes which prevented the Security Council from making favorable recommendations on the applications in question. The Council has never sought to follow any other course than that adhered to by the Security Council presidents.

From the above, one can only conclude that recommendations of the Security Council under Article 4 of the Charter are subject to veto and have been uniformly so regarded. As pointed out earlier, this issue has never been put before the International Court of Justice. If it were now put before the Court, chances seem very slight indeed for a ruling that the veto does not apply.

*Is a Veto Null and Void When Based on Non-Charter Grounds?*

There remains a further possibility which was considered last winter both in the Department and by the Assembly Delegation in Paris. An argument can be framed somewhat as follows: Where the Soviet Union has cast a negative vote on a membership application for the stated reason that other applicants were not being simultaneously admitted, the Soviet Union has violated Article 4 of the Charter as interpreted by the International Court, since members of the Security Council under the Court's earlier advisory opinion are not at liberty to impose conditions on admission beyond the conditions which are stated in Article 4; a negative vote cast in violation of the Soviet Union's obligations under the Charter is not merely illegal, but is void. Theoretically,

this argument might be advanced in any of three forums: The Security Council, the General Assembly, or the International Court of Justice.

In the Security Council, it could not be expected to be successful, since a motion in the sense of this argument would be subject both to veto and double veto. It is highly unlikely that the Council could be persuaded to override a double veto of any motion to the effect that one or more Soviet vetoes were illegal and of no effect. Both in theory and in practice the overriding of a double veto in the Council is available only where a question is clearly procedural; it cannot be said that the question of the effect of a permanent member's negative vote on an application for membership is a clearly procedural question.

If the argument were advanced in the General Assembly, it might conceivably be supported by a majority of UN members, or even a two-thirds majority. However, the procedure of having the Assembly change the interpretation placed by the Security Council on the Council's own voting seems highly questionable, and would expose the proponents in the Assembly of such a procedure to well-founded charges of Charter violation. The consequences of following such a procedure in the Assembly would obviously be very serious if it were carried through. The result might well be the break-up of the Organization to which it had been sought to admit the new members.

The argument might also be advanced in the International Court of Justice, in connection with a request for advisory opinion coming from either the Security Council or the General Assembly. If the question were submitted to the Court, there seems a considerable chance that the Court might decline to give an answer on the ground that a political matter was involved. If it did answer, the Court in all probability would not conclude that the effect attributed by the Security Council itself to a negative vote cast by one of the permanent members should be overturned. The situation might be a little more favorable if the Security Council rather than the General Assembly had submitted the request for an advisory opinion, but it is by no means clear that the Security Council would be able to vote such a request to the Court, because of the veto and double veto. If the International Court reached the issue of whether a negative vote on membership constituted a veto (including the situation where the negative vote was based on non-Charter grounds), it seems unlikely that the Court would hold it to be not a veto.

The utility of advancing the above-suggested argument is probably rather limited in any event. In the Security Council's past consideration of membership applications, the Soviet negative vote on applications favored by the Western Powers has only sometimes been based on non-Charter grounds. And future negative votes which the Soviet Union may decide to cast can easily be rested by the Soviet Delegate

on a statement of Charter grounds. In the Security Council's reconsideration of the old applications, including Italy's (where Soviet vetoes have been cast on non-Charter grounds), the Soviet Union can now state that it opposes those applications for reasons which are recognized in Article 4 as legitimate.

JACK B. TATE

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310.2/7-2952

*Memorandum of Conversation, by Paul W. Jones of the Office of United Nations Political and Security Affairs*

SECRET

WASHINGTON, July 29, 1952.

Subject: Admission of New Members to the United Nations

Participants: Miss Barbara Salt, First Secretary, British Embassy  
Mr. Wainhouse—UNP  
Mr. Sale—EUR  
Mr. Taylor—UNP  
Mr. Jones—UNP

Miss Salt called upon Mr. Wainhouse on July 29, 1952 to discuss the United Nations Membership question. She recalled our earlier meeting on this subject of June 13, 1952 and asked whether the Department had any further views. She said that as far as she knew, the Foreign Office has not progressed in its thinking beyond the tentative opinions she had expressed to us earlier, but that it seemed to incline toward referring the question of the legality of the Soviet veto to the International Court of Justice.

Mr. Wainhouse assured Miss Salt that the Department has continued to give very detailed consideration to the membership problem. With respect to a package deal, France seemed cool on the idea and that China, Greece and Turkey might be expected to oppose it. While we have not reached any decision, we continued to see serious difficulties ourselves. Of the various possibilities, a comprehensive arrangement including the present applicants we favor and also Spain and Germany, which have not yet applied, would be the most satisfactory. However, even if we should be willing to consider this, there would be the practical difficulty that the more inclusive the arrangement, the less likely the USSR would accept it. When Miss Salt asked if it would be true to say that we were less inclined toward a package deal than when we met earlier, Mr. Wainhouse said that he thought that was correct, although we still had not reached a final decision.

Mr. Wainhouse said that we had again studied the veto problem in connection with membership and had concluded that there was no way we could legally circumvent a Soviet veto. Miss Salt expressed agree-

ment, adding that the United Kingdom had always stressed that the Tripartite Delegation [*Declaration*]<sup>1</sup> was not a commitment to get Italy admitted even if we had to act illegally.

On recourse to the Court, Mr. Wainhouse said that this was a possible alternative but he was not all optimistic about the result and thought that we could resort to it only as a holding operation. If the Foreign Office had drafted a text of a question to be put to the Court, we would be interested in seeing it. When Miss Salt asked if we had considered arrangements for non-member participation in the Assembly, Mr. Wainhouse said that we have studied this possibility but that apparently the Italians have no interest in this alternative.

We informed Miss Salt that the Italian Ambassador had called on Mr. Hickerson on July 28 to discuss Italian membership; that the Ambassador had again stressed the importance which the Italian people attach to Italy's admission and the desirability of its admission before the Italian election takes place next year.

Miss Salt reviewed a conversation between Sir Gladwyn Jebb and Ambassador Gross on the tactics we should follow on membership in the Security Council in September. She reported that they discussed the desirability of consultations among the permanent members during the latter part of August, during which we would inform the USSR that our position on a package deal remains unchanged; express our support for the new applicants, (Cambodia and Japan) and ask the USSR for its views on these applicants. When the Security Council meets on September 2 the permanent members would report that they had been unable to reach agreement, and we would request referral of the new applications to the Membership Committee for urgent action. We said we thought that this might be the general line to follow.

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<sup>1</sup> Sept. 1951.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

SECRET

[WASHINGTON,] July 22, 1952.

Subject: United Nations Membership Question

As you requested, UNP and L/UNA have again considered whether there is any feasible way to circumvent or override Soviet vetoes on applications for United Nations membership. We have reviewed the history of the membership problem beginning with Yalta and San

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<sup>1</sup> Drafted by Paul W. Jones, UNP.



Francisco and have gone over the actions of the Assembly, the Security Council and the Court. Our conclusions are briefly as follows:

In the first place, article 4 means that the Assembly cannot admit an applicant in the absence of a favorable Security Council recommendation. The Court's 1950 opinion reaffirmed this, and the General Assembly has proceeded on this basis from the beginning. In the second place, it has always been understood by both the Assembly and the Security Council that a Council recommendation to admit a new member is subject to the veto. We do not see how we can get around this fact. In view of the history of the membership question and the stated positions of the permanent members, including the United States, and because of the procedural problems involved, it would be extremely difficult for the Council now to attempt to determine that a recommendation to admit a new member is a procedural decision. Although the Assembly could go to the Court on this question, it is far from certain that the Court would consider itself competent to give an opinion. If it should consider itself competent, it would almost certainly decide that the matter is substantive.

It has been suggested, as a way out of our difficulties, that the Security Council might determine that a negative vote cast solely on non-Charter grounds is null and void or that the General Assembly might assume this and itself take action to admit those applicants which the USSR has vetoed illegally. However, the General Assembly is hardly in a position to determine the effect of a vote in the Security Council and a Security Council determination that a negative vote cast on non-Charter grounds is null and void would be difficult if not impossible to obtain. Furthermore, an attempt by the Council, and certainly of the Assembly, to make such a determination would set an undesirable precedent for the future.

It has also been suggested that if the Soviet Union continues to veto on non-Charter grounds, the Assembly might request an opinion from the Court as to whether a negative vote of a permanent member cast on non-Charter grounds can nullify a recommendation for admission which has obtained seven or more votes. Of all the above alternatives, this course would seem least objectionable from our own standpoint, and we might have to resort to it in an effort to provide some new approach to the problem. However, we are not at all optimistic about the results.

In short, we believe that the various alternatives which have been suggested as ways to circumvent or override Soviet vetoes of membership applications are either illegal or are unlikely to achieve any results. Although some members will probably push for one of the above courses of action at the next session of the Assembly, it is likely that there will be strong pressure for an omnibus settlement as the only practicable solution. In this event, our opposition to a package deal

will cause even more difficulties than we experienced at the last session.

It might therefore be desirable for you to explore with the Assistant Secretaries the possibility of bi-partisan consultations to ascertain whether there would be the necessary political support for our acquiescence in a package proposal. The package proposal would, of course, contain the maximum possible number of states we favor. We would try to obtain the inclusion of all the present non-Soviet applicants (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam) and also of Spain and the Federal Republic of Germany. However, it seems unlikely that the Soviet Union would accept the Federal Republic of Germany, the Republic of Korea, or the Indo-China states, and we do not know whether it would accept Japan or Spain. We believe we would have to insist on the latter two countries, but the question remains whether we could in the end acquiesce in a list which was negotiated downward to include all the states we favor except the Federal Republic of Germany, the Republic of Korea, and the three Indo-China states, and which also included the five Soviet candidates.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Officer in Charge of General Assembly Affairs (Taylor) to Paul W. Jones of the Office of United Nations Political and Security Affairs*

SECRET

[WASHINGTON,] August 5, 1952.

Subject: USUN Views on Membership

Mr. Hyde just told me that Ambassador Gross' views as developed in a long discussion yesterday are as follows:

1. The United States will not be in a position to offer a blanket deal this year.
2. Even if we were, the Chinese will probably veto Outer Mongolia and the Greeks would at least abstain on the Balkan states. Ambassador Gross considers the British position "dishonest" in that they are apparently trying to make us take the rap for opposing the deal.
3. Gross thinks there is no possibility of a two-thirds majority in the Assembly voting for any applicant, even Italy, not without a Security Council recommendation.
4. If the above premises are correct, the best line for us to take would be to hold a perfunctory conference of the five permanent members, ascertain that no-one had changed his position, and so report to the Security Council.

UNP files, lot 59 D 237, "Membership"

*Memorandum by the Officer in Charge of General Assembly Affairs (Taylor) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[WASHINGTON,] August 8, 1952.

Subject: Membership Position

I. You asked us to study and make recommendations on the position to be taken on membership at the September SC meeting and in particular, on the following over-all position:

"(a) We have not thus far been able to acquiesce in a package deal and we are not prepared to do so now."

"(b) If we are ever able to acquiesce in a package arrangement it will have to be a larger package than the Soviet 14-nation proposal";

"(c) We should discreetly sound out Soviet attitudes on adding the following states to the package: The Republic of Korea, Vietnam, Laos, Cambodia, Japan, Spain, Federal Republic of Germany."

II. You asked also for study of the idea of including, in a blanket resolution, general expressions like "Germany" and "Korea" for certain countries.

*I. Comment on Suggested Over-all Position*

(a) We assume that the decision not to acquiesce in a package deal for the time being is a wise one. This need not bind us for a long time. But the essential point now is to avoid commitments, domestic and international, on our future positions and to minimize the difficulties of our position public opinion-wise as much as we can.<sup>1</sup>

(b) The feature of the suggested position that would strike other delegations and the press immediately would be Point (b)—its failure to maintain our flat rejection of the package deal approach. This would seem to help our political position for the moment. But it would most probably lead Chile and Pakistan to seek at once to promote an agreement with the USSR. The press would take our statement as an indication that we had decided to negotiate a deal and would quickly fill in practically all of the details, including reasons why we would not go ahead at once. It would seem difficult, therefore, to hold this position in the form stated above without being pressed into a further stage of negotiations or into indicating our bargaining position prematurely and, perhaps—during the political campaign—into commitments that would tie our hands later on.

We shall have to take a common line with the UK, France and China in the August consultations and in the September SC meeting. If we are not ready now to negotiate and discuss a blanket arrangement, a

<sup>1</sup> An apparent reference to the impending U.S. Presidential campaign and November election.

common line of resistance against the Soviet deal is necessary. The most effective common line would probably be a fairly perfunctory rejection at this time, saying merely that our position has not changed. We cannot ourselves maintain an ambiguous position while expecting our friends to take the line of a flat rejection.

It would, however, be possible for us in the September SC meeting to make a statement along the following lines, without saying that the reason we are opposing the Soviet proposal is its lack of inclusiveness: "The Soviet Union claims that its proposal includes all states that should be considered at this time, that it is a broad, tolerant arrangement designed to achieve a universal membership. This is untrue. The Soviet proposal does not even include all of the applicants—it omits Japan, the Republic of Korea, Viet Nam, Laos and Cambodia. It certainly does not include all of the states—applicants and non-applicants—which deserve consideration for membership."

(c) How can we feel out the Soviet attitudes on the states not included in the Soviet package?

(1) Japan evidently does not want to ask the USSR directly about its attitude and FE probably would not wish to ask Japan to make these inquiries.

(2) In the August consultations we could of course ask the USSR its attitude on the seven states but would most probably not get a reliable answer unless we talked seriously about a specific proposal.

(3) In the September SC meeting we can have the Council take up and act on the new applications (Japan, Vietnam, Laos and Cambodia) before taking up the Soviet resolution. This could probably be arranged and is in accordance with some precedent; its purpose would, however, be clear. It would force the USSR to veto those applications individually or include them in the package.

The only real doubt is the Soviet attitude toward Japan. It is difficult to see how the USSR can now support the Republic of Korea, West Germany or the Indo-China states at all and it certainly would not indicate an attitude on Spain or West Germany unless actual applications were presented.

As indicated under (a) above, it is believed that we cannot now accept a package deal even with Japan included.

#### *Recommendations*

(1) For September SC meeting (see attached draft telegram):<sup>2</sup>

That we concert with the UK, France, China, Greece, Turkey, Brazil and the Netherlands in taking the following position:

(a) Consultations with the USSR would preferably be limited to ascertaining that neither side has changed its position.

(b) In the SC, the new applications (Viet Nam, Laos, Cambodia, and Japan) should be considered before the old applications.

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<sup>2</sup> Not attached to source text, but see telegram 77, Aug. 15, 4:48 p. m., to USUN, p. 842.

(c) We keep the proceedings as perfunctory as possible and avoid extreme statements against either the package deal idea or against the Soviet applicants.

(2) For possible use in the Assembly :

(a) The membership question should be placed low on the agenda, so that it will not be reached until December.

(b) If we then find it practicable to support a package arrangement, we should concert with a number of friendly countries shortly before we move on the question.

(c) Our formula should be as follows :

(i) It is quite possible for the members to agree among themselves concerning the meaning of the criteria used in Article 4. We are ready, *provided other members are*, to adopt a new interpretation according to which the mere declaration by a state of its acceptance of the Charter is taken as showing the necessary willingness to carry out the Charter objectives. If the USSR will not accept this interpretation we will continue our past approach to Article 4.

(ii) The Republic of Korea, Japan, Viet Nam, Laos, Cambodia, Spain and the Federal Republic of Germany qualify for membership. On the other hand, we have serious doubts of Outer Mongolia's qualification because it is not really organized as a state.

(d) If in subsequent discussions the Soviet Union agrees to add Japan to the list we should accept the arrangement, and take the necessary steps in the SC and General Assembly.

(e) The Assembly should then grant to any states not admitted to membership a seat in the Assembly and its committees. It has been suggested that we might go so far as to give even a vote to these states and this vote would be duly registered in the records but it would be provided that the vote would not count toward the attainment of majorities required by the Charter.

## II. *Comment on Suggestion to Use Generalized Terms "Korea" "Germany" "Viet Nam"*.

As a supplementary question, would it be desirable to include in a package arrangement—whenever we are ready to negotiate one—generalized terms like "Korea" and "Germany" in place of the specific reference to the Republic of Korea and the Federal Republic, adding a statement of the conditions of action to admit?

We have canvassed this problem at the working level in FE and GER and on this basis our recommendations are against the idea, for the following reasons :

(1) The approach breaks down on the Indo-China states, since the same conditions do not exist in all three countries.

(2) The phrasing of the statement of the conditions of admission would depend upon our purpose. If our purpose is to secure Soviet approval, the formula for Korea would probably be "as soon as the unification of Korea is achieved"; and for Germany, "as soon as a Government based on all-German elections is established." The fulfillment of each of these conditions would require Soviet approval. Other

formulations are possible as, in the case of Korea, "as soon as peaceful conditions are established". The determination of the existence of these conditions would be made by the General Assembly unless some other procedure was provided. However, the Soviet Union would obviously not agree to this; everyone would know the Soviet did not agree; and therefore the inclusion of such a statement would be taken as a means of making the whole arrangement dependent on the admission of the Republic of Korea, Western Germany, etc. It is assumed that there would be no particular point in dealing with the cases of Korea, Germany and Indo-China through these special formulas and accordingly we assume that the formula would in effect provide for the achievement in each case of unification and Soviet approval. The South Koreans, West Germans and Vietnamese might consider this a bad set-back because they would be clearly barred from membership. If, therefore, we cannot achieve membership for the Republic of Korea and the Federal Republic of Germany in connection with a blanket deal it might be better simply to leave them out and, for the time being, to give them a seat in the Assembly as suggested above.

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310.2/8-1552

*Memorandum of Conversation, by Franklin Hawley of the Office of  
Northeast Asian Affairs*

CONFIDENTIAL

[WASHINGTON,] August 15, 1952.

Subject: Japan's Entry into United Nations

Participants: Mr. Kamimura, Minister, Embassy of Japan  
Mr. John D. Hickerson, Asst. Secretary for United  
Nations Affairs  
Mr. U. Alexis Johnson, FE  
Mr. Franklin Hawley, NA

Minister Shinichi Kamimura, representing Ambassador Eikichi Araki, called on Mr. Hickerson at 10:30 this morning to discuss problems connected with Japan's pending application for entry into the United Nations. The appointment for this meeting had been arranged by Mr. Johnson following Mr. Kamimura's call yesterday.

Mr. Kamimura opened the conversation by asking what decision had been made by the United States to sponsor Japan's application when the Security Council meets on September 2nd. Mr. Hickerson stated that the American position continued to be that of giving warm support to Japan and that the United States would do everything within its power to secure Japan's admission. He added that the problem of Japan's entry was complicated by a two-year stalemate due to American opposition to a Russian package proposal; it was the firm conviction of the United States that the application of each country should be supported on its own merits and voted on separately and individually. He reminded Mr. Kamimura that the Soviet Union had consistently vetoed the applications of the nine countries supported by

the United States and that while we did not definitely know what the Russian attitude would be, it might be expected that Russia would veto consideration in the Security Council of Japan's application. Further, while it could not be foretold whether Russia would include Japan in its package list, the United States proposed to counter such a possibility and to take the initiative by introducing at the earliest opportunity a resolution by which the Japanese application would be considered singly and as a separate item. Mr. Hickerson emphasized that this proposal was still under consideration, that we would need to secure the support of our friends on the Council, and that we would like to have the views of Japan. Mr. Kamimura said that it could safely be said that his country would warmly welcome such a step as it would show the interest and initiative taken by the United States and assure the Japanese Government and people of the support of the United States. He continued by saying that the Japanese Government was concerned lest the United States be put in the position of opposing Japanese membership through American opposition to a Soviet-supported package plan in which Japan might be included. Mr. Kamimura stated that he realized the delicacy of the problem, but wanted to know whether the United States could support the package proposal in the event that through negotiations with the Soviets some of the objectionable countries could be eliminated from the Soviet slate. Mr. Hickerson stated that no more could be said than that it would have to be an entirely different package, and that if we could bring ourselves to approve a package it would only be a package in which Japan was included. He stated again that no final decision had been made. Mr. Kamimura indicated his understanding of the United States' position but added that so far as his country was concerned it was interested only in gaining admission into the United Nations, either alone or in association with other countries. Mr. Hickerson ended by saying that he would be away for a few weeks, including the date of September 2nd, but that his Deputy, Mr. Sandifer, would inform the Embassy of the course decided on by the United States.

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310.2/8-1552: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, August 15, 1952—4:48 p. m.

77. Re UN membership. Fol are Dept's views re position we shld take in advance consultations and Sept SC mtgs. Dept wld appreciate USUN's comment.

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<sup>1</sup> Drafted by Taylor, Officer in Charge, General Assembly Affairs, and concurred in by the Deputy Director of the Office of UN Political and Security Affairs (Popper); cleared by the geographic bureaus and L/UNA; and signed by Assistant Secretary Hickerson.

(1) Our gen objective is to secure defeat Sov omnibus res without ourselves assuming unduly prominent role or losing flexibility our position and at same time to probe if possible Sov intentions re states not included in res. In addition to Jap, ROK and IC states we have gen obligation to support Ger for membership in intl orgs; also Span Amb Aug 12 personally and informally inquired Dept's views re a Span application and was told we cld not advise re submittal of an application but that we wld support if submitted.

We envisage best gen approach to objective wld be attainment common tactical attitude in SC by entire group SC members other than USSR and—in view their position in Jul on this subject—possibly Chile and Pakistan. Accordingly, we shld consult at every stage with UK, Fr, China, Greece, Turkey, Brazil and Neth and appropriately with Chile and Pakistan, in endeavor agree upon common policy.

(2) We are agreeable, in concert with UK, Fr and China to holding consultations with USSR latter half of Aug. In view of U.S. presidency SC during Aug, you are authorized, if others concur, to take initiative in arranging for consultations. During consultations we wld state that our position against Sov omnibus proposal remains unchanged; that we continue prefer separate consideration each applicant; and that we have objections to certain candidates included in Sov proposal. We wld ask whether USSR prepared alter its views. On assumption USSR position will remain unchanged we wld report to SC that consultations had been held but no agreement reached.

We hope keep consultations confidential or at least hold press discussion to a minimum.

(3) In Sept SC mtg we believe it is important that procedure shld be so organized that SC will deal with new applications (Japan, Vietnam, Laos and Cambodia) before taking up Sov res. Especially in view possibility that Sovs will include Japan in package it is extremely important that SC take separate vote on Japan before voting on Sov res so that it is clear that Sovs bear full responsibility if Japan not admitted. It is assumed that applications of Vietnam, Laos and Cambodia wld be taken up at same time. We wld be inclined follow Fr initiative re exact method handling the IC applications.

(4) In SC we shld request that each applicant included in Sov res be voted upon separately, stating that we continue prefer separate consideration each applicant and that we have objections to certain candidates included in Sov proposal. We shld also request separate vote on ROK application.

We will vote for non-Sov sponsored applicants and wld expect vote against Sov sponsored applicants though we do not wish to take final position pending consultations with other members. We wld also expect vote against Sov res unless your consultations show such reluctance of other members to take this position as wld place undue re-



sponsibility for defeat of omnibus deal on US. In that case we wld consider abstention with statement our continued opposition. Question whether Japan included or not wld also figure in our decision this point, which will be reserved until after views other dels known.

BRUCE

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310.2/8-1852

*Memorandum of Conversation, by the Officer in Charge of General Assembly Affairs (Taylor)*<sup>1</sup>

SECRET

[WASHINGTON, August 18, 1952.]

Subject: British Request for Additional Membership Discussion in London

Participants: Miss Barbara Salt, First Secretary, British Embassy  
 Mr. Ward P. Allen, EUR  
 Mr. William B. Sale, EUR  
 Mr. Paul B. Taylor, UNP

Miss Salt came on instructions from the Foreign Office to sound us out informally on the question of whether we would be receptive to an invitation to Tripartite discussions of the membership problem in London after the middle of September. The Foreign Office message which she read to us spoke of "clearing our minds" on this question. It spoke also of the "undignified spectacle" of the membership discussion involving now some twenty-one applicants. (This seems to include Vietminh and North Korea.) Miss Salt said she thought London had in mind discussions of a longer range, exploratory character that would not be tied up in any way with the Assembly discussion which will take place here in Washington around September 20. She thought London had no idea of trying to commit us to anything at this stage.

In further discussion she said she thought the UK Delegation in Paris<sup>2</sup> had unintentionally "fuzzed up" their position on membership and that, in general, Mr. Eden would like to secure the admission of a number of countries when possible.

After consulting Mr. Hickerson, I informed Miss Salt later that Mr. Hickerson does not think such discussions would be useful. We are sending instructions to New York on this subject; USUN will consult with UKUN, and we will go over our position with Miss Salt here. If the British wish to raise any aspect of the membership question in the September talks here, they may do so, and we will be glad to discuss the problem anytime at New York. I pointed out, in addition, the fact that we do not now have anyone in London who is familiar with the membership problem.

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<sup>1</sup> Source text indicates this memorandum was dictated Aug. 18.

<sup>2</sup> A reference to the meetings in Paris of the Sixth Regular Session of the General Assembly, Nov. 6, 1951, to Feb. 5, 1952.

310.2/8-1952 : Telegram

*The United States Representative at the United Nations (Austin)  
to the Department of State*

SECRET

NEW YORK, August 19, 1952—6:40 p. m.

161. Re: Membership. Advance consultations were held with Coulson and Laskey (UK) and Hoppenot and Lacoste (France) at outset Gross covered with Department's views stressing our objective of defeat Soviet omnibus resolution; we are open to consultations of permanent members and that we regard it as extremely important that SC take separate vote on Japan before voting on Soviet res.

(1) There was general agreement on holding a private consultation on Thursday, August 21 to which Chinese representative subsequently agreed.

(2) UK will not accept Soviet omnibus resolution in its present form or whatever states USSR might add to it. If it comes to a vote UK will abstain. France also will oppose on principle Soviet package resolution. If it lacks sufficient votes to carry, France will abstain. However, if it obtained majority France would veto it on the theory that admission of Soviet candidates would add hostile members when North African questions are considered.

(3) After considerable discussion no conclusion was reached on how Japanese application should be handled to bring it to vote before omnibus resolution. UK and French felt that consultations with Malik might indicate strong Soviet objection to Japan so that no danger of including it in omnibus res arising. If it appears USSR opposes Japan, UK and France saw considerable difficulty in using SC majority to waive SC rule 32 to put Japanese application ahead of Soviet draft res tabled on 16 June. They felt procedural situation created by July 9 SC meeting which decided to postpone membership question until September 2 is at least moral commitment to take up Soviet res in proper order. UK wondered whether vote at same meeting on separate Japanese application after Soviet draft res would be disadvantageous.

Discussion also showed UK and French are disinclined to see each application apart from Japan put separately to a vote. They would not want to see SC rule 32 waived to vote Soviet draft res state by state. We pointed out SC procedure 13 September 1949 to vote on separate applications before voting on Soviet omnibus proposal. While there was agreement Japanese and ROK applications as well as associated states if they come up need separate vote, there was no decision on how to take up Japanese case first.

(4) USUN raised question of Germany and Spain. French hoped neither application would be before SC. Associated states raised peculiar problem for French because Laos and Cambodian applications are complete but not Viet Nameese. French realize any initiative they

take to hold up two until third is completed is dangerous as suggested political direction of all three associated states by France. It was agreed subject to French instructions that in 5-power consultations we might say that applications of Japanese, Laos and Cambodians are in proper form and there is no reason why applications of associated states should not be considered and acted on by SC.

USUN will broaden consultations to other friendly SC members immediately.

AUSTIN

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310.2/8-1952

*Memorandum of Conversation, by the Assistant Secretary of State for Far Eastern Affairs (Allison) <sup>1</sup>*

SECRET

[WASHINGTON,] August 19, 1952.

Subject: Japan's Entry into the United Nations

Participants: Ambassador Eikichi Araki, Japanese Embassy  
Mr. John M. Allison, Assistant Secretary  
Mr. Kenneth T. Young, Director, NA

After discussing another subject today with me, Ambassador Araki raised the above matter. After referring to Minister Kamimura's meeting with Mr. Hickerson on August 15, the Ambassador said that he wished to take up this important problem himself. He emphasized the desirability for the United States not to be put into the position in the Security Council of appearing to be the reason for Japan's failure to gain entry into the United Nations. The Ambassador told me that US-Japanese relations would be gravely injured if such an impression arose among the Japanese. He therefore urged that the United States would take some feasible and concrete step to make fully clear its desire and effort to bring Japan into the United Nations. The Ambassador hoped that our opposition to a "Soviet package deal" would not obscure our support for Japan's entry should the Soviet Government decide to add Japan to its list of admissions. He said that his government was particularly concerned over Soviet tactics in this matter because it might lead to great embarrassment for the United States in Japan.

I assured the Ambassador that we were fully aware of the problems involved and will endeavor to do everything we can to bring Japan into the United Nations. I explained that we were planning our tactics in such a way that United States support and Japan's entry would be clear to the world. I said that our present plan was to bring up Japan's application for entry as a separate matter before voting on any other

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<sup>1</sup>Drafted by Young.

proposals. In that way United States support for Japan would be clear and so would the Soviet position. The Ambassador said that he had discussed this question with certain other Embassies in Washington and would continue discreetly to inform them of Japan's position.

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310.2/8-2052 : Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

SECRET

NEW YORK, August 20, 1952—5:50 p. m.

164. Re membership. Advance consultations were held today with Tsiang (China). Gross presented US views contained Deptel 77 Aug 15 with particular emphasis on desirability SC voting separately on Japan (and also Associated States membership if French so request) prior to voting on Soviet omnibus res.

Tsiang said his instructions re Soviet omnibus res are unchanged, namely, to oppose it. He added that membership of "Mongolian People's Republic" would be particularly obnoxious to his govt and membership of Soviet satellites in Balkans only a little less so. He intends to make effort to have Soviet omnibus res voted on state by state. As respects giving priority to Japan (and possibly AS) membership over Soviet omnibus res, Tsiang was doubtful. He thought that Rule 32 of rules of procedure would make this very difficult. He agreed as to importance of Japan membership being given every assistance but thought that if vote on Japan membership given priority, USSR might then propose amendment to omnibus res to include Japan and with SC voting down omnibus res it would be difficult for friendly powers to explain to Japan, just as it was difficult for them to explain to Italy last year, why friendly powers had voted against Japan membership. Tsiang preferred to withhold question of Japan membership until after omnibus res voted down and then at next SC meeting to raise it in form of separate res.

As respects meeting on membership tomorrow of five permanent SC members, Tsiang thought it would be wise to limit ourselves to probing Malik for whatever instructions he may have re Japan, AS, ROK, Germany, Spain and other pending membership applications and to avoid giving Malik any clues as to tactics we may follow re these applications.

AUSTIN

310.2/8-2252 : Telegram

*The United States Representative at the United Nations (Austin) to  
the Department of State*

SECRET      PRIORITY      NEW YORK, August 22, 1952—3:47 p. m.

171. Re Japanese membership. Yamanaka called at his request.

(1) He recalled minister's conversation with Waring 15 August and Ambassador's conversation with Allison 19 August.<sup>1</sup> He reported Japanese understanding US position that while US is not in a position to support Soviet package proposal even with Japanese added, the US would support separate consideration of Japanese application at early date and USUN instructed to consult accordingly.

(2) We confirmed correctness of above and told Yamanaka of Malik's position in 5-power consultation which indicates to us that he will not include Japan in his package resolution and will veto Japanese application if voted separately. We also explained the support of Japanese application by four other permanent SC members.

(3) While his government will want to consider question we asked Yamanaka whether he felt Japan would now want consideration of its application separately which might be pursuant to US draft resolution which would recommend Japan's admission. Subject to confirmation Yamanaka felt this is precisely what his government wants to show public opinion US supports and is not delaying Japanese application.

(4) He asked whether we felt it desirable for Japanese representatives in UN be in contact with other SC members. We emphasized desirability of this tactic as indicating Japanese independence, and interest in UN, mentioning effectiveness of Indonesian and Italian observers in handling membership.

(5) It was agreed Yamanaka would confer with his Ambassador and discuss tactics further.

AUSTIN

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<sup>1</sup> On Aug. 21, the 5 permanent members of the Security Council met privately to confer on membership, as requested by the resolution of the General Assembly earlier in the year (Sixth Session at Paris). The situation remained unchanged, with each representative stating his Government's previous position.

310.2/8-2552 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, August 25, 1952—6:49 p.m.

87. Re membership.

1. In light resistance of UK, Fr and Chi to our proposal to vote on Jap application before Sov res and apparent Sov intention defer consideration Jap application and veto if necessary, Dept believes it desirable you immed seek firm agreement other friendly members, especially UK, France, and China as fols:

(a) While we continue favor definite arrangement vote on Jap application before Sov res, if as we expect Sovs do not include Japan in res vote on Jap application may be deferred until immed after vote on Sov res. If possible, vote on Jap application shld be at same mtg; if this not possible, mtg to consider Jap and possibly IC [Indochina] applications shld be convened in next day or so, and SC vote on Jap without referral to Membership Comite. Re IC applications, Dept will be guided by Fr views but assume they will be taken up in much same manner.

(b) If, however, Sovs at any stage in proceedings amend their res incude Japan, Jap application shld be voted on before Sov res. Dept authorizes you prepare draft res on Japan and circulate in advance Sept 2 mtg.<sup>2</sup>

2. We continue believe that candidates shld be voted upon separately; accordingly, if Sov res is to be voted upon as whole, separate votes shld also be taken on all applicants including ROK. If, however, other friendly members continue oppose such action, we will not press point and will make our position clear in our statement.

3. If old applications dealt with by single vote on Sov res and if your consultations show vote will be same or approx same as in Feb mtg you are authorized vote against res.

BRUCE

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<sup>1</sup> Drafted by Taylor and concurred in by Popper, UNP, cleared with the geographic bureaus, signed by Durward V. Sandifer, Acting Assistant Secretary of State for United Nations Affairs.

<sup>2</sup> In telegram 179, Aug. 26, 1:14 p. m., from New York, USUN reported:

Re para 1b of Deptel 87, August 25.

"UK and French dels have informed USUN that if at any stage of proceedings Soviet del amends its omnibus res to include Japan, they will support principle of voting on Japan membership res prior to Soviet omnibus res." (310.2/8-2652)

810.2/8-1952: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, August 26, 1952—6:26 p. m.

89. After reading ur tel 161, Aug 19 Dept is somewhat concerned lest some misunderstanding about the possibility of Ger membership in UN may have been created by Deptel 77 Aug 15. Latter msg stated under point (1) that "We have general obligation to support Germany for membership in international orgs." This statement shld in fact be somewhat qualified. Ever since Tripartite For Min Mtg at Paris in Nov 1949 it has been Tripartite policy to advance Ger membership in selected internatl orgs. In early stages these were primarily econ in character but some cases of political orgs cld also be cited, such as Council of Eur. However, we undertook no general obligation at that time or since and we have retained complete right of choice and decision as to type of org and time of support.

More recently, there has been inserted in gen conv sgd with Ger a provision in Art 3 para 2 pledging the three powers to support "at appropriate times" applications by the Fed Rep for membership in international orgs contributing to the common aims of the free world. Even this commitment is not a blanket obligation to support Ger membership at any time. In any event it does not become effective as a commitment until contr agmts are ratified which can scarcely be before the beginning of 1953.

We do not therefore wish create impression we are at this time suggesting Germany's admission. However, in light strong inclination many members to favor Sov proposal, one purpose Deptel 77 was call attention other dels fact that Sov proposal leaves out several countries including Germany which deserve consideration as part of membership problem as whole. This is in addition to our basic objections Sov proposal.

BRUCE

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<sup>1</sup>Drafted by Perry Laukhuff, Special Assistant to the Director, Office of German Political Affairs (Morris), and concurred in by Morris; cleared with Ward P. Allen, UN Adviser, Bureau of European Affairs, and David H. Popper, Office of UN Political and Security Affairs; and signed by Laukhuff.

310.2/8-2752 : Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*<sup>1</sup>

CONFIDENTIAL

NEW YORK, August 27, 1952—5:18 p. m.

185. Re Japanese membership: Kamimura (Japan Minister, Washington) called today by appointment on Gross to discuss membership. Young (NA) and Cory<sup>2</sup> also sat in.

Conversation was largely of educational nature, Kamimura being informed of history of membership question, history of Soviet omnibus resolution, pertinent charter provisions, views of US and other friendly SC members re omnibus res, outline of probable procedural situation in Sept 2nd SC meeting and so forth.

Upon being informed of Malik's statements about Japanese membership at mtg of permanent SC members on August 21, Kamimura stated that if USSR does not amend its omnibus res to include Japan, Japan Govt will be quite satisfied with Japanese membership res being voted upon after Soviet omnibus res.

Gross outlined to Kamimura alternative possibilities which have been suggested to get around Soviet veto, particularly LA idea of limiting SC vote on membership recommendation solely to qualifications demanded by Art 4 of charter and suggestion that GA might make provisions for states vetoed by USSR to be granted some form of non-voting membership. Kamimura expressed considerable interest in possibility of some form of non-voting membership and asked for details with view to reporting them to his govt. Gross mentioned Italian objections during 6th GA to any form of quasi-membership and suggested that Kamimura may wish to consult Italians on this subject.<sup>3</sup>

AUSTIN

<sup>1</sup> Pouched to Tokyo, Aug. 30 (310.2/8-2752).<sup>2</sup> Thomas J. Cory, USUN.<sup>3</sup> For further information on Gross' remarks at this meeting, see Young's memorandum of conversation, Dec. 5, 1952, p. 882.

330/8-2552 : Telegram

*The Acting Secretary of State to the Embassy in Japan*

SECRET

WASHINGTON, August 27, 1952—6:49 p. m.

566. Urtel 697 Aug 25.<sup>1</sup> In advance consultations with UK and France prior SC mtg US stressed importance procedure be so orga-

<sup>1</sup> In telegram 697, Aug. 25, the Embassy in Japan cabled:

"English language newspaper *Mainichi* ran UP despatch dated August 22 from UN. UP reports five permanent members SC met in secret session to discuss membership question prior to debate on admissions scheduled for Sept. 2. Paper states communiqué issued after secret meeting said permanent members held to previous views on membership.

"Embassy would appreciate being kept informed." (330/8-2552)



nized that SC deal with new applications (Jap, Vietnam, Laos, Cambodia) before taking up Sov res; that especially in view possibility Sovs will include Jap in package extremely important that SC take separate vote on Jap before voting on Sov res so that it is clear Sovs bear full responsibility if Jap not admitted. No conclusion reached on how Jap application shld be handled as UK and Fr felt that in pre-SC consultation among permanent members Malik might indicate strong Sov objection to Jap so that no danger of including it in package. If USSR were to oppose Jap, UK and Fr saw considerable difficulty in obtaining SC majority to waive SC rule 32 to put Jap application ahead of Sov draft res tabled 16 Jun. Chi views similar.

Consultation permanent SC members Aug 21, revealed USSR objection in principle to admission Jap. Sov rep took position no reason to consider Jap's application at this time since Jap remains in state of war with "two permanent SC members—the Sov Union and People's Republic of China".

In light position UK, Fr and China and views Malik, Dept instructed USUN to seek firm agreement with other friendly members as follows: While we continue favor definite arrangement vote on Jap application before Sov res if as we expect Sovs do not include Jap in res, vote on Jap application may be deferred until after vote on Sov res. If possible, vote on Jap application shld be at same mtg. If this not possible, mtg to consider Jap and possibly IC applications shld be convened in next day or so and SC vote on Jap without referral to Membership Comite. If however Sovs at any stage in proceedings amend their res include Jap, Jap application shld be voted on before Sov res. UK and Fr concur in this procedure. USUN expected table res on Jap today.

BRUCE

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330/8-2752

*Memorandum of Conversation, by William B. Sale of the Bureau of European Affairs*

SECRET

[WASHINGTON,] August 27, 1952.

Subject: Italian Membership in the UN

Signor Lucioli referred to the fact that the Soviet resolution on membership in the UN is scheduled for discussion by the SC on September 2nd, and asked what our position would be at that meeting. I informed the Charge d'Affaires confidentially that the private meeting which the permanent members of the SC had recently held on the membership problem had confirmed our belief that the Soviets would persist in their determination to block the admission of any of the

Western-sponsored applicants unless the UN would accept the Russian package proposal. I told Signor Lucioli that none of the other permanent members of the SC seemed prepared to accept the Russian package and that it was therefore apparent that the membership problem would remain stalemated.

In reply to Signor Lucioli's inquiry concerning the tactics which would be followed at the September 2nd SC meeting, I informed him that we preferred that each of the applicants listed in the Soviet resolution, as well as Japan, the ROK, and if the French so desired, the Indo-Chinese applicants, should be voted on separately in order that our support for applicants which we considered qualified would be a matter of record. It was our understanding, however, that the French and British were not inclined to favor a separate vote on each of the applicants and that they seemed to prefer that the September 2nd SC meeting dispose of the Soviet resolution in the simplest way possible, and that we would not therefore press for a separate vote. I informed Lucioli of our understanding that while the British and French would probably abstain on the resolution as a whole, we would probably vote against it as we had at Paris.

Signor Lucioli said that he of course appreciated our difficulty in accepting the Russian package proposal, particularly at the present time, but that he was very much concerned with respect to the tactics which we propose to follow at the SC meeting. He referred to the fact that another failure to resolve the membership problem would be a keen disappointment to Italian public opinion, particularly in view of the fact that there was evidently no alternative solution which would achieve Italian admission. He expressed the view that the continued stalemate will not only be considered a political defeat for the Italian Government but that it will, both in and out of the Government, result in a decreasing interest in the UN as an effective instrument of international action. Lucioli said that as a minimum he hoped that, while defeating the Soviet resolution, the SC might through a separate vote on each of the applicants listed in the resolution reaffirm the support of all but the Soviet member for Italy's admission. He said he hoped we would be able to persuade the other friendly members of the SC to agree to a separate vote on at least the Italian application and said that he would request Guidotti, the Italian Observer at UN Headquarters, to urge the other members of the Council to support such a vote.

With respect to our negative vote on the Soviet resolution, Lucioli recalled the adverse effect which our position at Paris had had on Italian public opinion; that because we had voted negatively and the British and French had abstained, the Italian nationalist press had placed the blame for the defeat of the Soviet resolution (and the con-

tinued exclusion of Italy from membership) primarily on the US.<sup>1</sup> He pointed out with respect to Italian public opinion it would be greatly preferable if we could abstain, with the British and French, rather than vote negatively on this resolution in the SC. He remarked it was our *vote* which made the headlines in the Italian press—not the explanation of our vote.

Luciulli spoke at some length concerning the importance of the UN membership question in connection with the forthcoming Italian elections, explaining that while membership in the UN was a problem beyond the control of the Italian Government, still failure to obtain admission was looked upon by the Italian public as a foreign policy failure on the part of the DeGasperi Administration; Italian public opinion is not concerned with the complicated political and technical reasons for Italy's exclusion, they are interested only in the fact that it is excluded. He said that the UN question had a bearing on public opinion support of DeGasperi's policy of closest possible cooperation with us and that the question would undoubtedly become an important foreign policy issue in the election campaign. He urged that we continue to do everything possible to demonstrate not only our continued support for Italian membership, but also our determination to make every effort to find an effective solution of the problem despite the Soviet's obstructionism.

I assured Signor Luciulli that I would bring his views to the attention of the interested officers of the Department.

WILLIAM B. SALE

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<sup>1</sup> For documentation on the Italian membership application in 1951. see *Foreign Relations*, 1951, vol. II, pp. 286 ff.

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330/8-2852

*Memorandum by the Acting Deputy Director of the Office of Western European Affairs (Knight) to the Deputy Assistant Secretary of State for European Affairs (Bonbright)*

SECRET

[WASHINGTON,] August 28, 1952.

Subject: Vote in Security Council on Membership, September 2, 1952.

WE is concerned about the possible repercussions in Italy of our present plan for handling the U.N. Membership question in the Security Council on September 2. As we understand it, the plan is that we shall veto the Soviet package resolution (on which the British and French will abstain) and that we will not insist upon separate votes on individual candidates, as we earlier planned to do.

The result of this in Italy will be a general impression that the U.S. was responsible for defeating the only possible formula for bringing about Italy's admission. You will recall that last spring most of the

blame for Italy's non-admission was laid at the door of the U.S., not only by our usual enemies, but by many of our friends.

Granted that for many reasons, the U.S. cannot follow a less strong policy vis-à-vis the Soviet resolution than it did in the past UNGA, WE recommends strongly that we nevertheless insist on separate votes on each of the candidates for membership. Thus, in the case of Italy the record would be clear that the U.S. had voted in favor and the USSR had opposed (or at least abstained). The same would be true in regard to other countries in which we are interested, such as the ROK. Such a course would deprive the communists of another club with which to beat the Italian Government.

Another aspect of this has already been pointed out to you, that if the Soviet Union, after submitting its package proposal, were thereupon to vote individually against admission of nations it had a moment before recommended for admission, we might be able to charge it with misuse of the veto power, violation of UN statutes, etc., and perhaps even submit the case to the World Court for an opinion.

*Recommendation:*

WE recommends that USUN be instructed to insist upon separate votes on all applicants for membership; the voting to be held after the voting on the Soviet resolution.

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310.2/8-2852 : Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

CONFIDENTIAL

NEW YORK, August 28, 1952—6:06 p. m.

190. Verbatim Text. Re: Membership.

1. Fol draft res submitted by USUN today:

“S.C.

“Having received and considered application Japan for membership in UN (S/2673 of 23 June 1952),

“Decides that, in its judgment, Japan is peace-loving state and able and willing carry out obligations contained in charter, and accordingly

“Recommends to GA that it admit Japan to membership in UN.”

2. It was agreed Muniz (Brazil) will add on agenda new sub-item: “C. New applications for membership.” Document numbers of six applications to be included in parentheses after this sub-item.

AUSTIN

330/8-2952 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 29, 1952—7:43 p. m.

100. Re SC Membership Item :

1. In stating US support for applications of Cambodia and Vietnam, you shld be guided by Deptel 2 of July 1.

2. In supporting application of Laos, you might mention fact that it has also been recognized by over 30 states; that it already enjoys membership in specialized agencies (WHO, UNESCO, FAO, ITU and UPU) and is associate memb of ECAFE; and has demonstrated its desire make constructive contribution to development intern co-operation through participation in intl conferences and accession to intern conventions.

3. If question application North Korean regime is raised, suggest you endeavor have SC take no action on application, recalling that in 1949 SC decided not even consider matter and stressing that North Korean regime, which has committed and persisted in an unlawful act of aggression in defiance of UN, has never been lawful govt; that ROK is only lawful govt in Korea; and that GA has declared that ROK is only such govt. You might also state that North Korean application is merely an unauthenticated E tel. Objective this procedure wld be to emphasize that North Korean application shld not even be considered since it is not a govt.

4. Re Vietminh application, we believe same procedure suggested for handling North Korean application eld be applied on grounds covered Deptel 2 of July 1.

5. If procedure suggested paras 3 and 4 meets strong objection other friendly dels, you are authorized vote against recommendations to admit these applicants.

BRUCE

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<sup>1</sup> Drafted by Jones (UNP) and concurred in by Sandifer, cleared with the Bureau of Far Eastern Affairs and L/UNA, and signed by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper).

310.2/8-2952 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, August 29, 1952—7:44 p. m.

101. Re Membership.

1. Dept suggests that US statement on Sov membership res be along fol lines :

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<sup>1</sup> Drafted by Jones, UNP, cleared with the geographic bureaus and L/UNA, and approved for transmission by Acting Assistant Secretary Sandifer, signed by Popper, UNP Deputy Director, for Sandifer.

US cannot accept res of Sov Rep for simultaneous admission 14 candidates because we continue prefer separate consideration each applicant and continue have objections to admission certain candidates listed in res. We believe SC shld examine each applicant on own merits. In our view we shld not pool together group of applicants some of which may have sound and others unsound claims for membership.

USSR, in its res presently before us, links together 14 candidates. It asks us to refrain from judging applicants on merits each case; to endorse all fourteen candidates by single vote whether or not we have objections to the admission of any of them, and, incidentally, to ignore fact there are other applicants besides these 14. We firmly believe that nine of candidates listed—Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal, and Portugal, are fully qualified and shld be admitted. However, we continue to have objections to admission of the remaining five—Albania, Bulgaria, Hungary, Outer Mongolia, and Rumania. These objections are based upon our opinion that these candidates do not fulfill conditions required by Art 4.

US and overwhelming majority UN Membs have long hoped for admission Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal. We deplore Sov policy of refusing to admit these states because of refusal of majority to admit others. It is common knowledge that it is this arbitrary policy of Sov Union which has caused continued exclusion Italy and others. For example, the Italian application has been voted upon by this body on five different occasions, and five times her admission has been blocked by the Soviet Union. For our part, we continue to support strongly the applications of these nine states, which shld be permitted immediately to take their rightful place among us as full Membs of UN.

2. If there is separate consideration of Agenda Item B, which we assume relates to GA Res 506 (VI), we believe that it wld be appropriate under this item for SC to take separate vote on each of the applications included in Sov res and also ROK. You shld, if procedurally feasible, propose this course of action, voting for the non-Sov applicants and against Sov applicants unless you believe our negative votes wld constitute vetoes, in which case you shld consult Dept.

BRUCE

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310.2/9-1252 : Telegram

*The Secretary of State to the Embassy in Japan*

SECRET

WASHINGTON, September 12, 1952—4:41 p. m.

695. Urtel 896 and Deptel 676.<sup>1</sup> Res on Jap submitted Aug 28 reads "SC, having recd and considered application Jap for membership in

<sup>1</sup> Telegram 896, Sept. 11, not printed (330/9-1152).

UN (S/2673 of 23 Jun), decides that, in its judgment, Jap is peace-loving state and able and willing carry out obligations contained in charter, and accordingly, recommends to GA that it admit Jap to membership in UN."

SC on Sep 8 defeated Sov omnibus proposal on membership by vote of 2 (USSR and Pakistan)-5-4 (Turkey, UK, Chile and France).<sup>2</sup>

Sep 10 SC mtg called (1) to reconsider pending applications and (2) to discuss new applications, including Jap. In discussing item (2) USSR insisted that new membership applications be referred to membership Comite prior to SC consideration and expressed doubt re independence. Malik described Jap as "Amer colony". US Deleg vigorously opposed referral to Comite as delaying tactic.<sup>3</sup>

Next SC mtgs scheduled Sep 12 and 16. Will send resumé developments.

ACHESON

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<sup>2</sup>The Soviet proposal would have admitted 14 applicants (5 Soviet candidates and Austria, Ceylon, Finland, Iceland, Italy, Jordan, Nepal, Libya, and Portugal). The five votes *contra* were made by the United States, China, Brazil, Greece, and the Netherlands.

The United States opposition was explained on the grounds: (1) that each applicant should be considered separately in accordance with Article 4 of the UN Charter; (2) that there were five applicants included in the resolution which this Government believed were not qualified; and (3) that the Soviet resolution omitted certain applicants as the Republic of Korea.

<sup>3</sup>The Security Council on Sept. 10 proceeded over the objections of the Soviet Union with the decision to consider the new applications directly without reference to the Membership Committee.

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330/9-1852: Telegram

*The Secretary of State to the Embassy in Japan*

RESTRICTED WASHINGTON, September 18, 1952—4:26 p. m.

724. Jap membership in UN. In Sep 12 SC mtg US proposed Jap application be considered by SC directly. Motion adopted 8-1 (USSR)-2 (Fr and Chile).

Question not discussed in Sep 16 mtg.<sup>1</sup>

In Sep 17 SC mtg US, UK, Neth, Pak, Turk, Chile, Chi, Grk, Fr, Braz made statements favoring Jap admission. USSR after bitter attack on US stated consideration Jap application shld be postponed until (1) Jap natl sovereignty restored (2) fon troops removed (3) peace treaties concluded with USSR and PRC. Jap described as "Amer colony" and weapon of US aggression.

Vote at Sep 18 SC mtg with USSR veto expected. Will inform.

ACHESON

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<sup>1</sup>Libya's admission, sponsored by Pakistan, was vetoed by the Soviet Union on Sept. 16.

330/9-1852: Telegram

*The Secretary of State to the Embassy in Japan*

RESTRICTED

WASHINGTON, September 18, 1952—6:30 p. m.

734. In Sep 18 mtg US rejected USSR charge made Sep 17. USSR in rebuttal continued bitter attack against US. Reiterated Amer colony theme and stated Jap militaristic, citing Yoshida Aug 4 talk. Final vote 10-1 (USSR)-0.

ACHESON

320/10-352

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] October 3, 1952.

Subject: Japan's Interest in Possible Arrangements for Non-Member Participation in the General Assembly

Ambassador Gross, in August, mentioned to the Japanese observer in New York various alternatives suggested in the past as possible solutions to the membership problem. One of the alternatives he mentioned was the suggestion that states excluded from membership by the Soviet veto might be given the right to participate without vote in the General Assembly. Mr. Kamimura of the Japanese Embassy subsequently informed NA that the Foreign Minister was interested in this idea and asked the Department for answers on several specific questions. NA said that they would try to arrange written answers. (A memorandum of this conversation is attached.)<sup>1</sup>

There was recently a newspaper report from Tokyo which erroneously stated that we had made a specific offer to Japan for "associate membership." We have denied this in response to queries from the press and United Nations delegations. A later newspaper report said that the Foreign Office has apparently decided against "associate membership" but we have had no official word on Japan's views. The Italians still seem dead set against the idea, and Guidotti seems worried that Japan might like it.

We believe we should take no action which might be interpreted as a specific offer to Japan. For this reason, and since this is a matter which affects all United Nations Members and on which we have no final views ourselves, we believe that we should not give Mr. Kamimura written answers to his questions. Mr. Young of NA agrees but he has told me that he would like to meet with Mr. Kamimura informally

<sup>1</sup> Not printed (310.2/9-252).



next week to discuss the matter. If you concur, he will discuss in very general terms the questions raised by Kamimura, using the views presented below as a guide. He would make clear that there are important political as well as legal question involved and that we have not yet formulated a final position, and would seek to ascertain whether Japan would be interested.

Our present views on the points raised by Mr. Kamimura are as follows:

1. *Is the procedure to admit Japan as a non-voting participant of the General Assembly permissible under the Charter of the United Nations?*

There would be no Charter difficulty in arranging for non-voting participation by Japan in General Assembly deliberations on matters which the Assembly considered of particular concern to Japan. The General Assembly has already established the practice of inviting non-members to participate in its Committees on an *ad hoc* basis during discussion of cases in which they are directly interested. The question is whether non-Member participation in the General Assembly could be established on a more generalized basis consistent with the Charter.

The final answer to this question could only be determined by the General Assembly and would depend upon the scope of participation contemplated. With these reservations, it is our view that there is nothing in the Charter which would prevent the General Assembly from establishing some form of non-voting participation by Japan in its proceedings on a more generalized basis than has been followed in the past.

2. *If so, will Japan be able to sit in the same capacity in the Economic and Social Council, Trusteeship Council and other organs of the United Nations when problems of interest to Japan are discussed?*

An invitation to Japan by the General Assembly to participate in some manner in General Assembly proceedings would not enable Japan to sit in the same capacity in the Economic and Social Council, Trusteeship Council and other organs of the United Nations when problems of interest to Japan are discussed. Each organ would have to determine for itself whether to permit Japan or other non-members of the United Nations to participate in deliberations on matters of concern to them.

3. *In so participating, will Japan be legally bound by the Charter, resolutions, and other actions of the United Nations?*

If Japan should participate as a non-member in General Assembly proceedings, this fact in itself would not legally bind Japan to the Charter, resolutions and other actions of the United Nations unless the Assembly required, as a condition for Japan's participation, the acceptance of the obligations of the Charter and an undertaking to be bound

by Assembly resolutions to the same extent as Members. However, Japan has accepted, in the Treaty of Peace, certain Charter obligations and it is already bound by the Charter to the extent that it has accepted these obligations.

Furthermore, it should be noted that article 35(2) would in any event be applicable in a case where any non-member wished to bring to the attention of the Security Council or of the Assembly any dispute to which it is a party. This article requires that the non-member accept in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

4. *In this capacity, will Japan be able to submit draft resolutions, documents, etc.?*

The answer to this question depends upon the *quantum* of participation which the Assembly might decide upon.

Only one formal proposal for non-member participation has been presented to the General Assembly. Under this proposal, submitted by El Salvador in 1950, the General Assembly would have requested the Secretary General to invite non-Members whose applications had been vetoed by the USSR to send observers to sessions of the General Assembly and its Committees, including the Interim Committee, "in order to enable them to express their views and furnish information whenever consulted by the delegation of any Member State." The proposal would also have provided for the distribution to Members of documents and letters sent by the non-Members to the Secretary General. The General Assembly, however, did not adopt this proposal. Many members, while fully sympathizing with the motives behind El Salvador's suggestion, wanted more time to consider its implications or had doubt that the non-Members would themselves be interested.

If the General Assembly decided to give non-Members the right to participate in the Assembly, it might grant non-Members the privileges provided in the El Salvadorian proposal. These privileges might possibly be extended to include the right to speak in Committees, and perhaps the Plenary meetings, under the same rules as Members on any matter before the Committee and of making proposals and submitting draft resolutions on matters of substance, which could be put to a vote at the request of a Member. More limited participation might include the right to present views on the substance of each item in the Committees at a time authorized by the Chairman and of having written statements circulated to all Members. We have no definite views on this matter.

5. *Will Japan be required to make her financial contribution?*

The assessment of a financial contribution against non-Members on the same basis as assessments against Members would be contrary to article 17(2), which provides that the expenses of the organization

shall be borne by the *Members* as apportioned by the General Assembly. Conceivably a financial contribution might be requested of non-Members in the event that arrangements for their participation in the Assembly were established, these contributions to cover the expenses resulting from participation. We have, however, reached no final view on this matter.

6. *In general, what are the rights and obligations of Japan in this capacity?*

See above.

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310.2/10-1352

*Memorandum of Conversation, by the Director of the Office of  
Northeast Asian Affairs (Young)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, October 7, 1952.]

Subject: Possible Arrangements for Non-Voting Participation by  
Japan in the General Assembly

Participants: Minister Shinichi Kamimura, Embassy of Japan  
Mr. Kenneth T. Young, NA  
Mr. Franklin Hawley, NA

Mr. Kamimura called by appointment at 12:30 p. m., October 7, 1952, to discuss further the possibilities of Japan's entry into the UN on a non-member or non-voting basis. (Mr. Young was guided in his remarks by the memorandum from UNP, Mr. Wainhouse to UNA, Mr. Hickerson entitled Japan's Interest in Possible Arrangements for Non-Member Participation in the General Assembly, dated October 3, 1952, and kept his discussions of the subject to very general terms.)

In opening the conversation Mr. Young referred to the six specific questions handed in by Mr. Kamimura on September 2, 1952,<sup>2</sup> and stated that in general the question of Japan's non-voting participation in the UN was difficult because there were legal as well as political factors involved. On the legal side, for example, there were questions of procedure while during the course of its existence the UN had built up a body of traditional practices which were also difficult to assess in terms of consideration of a possible Japanese request for the admission by Japan into the GA on a non-voting basis; resolution of such considerations as had been raised by Mr. Kamimura would be dependent also on the views of all the other Delegations, of experts, and also of the UN Secretariat. As Japan's possible non-member participation had not been discussed outside the Department, all these elements made it

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<sup>1</sup> Drafted by Hawley. Source text indicates that this memorandum was dictated Oct. 13.

<sup>2</sup> Not printed; for the six points, see the referenced Oct. 3 memorandum, *supra*.

difficult to give definitive answers, and the Department was still unable to give any final position. Mr. Young stated that he hoped that the present conversation would be kept confidential and that no publicity would be given to it in Tokyo. Mr. Kamimura stated that he would respect the confidence of the conversation and indicated his regret that the Foreign Office had been indiscreet in allowing a leak with respect to their preliminary conversation, as a result of which Tokyo newspapers had reported that the United States had suggested to Japan the possibilities of Japan's non-member admission into the UN.

With regard to Mr. Kamimura's first question which related to the UN Charter, Mr. Young stated that the answer to this depended in the final analysis on the collective judgment of the members of the GA. He said that the Charter is vague on the point raised and that about all that could be said was that the Charter included no specific prohibition. Various countries had been permitted *Ad Hoc* participation upon particular issues, on a temporary basis. Much would depend upon how the members felt with respect to the scope of the participation which Japan was considering. Mr. Kamimura asked regarding the procedures under which Japan's non-voting membership application would be introduced. Mr. Young stated his belief that considerable preparation would be necessary and suggested that the Japanese might be able to do much along these lines for themselves.

With respect to Japanese participation in ECOSOC and the Trusteeship Council, Mr. Young said that in his opinion the action of the GA in approving or in disapproving Japan's non-voting participation would not necessarily determine the position of these two Councils and that each Council would probably determine this for itself. Conversation of a general nature ensued with respect to the participation of Japan and the extent or degree of such participation in ECOSOC or the Trusteeship Council and regarding Italy's position on the Trusteeship Council.

Regarding the obligations which Japan might incur through the type of membership contemplated, about all that could be said, Mr. Young stated, was that this would depend to a considerable degree on the answer to the first question, i.e., the scope of participation agreed upon by the GA in its consideration of Japan's non-member admission. Mr. Young went on to say that the Treaty of Peace with Japan (Article 5) provides that Japan accept the obligations of Article 2 of the Charter of the UN while Article 35 of the UN Charter presents other factors which Japan should consider. Going on to mention the fourth Japanese question, Mr. Young stated that the submittal of reports, resolutions, etc., would likewise depend on the answer to the first question and therefore require more study. The nature of the answer to the first question would also apply to Mr. Kamimura's fifth question with

regard to the financial contribution which Japan might be asked to make to the UN.

Mr. Kamimura suggested that as it was apparent that considerable information remained to be developed, it might be best for the Japanese Government to clarify its own thinking and determine first for itself the position that Japan wished to take or the function it expected to be able to perform within the scope of a non-voting participation in the UN. Mr. Young observed that it had not yet been established that it would be wise for Japan to request participation as a non-voting member, and that Japan's application for admission might again be expected to come up before the Security Council. Mr. Kamimura stated that it was most doubtful that Russia would allow Japan's entry as a regular member, although some faint possibility still remained under Ambassador Austin's idea of liberalizing present admission procedures. He went on to say that the admission of Japan as a non-voting member might provoke the Soviets to walk out of the UN, while any question of the revision of the Charter would doubtless be vetoed by the USSR in the Security Council.

KENNETH T. YOUNG

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310.394/10-1452

*Memorandum of Conversation, by the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*<sup>1</sup>

[WASHINGTON,] October 14, 1952.

Subject: Japanese Observer Delegation at the UN

Participants: Mr. Johnson, Acting Assistant Secretary, FE  
 Mr. Ryuji Takeuchi, Minister, Embassy of Japan  
 Mr. Franklin Hawley, Officer in Charge, Japanese Affairs, NA

Mr. Takeuchi called on me at 4 p. m., October 13 and, following a brief discussion on another subject, said that he was leaving for New York that same evening in his new capacity as Japan's permanent representative to the United Nations. He said that by "permanent representative" he did not mean that he would be permanently stationed in New York but that he would be going there from time to time, on a commuting basis from Washington, as the situation required. He wished primarily to know whom among the US Delegation he should contact.<sup>2</sup> I said that the Bureau of Far Eastern Affairs

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<sup>1</sup> Drafted by Hawley.

<sup>2</sup> This is a reference to the U.S. Delegation to the Seventh Regular Session of the General Assembly of the United Nations; the General Assembly convened on Oct. 14.

would be represented by Ambassadors David Key and John Muccio, as well as by Mr. Arthur Emmons, who had charge of the Korean Desk in the Office of Northeast Asian Affairs, and that they could be reached at our UN offices at No. 2 Park Avenue. With reference to conjecture by Mr. Takeuchi as to when the "Korea fight" would start, I observed that in addition to the controversy on the Korean situation, Mr. Takeuchi would also probably find most interesting the Assembly discussions on Tunisia, Morocco and South Africa. I said that I would write to Mr. Key to tell him that Mr. Takeuchi would be getting in touch with him in New York.

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810.394/10-2152

*The Japanese Minister of Embassy (Kamimura) to the Director of  
the Office of Northeast Asian Affairs (Young)*

WASHINGTON, October 23, 1952.

MY DEAR MR. YOUNG: As you recall, Ambassador Gross remarked in our last meeting with him on August 27<sup>1</sup> to the effect that Japan's application for U.N. membership would be taken up by the General Assembly even if the Security Council failed to make a recommendation.<sup>2</sup>

I would like to know what Ambassador Gross had in mind to go [do?] about this question. Specifically, by what procedure, in what form and approximately at what time does the U.S. Government intend to have the General Assembly take up Japan's application? Is Item No. 19 of the U.N. Agenda intended to cover this question?<sup>3</sup>

Again, during the discussions of admission of new members at the last Security Council meetings, Ambassador Austin stressed the need for liberalization of admission procedure. Ambassador Gross also said that actions would be taken in this connection. What are the actions being contemplated by the U.S. Government in order to realize this liberalization? Will a measure to this effect be submitted to the current session of the General Assembly?

If you would be good enough to take the trouble of finding answers to those questions for me or arrange a meeting for me with someone in charge of those questions, I should be grateful. This does not need to be a hurried affair, but I would appreciate it if you would enlighten me or arrange the meeting at your convenience.

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<sup>1</sup> This conversation was reported in New York's telegram 185, Aug. 27; see p. 851.

<sup>2</sup> This occurred on Sept. 18 because of the Soviet Union's negative vote (veto); see Department of State telegram 734, Sept. 18, 6:30 p. m., to the Embassy in Japan, p. 859.

<sup>3</sup> Item 19 captioned "Admission of New Members" had two parts: (a) Status of applications still pending: report of the Security Council, and (b) Request for an advisory opinion from the International Court of Justice . . . ."

As for the proposition of associate membership for Japan, I have reported the gist of our conversation on October 7 to our Government, and I shall contact you upon our receipt of the reply.

Sincerely yours,

SHINICHI KAMIMURA

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320/11-152 : Telegram

*The Ambassador in Japan (Murphy) to the Department of State*

CONFIDENTIAL

TOKYO, November 1, 1952—3 p. m.

1433. Pass USDelGA NY info 6. FonOff spokesman called today at his request and presented Embassy off memo on formula of non-voting participation in UN. Memo states Jap Ambassador US informed of tentative study made by Jap Govt and instructed to discuss it unofficially with US Govt. Study is entirely tentative and does not imply Jap satisfied with and inclined to accept non-voting participation. In case any agreement reached on this study question of whether Jap desires such participation in UN is subject to Cabinet decision in light of relevant circumstances.

Formula envisages that non-voting participant would send reps to GA in response to invitation made by GA resolution. Invitees would be those countries which have applied for membership and although supported by seven members SC had not been recommended by GA. Non-voting participants rights and duties would be prescribed by above GA resolution which would also amend rules of procedure of GA. Non-voting participants would have right (1) to send to every GA same del as member states; (2) to participate without vote in plenary and comite meetings including right to speak, to propose draft resolutions, a draft amendment, to submit and withdraw motions, etc; to receive all communications and documents concerning GA. Non-voting participant would have the duty to (1) present credentials; (2) comply with rules of procedure GA.

Text memo follows by airmail.

FonOff spokesmen stated above study prepared as result conversations Washington in which Dept indicated US desire Jap Govt take initiative in studying and formulating such proposal. Text of memo has been tel to Jap Embassy.

MURPHY

310.394/11-452

*Draft Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] November 3, 1952.

Subject: Non-Voting Participation by Japan in General Assembly and Other Questions.

We have received a cable from Tokyo, a copy of which is attached,<sup>1</sup> stating that the Japanese Ambassador has been instructed to discuss with the Department a Foreign Office formula for non-voting participation in the UN. The cable says that the Foreign Office has by no means decided that it wants this status but that if there is agreement on the formula (presumably this means if the US agrees), the question of desirability would be referred to the Cabinet. Under the formula, non-voting participants invited by an Assembly resolution would have the right to send to the Assembly the same delegation as Members and to participate without vote in the plenary and committee meetings, including the right to speak, propose draft resolutions, and amendments, to submit and withdraw motions, and to receive documents. Invitees would be those excluded from membership by the Soviet veto.

Our preliminary view is that we could probably accept an arrangement along these general lines if desired by Japan, Italy and other qualified applicants. However, we believe that we should consult with other members before taking a position. Some members might oppose the formula on the grounds that it establishes a status too nearly equal to that of members. Further, there is a danger that some might urge that the formula apply to the Soviet applicants as well. We also believe that Japan itself should take some initiative and consult with Italy, which has thus far had serious reservations, and also with certain UN Members.

We suggest that we take the following line when approached by the Japanese Ambassador:

1. We do not wish to encourage Japan or any other applicant for that matter to accept non-voting participation in the Assembly. We still feel we should exhaust every effort to obtain its admission to the UN as a full member. However, if Japan is definitely interested in arrangements for non-voting participation, we will consult with other members to determine the wisdom and feasibility of such a status.

2. Our preliminary view is that we could probably accept an arrangement for non-voting participation along the lines suggested by Japan if desired by Japan, Italy and others. However, it is possible that some members might have reservations, and we would want to consult carefully with them in New York before giving Japan a definite answer. We are prepared to carry on such consultations if Japan

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<sup>1</sup> Not attached to source text; presumably Tokyo telegram 1433, Nov. 1, *supra*.



desires. We suggest that the Japanese observer at the UN (Mr. Takeuchi) might wish to consult with Italy and with other UN Members on the matter before Japan makes a definite decision and we hope that he will keep in close touch with our delegation in New York, where the principal negotiations on the membership question are now concentrated.

3. We believe that a voluntary financial contribution to cover the cost of services rendered to non-Members might be an element of any arrangement for non-member participation.

The Japanese Ambassador may also raise two questions which Mr. Kamimura, Japanese Minister asked Mr. Young in a letter of October 23.<sup>2</sup> These questions are :

(1) how and when we intend to have the Assembly take up Japan's application, and (2) what action is being contemplated by us with respect to a liberalization of admission procedures. (This question results from Ambassador Austin's speech in the Security Council on September 18 during which he stressed the need for a liberalization of voting procedures in the Council).

We recommend that you answer these questions as follows :

(1) The U.S. believes it would be desirable for the Assembly to adopt a resolution determining (a) that Japan qualifies under article 4 and should be admitted and (b) requesting the Security Council to take this determination into account in reconsidering Japan's application. Similar resolutions have been adopted in the past on other qualified applicants. We would, of course, be willing to sponsor the resolution or, if Japan prefers, some other member might do so. Such a resolution would be taken up when the *Ad Hoc* Political Committee discusses the item, "Admission of New Members," probably in December.

(2) Ambassador Austin, on September 18, outlined past efforts of the UN toward a liberalization of the veto in connection with admission procedures and stated that because of the continued use of the veto by the Soviet Union, the pressure of moral power of the peoples of the UN toward liberalization of the procedures of the Council is needed. However, he contemplated no specific proposal. We deplore the attitude of the Soviet Union on this matter, but unfortunately we do not see how the Assembly could improve the situation. There is before the Assembly a Central American draft resolution which would ask the International Court of Justice whether the veto is applicable in the case of membership applications. However, we believe there would be little or no chance that the Court would advise that the veto is not applicable.

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<sup>2</sup> Not found in Department of State files.

310.2/11-452

*The Japanese Minister of Embassy (Kamimura) to the Director of the Office of Northeast Asian Affairs (Young)*

WASHINGTON, November 4, 1952.

MY DEAR MR. YOUNG: With reference to my letter of October 23, we have received from the Ministry of Foreign Affairs the attached draft formula for the so-called UN Associate Membership.

This formula is the result of technical study of the problem in question by the Ministry, and is submitted in the hope that it will constitute a basis for further mutual study of the problem. It is an informal, tentative draft without commitment, and it should not by any means prejudice the future decision of the Government of Japan on this problem.

Again, even when an informal mutual agreement is reached along the line of this formula as to the status of "Associate Membership", the Government of Japan wishes to be free to decide its course on this problem one way or the other, by taking into consideration the then prevailing situations abroad and at home, the number of other countries willing to become Associate Members, etc.

The submittal of this technical paper, therefore, should not be construed as reflecting the decision of the Government of Japan to apply for "Associate Membership".

Sincerely yours,

SHINICHI KAMIMURA

[Attachment]

The following is a technical study of the status of the so-called UN Associate membership, and should not be construed as reflecting the decision of the Government of Japan to apply for "Associate membership" at this time.

1. The formal designation of the so-called "Associate Member" shall be Non-Voting Participant.

2. Any nation which, in response to the invitation extended through a resolution of the General Assembly, sends a representative to the General Assembly, shall become a Non-Voting Participant.

3. The nations which will be thus invited by the General Assembly shall be those for whom no recommendation for admission has been made by the Security Council in spite of the fact that its application for admission has received more than seven (7) favorable votes in the Security Council.

4. The rights and obligations of a Non-Voting Participant shall be defined in the General Assembly resolution mentioned in Paragraph 1. At the same time, necessary revisions shall be made to the rules of procedure of the General Assembly.

*a. Rights*

- (i) Right to send a delegation similar to that of a full member to all the meetings of the General Assembly.

- (ii) Right to participate without vote in the discussions of the Plenary sessions of the General Assembly, of its major committees and other committees of the whole. This right shall include all the rights to participate in discussion but the voting right, such as the right to speak, to submit a draft resolution, an amendment, and to submit and withdraw a motion.
- (iii) Right to receive from the Secretary-General all communications and documents pertaining to the General Assembly.

b. Obligations

- (i) Obligation to present credentials.
- (ii) Obligation to comply with the rules of procedure of the General Assembly.

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310.394/11-452

*Memorandum by the Officer in Charge of Japanese Affairs (Hawley) to the Director of the Office of Northeast Asian Affairs (Young)*

CONFIDENTIAL

[WASHINGTON,] November 4, 1952.

Subject: Japan's Participation in the United Nations

Reference is made to letter of October 23, 1952 from Mr. Kamimura, Japanese Minister to Mr. Young; Memorandum of Conversation, October 25, 1952, subject: Japanese Attitudes on Associate Membership in the United Nations; Tokyo's Telegram 1433, November 1, 1952; and draft Memorandum of November 3, 1952 from Mr. Wainhouse, UNP to Mr. Hickerson, UNA, subject: Non-Voting Participation by Japan in General Assembly and Other Questions.<sup>1</sup>

NA concurs generally with the preliminary views expressed in UNP's memorandum to UNA<sup>2</sup> but believes that a somewhat firmer indication of our position be revealed to the Japanese Ambassador or his representatives stressing the following points:

1. Full membership in the UN is to be preferred to any other form of participation therein. Efforts on our part to obtain for Japan any form of membership other than full membership should not be attempted until such efforts have been exhausted. To explore the possibilities of anything less prior to that time might indicate doubts on our part as to Japan's eligibility for full membership.

2. The possibility of Japan's admission with full membership remains a possibility should we ever decide to accept a package deal on membership. This should be given due consideration before we launch into a new and probably complicated venture of seeking to establish a means whereby Japan, Italy and possibly other friendly nations would be able to enjoy limited participation in the United Nations while Soviet satellites would not.<sup>3</sup>

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<sup>1</sup> Memorandum of conversation, Oct. 25, not found in Department of State files.

<sup>2</sup> Nov. 3, *supra*.

<sup>3</sup> Marginal notation beside this paragraph: "We can't talk much about a package deal as a possibility, can we?"

3. Since Japan does not wish to occupy a unique status in the United Nations and we do not wish to propose or assent in the creation of a unique status for Japan, it is essential that Japan take the initiative in sounding the views of Italy and also those of other member states prior to deciding whether to ask our assistance in obtaining a form of non-voting participation.

4. If, attempts to obtain full membership for her in the current session of the General Assembly appear to be unsuccessful, and Japan requests our assistance in exploring with other friendly nations the possibility of a non-voting status, we should do so. In so doing, however, we must make it certain to Japan that we will proceed on a tentative basis relying heavily on the attitude of the member states consulted and the assurance that Japan sincerely wishes such an arrangement.

5. Finally we believe that it is necessary to establish the proper channel for discussions between Japanese representatives and our own. There appears to have been an overlapping of conversations and approaches between Mr. Takeuchi and the U.S. delegation at New York and between Mr. Kamimura and Mr. Young in Washington. Having determined our position on the question of seeking a non-voting status for Japan, negotiations on the methods of procedure should be handled through the Bureau of United Nations Affairs.

The answers to the questions raised in Mr. Kamimura's letter of October 23, 1952 to Mr. Young appear to have been answered satisfactorily by the UNP memorandum. The answers can be transmitted orally or by letter, whichever appears more expedient.<sup>4</sup>

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<sup>4</sup> The Department of State files do not indicate how or when the Office of North-east Asian Affairs may have communicated with the Japanese Embassy.

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320/11-1552: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 15, 1952—3:37 p. m.

Gadel 58. Re Delga 164 on membership:<sup>2</sup>

1. While we do not wish to make an issue of order of agenda items, we hope membership is not moved forward and remains one of last items.

2. Since GA consideration of membership question unlikely result in positive action toward solution at this time, Dept wld be inclined favor postponement of consideration membership until next GA provided postponement has sufficient support. However, we realize, as indicated in urtel 164, that moving membership forward wld diminish if not eliminate practical possibility of postponing consideration of

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<sup>1</sup> Drafted by Jones and concurred in by Wainhouse, UNP, cleared in draft with the geographic bureaus and L/UNA, and signed by Hickerson.

<sup>2</sup> Nov. 11, 7:08 p. m., not printed (320/11-1152).

item. Furthermore, Dept believes we shld not take initiative in urging postponement, and in discussion with other dels on agenda order and during debate on this matter you shld not mention possibility of postponement of membership as argument in favor keeping membership toward end of agenda. Dept concerned that discussion now of possibility of postponement might be erroneously interpreted by Japan and other applicants we favor as indication lessening US support their applications.

3. If postponement appears feasible after order of agenda items known, Dept believes before final decision reached we shld discuss matter with Japan in view high importance it attaches to UN membership and since its application has never been considered by GA.

BRUCE

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320/11-2752 : Telegram

*The Secretary of State to the Department of State*

CONFIDENTIAL

NEW YORK, November 27, 1952—1:23 p. m.

Delga 277. Subject: Membership. Prospect that *ad hoc* pol comite will not reach membership question before adjournment is now receding, despite possibility that Austrian question wld be transferred over from comite one. We doubt that simple move to postpone membership question to next session would succeed, and do not believe US shld take initiative for such postponement.

Our latest info indicates that Central Americans will introduce res for ICJ reference, and that Belaunde will press for admission of Italy by GA without further proceedings in SC. We anticipate Sovs will introduce their package proposal.

In looking at this situation, we see two principal lines of action which might be followed in order to avoid undesirable action by GA at present session. One such course wld be amendment of Sov package proposal so that GA wld request SC to reconsider all pending applications. UK, however, has indicated recently it wld have considerable difficulty in going along with this approach. We also question whether this approach wld be the most effective in heading off contemporaneous adoption of other resolutions.

The second course of action to which staff has given some consideration is idea of setting up a comite to study membership problem between 7th and 8th sessions. Such a comite might be composed of reps of perhaps nine UN members, and wld be asked to report results of its study to next GA. According to our present thinking such proposal wld have maximum chance of defeating Soviet package and of constituting sole action which GA wld take on membership at 7th session. If we were to move along these lines, we wld question desirability of

seeking GA endorsement for application of Japan or for applications of 3 Indochinese states. Our doubts on this score are raised (1) by belief that Japan and Indochinese states secured maximum and most impressive majority in SC and wld fare less well in GA voting, and (2) by inconsistency of proposal for committee study with adoption by GA of other res on membership at this time.

If we were to pursue idea of comite to study membership problem, we would need to begin consultation with selected dels urgently. Request Dept's views on this course of action, which is reflected in fol tentative draft res:

*Begin verbatim text.*

1. Recalling that it has expressed to the SC the Assembly's support for the application for membership of (blank) states and the SC has not recommended favorably the applications of any of the said (blank) states in spite of the opinion expressed by a majority of the GA and in spite of the fact that these applications have all received 7 or more affirmative votes,

2. Recalling that the GA by res 267 (III recommended to the permanent members of the SC that they seek agreement among themselves on possible decisions by the SC, giving favorable considerations to votes on membership applications, upon which they might forebear to exercise their veto when 7 affirmative votes have already been cast in the council,

3. Recalling that the ICJ, as the principal judicial organ of the UN, has twice at the request of the GA rendered advisory opinions on the question of membership,

4. Recalling that one permanent member of the SC has on (blank) occasions cast a negative vote in the SC on a membership application which received 7 or more affirmative votes,

5. Believes that the question of membership in the UN needs consideration in the light of the concept of universality which is basic to the development of the UN,

6. Noting the suggestions which have been made by members of the GA, in draft resolutions and in debate, for differing approaches intended to arrive at the admission to membership in the UN of those states which are applicants and which are supported by a substantial majority of the Assembly and the SC,

7. Mindful of the provisions of Art 4 of the charter of the UN,

8. Establishes a special comite on UN membership composed of (approx 9 UN member states),

9. Requests the special comite on UN membership to consider and study the question of the admission of states to membership in the UN in the light of the debates in the GA, taking into account all proposals which have been made in the GA or which may be submitted by members of the UN to the comite;

10. Requests the comite to consult with any comite which the SC may designate to cooperate with it, and to hear any views the SYG may wish to express;

11. Requests the comite to report its conclusions to the 8th regular session of the GA and to submit its report to the SYG for distribution to the members of the UN 2 months before the commencement of the 8th regular session; and

12. Requests the SYG to furnish to the comite the staff and facilities required for the performance of its duties.

*End verbatim text.*

ACHESON

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320/12-152

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, November 28, 1952.]

Subject: Developments Relating to the Membership Question

A meeting of the Geographic Bureaus, L and UNA was held on Friday afternoon, November 28 to discuss the latest comments and proposals on the membership question from our Delegation in New York (Delga 277, November 27). Attention was centered on USUN's suggestion concerning a committee to study the membership problem between the 7th and 8th sessions, the committee to be composed of some nine UN members and to report to the next GA. Such a proposal would replace proposals contemplated in existing instructions. A tentative view was reached that we might be able to support an inter-sessional committee, if it has substantial support (Gadel 76, November 29).<sup>2</sup>

I. *Background:*

A. Present Instructions to the Delegation.

Present instructions contemplate:

(1) our initiating or supporting a GA resolution determining that Japan is qualified for membership and requesting the Security Council to reconsider its application;

(2) our supporting similar resolutions relating to Vietnam, Laos and Cambodia, acting in concert with the French; and

(3) our proposing or supporting amendments to the anticipated Soviet proposal for SC reconsideration of the Soviet package which would have the effect of adding the ROK, Japan, Vietnam, Laos and

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<sup>1</sup> Source text indicates this memorandum was dictated Dec. 1.

<sup>2</sup> *Infra.*

Cambodia and of making clear that "reconsideration" by the SC of the applications involved would not necessarily involve endorsement or favorable action upon all of them.

B. Procedural situation in the GA.

It is possible that the membership question may be reached by the end of this week. The *Ad Hoc* Committee is now discussing the Palestine question. Membership is the next item on the agenda. There have, however, been suggestions that items might be transferred from the First Committee and given precedence over membership.

Proposals which may be advanced include: (1) a Central American proposal for an ICJ advisory opinion on the result of votes in the Security Council on recommendations for the admission of new members; (2) a proposal by Peru for the admission of Italy by the GA without further SC action; (3) the Soviet package proposal.

The UK has indicated it would have difficulty in going along with an amendment of the Soviet package proposal along the lines of our current instructions, although the basis for the UK hesitation is not clear.

II. *Proposal for Inter-sessional Committee.*

In the discussions on Friday two principal problems in connection with the inter-sessional committee proposal were discussed:

A. What would the committee do?

The Committee might recommend in favor of an amendment to the Charter deleting the "peace-loving" qualifications for membership but retaining the statehood qualification; it might favor admission by the GA of states receiving seven affirmative votes in the Security Council or otherwise dropping the veto in the SC, etc. It was generally agreed that the tendency of such a study would probably be in the direction of universality of membership. If the qualification of statehood were retained it might be possible to avoid a recommendation which would include such cases as Outer Mongolia.

According to information from New York, Senator Wiley was inclined to look toward universality at some future time and it was also reported that Dulles' recent book likewise gave support to the universality concept.

B. Composition of the committee.

USUN gave no indication of the probable composition of the committee except that nine UN members might be included. It was generally agreed that the five Big Powers should be included. Selection of the four remaining members would present difficulties assuming that two Latin Americans, an Arab, an Asian, another western European, another Commonwealth, etc., would wish to serve. It might accordingly be necessary to expand the membership of the committee. Keeping in mind the sometimes thin line that separates membership from Chinese



representation, the composition of the committee might be of especial importance.

### III. *Instructions to New York.*

Agreement was reached on an instruction to New York along the general following lines:

(a) The Department's tentative position was that, if there was substantial support, it might be able to support, but not initiate, a proposal for an inter-sessional study committee and the Delegation was authorized to discuss the proposal with other Delegations.

(b) At L's request parts of the preamble of the proposed resolution which were obviously directed at Soviet use of the veto on the membership question were to be deleted, leaving the presentation of the background in more generalized terms.

(c) The Delegation was asked to insert in the preamble specific reference to the applications of Japan and the three Associated States with an indication that they should be admitted.

(d) The Delegation was cautioned against including any indication of unqualified support of universality.

(e) The Delegation was queried concerning USUN's views on the composition of the committee, it being assumed that the Big Five would be included.

### IV. *Conclusions:*

(a) The GA will not be able at this session to effect the admission of any candidates. Accordingly, it would seem reasonable within certain limits to permit USUN to handle the situation in New York in whatever way it believes will best promote U.S. interests.

(b) We should recognize that the proposed committee might prove to be a step in the direction of universality of membership. While not opposing creation of the committee if there is substantial support for it, we should take care that its terms of reference are so framed that they do not include any unqualified endorsement of universality.

(c) We should continue to attempt to have some special mention of Japan and the three Associated States made either in the resolution on the committee or separately.

(d) We should watch the composition of the committee and insist upon inclusion of the Big Five.

320/11-2752

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 29, 1952—2:49 p. m.

Gadel 76. Re Membership: Fol are Dept's views on Delga 277:

1. Dept agrees US shld not take initiative for postponement of membership question.

2. GA in previous years has approved resolutions requesting SC to reconsider all applications without any implication that GA was requesting favorable action on all applicants together. Dept therefore does not understand UK objection to an amendment to Sov proposal so as to request SC reconsider all applications. However, if amendment wld not receive substantial support, and if USSR again submits its proposal, Dept believes US shld vote against it without offering amendment.

3. Our tentative view is that we might be able support a proposal for establishment of Comite to study membership problem if this course has substantial support. However, submission of such a proposal by US might be interpreted by others as an indication that US is ready to alter its position on membership. We therefore believe that if it is decided to go ahead with this proposal, some other del, for example LA Del, shld take initiative in presenting it to GA. With this reservation in mind, you are authorized discuss proposal as possible course of action with other key dels. In these discussions, suggest you point out that this course might head off undesirable proposals and might most easily result in defeat of Sov res.

4. Re tentative draft res, Dept has fol preliminary comments:

a. Believe ideas expressed in paras 1 and 2 might be combined and that preamble shld also note action taken by SC on applications of Japan and three Indo-China states and express determination that they shld be admitted.

b. Suggest para 4 be omitted since point already covered in present para 1.

c. Suggest para 5 be modified to make clear GA not expressing itself in favor of unqualified universality and that para 6 be omitted.

d. Suggest para 7 be made first para of preamble.

e. Believe para 9 shld be revised to request comite take into account the two ICJ opinions as well as proposals made in GA or submitted by members.

f. Re para 10, we assume Big 5 wld be represented on GA Comite and therefore question need of additional Comite being designated by SC. In this connection, Dept wld appreciate Gadel's views on composition of Comite.

BRUCE

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<sup>1</sup>Drafted by Jones, UNP; and signed by the Director of the Office of UN Political and Security Affairs (Wainhouse).

320/12-152: Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

NEW YORK, December 1, 1952—10:32 p. m.

PRIORITY

Delga 305. Re Membership. USDel staff members talked today with UK, French and Canadian dels concerning idea of inter-session study of membership problem. British and French indicated initial favorable reaction, said they wld need instructions before making any commitment. Canadian del obviously not enthusiastic, but apparently likely to go along. Opinions expressed by UK and France favored comite of perhaps as many as fifteen UN members. They also expressed view that Comite's terms of reference shld be very broadly stated, without specifying particular aspects of membership problem to which comite shld address itself. UK expressed view that idea of inter-session study wld constitute only a device for postponement and wld not contribute in any way to solution of membership problem.

USDel staff here in New York has prepared revised text of possible draft res on subject, which is given at end this message. Revised text of res is being given to British, French and Canadians as very tentative indication of what US has in mind in suggesting inter-session study on membership. It has been made clear to these other dels that US wld not sponsor res, but wld wish some other delegation or dels to sponsor if this course of action were to be followed through.

In revising text of draft res, we have sought wherever possible to adopt Dept's suggestions. In Gadel 76, Dept suggested combining paras 1 and 2 of first draft of res. After trying such combination we concluded it would be very cumbersome, and as a result have included this material in revised text as paras 2, 3 and 4. Para 4 includes reference to Japan and three Indochinese states by name. Paras on reference to Article 4 of Charter and on universality concept have been merged in para 1 of revised text in the form of restatement of first para of preamble in Assembly Res 506A (VI). We do not understand reasons underlying Dept suggestion that para 6 be omitted. Material in this para has been included in order to increase saleability of study idea to other dels, particularly LA dels. Would appreciate knowing if there are overriding considerations for omission this para. If so, will omit it in next draft. Separate message will follow on suggestions as to composition of special comite.

Revised text of resolution follows:

*Verbatim text**The General Assembly*

1. *Considering* that the Charter of the United Nations provides that membership is open to all states not original members of the organiza-

tion and that this universality is subject only to the conditions that they be peace-loving and accept the obligations contained in the charter and, in the judgment of the organization are able and willing to carry out these obligations,

2. *Recalling* that the Assembly has expressed to the Security Council the Assembly's support of the applications for membership of ten states (Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal, Portugal, Republic of Korea),

3. *Recalling* that the Assembly in Res 267 (III) has recommended to the permanent members of the Security Council that they seek agreement among themselves on possible decisions by the SC, giving favorable consideration to votes on membership applications, upon which they might forbear to exercise their veto when seven affirmative votes have already been cast in the Council,

4. *Recalling* that the Security Council has not recommended favorably the applications of fourteen states (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Laos, Libya, Nepal, Portugal, Republic of Korea, Vietnam) in spite of the fact that their applications have all received seven or more affirmative votes, and in spite of the favorable opinion expressed by a majority of the General Assembly on ten of these states,

5. *Recalling* that the International Court of Justice, as the principal judicial organ of the United Nations, has twice, at the request of the General Assembly, rendered advisory opinions of the question of membership,

6. *Noting* the suggestions which have been made by members of the General Assembly, in draft resolutions and in debate, for differing approaches intended to arrive at the admission to membership in the United Nations of those states which are applicants and which are supported by a substantial majority of the Assembly and the Security Council,

7. *Establishes* a special comite for United Nations membership composed of the reps of [about twelve member states including the permanent members of the Security Council]<sup>1</sup>;

8. *Requests* the special comite on United Nations membership to consider and study the question of the admission of states to membership in the United Nations in the light of the debates in the General Assembly, taking due account of the advisory opinions of the International Court of Justice and taking into consideration all proposals which have been made in the General Assembly or which may be submitted by members of the United Nations to the special committee;

9. *Requests* the special comite to report its conclusions to the eighth regular session of the General Assembly and to submit its report to the

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<sup>1</sup> Brackets are in the source text.

Secretary-General for distribution to the members of the United Nations two months before the commencement of the eighth regular session; and

10. *Requests* the Secretary General to furnish to the special comite the staff and facilities required for the performance of its duties.

*End Verbatim Text*

ACHESON

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320/12-252 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 2, 1952—6:58 p. m.

Gadel 79. Re Membership:

1. Subject to determination of final position re establishment of special comite and subject to reservation noted para 2 below, draft res contained Delga 305 generally satisfactory. Dept agrees para 6 of draft shld be retained, but suggests that the phrase "a solution to the membership problem" be substituted for everything after "to arrive at". Also, believe that in para 4 of draft, phrase "and in spite of the favorable opinion expressed by a majority of the General Assembly on ten of these states" shld be omitted since it leaves implication GA discriminating against Japan and three Indo-China states. Further, as long as res in para 2 includes reference to Assembly support for ten states, believe some way shld be found to include GA conclusion that Japan and Indo-China States shld be admitted. Suggest for GADel's consideration insertion of word "qualified" after word "fourteen" in para 4.

2. If it is decided move ahead with res for establishment of comite, Dept wld favor preamble containing record of GA action along lines Delga 305 with modifications suggested above. However, we see some risk that parts of preamble might be watered down in GA, particularly by states favoring admission all applicants, on grounds terms of reference of comite wld be prejudiced by certain sections. Dept wld appreciate GADel's estimate on extent of this risk before determining position on draft res.

BRUCE

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<sup>1</sup> Drafted by Jones, UNP, cleared in draft with the geographic bureaus and L/UNA (except ARA which cleared in substance), and signed by the Deputy Assistant Secretary of State for UN Affairs (Sandifer).

320/12-352: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 3, 1952—6:18 p. m.

Gadel 82. Re Membership. In conv with Hickerson today, Italian Amb officially informed us Italy is not interested in any type of "interim membership". Amb stated Italy had consulted large number UN members this matter, and response recd was that Italy shld not seek any UN status less than full membership. Italian Govt considers acceptance provisional or associate membership wld be humiliating and wld not fulfill pledges made in Italian Peace Treaty and Potsdam Declaration re membership for Italy.

Hickerson mentioned to Amb possibility of GA creating special intersessional comite to study membership problem and report back either to GA session next spring (i.e. prior to May 1953 elections) or to GA session in fall 1953. Amb expressed approval idea of such comite since it wld indicate continued UN concern with problem and UN desire to find solution.

If it has not already done so, suggest Gadel may wish seek reaction Jap observer to establishment inter-sessional comite as possible course of action.

ACHESON

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<sup>1</sup> Drafted by Jones and concurred in by Popper of UNP, cleared with the Office of Western European Affairs and the Bureau of Far Eastern Affairs, and signed by Hickerson.

320/12-452: Telegram

*The United States Representative at the United Nations (Austin)  
to the Department of State*

CONFIDENTIAL

NEW YORK, December 4, 1952—8:24 p. m.

Delga 320. Re Membership. Working group this subj has been giving consideration to possible composition of special comite to study membership, with view to making suggestions to Central American dels. These dels apparently now wish to proceed fairly rapidly with res on membership study, and contemplate possibility of naming special comite in draft res to be introduced by them. Our tentative thinking is that slate might consist of China, France, USSR, UK, US, Brazil, El Salvador, Peru, Australia, Pakistan, Lebanon, and Norway. In talking about LA representation on special comite, Central Americans have suggested Cuba rather than Brazil.<sup>1</sup>

In response to your request in Gadel 79, we have considered question of whether during comite debate there is likelihood of preamble in

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<sup>1</sup> Marginal notation: "Thailand as added member."

study res being watered down through elimination of certain historical paras of importance to US. Estimate of working group is that, while there is always some risk of such a development in regard to a res such as the contemplated res on membership, the risk appears small; in fact likelihood, if anything, wld be for addition of further paras to preamble, perhaps by some of Latin Americans.

AUSTIN

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810.2/12-552

*Memorandum of Conversation, by the Director of the Office of Northeast Asian Affairs (Young)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, December 4, 1952.]

Subject: Japan's Application for Membership in UN

Participants: Mr. Shinichi Kamimura, Minister, Japanese Embassy  
 Mr. Kenneth T. Young, NA  
 Mr. Franklin Hawley, NA  
 Miss Ruth Bacon, FE  
 Mr. Paul W. Jones, UNP

Mr. Kamimura called on Mr. Young at the Department at 3:15 p. m., December 4, 1952, by appointment made at the former's request, to discuss the present status of Japan's application for the membership of Japan in the United Nations.

*Associate Membership*

Mr. Kamimura stated that he did not come to discuss the possibilities of Japan's associate or non-voting membership which he realized was a complicated question which would require considerable study by the Department but to discuss Japan's application for full membership. Mr. Young stated that he felt that he should, for the record, say that the question of associate membership was not considered to be an outstanding or pending matter, and should not be so interpreted so long as Japan's full membership was still under active consideration before the UN. With respect to information that Italy had now rejected the idea of associate membership, Mr. Kamimura observed that Japan was nevertheless still interested in exploring that possibility.

*Clarification of August 27 meeting*

Mr. Young noted that Mr. Ushiroku had recently seen Ambassador Key in New York to ask what plans the US Delegation had in mind for action on Japan's membership during the present assembly, such as getting the GA to affirm Japan's qualifications. As Mr. Ushiroku had

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<sup>1</sup> Drafted by the Officer in Charge, Japanese Affairs (Hawley). Source text indicates this memorandum was dictated Dec. 5.

referred in this connection to Mr. Kamimura's conversation with Ambassador Gross on August 27, 1952. Mr. Young said that, as a participant in that talk, he thought it would be appropriate to clarify the nature of the August 27 meeting and to state that he had no recollection of the understanding that the US would sponsor a resolution in the GA affirming Japan's qualifications for membership. He recalled that Ambassador Gross' main purpose was to discuss the prospective SC action on the membership of Japan, and that conversation beyond that question dealt, as a side issue, on speculation by Ambassador Gross as to what additional measures or steps might be taken if Japan's membership was defeated in the SC, including mention of the possibility, through GA action, of an associate or non-voting membership for Japan; he could recall nothing in the way of a commitment by Ambassador Gross for US sponsorship of a GA resolution in favor of Japan's admission. While not making an issue of this point, Mr. Kamimura observed that he clearly remembered that Ambassador Gross had said that if the Japanese application was turned down by the SC, then the US would look to the GA in order to promote probable public opinion for Japan's admission to the UN. While he said that he could not say whether this was a promise by the US, Japan had interpreted this as Ambassador Gross' promise.

*Japanese Desire for a GA Resolution*

Mr. Kamimura referred to the action taken by the Security Council in supporting Japan's application for membership by a 10 to 1 vote and said that on that basis the Japanese Government was desirous of knowing if the US was willing to sponsor a resolution in the GA similar to Resolution 296 of 1949. He said that the Japanese Government attached great importance to affirmation by the GA of Japan's qualifications for membership. Mr. Young stated that US intentions had not changed, although they did not necessarily run in the direction of a series of individual resolutions similar to those of 1949.

*GA Support for Japan*

Mr. Kamimura said that Mr. Takeuchi, while going to New York frequently for one day visits, was unable to devote very much time to the UN aspects of his responsibilities although he thought nevertheless that the Japanese Delegation had got off to a good start. He added that if Japan's membership came up before the GA, he felt sure that it would receive majority support. The Philippines, for example, would not oppose and at the worst would do no more than abstain; there was every prospect that Indonesia would support Japan. He explained that since August 1952 the Japanese had contacted every country in the UN except those in the Soviet bloc, and that Japan was assured of a strong majority in her favor if this question came to a vote. Mr.



Kamimura added that, speaking personally and informally, the country most favorably disposed and most likely to sponsor such a GA resolution would be Nationalist China, which might pose a very delicate question. Mr. Young agreed that, speaking with equal informality, such support from China would indeed pose a delicate and difficult question.

*Present Status of Membership Question*

With regard to the present status of Japan's application, Mr. Jones explained that the general question of membership, which included that of Japan, was the 7th of 8 items on the agenda of the *Ad Hoc* Political Committee which was then considering item number 5; it appeared likely that membership would come up for consideration within the next one or two weeks. Mr. Kamimura indicated the hope of the Japanese Government that the committee would consider favorably a resolution for Japan's membership plus, as Senator Austin had recommended, liberalization of entry requirements. Mr. Jones said that Senator Austin had no specific measure or plan in mind and that his statements before the Security Council represented general views on the necessity for liberalization of present procedures. He added that another proposal was a joint resolution by five Central American states under which the General Assembly would ask the International Court of Justice whether the veto of one Security Council member could bar the entry of a state which had the support of seven Security Council members. Mr. Jones said that questions such as this, as well as Japan's membership, might be removed from consideration by the *Ad Hoc* Political Committee and referred instead to an inter-sessional committee which might be set up to study the entire membership question and to report to the 8th Session.

Regarding the possibility of an inter-sessional committee, Mr. Kamimura appeared to be concerned over its purpose, its probable effect on General Assembly action regarding Japan's membership, and the United States attitude towards such a committee. Mr. Jones explained that the proposals for such a committee had just come up recently and that it was still under study. He emphasized the point that the United States has taken no final position on this committee. However, Mr. Jones, pointed out to Mr. Kamimura the effect which the establishment of such a committee would have on the question of Japan's membership. If the prevailing sentiment in the General Assembly is to set up such a committee, then a resolution endorsing Japan's qualifications for membership in the United Nations would not be voted on by the General Assembly, but instead would probably be referred to the inter-sessional committee. Mr. Young and Mr. Jones both pointed out that in such an event, the whole purpose of introducing a single resolution on Japan would be lost.

Mr. Young assured Mr. Kamimura that the United States is fully aware of the desirability of trying to obtain at this session of the General Assembly some form of endorsement for Japan's membership in the United Nations. Accordingly, the United States has under consideration various ways of accomplishing this objective. Mr. Young indicated in general terms that the United States would not favor a series of separate resolutions similar to the action of the General Assembly in 1949, but was considering the possibility of a separate resolution on Japan or some form of composite resolution. At the very least, he indicated, the preamble of the motion setting up the special inter-sessional committee would make note of the Security Council action on Japan's application, which would constitute endorsement by the General Assembly of Japan's application. It was not entirely clear whether or not Mr. Kamimura fully understood our explanations regarding the inter-sessional committee or our intentions, for he again stated the strong desire of his government to have a separate resolution introduced in the General Assembly on Japan's membership, and, by implication, to have the United States sponsor it. In concluding discussion on this point, Mr. Young attempted to reassure Mr. Kamimura that the Department of State for its part strongly hopes that a majority of the General Assembly would agree to some action this session which would serve as endorsement for Japan's membership.

*Further Action in the Security Council*

In reply to the question by Mr. Young as to what would be Japan's views with regard to a second Security Council action on its application, Mr. Kamimura replied that this would require study, but that what Japan does want is action by the General Assembly, as Japan's status is still ambiguous. He added that if it were known in Tokyo that no action was to be taken in this session and that Japan's membership would be submerged for another year or two, this would be difficult for his government to explain to the Japanese people and that Tokyo would probably instruct him to press for action at the present session of the General Assembly.

Following Mr. Kamimura's departure, it was agreed that the United States delegation in New York should be informed by telegram of the main points of the conversation and requested to keep in contact with Mr. Ushiroku pending Mr. Takeuchi's visit to New York next week, and that the gist of the information given Mr. Kamimura should be summarized for him in a letter from Mr. Young.

KENNETH T. YOUNG, JR.

320/12-452 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 4, 1952—7:44 p. m.

Gadel 87. Min Kamimura called on Dept today and referring to Aug 27 conversation with Gross<sup>2</sup> asked whether US prepared submit res on Japan similar to 1949 res on 9 applicants. He stressed desirability from standpoint public opinion in Japan of GA res determining Japan qualified for membership.

Dept informed Kamimura we were of course, considering action along these lines. However we mentioned possibility that GA might appoint special comite to study membership question and that if this course decided upon GA might wish take no other action. Also mentioned that if GA established special comite it might be undesirable submit separate res on Japan since GA might simply refer res to special comite for consideration. However, we pointed out our strong hope res establishing comite wld include reference to Japan. We also explained we had not taken final position re special comite.

Dept suggests GADel discuss matter with Jap observer NY. Since Kamimura may not have clearly understood reason why separate res on Japan might be difficult if GA establishes special comite, request you explain this problem and seek obtain Jap reaction. Important you stress our strong desire do everything for Japan within framework general membership problem.

Re Gadel 79, in view Japan concern re separate res on its qualifications for membership, Dept believes it is all the more important that if res establishing special comite constitutes sole GA action, this res include some reference to Japan's qualifications.

Re so-called "understanding" referred to in Dec 2 ltr from Ushiroku to Amb Key Dept officer informed Kamimura that there was no understanding as such in US view but only a gen discussion of various possible actions which GA might take on membership question in face Sov veto Jap's application. However, Kamimura insisted he had strong impression conversation of Aug 27 indicated US Govt wld propose specific resolution in 7th Session GA on Jap's application similar to 1949 res. In any event he stated that Jap Govt strongly desires such res this session. He indicated his govt has sounded out and recd favorable response from majority GA members on some GA action re Jap UN membership.

Re associate membership Kamimura indicated his Govt does not wish press matter at this time but has not taken final decision for or against proposal for future consideration.

ACHESON

<sup>1</sup> Drafted by Jones, UNP, and Young, NA; and signed by Popper. Repeated to Tokyo as telegram 1418.

<sup>2</sup> See New York telegram 185, Aug. 27, 5:18 p.m., p. 851.

320/12-552 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 5, 1952—6:31 p. m.

Gadel 90. Re: Membership. Supplementing gadel 87, Dept has been giving further consideration to problem of meeting Japan's strong desire for GA expression of opinion that Japan is qualified for UN membership. We believe it is important that we do what we can for Japan on this score.

We see two possible alternative courses of action. First, GA cld, as we had originally planned, adopt separate res expressing opinion that Japan meets qualifications for membership and shld be admitted. In our view Japan wld prefer this alternative, and even though it might complicate membership debate, we believe we shld reconsider it in view representations of Japan on matter. Second, GA res establishing Special Comite cld include separate para in preamble containing expression of opinion on Japan. If one of these alternatives decided upon for Japan, we anticipate similar action wld be taken by GA on three Indo-China States.

Dept requests you discuss these two alternatives with representative dels from various areas, pointing out importance Japan attaches to matter and seeking obtain their reactions.

Believe you shld hold up conversations with Jap observer on GA action on membership until after these reactions known.

ACHESON

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<sup>1</sup> Drafted by Jones and concurred in by Popper, UNP; cleared in draft with the Bureau of Far Eastern Affairs and in substance with L/UNA; signed by Popper. Repeated to Tokyo as telegram 1424.

310.2/12-852

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary for Far Eastern Affairs (Johnson)*

SECRET

[WASHINGTON,] December 8, 1952.

Subject: Membership Question in the UN

USUN has been working actively on the suggestion for an inter-sessional study group on membership. It now appears that a group of Central American states will probably table a resolution embodying this idea today.

Last week the Japanese discussed with Ken Young the question of obtaining from the GA a statement that Japan in the GA's view has met the Charter requirements and is qualified for UN membership.

Resolutions of this type were passed in 1949 for some nine candidates which had been vetoed in the Security Council. The Japanese indicated that Japan was counting on similar action by this GA for Japan and attached very considerable importance to such action.

Following this conversation the Department informed New York (Gadel 90 December 5) of the Japanese position and suggested that two alternative courses of action were open: (1) the adoption of a separate resolution for Japan or (2) incorporation in the preamble of the inter-sessional resolution of some endorsement of Japan's candidacy; that as between the two, from the Japanese point of view, the first alternative was preferable; that if either of these alternatives were decided upon for Japan similar action would probably be taken by the GA for the three Indochinese states. USUN was requested to discuss these alternatives with representative delegations from various areas.

This morning's Daily Classified Summary (Delga 338 December 8)<sup>1</sup> reports that the US has discussed this question with the French, the British and the Australians. The British and Australians favor separate resolutions while the French prefer reference in the preamble because of a belief that the voting on the Indochinese resolutions "would not turn out well" as a result of the current Tunisian debates.

*Comment:* This situation has been discussed with PSA (Bob Hoey)<sup>2</sup> and UNP. There was general agreement that Japan's resolution would probably receive a better vote than the resolutions for the Indochinese states but that the latter resolutions would probably pass although with a considerable number of abstentions. So far as the voting situation was concerned there would be little to be gained from treating the question in the preamble as distinguished from separate resolutions because a roll call vote would in all probability be demanded on the preamble paragraph in question. In fact from the FE point of view if Japan and the three Indochinese states were treated together in the preamble, Japan's situation would probably suffer in the voting from association with the Indochinese states. It was felt that our best course would probably be—depending of course on results of wider consultations in New York—to go ahead with a separate resolution for Japan leaving it up to the French to handle the Indochinese cases as they thought best. At some appropriate time we should explain to the Indochinese states our own position in the matter.

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<sup>1</sup> Not printed.

<sup>2</sup> Robert E. Hoey, Officer in Charge, Vietnam-Laos-Cambodia Affairs.

810.2/12-852

*Memorandum of Conversation, by the Director of the Office of  
Northeast Asian Affairs (Young)*

CONFIDENTIAL

[WASHINGTON,] December 8, 1952.

Subject: Japanese Views on Action in the General Assembly Regarding Japan's Eligibility for United Nations Membership.

Participants: Mr. Shinichi Kamimura, Minister, Japanese Embassy  
Mr. Kenneth T. Young, Jr., Director, Office of Northeast Asian Affairs  
Mr. Richard Herndon, Office of Northeast Asian Affairs

Mr. Kamimura called on me today at his request to tell me that he had informed his Government of the conversation with me on December 5[4?] <sup>1</sup> regarding the same subject, and that the Japanese Foreign Office had immediately replied that it was quite disappointed with what appeared to it to be a change in the United States intention to submit during the current session of the General Assembly a resolution regarding Japan's eligibility for United Nations membership. Accordingly, the Japanese Foreign Office wished to know the views of the Department of State as to whether or not the Japanese Government should sound out some other government or governments as sponsor for such a resolution. Mr. Kamimura indicated that, since he was not entirely sure that he had accurately reported or fully understood the conversation of December 5[4?] with me and other members of the Department, he had come in today to seek confirmation or clarification of that conversation.

I expressed regret that the conversation on December 5[4?] had covered several complicated and technical aspects of this problem and that it had not left him with a clear understanding of the United States position. Therefore I reiterated briefly that the United States continued to believe that it would be desirable for this session of the General Assembly to express the opinion by a large majority vote that Japan possessed all the necessary qualifications for membership in the United Nations. I again pointed out that there were at least two ways of accomplishing such an expression of opinion—either by means of a single resolution on Japan or by inclusion of an affirmation of Japan's eligibility in whatever resolution on membership is developed in the *Ad Hoc* Political Committee. I assured Mr. Kamimura several times that the United States did not change its own intentions to explore or develop this matter within the General Assembly.

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<sup>1</sup>No record of any Young-Kamimura conversation on Dec. 5 has been found in the Department of State files.

He appeared to be fully reassured on this point.

At the same time, I briefly pointed out to Mr. Kamimura that our two governments must always keep in mind the realities of a parliamentary situation in the General Assembly involving some 60 governments, particularly the 55 delegations outside the Soviet bloc. I suggested that the introduction of Japanese eligibility faced three risks on the floor of the committees: (1) a large or sufficient majority might not be found to support the resolution because many delegations might prefer for technical reasons not to raise such an issue at this session; (2) the Soviet delegation might possibly retaliate by introducing a package resolution, omitting Japan, which might bring about a complicated parliamentary relationship between the resolution on Japan and such a package resolution; and (3) such Soviet tactics in any event would complicate the whole membership question which apparently many governments wish to avoid at this time. I carefully explained that I was bringing up such risks merely to point them out and not to suggest that there was any weakening in the intentions of the Department of State with respect to exploring the possibilities of a resolution regarding Japan. I told Mr. Kamimura that the United States delegation in New York already has begun to consult some of the other delegations in hopes that they will not find objections to action in this session regarding Japan.

I then suggested to Mr. Kamimura that in my view it would be inadvisable and premature at this time for Japan to approach another government with a view to its sponsoring the kind of resolution that the government of Japan desires. I explained that consideration of the membership question was just getting under way in the *Ad Hoc* Political Committee and that the United States delegation was still not in a position to know or estimate clearly the attitudes of a majority of the delegations regarding the question of a resolution on Japan. Therefore I suggested that the Japanese observer in New York maintain close contact with the United States delegation during this exploratory period. Mr. Kamimura indicated his agreement with my statements with regard to the above query of the Foreign Office.

Finally, I handed Mr. Kamimura a letter from me under today's date (attached is a copy of the letter) summarizing our conversation of December 5[4?]. After reading it, he stated that it was a clear expression of the position I had outlined and that he felt it would be a reassuring response to the telegram from the Foreign Office.

KENNETH T. YOUNG, JR.

[Attachment—Copy]

*The Director of the Office of Northeast Asian Affairs (Young) to the Japanese Minister of Embassy (Kamimura)*<sup>2</sup>

[WASHINGTON,] December 8, 1952.

DEAR MR. KAMIMURA: I have the honor to refer to your letters of October 23 and November 4, 1952, and also to our conversation on December 5 [4?], regarding several aspects of Japan's application for membership in the United Nations.

With respect to your letter of October 23 and our conversation of December 5 [4?], I wish to make the following comments:

1. We are, of course, most anxious to bring about Japan's membership in the United Nations. We have been studying various ways in which the Assembly might express a favorable opinion on Japan's qualifications. We are taking full cognizance of the statements which you made to me in our conversation of December 5 [4?] to the effect that your Government strongly desires a separate resolution on Japan to be taken up by this session of the General Assembly and passed by a large majority.

2. In our conversation of December 5 [4?], my colleagues and I mentioned that there may be a move in the *Ad Hoc* Political Committee to recommend the establishment of a special inter-sessional committee to study the entire question of membership in the United Nations between the Seventh and Eighth sessions of the General Assembly. On the assumption that the prevailing sentiment favors such an inter-sessional committee, we pointed out in our conversation that its establishment might complicate the introduction of any separate resolution on Japan's qualifications and that there might be some risk that such a resolution would neither be adopted nor rejected by the General Assembly but merely referred to the inter-sessional committee for study and consideration. However, I wish to assure you that our delegation in New York has been and is now exploring with other members the possibility of a separate resolution on Japan's qualifications or, alternatively, the possibility of the inclusion of a paragraph on Japan's qualifications in the preamble of a resolution establishing an inter-sessional committee.

Regarding the question of non-voting participation for Japan in the General Assembly raised in your letter of November 4, 1952, I wish to confirm hereby the oral, informal understanding in our conversation of December 5 [4?], 1952, that this will remain a tentative matter for future study by both governments. We do not propose to take any steps at this session of the General Assembly on this matter, but will continue to consider the draft formula which you submitted with your letter of November 4, 1952, as an "informal, tentative draft".<sup>3</sup>

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<sup>2</sup> Drafted by Young and Paul W. Jones of the Office of UN Political and Security Affairs.

<sup>3</sup> See p. 869.



I wish again to assure you that the United States delegation in New York is carefully considering the whole problem of Japan's membership in the United Nations and is in constant touch with the Department. May I suggest that the Japanese observer in New York keep in close contact with the United States delegation on the developments of the membership question. I would appreciate it if you would regard this letter as confidential.

Sincerely yours,

KENNETH T. YOUNG, JR.

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IO Files, US/A/M(Chr) 254

*Minutes of Seventeenth Meeting of the United States Delegation to the General Assembly, New York, December 8, 1952*

SECRET

[Here follows list of persons present (42). All representatives on the Delegation were present (Austin, Mrs. Roosevelt, Senator Wiley, Gross, Jessup, Cohen, Sprague, Mrs. Sampson, and Lubin). Ambassador Austin presided.]

Ambassador Austin asked to say a word before considering the business of the Delegation. He noted that the Secretary had found it inconvenient to see all the members of the Delegation and talk with them about the experiences of this Assembly. The Secretary also would have liked to thank the Delegation for its collaboration with him. It therefore fell to Ambassador Austin to thank the Delegation on behalf of the Secretary. Ambassador Austin spoke of his own personal devotion to the Secretary. During his years of experience as Chief of the United States Mission, Ambassador Austin could truthfully say that as far as relations with the Department of State were concerned no force had ever been imposed on the Mission in its operations. There had always been a careful consideration of the views of each, even when these views conflicted. The Mission and the Department never "got into a miff" over such differences. In such a case, review by the Department and the Mission of their differences had always brought about agreement—with an understanding heart. Ambassador Austin said that he would like to have the records preserve this glorious memory forever. He spoke of the new experiment in the conduct of America's foreign relations by the establishment of a Mission to the United Nations and of the great importance of its task of furthering world peace. He was gratified to commemorate the great service of Dean Acheson as a great Secretary of State.

Ambassador Austin then called on Mr. Taylor who noted that the *Ad Hoc* Political Committee would be holding an evening session that day in addition to a morning one, at which time it was expected that

the membership item would arise. Senator Wiley would be handling this item for the United States Delegation.

I. *Membership Question* (US/A/AC.61/8).

Mr. Meeker began the presentation of this item by recalling that the Assembly had admitted no new Members in over two years. Indonesia's admission in 1950 was the last one. Hence, at the present there were nineteen pending applications. Five of these were Soviet-sponsored candidates, all of whose conduct in the opinion of the United States fell far short of the accepted standards of international behavior. Of the fourteen remaining applicants, nine had been pending for a long while, some as much as six years. Ten of the fourteen had been endorsed by the Assembly as qualified for admission. In 1952 the other four had made application. These were Japan and the three associated states of Indo-China. The Assembly had not up to that time taken any action with regard to these four. The Security Council had, during the late summer of 1952, considered these new applications, but in separate votes their admission had been vetoed by the Soviet Union.

Beyond endorsing the ten States, the General Assembly had attempted certain other steps. It had asked the International Court of Justice for two advisory opinions. In the first of these, the question had been whether the affirmative vote of a member of the Security Council could be conditioned upon considerations other than those set forth in Article 4 of the Charter. The answer to this had been in the negative. The second question put to the International Court had been whether a favorable recommendation of the Security Council was necessary before the Assembly could act to admit new members. The answer to this had been in the affirmative.

The Assembly had also passed a resolution concerning the veto which had asked the Security Council members, and especially the permanent members, to discuss the veto and attempt to restrict its use. The Interim Committee had drawn up a list of cases in which it was recommended that the veto not be used. One of these was the question of membership. The Assembly had appealed to the Security Council to reconsider pending applications. Finally, during the Sixth Session the Assembly had asked the permanent members of the Security Council to consult on this matter. No positive results had been achieved from any of these various steps.

The item on membership was again before the Assembly. Mr. Meeker indicated that various types of proposals had been made in the past and could be expected again. The first of these was the Belaunde plan. By this plan the Assembly would consider that the Security Council had in fact made recommendations concerning certain applicants, although vetoes had been cast against separate resolutions concerning these applications. The plan noted that these applicants had been included in the package proposal of the Soviet Union and had received

the affirmative vote of the Soviet Union in that context. These same applicants had also received at least seven other affirmative votes in other resolutions. Therefore, this plan would have the Assembly declare that the Security Council had made favorable recommendations concerning these applicants and would admit them to membership.

The second type of proposal would be a resolution stating that the veto was inapplicable to the question of membership and that wherever seven votes had been obtained in favor of a candidate he would be admitted by the General Assembly.

A third type of proposal would be to go again to the International Court of Justice for an advisory opinion on the question of whether the veto applied to the present situation in the Council.

It was expected that the U.S.S.R. would again put forward a proposal for the admission *en bloc* of fourteen of the present applicants, excluding only Japan, the Republic of Korea, and the three Associated States. A similar proposal at the last session of the Assembly had obtained a simple majority vote in Committee. It had failed of adoption in the Plenary only because that body had decided that a two-thirds majority was necessary.

Various schemes for some type of associate membership had been put forward in the past. Interest in such an idea had dwindled, however, and no one was pressing for this at the moment.

Since it appeared that the Assembly might adopt one of the less desirable plans outlined above, such as the Belaunde plan or the Soviet package deal, the Delegation working group recommended that it would be wise to put this matter over for another year by the device of referring it to a study group. The Department had approved this recommendation and had asked that consultation be undertaken. It had become apparent that there would be fairly wide acceptance of such a scheme, although enthusiasm for it was lacking. Five Central American States had agreed to sponsor this idea.

Mr. Meeker reported that one problem remained: What should the General Assembly do, if anything, with regard to endorsing the four new applications on which no action had been taken? A separate resolution endorsing these applications could be submitted. Alternatively, if the resolution proposing a study group was to be the single action taken by the Assembly on this question, resolutions concerning the four new applicants could be sent to the study group. Finally, endorsement of these applications might be included in the study group resolution itself.

In concluding his presentation on this matter, Mr. Meeker mentioned the past policy of the Department in this field. It had long opposed the use of the veto regarding membership applications and even before the Vandenberg resolution this policy had been stated. The concept of universality was favored as soon as States were capable

of the responsibilities of membership. The argument had been put forward that universality should be the immediate goal regardless of the capabilities of individual applicants in view of the facts that the Soviets were already Members of the Organization and the Mongolian People's Republic was as much of a state as the Ukraine or Byelorussia. Bringing these questionable applicants in might even operate to improve them. The Department, however, had been opposed to admitting all nineteen present applicants, having felt that it would not be acceptable to the American public.

Senator Wiley said that he had little to add to Mr. Meeker's presentation. He thought it was wise to have this matter in effect postponed by the device of a study group so that the new administration could bear the responsibility for considering whether the UN should have a few more "rotten apples" or whether they should be kept out. He understood the burden of the arguments for admitting such States, but pointed out that the seven-year history of the UN indicated little prospects of success for such a course. He referred to a conversation he had had with a man who had just returned from Korea. This individual felt that Korea was merely one point on the perimeter of Communism's war upon the rest of the world and merely part of its scheme to conquer the world.

Senator Wiley said that he recognized that his arguments might sound to some as anti-UN sentiment. However, he was in favor of the UN and felt that it should be operated on a sound basis. He did not want to see more Vishinskys and satellites brought in. As Secretary General Lie had said, the support of United States public opinion was necessary for the success of the United Nations and some things had to be done to obtain that support. If five or six more followers of the Communist line were admitted, he wondered what would happen to public opinion in the United States. He also cautioned that it would be even more difficult for the Congress to vote money for the United Nations in such an event.

Senator Wiley was happy to follow through upon the recommendation of the staff for a study group. He apologized for expressing himself so strongly, but explained that "living in the grass roots" caused him to feel sincerely and deeply on this matter.

Ambassador Austin judged that the Delegation favored the contents of the draft resolution under discussion which called for a study group. He asked if anyone cared to speak against it. Ambassador Gross said that he was not necessarily against the resolution, but inquired into the reasoning which created a study group of the Assembly and not of the Security Council. Ambassador Austin answered that this was now a General Assembly problem and that a study group composed of those Members indicated in the draft resolution could do no harm. Mrs. Roosevelt suggested that the Central Americans who were putting

forward this draft resolution might feel that such a committee was less tied to the stresses and strains of the Security Council.

Mr. Sanders pointed out that this proposal was intended as a means of dealing with the political realities of this Assembly, and that there was a real threat that "gimmicks" such as the Belaunde plan might be adopted. Furthermore, some States not on the Security Council had shown a keen interest in the whole problem of membership and could not be kept off the study group. However, the composition was such, he felt, that the study group as a whole would look at the problem objectively.

Mr. Ross thought that the question of whether or not the idea of the group was acceptable would depend entirely on its composition. He personally had serious doubts that some of the members would be objective.

Ambassador Cohen agreed with the need for examining the composition of the study group. He saw a psychological advantage in establishing this as a General Assembly committee since the Assembly was in a sense engaged in a struggle with the Security Council. In that struggle, despite our membership on the Council, the hopes of the United States rested with the Assembly. He agreed that the new administration should have a chance to consider this problem. He hoped it would be borne in mind that there were more applicants for membership who were on our side than those against us. He also mentioned that it was quite a wound in the minds of our friends who had been unsuccessful in their applications to see the Soviets apparently willing to connive to admit new members while the United States was not so willing. It might one day even be to the advantage of the United States to have the Soviet-sponsored candidates in the Organization. He recalled that the Yugoslavs in the early days had been most slavish to the Soviets and yet had broken away. He felt that the fact that the Yugoslavs were Members of the United Nations might well have assisted them in reaching the decision to break away. He did not want to provoke a discussion of these matters, but merely to raise questions for further consideration.

On the question of the composition of the study group, Mr. Meeker recalled the veto study carried on by the Interim Committee. He suggested that a group from the Assembly outside the membership of the Security Council—where political considerations were all important and where there had been a failure to make any progress—was the best means of studying this problem. He also noted the need for obtaining wide support for this resolution. The potential attitudes of the members of this group had been fully discussed with the liaison officers of the Delegation and with the Department. It was felt that no more than three of the thirteen study group members would favor the Soviet package proposal. From the point of view of the ultimate results of

the study group and of wide support for creating the group, the composition was satisfactory.

Ambassador Austin noted that the five permanent members of the Security Council were to be represented on this group. Mr. Meeker said that this had been intentional and was of some significance.

In view of the discussion, Ambassador Austin suggested that no decision be taken at that meeting. Ambassador Gross indicated that he had not meant to delay a decision of the Delegation on this matter and was in fact satisfied with the clarifications he had heard.

Mr. Wilcox spoke about the "rotten apple" theory. He was personally in favor of the concept of universality, but realized that it would be wiser to postpone a decision of the Assembly on this matter for another year. He pointed to the Yugoslav example cited by Ambassador Cohen and said that it would appear that when "rotten apples" were put into the UN they showed considerable improvement. He mentioned the fact that many neutral States had been encouraged to go along with the free world on many of the important decisions taken by the Assembly. Senator Wiley said this was a whole new concept of the results of placing rotten apples in a barrel.

Since there were no objections to the course recommended by the staff, Ambassador Austin declared that this would be the decision of the Delegation. He then adjourned the meeting.

CHARLES D. COOK

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320/12-952 : Telegram

*The United States Representative at the United Nations (Austin)  
to the Department of State*

CONFIDENTIAL                      NEW YORK, December 9, 1952—10:08 p. m.

Delga 347. Subject: Membership. A few days ago USDel received confidentially a Spanish language text of draft res contemplated by El Salvador concerning membership problem. As earlier reported, Belaunde's activities have led Central American dels to conclude they shld introduce res establishing study comite only after other proposals have been laid on table. It appears at present that Central Americans at start of debate will introduce the res along lines of Salvadoran draft. Unofficial English translation of text fols:

*Begin Verbatim Text*

*"The GA*

*"Conscious of its grave responsibility as the organ called upon to pass upon applications for admission of new members into the UN,*

*"Concerned over the solution of numerous cases which are pending, some of them already for several years,*

"*Taking* into account that, in order to secure the adoption at the San Francisco conf of the rule of unanimity of the five permanent members of the SC it was necessary for the sponsoring powers to issue their statement of June 7, 1945, in which they referred specifically to cases related to the maintenance of international peace and security, in which the permanent members wld be able to make use of the veto, and declared further, in a general way, that 'in view of the primary responsibilities of the permanent members, they cld not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international peace and security in consequence of a decision in which they had not concurred,' from which it follows that the Yalta formula was accepted with the understanding that the veto cld only be applied in the domain indicated by the sponsoring powers in their statement of June 7, 1945, to which France subsequently adhered, a domain in which the admission of new members is obviously not included.

"*Recognizing* that, like any other treaty or convention, the Charter of the UN must be applied in good faith, eschewing all things that might signify an abuse of the law,

"*Decides* to examine separately each pending application for admission and pronounced in each case in a sense favorable or adverse to admission, in conformity with the merits of the case and the result of the voting exercised in the SC in accordance with para 2 of art 27 of the charter."

*End Verbatim Text*

AUSTIN

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320/12-1252: Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

CONFIDENTIAL  
PRIORITY

NEW YORK, December 12, 1952—11:41 a. m.

Delga 358. Re membership. *Ad Hoc* Comite will begin debate membership today.

Before Comite are:

1. Draft resolution by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua requesting ICJ advisory opinion originally submitted during sixth session. We understand this draft will be withdrawn.

2. Draft resolution by Peru. (A/AC.61/L.30).

3. Draft resolution submitted by Costa Rica, El Salvador, Honduras and Nicaragua (A/AC.61/L.31).

4. Draft resolution submitted by all Central American States (A/AC.61/L.32).

Text of drafts 2, 3, and 4 above, given in next fol tel.

As reported earlier Belaunde (Peru) insisted on submitting his proposal but said he will not insist on vote and agrees to referral to Inter-sessional Comite. In view of Belaunde's action Urquia (El Salvador) rushed in two Central Amer proposals. Dept will note Urquia's draft shows composition of Inter-sessional Comite different from that suggested to him by USDel. Urquia did not consult USDel before his hasty submission of draft. Composition may possibly be modified in course of comite debate.

Our present thinking is to submit res on Japan after further consultation with Jap observer and Fr del, on the assumption that Japs want us to press for res endorsing their application.

AUSTIN

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320/12-1252: Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

PRIORITY

NEW YORK, December 12, 1952—2: 34 p. m.

Delga 359. Verbatim Text. Re membership. Below are texts of draft res on membership which were submitted yesterday in *ad hoc* comite:

“Peru: Draft res”

“*The GA,*

“*Considering:*

“1. *That* by res dated 1 February 1952 it recommended the SC to reconsider all pending applications exclusively on the basis of the conditions laid down in the charter, in keeping with the advisory opinion of the Internat'l Court of Justice of 28 May 1948 to the effect that a member of the UN voting on the application of a state for membership in the UN is not juridically entitled to make its consent dependent on conditions not expressly provided by Art 4, para 1 of the charter;

“2. *That* it appears from the proceedings in the SC that, even though it has been recognized unanimously, in opinions, votes or proposals for admission, some of them in identical terms, that the applicant states in question fulfill the conditions governing admission to the UN, a veto was pronounced at the time of voting which seems to have been influenced by motives outside the scope of Art 4 of the charter and hence in conflict with the opinion of the ICJ of 28 May 1948 and in disregard of the GA's express recommendation;

“3. *That* the principle of universality which underlies the charter requires only that the applicant states should fol a policy in keeping with internat'l law, and that hence this principle may not be restricted



on other grounds, which if they prevailed would transform into a political alliance the organization set up by the will of the peoples represented at San Francisco to be the universal legal community;

"4. *That* this arbitrary application of the unanimity rule is preventing the UN from accomplishing one of the essential purposes of the charter, namely to enlist the cooperation of the peace-loving states which accept the obligations contained in the charter;

"5. *That* the unanimity rule, the purpose of which is to achieve the effective cooperation of the great powers in the consolidation of peace, was not conceived or accepted as a means of authorizing any power to deny the proved and recognized qualifications of the states applying for membership and so to exclude them indefinitely from the legal community to which they are entitled to belong as internat'l persons in conformity with the spirit and letter of the charter;

"6. *That* while, according to the advisory opinion of the ICJ of 3 March 1950 both the recommendation of the Council and the decision of the Assembly are required for the admission of new members, the Court did not express an opinion on the form of the vote in the SC:

"7. *That* there are sound reasons for claiming that the unanimity rule, being an exception, should only be applied restrictively and hence only in the cases which involve the functions exclusively vested in the SC;

"8. *That* in the matter of the admission of new members, as is shown by the records of the San Francisco conference, the final decision lies with the Assembly, and that accordingly the SC's recommendation, though necessary, is from the legal point of view a previous step or a procedural stage which, by its nature and according to the spirit and letter of the charter, does not require the application of the unanimity rule;

"9. *That* even if the unanimity rule were applicable to the SC's recommendation it would be inadmissible in cases in which it involved a violation of the charter, such as would be constituted by accepting a veto to the admission of new members which had been acknowledged, by the power exercising the veto in the SC, as eligible within the meaning of Art 4;

"10. *That* the GA res entitled 'uniting for peace', approved almost unanimously by the Assembly has laid down the doctrine that the exercise of the veto by a power cannot paralyze the organization or relieve the GA of its responsibilities under the charter;

*Resolves:*

"1. To note the SC's report concerning the admission of new members;

"2. To note that the concurring opinions, votes and proposals laid before the SC concerning the admission of new members signify,

with respect to the states to which they relate, that they are unanimously recognized as fulfilling the conditions required for membership of the UN pursuant to Art 4 of the charter;

“3. To consider, in the light of the purposes and principles of the charter and in view of the circumstances described above, each of the applications of the states to which the foregoing paragraph relates.”

“Admission of new members

“Costa Rica, El Salv, Hond and Nicara : Draft resolution

“First draft

“*The GA,*

“*Conscious* of its responsibilities with regard to the solution of the problem of the admission of new members to the UN;

“*Concerned* by the fact that many cases are still pending, though they secured the supporting votes of seven or more of the members of the SC;

“*Considering* that it is essential for the purposes of the UN to facilitate the admission of new members who are peace-loving and who fulfill the other conditions laid down by Art 4 of the charter;

“*Considering* that in order to secure the adoption at the conference of San Francisco of the rule regarding the unanimity of the permanent members of the SC it was necessary for the sponsoring powers to settle the doubts of various dels as to the scope of that rule, and for that purpose to issue the declaration of 7 June 1945 in which it is stated that the permanent members may make use of the veto in cases which relate to the maintenance of internat'l peace and security and which, according to the declaration, consist exclusively of cases in which the SC has to make decisions which involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace and suppression of breaches of the peace;

“*Considering* that according to that same declaration restricting the scope of the veto, decisions of the SC which do not involve the taking of any of the measures previously referred to, but which are connected with the maintenance of peace and internat'l security are to be taken by a procedural vote, that is to say by the vote of any seven members of the Council;

“*Considering* that the expression ‘a procedural vote’ used in the declaration is itself proof that the subjects to which it refers may not be procedural matters in the strict sense of the term but are governed, by assimilation thereto, as if they were procedural;

“*Considering* that, although it is a subject which may be connected with the maintenance of peace and security, the admission of new members to the UN is not included among the cases in which, according

to the permanent members of the Council themselves, they may make legitimate use of the privilege of the veto, but is included among the cases which are dealt with by a procedural vote;

*“Considering* that, as the organ with which responsibility for deciding on applications for the admission of new members chiefly rests, the GA has the right and also the duty to decide on the cases pending, and in so doing can and should apply the criterion maintained in the declaration of San Francisco of 7 June 1945, according to which the SC acts on this subject by a procedural vote;

*“Decides* to consider separately each of the applications for admission that are pending and in each case to decide in favour of or against admission in accordance with the merits of the case and the results of a vote taken in the Security Council in conformity with Art 27, para 2, of the charter.”

“Admission of new members

“Costa Rica, El Salv, Guatem, Hondur, and Nicara: Draft res

“Second draft

*“The GA,*

*“Considering* that notwithstanding the efforts that have been made for some years, it has not as yet been possible to solve the important problem of the admission of new members to the UN;

*“Recalling* that various states members of the UN have made specific proposals or put forward suggestions with a view to reaching a satisfactory solution of the problem of admission;

*“Recalling* that on two occasions the ICJ, at the request of the GA, has given advisory opinions on the above mentioned problem;

*“Bearing* in mind that the applications for admission of a large number of states are still pending, despite the fact that seven or more votes were cast in favour of the admission of many of them in the SC;

*“Resolves:*

“1. *To establish* a special comite composed of a rep of each of the fol member states: Belg, China, Cuba, Egypt, El Salv, Fr, Gr, Ind, Leb, Neth, NZ, Peru, USSR, UK of Great Britain and Northern Ireland, and USA;

“2. *To instruct* the spec comite to make a detailed study of the question of the admission of states to membership in the UN, examining the proposals and suggestions which have been made in the GA and its comites or which may be submitted to the spec comite by any members of the UN, such study to be conducted in the light of the discussions in the GA and its comites, the advisory opinions of the ICJ and the principles of internat'l law;

“3. *To request* the spec comite to submit a report on its work and its conclusions to the GA at its eighth regular session and to transmit that

report to the SYG in time for distribution to member states at least two months before the opening of the eighth session;

“4. *To request* the SYG to place at the disposal of the spec comite the staff and the facilities it requires for its work;

“5. *To arrange* for the item ‘admission of new members’ to be included in the provisional agenda of the eighth regular session of the GA.”

AUSTIN

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320/12-1352: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 13, 1952—3:45 p. m.

Gadel 99. Re Membership (Delgas 358 and 359):

1. Dept agrees your present plan submit separate res on Japan if this is what Japan wants.

2. Dept cld not support draft res of Peru or draft res of Costa Rica, El Salvador, Honduras and Nicaragua, and we hope both will be referred to Special Comite and not put to vote.

3. Re suggested composition of Special Comite contained in draft res of all central American states, Dept believes Thailand or Philippines shld be represented and suggests one of them be substituted for Egypt, or if this is not feasible, be added as additional member. Hope GADel can encourage this change.

BRUCE

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<sup>1</sup> Drafted by Jones, UNP; cleared with the geographic bureaus (except EUR); and signed by the Deputy Director of the Office of UN Political and Security Affairs (Popper).

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320/12-1352: Telegram

*The United States Representative at the United Nations (Austin) to the Department of State*

CONFIDENTIAL

NEW YORK, December 13, 1952—8:30 p. m.

Delga 365. Re membership. Poland submitted this morning expected package deal res reading as fols.

“*The GA*

*Requests* the SC to consider the applications of (Albania, the Mongolian People’s Republic, Bulgaria, Rumania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and Libya) in order to submit a recommendation on the simultaneous admission of all these states of members of the UN organization.”

Staff suggests USDel take fol position on above res :

1. While continuing to make clear our opposition to this proposal, we shld acquiesce in reference of Polish draft res along with all other proposals now before comite to intersessional study comite. This wld be logical consequence of our support for idea of full study of all proposals made on this subject and is in line with Sen Wiley's speech this morning.

If vote on res cannot be avoided (*a*) vote against it, or (*b*) support amendment along line of Dept position paper SD/A/C.1/402 so that amended res wld ask SC to reconsider all pending applications including those of Cambodia, Japan, Laos, Republic of Korea, and Vietnam. While we wld prefer voting res down, sentiment in comite may make amendment approach desirable or even necessary.

Jebb (UKDel) strongly favors reference to intersessional comite. Ordonneau (Fr) has open mind and indicated will fol our lead. Shaw (Austral) agrees with Jebb. We are making further soundings. We spoke to Ushiroku today who informed us that he had received word from Tokyo that his govt concurs in separate res. He suggested US continue carry ball in this regard. We gave him copy fol draft res :  
On Jap :

*"The GA*

*Noting* that ten members of the SC, on 18 Sept 1952, supported a draft res recommending the admission to the UN of Jap, but that no recommendation was made to the GA because of the opposition of one permanent member,

*Deeming* it important to the development of the UN that all applicant states which possess the qualifications for membership set forth in Art 4 of the Charter shld be admitted,

1. *Determines* that Jap is, in its judgment, a peace-loving state within the meaning of Art 4 of the Charter, is able and willing to carry out the obligations of the Charter, and shld therefore, be admitted to membership in the UN ;

2. *Requests* the SC to take note of this determination of the GA with respect to the application of Jap."

Dept shld note operative para 2 above is slight modification from our usual GA membership resolutions in past which requested SC reconsideration application of certain country in light of determination of GA. Our orig para 2 was along this line. When we showed it to Ushiroku today he said that while Jap favored strong GA action, he feared our orig para 2 might not be acceptable to other dels. He expressed concern that some dels might move to drop such a para on ground it was inconsistent with idea of intersessional study comite and in order to avoid gen recommendation to SC to reconsider applications for membership. We therefore, tentatively agreed to the modified para 2 shown above.

AUSTIN

320/12-1352 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, December 15, 1952—6:42 p. m.

Gadel 102. Re Membership (Delga 365) :

1. You are authorized acquiesce in reference of pol res to study comite but shld make clear our continued opposition to package proposal.

2. If pol res not referred to study comite and is put to vote, you shld vote against it unless amendment appears be best way to assure defeat of package proposal, in which event you are authorized support amendment so that res wld ask SC reconsider all applications instead of just fourteen and wld contain no endorsement of simultaneous admission of all applicants.

3. Dept concurs draft res on Japan contained reftel. We wld appreciate info re Fr intentions on Indo-China states.

BRUCE

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<sup>1</sup> Drafted by Jones, UNP; cleared in draft with the geographic bureaus (in substance with EUR), cleared in substance with L/UNA; and signed by Assistant Secretary Hickerson.

315.2/12-1552

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

CONFIDENTIAL

[WASHINGTON,] December 15, 1952.

Subject: Membership Question in the General Assembly

Our Delegation is working out with the Japanese in New York a draft resolution which we would submit. The resolution would have the GA find that Japan was qualified for UN membership. Whether the SC would be asked to take note of this finding or whether the resolution would be limited merely to GA action will be decided in New York on the basis of general sentiment there. We would inform the French of our intention to submit the resolution on Japan and inquire concerning their intention with respect to similar resolutions for the Associated States.

Our Delegation intends to try to have the Polish package proposal disposed of by referring it to the inter-sessional committee. Alternatively, we would either oppose or seek to amend it.

We are giving strong support to the Central American proposal for an inter-sessional committee. The composition of the committee is causing some trouble and we are trying to have a second Far Easterner on the committee.

Senator Wiley has spoken in support of the inter-sessional committee and has sharply attacked the Soviet veto record on the membership question.

The Polish Delegate, in introducing his package proposal for 14 candidates, said that his Delegation had serious reservations with regard to some of the remaining candidates. He then proceeded to state these reservations with regard to Japan, the Associated States and the ROK in terms of strong disparagement.

China said that it found the Associated States qualified for membership—more so than the Soviet states which were admitted at San Francisco.

Additional Details Follow :

#### I. *Resolutions before the Ad Hoc Committee.*

Four draft resolutions have been tabled so far. They embody the following proposals :

##### (1) Package Admission.

A package proposal has been submitted by the Polish Delegation which would request the SC to consider the applications of 14 candidates "in order to submit a recommendation on the simultaneous admission" of these candidates.

##### (2) Circumvention of the Veto.

Two proposals have been submitted, one by Peru and one by Costa Rica, El Salvador, Honduras and Nicaragua, which would look toward the admission of UN candidates despite the Soviet negative vote.

##### (3) Inter-sessional Study Committee.

The five Central American states have submitted a resolution providing for the establishment of a special committee to study the membership question and to report its conclusions to the 8th GA. As submitted the resolution proposes the following composition for the committee: The Big Five, three Latin Americans, the Netherlands, Belgium, Greece, Egypt, India, Lebanon and New Zealand. We have pointed out the under-representation of the Far East in this group as well as certain other peculiarities in the selection and suggested to our Delegation in New York that it would be desirable to get representation for Thailand or the Philippines either through replacement or addition.

#### II. *Treatment of Japanese Application.*

Our Delegation has been in close touch with the Japanese representative, Ushiroku, who has now been informed that the Japanese Government concurs in having a separate resolution submitted recording the GA sentiment toward the Japanese application. Ushiroku was somewhat concerned that if the resolution were to request SC reconsideration of the Japanese application it might encounter opposition in the GA on the ground of inconsistency with the intersessional study proposal. USUN has accordingly proposed an altered wording to meet the Japanese position. The Department is instructing USUN that the revised wording is acceptable and that we would be prepared

to omit all reference to the SC if this course would be likely to ease passage of the resolution.

### III. *Tactics.*

USUN intends to attempt to have the Polish package proposal referred for study to the inter-sessional committee. In supporting this procedure we would make clear our opposition to a package proposal. If this means of disposing of the proposal does not appear propitious, the Department is authorizing the Delegation either to attempt to vote the Polish resolution down or to amend the resolution by adding the omitted candidates (Japan, ROK and the three Indochinese states) and deleting all reference to simultaneous admission.

### IV. *Course of the debate so far.*

The debate began on December 12 with general discussions of the membership question by several Latin American states. On December 13 Senator Wiley also reviewed the membership question and strongly attacked Soviet abuse of the veto on membership applications. He said that the Soviet policy in this respect was only one phase of the Kremlin's deliberate obstruction of any progress in the UN and in fact any progress toward true membership. He supported the inter-sessional committee proposal.

Poland blamed the US for the membership deadlock. It distinguished between the 14 applications of long standing—covered in the Polish package proposal—and the seven new applicants. It held that the time was not right to deal with the latter group and added that Poland had serious reservations with regard to some of the seven states. Japan, for example, had signed a “separatist” peace treaty; had failed to demilitarize or introduce democratic reforms; it was occupied by US troops; it was a springboard for US aggression; it was even a “criminal bacteriological laboratory”.

Taking “southern Korea” the Polish Delegate found that it was an occupied country deprived of all the attributes of state-hood. The Associated States of Indochina did not possess the fundamental qualities of a state. He included in his statement also an attack against the Chinese National Government.

The Chinese representative (Liu Chieh) after replying to the Polish attack on his Government said that the Polish package proposal was a form of international blackmail to which the UN should not allow itself to be subjected. The ROK which would be excluded under the Polish formula symbolized the UN's collective will to resist aggression. The Soviet Union had engaged in only nominal hostilities with Japan for a few days using this as an opportunity to strip Manchuria. The Associated States were qualified for membership—more so than the Soviet states which had been admitted at San Francisco.



IO files, US/A/3576

*Plenary Position Paper of the United States Delegation to the Seventh  
Regular Session of the General Assembly*

RESTRICTED

[NEW YORK,] December 20, 1952.

ADMISSION OF NEW MEMBERS: REPORT OF THE  
AD HOC POLITICAL COMMITTEE

1. UNITED STATES POSITION

The United States should vote in favor of the seven resolutions on membership adopted by the *Ad Hoc* Committee. The first of these is the five-power Central American resolution which recommends the establishment of a Special Committee to make a detailed study of the question of the admission of states to membership and to examine the proposals and suggestions which have been made in the General Assembly. The second is the United States resolution requesting the Security Council to take note of the General Assembly determination that Japan should be admitted to membership because it is a peace-loving state within the meaning of Article Four of the Charter and is able and willing to carry out its obligations. The five other resolutions make similar determinations with respect to the application of Laos, Cambodia, Vietnam, Jordan and Libya.

The Polish "package deal" resolution failed to obtain the required two-thirds vote in the *Ad Hoc* Committee. If it is re-introduced, as is expected, the United States should vote against its adoption. In the event an amendment is presented by Egypt to delete the word "simultaneous" from the Polish resolution, the United States should abstain as it did in the Committee.

The United States should vote under Rule 67 against Plenary discussion of the report of the *Ad Hoc* Committee. However, the United States should make a brief statement in explanation of its vote along the lines suggested in Annex A.

2. HISTORY IN COMMITTEE

The seven resolutions adopted by the *Ad Hoc* Committee received overwhelming support of the members: the five-power Central American resolution was adopted 45-5-8; the United States resolution on Japan carried by 48 for, 5 against, and six abstentions; the French resolutions on Laos, Cambodia and Vietnam were accepted by identical margins, 38-5-16 and the Libyan and Jordan resolutions carried each by 49-5-with 5 abstentions. The Polish package resolution was turned down 20-28-11.

3. POSSIBLE PLENARY DEVELOPMENTS

It is anticipated that the seven resolutions adopted by the *Ad Hoc* Committee will receive similar support in the Plenary. It is also antici-

pated that, in the event the Polish resolution is resubmitted, it will fail to receive the two-thirds majority necessary for adoption.

It is expected that the Central American sponsors of the resolution establishing the Special Committee will move to amend the composition of the group by substituting Pakistan for India, the latter having stated it will not participate. The United States should vote in favor of this amendment.

#### Annex A

#### DRAFT UNITED STATES STATEMENT

MR. CHAIRMAN: I should like to explain briefly the votes my Government will cast on the resolutions before us.

It is clear from the debates which took place in the *Ad Hoc* Political Committee that all of us regard the membership problem as the outstanding organizational problem of the United Nations. The future growth and vitality of the United Nations depends upon its solution. So long as all of those nations qualified for membership are not here among us, the United Nations cannot achieve its maximum effectiveness. New blood would bring fresh energy and enthusiasm as well as collective strength and wisdom to our discussions.

The debate in the Committee convinced my Government that the Central American draft resolution calling for the creation of a Special Committee offered the most constructive method of procedure. Such a committee will be able to make an objective, careful exploration and analysis of every aspect of the membership problem.

Of course, no one can guarantee that the Special Committee will find the solution. We may recall, however, the work of the sub-committee set up by the Interim Committee to study the problem of voting in the Security Council. The results of that study were, in the opinion of most delegations, highly useful. The results of the efforts of a similar group on the membership problem should be of even greater utility to the United Nations and help us to progress towards the goal of universality.

During the course of discussions in the Committee, many suggestions were made with a view to ending the membership deadlock. My delegation was particularly impressed by the serious thought and study our friends from Latin America have given to the membership problem. My Delegation listened with great interest especially to the distinguished delegate from El Salvador, Ambassador Urquia and to Ambassador Belaunde from Peru. While a number of the suggested solutions seem to my Government to raise grave constitutional issues, I am sure that the Special Committee will wish to study them all carefully to see if they offer a feasible method to move towards fuller implementation of the principle of universality.

I should like, also, to explain briefly why our delegation will have to vote against the Polish draft resolution which was defeated in the *Ad Hoc* Committee. The Polish resolution, which calls for a "package deal" admission of fourteen states, in our opinion, prejudices the question of admission. This is true whether the text of the proposal calls for *simultaneous* admission or simply for admission. The Polish draft resolution would have the General Assembly express by implication what we have not been willing to express explicitly: that all of the states listed therein are qualified. It would equate certain states which have not been found qualified (that is, Albania, Hungary, Bulgaria, Rumania and Outer Mongolia) with such peace-loving nations as Italy, or Austria, or Ceylon.

We are firm supporters of universality of membership, Mr. Chairman, but it must be universality based upon principles and not upon deals. This is another serious defect of the Polish proposal. It includes some applicants and excludes others on the basis of no stated standard. It includes some applications which have received endorsement by a majority of the Security Council. It provides the United Nations with no clear and defined criteria by which to judge the pending applications not included in the partial list contained in the Polish resolution or to judge future applications. We favor no deals which leave some existing and all future applications to the whim of future deals rather than to the disposition on the basis of stated principles or standards. It may possibly be urged with reason that principles of admissibility should be more liberal than those we now apply. But those principles upon which we agree should be of universal application, so that they may be applied to all future as well as existing applicants.

Finally, Mr. Chairman, a word of explanation of our vote endorsing the candidacies of Japan, the three Associated States of Indo-China, Jordan and Libya.

This will be the first time the General Assembly is able to pass on the candidacy of Japan. As you know, the Japanese Government filed its application for membership in June of this year. It would already have had a favorable recommendation from the Security Council were it not for the veto cast by the Soviet delegate to the Council last September.

However, in the view of my Government and in the view of the over-whelming majority of representatives on the *Ad Hoc* Committee, Japan is qualified for membership. It seems to me, therefore, it is only fair for the Assembly to put itself on record in this sense. Such action will provide Japan with further stimulus to continue the positive contributions it is already making to the specialized agencies of the United Nations of which she is a member. It will encourage the Japanese people to continue on the path of peaceful advancement.

For similar reasons we have endorsed the candidacies of the three Associated States of Indo-China and will vote for them in the Plenary. And, finally, let me also say that we were happy to add our votes to the *Ad Hoc* Political Committee's endorsement of the candidacies of Jordan and Libya. The Assembly has already found these two states qualified for membership. We shall be glad to express our endorsement of their candidacies again.<sup>1</sup>

<sup>1</sup> For the outcome in Plenary Session, see UNP Background Paper, *infra*.

UNP files, lot 59 D 237, "Membership"

*Memorandum Prepared in the Office of United Nations Political and Security Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] January 1953.

#### ADMISSION OF NEW MEMBERS

##### BACKGROUND PAPER<sup>2</sup>

##### *General Background on Present Situation*

Article 3 of the Charter provides that the original members of the United Nations are the states which, having participated in the San Francisco Conference or having signed the Declaration by United Nations of January 1, 1942, signed and ratified the Charter. There are fifty-one original members. These include the Soviet bloc of five.

The qualifications for new members and the procedures for their admission are governed by article 4, which reads as follows:

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The International Court of Justice has given two advisory opinions on article 4. In the first, it stated that a Member cannot subject its

<sup>1</sup> The date is handwritten in the upper right corner simply as "Jan '53".

<sup>2</sup> The paper was prepared presumably for the briefing of Henry Cabot Lodge, Jr., appointed by President Dwight D. Eisenhower as the U.S. Representative to the United Nations, in the new Eisenhower Administration. Lodge was present at the Department of State for briefings on Jan. 22, but the membership problem of the United Nations was not included in a schedule for briefings drawn up on Jan. 19 nor was this paper one of several attached to this briefing schedule (memorandum, schedule of briefing meetings for Ambassador Lodge on Thursday, Jan. 22, 1953, Jan. 19, 1953, Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"). No records of the Jan. 22 meetings have been found in the Department of State files; but there is evidence that at some time on that date the membership question was discussed between Lodge and Departmental officers.

favorable vote on the admission of a state to the additional condition that other states be admitted simultaneously. In the second, the Court stated that the General Assembly cannot admit a state in the absence of a favorable Security Council recommendation. From the beginning a recommendation for the admission of a new member has been treated as a substantive question subject to the veto.

Only nine states have been admitted as new members since the founding of the Organization. These nine are: Afghanistan, Burma, Iceland, Indonesia, Israel, Pakistan, Sweden, Thailand, and Yemen. The last time that a state was admitted was in 1950, when Indonesia was accepted.

Nineteen other candidates have applied.\* The USSR has used its veto 28 times to block the admission of fourteen of these candidates (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam) all of which the Assembly has determined to be qualified. The remaining five, which are Soviet-sponsored (Albania, Bulgaria, Hungary, Rumania and Outer Mongolia) have never received the seven votes required for a Security Council recommendation or been found qualified by the Assembly.

The Soviet Union has proposed the simultaneous admission of nine of the non-Soviet applicants (including Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal but omitting Cambodia, Japan, Republic of Korea, Laos and Vietnam) and of the five Soviet-sponsored candidates, always making clear, however, that it would continue to use its veto to block the admission of the non-Soviet applicants unless its own candidates were also admitted. The majority on the Security Council, including the United States, have not accepted this package deal. The membership question has therefore remained deadlocked, the Soviet Union vetoing the non-Soviet applicants and the majority rejecting the Soviet-sponsored candidates or a package deal.

*Security Council and General Assembly Consideration of the Membership Problem in 1952*

The Sixth General Assembly, on February 1, 1952, adopted a resolution recommending that the Security Council reconsider all pending applications and requesting that the permanent members confer with a view to assisting the Council to come to positive recommendations on these applications.

In accordance with the Assembly's request, the permanent members met on August 21 to try to reach an agreement. However, no agree-

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\*In addition to these nineteen, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications. [Footnote in the source text.]

ment was possible since the permanent members maintained their previous positions.

The Security Council considered the membership question from September 2 to September 19, 1952. The first item on the agenda was the Soviet proposal for the simultaneous admission of 14 applicants, including the 5 Soviet-sponsored candidates and 9 of the others. The USSR stated that this proposal offered the only solution and that the USSR was willing to continue to veto Italy and others until the Soviet-sponsored applicants were admitted. The Council rejected the Soviet proposal by a vote of 5 (Brazil, China, Greece, Netherlands and US) to 2 (Pakistan and USSR) with 4 abstentions (Chile, France, Turkey and UK). The U.S., in explaining its opposition to the Soviet proposal, said that each applicant was entitled to separate consideration on its own merits, and noted that the Soviet proposal omitted applicants which were qualified while it included 5 candidates which in the opinion of the U.S. did not fulfill Charter requirements.

The Council next considered 5 new applications which it had not previously examined separately. It had before it resolutions recommending the admission of Libya, submitted by Pakistan; of Japan, submitted by the U.S.; and of Vietnam, Laos and Cambodia, submitted by France. Subsequently, the USSR introduced a resolution recommending the admission of the Vietminh regime, which had sent a telegram purporting to be a membership application. The resolutions recommending the admission of Libya, Japan, Vietnam, Laos and Cambodia received 10 favorable votes but were vetoed by the USSR, which stated that it was willing to include Libya in its package proposal but that it could not agree to the admission of Japan or the three Indo-China states. The Soviet resolution on the Vietminh regime was rejected by a vote of 10 to 1 (USSR). The U.S. and others maintained that this regime was not a state and that the so-called application need not even be considered.

The *Ad Hoc* Political Committee of the Seventh Assembly considered the membership problem from December 12 to December 19, 1952. At the initial meeting El Salvador submitted a resolution under which the Assembly would conclude that a recommendation to admit a new member was not subject to the veto; and would decide for or against the admission of the applicants which had received seven or more votes in the Council. At the same meeting Peru introduced a resolution under which the Assembly (1) would deduce that a Council recommendation on the admission of a new member was a procedural stage of the matter and was not subject to the veto, and that even if the veto did apply, it would be inadmissible when the member exercising the veto acknowledged that the applicant in question was qualified; (2) would note that the concurring opinions, votes and proposals laid before the Council showed that certain applicants were unanimously

recognized as qualified; and (3) would, in view of these circumstances, consider the applications of the states concerned. According to this proposal, the Assembly could vote to admit any of the 9 non-Soviet applicants included in the Soviet proposal since each had received 7 or more favorable votes when considered separately by the Security Council and since the USSR, while voting against their individual admission, had approved of their admission by including them in its package proposal.

El Salvador introduced a second resolution on December 12 which would establish a Special Committee to make a detailed study of the membership problem and report its conclusions to the Eighth Session. The Committee, under the amended resolution, would be composed of representatives of the following states: Argentina, Belgium, Canada, China, Colombia, Cuba, Czechoslovakia, Egypt, El Salvador, France, Greece, India, Lebanon, Netherlands, New Zealand, Norway, Peru, Philippines, South Africa, UK, US, and USSR. On December 15, Peru and El Salvador suggested that priority be given to this proposal to establish a Special committee and that their substantive proposals not be put to the vote but be referred to the Committee.

Poland, on December 13, introduced a resolution recommending that the Security Council reconsider the applications of 14 candidates "in order to submit a recommendation on the simultaneous admission of all those states". This proposal, like the Soviet proposal submitted to the Security Council in September, did not include Japan, the Republic of Korea, Vietnam, Laos and Cambodia.

During the debate on the various proposals, the members expressed deep concern over the continued stalemate, but there continued to be differences of opinion on the various solutions which had been offered. While some approved of Assembly action to admit the qualified applicants even without Security Council recommendations, a number of others, including the UK, contended that the veto did apply to membership applications and that this approach was therefore illegal. The Polish package proposal received some support but less than the same proposal received at the last Assembly. The fact that Japan had recently applied but was not included in the "package deal", plus the fact that a proposal had been made to establish a Special Committee probably accounted for the decrease in support for the Polish proposal.

There was wide agreement, outside the Soviet bloc, that it would be desirable to have a Committee study the membership problem, and the resolution establishing the Committee was approved by the *Ad Hoc* Political Committee and later by the Assembly. The plenary vote was 48 to 5 (Soviet bloc) with 6 abstentions. (Before the vote the President of the Assembly announced that India, Czechoslovakia and the USSR would be deleted from the list of countries to serve on the Committee since they had stated that they did not wish to participate.)

With respect to the Polish resolution calling for a Security Council "recommendation on the simultaneous admission" of 14 candidates, a move to delete the word "simultaneous" carried in both the Committee and the Plenary. The revised resolution was rejected by a vote of 28 (US) to 20 with 11 abstentions in the Committee and by a vote of 30 (US) to 9 with 10 abstentions in the plenary. The Soviet bloc itself voted against the resolution in the plenary on the grounds that the deletion of the word "simultaneous" changed its meaning.

In addition to establishing a Special Committee, the Assembly approved a US resolution determining that Japan met the qualifications and should be admitted and requesting that the Security Council take note of this determination. Similar resolutions endorsing Vietnam, Laos, Cambodia, Libya and Jordan were also adopted.

Senator Wiley, speaking for the US on the membership problem, reiterated our support for the admission of the 14 qualified candidates. He deplored the fact that the USSR has used its veto 28 times to block their admission and described the Soviet package deal as an "attempt at hold-up." In explaining our objections to the Soviet-sponsored applicants, he noted that they were giving at least moral support to Communist aggression in Korea. He recalled that Albania, Bulgaria, Rumania, and Hungary had defied the Assembly's efforts to end the guerrilla war in Greece and declared that they were waging a war of nerves against Yugoslavia and had molested foreign diplomats and imprisoned foreign citizens on false charges. We pointed out that Bulgaria, Hungary and Rumania had violated the human rights provisions of the peace treaties. We noted that one of the applicants, Outer Mongolia, had never demonstrated the slightest capacity to play the normal role of a state. With respect to the various proposals which had been suggested as possible solutions to the membership problem, Senator Wiley stated that some of them raised grave constitutional issues, and he favored the establishment of a Special Committee which could give an unhurried exploration to the problem.

#### *Action Required This Year*

In view of the urgency of the admission of the qualified states, the Department of State has given careful consideration to possible ways to break the deadlock. We have considered proposals to circumvent the Soviet veto but have believed that these proposals were illegal under the Charter and could lead to a gradual whittling away of the veto power on other matters of vital concern to us. We have also examined the feasibility of a political settlement among the Big Five under which we could obtain the admission of more of the states we favor than the 9 included in the Soviet package proposal. However, we have been unwilling to seek such a settlement which would necessarily involve our acquiescence in the admission of some or all of the Soviet-sponsored applicants.



It is expected that there will be strong pressure for a solution to the membership problem this year. The Members of the United Nations have become increasingly concerned over the stalemate, and countries like Italy and Japan attach great importance to United Nations membership. The establishment of a Special Committee resulted in postponement of a decision on the problem but should not be interpreted as a desire on the part of the Members to bury the issue. The United States approached the Central American countries to sponsor the proposal for the creation of the Committee in order to head off support for proposals unacceptable to us and in order to give the new Administration an opportunity to review the problem.

Among the proposals which the Committee will probably study and on which we will have to take a position are the following:

*a.* Latin American proposals recommending direct Assembly action to admit qualified applicants excluded by the Soviet veto.

*b.* Proposal to refer to the International Court of Justice the question as to whether the veto is applicable to membership applications or as to whether a negative vote of a permanent member cast on non-Charter grounds can nullify a recommendation which has obtained seven or more votes.

*c.* Soviet proposal recommending the simultaneous admission of 14 applicants.

*d.* Proposal endorsing the principle of a universal membership and recommending the admission of all applicant states.

*e.* Proposal recommending an amendment to article 4 of the Charter to remove the qualifications for membership and/or to eliminate the veto from votes on membership applications.

*f.* Proposal to give non-Members considered qualified for admission the right to participate in the Assembly without vote pending a solution to the problem.

We hope that the Special Committee will not be organized until after the closing of the reconvened seventh session, and have so indicated to the Secretariat.

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Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] January 27, 1953.

Subject: Question of "Associate Membership" (Participation by non-members in the General Assembly)

I thought you might be interested in a brief summary of the situation regarding the question of "associate membership", which we discussed last week. The following are the essential points.

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<sup>1</sup> Drafted by Paul W. Jones of the Office of UN Political and Security Affairs.

As I mentioned to you, for the past two years we have given serious consideration to the idea of "associate membership" arrangements for States excluded by the Soviet veto under which they could participate in the Assembly's proceedings on a regular basis. We have concluded that there is nothing in the Charter which would prevent the Assembly from granting non-Members the right to participate in the Assembly provided the privilege did not include the right to vote. The Assembly has already established the precedent of inviting non-Members to participate without vote in the Committees on an *ad hoc* basis during discussion of cases in which they are directly interested.

We have, on a number of occasions, discussed the matter with Italy and Japan. While the Italian Government has indicated that it might consider the idea of "associate membership" if the United States had a special reason to foster the idea, it has thus far not been in favor of any arrangements providing for less than full membership. I think Italy's attitude is motivated in part by a fear that once Italy was granted some form of "associate membership", the Members of the United Nations would feel less compelled to press for its admission as a full Member. In addition, the Italian Ambassador last year referred to some of the smaller States which are members of the United Nations and expressed the view that second class membership for Italy would not be desirable because of its prestige and its standing in the community of nations. He also pointed to the difficulty of explaining less than full membership to the Italian people. We have not tried to encourage Italy to reconsider its position since we have felt that this is a matter for Italy itself to decide and since we have wanted to exhaust every effort to obtain its admission as a full Member.

Japan appears to be more interested. The Ministry of Foreign Affairs prepared a tentative formula last year for our consideration. Under this formula, non-Members excluded by the veto would have the right to send to the Assembly the same delegation as Members and to participate without vote in the Plenary and main Committee meetings and other committees of the whole, with the privilege of speaking, proposing draft resolutions and amendments, submitting and withdrawing motions, and receiving documents. These states would be called "Non-Voting Participants". However, the Japanese made clear that they had not made a decision in favor of such an arrangement and later indicated that although they hoped we would keep the idea under consideration, they did not regard the matter to be urgent.

While we have believed that we could support an arrangement for participation in the Assembly by non-Members excluded by the Soviet veto, a number of other Members might oppose such an arrangement. The Australian Government, for instance, has told us that it does not favor the idea of "associate membership" and has taken the view that there is considerable danger in the doctrine that what is not strictly

forbidden by the Charter is permitted. Further, there is the risk that some might urge that "associate membership" arrangements should also apply to Soviet sponsored applicants. For these reasons, we have felt that when and if non-Members show a definite interest, we should carefully consult with other Members before making a specific proposal. We have not carried on extensive consultations because, up to now, Italy has not favored the idea and Japan and others have shown no desire that we move ahead.

JOHN D. HICKERSON

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET

[WASHINGTON,] February 5, 1953.

During our meeting with you on January 22, you indicated that you attach very great importance to planning some means of breaking the membership deadlock in the United Nations at an early date. It was agreed that we would take a fresh look at the question promptly.

You will recall that there was special discussion of the possibility of advancing the device of associate membership. After reviewing the extent of our prior exploration of this question showing the lack of any interest on the part of Italy and <sup>2</sup> Japan in associate member status, it was concluded that it would probably be better to concentrate attention on some means of dealing with the problem on the basis of regular membership status.

The attached preliminary memorandum has been prepared pursuant to this discussion. I would very much appreciate your views concerning the possible course of action suggested. If you think it is worthwhile to explore the possibility of an omnibus arrangement in preparation for the meeting of the Special Committee on Membership, we will press the matter actively here with other interested Bureaus.

JOHN D. HICKERSON

[Attachment]

#### ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

The essential background on the present membership stalemate and a possible course of action for consideration are set forth below.

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<sup>1</sup> Drafted by the Deputy Assistant Secretary of State for UN Affairs (Sandifer).

<sup>2</sup> At this point a marginal notation was handwritten: "no great enthusiasm on the part of".

## POSSIBLE COURSE OF ACTION

1. The Department for the past few years has seriously considered the advantages and disadvantages of an omnibus arrangement but has always finally decided against it. However, in view of the urgency of finding some solution to the membership problem which would achieve the admission of Italy, Japan and others we favor, we should again consider the possibility of an omnibus arrangement. If we handled the matter carefully we could probably overcome some of the difficulties of an omnibus settlement noted below.

2. We should not seek any action in the United Nations on the membership question before the Assembly's Special Committee meets in May to review the whole problem and prepare conclusions for the consideration of the Assembly. The Committee will have before it many proposals, some designed to circumvent the Soviet veto and others to achieve a solution within existing procedures. We will have to take a position on all these proposals. If we should decide to move ahead on the basis of an omnibus arrangement, we could pave the way in the Committee for subsequent Security Council action.

## BACKGROUND

The qualifications for new members and the procedures for their admission are governed by Article 4, which reads as follows:

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The International Court of Justice has given two advisory opinions on Article 4. In the first, it said that a Member, while recognizing that a state fulfills the conditions of Article 4, cannot subject its favorable vote on the admission of that state to the additional condition that other states be admitted simultaneously. In the second, the Court advised that the General Assembly cannot admit a state in the absence of a favorable Security Council recommendation.

Only nine states have been admitted as new members since the founding of the Organization. These nine are: Afghanistan, Burma, Iceland, Indonesia, Israel, Pakistan, Sweden, Thailand, and Yemen. The last time that a state was admitted was in 1950, when Indonesia was accepted.

Nineteen other candidates have applied. The USSR has used its veto 28 times to block the admission of fourteen of these candidates (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, and Vietnam), all

of which the Assembly has determined to be qualified. The remaining five, which are Soviet-sponsored (Albania, Bulgaria, Hungary, Rumania, and Outer Mongolia), have never received the seven votes required for a Security Council recommendation or been found qualified by the Assembly. In addition to these nineteen, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications.

The Soviet Union has proposed the simultaneous admission of nine of the non-Soviet applicants (including Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal but not Cambodia, Japan, Republic of Korea, Laos and Vietnam) and of the five Soviet-sponsored candidates, always making clear, however, that it would continue to use its veto to block the admission of the non-Soviet applicants unless its own candidates were also admitted. The majority on the Security Council, including the United States, have not accepted this package deal because it is contrary to the Charter principle that each applicant should be considered separately, and because it includes applicants not considered qualified and while excluding others which meet the conditions for membership. The membership question has therefore remained deadlocked, the Soviet Union vetoing the non-Soviet applicants and the majority rejecting the Soviet-sponsored candidates or a package deal.

Some of the Latin American countries have proposed, and will again propose in the Special Committee established by the Seventh General Assembly, that the General Assembly should itself proceed to admit Italy and other applicants considered qualified even though the Security Council has made no recommendations on them. Those advocating this course have tried to justify it on the grounds that a Council recommendation to admit a new member is not subject to the veto, or that the separate Soviet vetoes of Italy and others included in its package deal have been illegal because the Soviet Union has voted for their admission as one of a group. However, it has been widely understood from the beginning that a recommendation on a membership application is a substantive question to which the veto applies, and the Security Council and the General Assembly have always proceeded on this basis. Furthermore, there could be serious consequences in connection with the veto power over other matters of vital concern to us if a precedent were established whereby the Assembly could itself decide whether a matter before the Council is substantive or procedural or whether the vote of a permanent member is null and void because it is illegal. Some members have suggested that recourse might be made to the International Court of Justice on the question of the veto, but it is unlikely that this would lead to any useful result. Similarly, an amendment to Article 4 to remove the veto from votes on membership applications would only be vetoed by the Soviet Union.

## SPECIAL COMMITTEE OF SEVENTH GENERAL ASSEMBLY

The large majority of Members have become increasingly concerned over this stalemate. The Seventh Session of the Assembly established a Special Committee to review the whole problem and report its conclusions to the Eighth Session. The Committee, which is now scheduled to meet on May 15, is composed of representatives of the following nineteen states: Argentina, Belgium, Canada, China, Columbia, Cuba, Egypt, El Salvador, France, Greece, Lebanon, Netherlands, New Zealand, Norway, Peru, Philippines, South Africa, United Kingdom, and United States. (The Soviet Union, Czechoslovakia and India were also designated as members of the Committee but declined to participate.) The United States favored the establishment of the Committee in order to stave off support for proposals unacceptable to us and in order to give the new administration an opportunity to reexamine the problem.

## OMNIBUS ARRANGEMENT

It appears that the only possibility of breaking the membership stalemate under existing membership procedures would lie in an omnibus arrangement approved by the Security Council providing for the admission of a large number of applicants, both Soviet and non-Soviet. Such an arrangement would in all probability have to include the five Soviet-sponsored candidates (Albania, Bulgaria, Hungary, Rumania and Outer Mongolia) in order to avoid a Soviet veto. For our part, the arrangement should preferably include all of the non-Soviet applicants (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam) and also Spain and the Federal Republic of Germany, which have not yet applied. However, it appears certain that the Soviet Union would not accept a list which included the Republic of Korea and the three Indo-China states, all of which it has omitted from its own package deal, or the Federal Republic of Germany. In addition, it might well maintain its opposition to Japan's admission and be unwilling to consider Spain. In my opinion we could under no circumstances agree to an omnibus arrangement which did not include Japan and Spain. The issue to be resolved, it seems to me, is whether we could consider an arrangement which in the beginning would include all the states we favor but which was negotiated downward so that the Republic of Korea, the three Indo-China states and the Federal Republic of Germany would be left out, and which in its final form also included the five Soviet-sponsored candidates.

*A. Arguments for Omnibus Arrangement*

1. Admission of many non-Soviet applicants, particularly Italy and Japan, is politically important to them and to the United States. We have been under heavy pressure from Italy and Japan to help obtain their admission.

2. The Members of the United Nations have become increasingly concerned over the stalemate and are pressing for a solution.

3. Perhaps a greater moral influence could be exercised over the Soviet satellites if they were inside rather than outside the United Nations.

4. The Soviet-sponsored applicants are no worse than some present United Nations Members, i.e., the Soviet five.

5. United Nations membership, by furnishing an additional method of contact with the free world, tends to offset exclusive Cominform control over the satellite countries and might conceivably strengthen the position of elements therein opposed to Moscow domination.

6. The United Nations was meant to be a universal organization, the membership of which would reflect the world as it actually is.

7. An increase in the number of United Nations Members would give a lift to the Organization.

#### B. *Arguments Against Omnibus Arrangement*

1. Since 1946, the United States has maintained that the Soviet-sponsored candidates do not meet the Charter qualifications. At the same time, the conduct of the Soviet-sponsored applicants has become progressively worse.

2. The admission of Soviet-sponsored applicants might dignify the puppet regimes, could be interpreted as tacit acquiescence in their present status, and might have an unfortunate effect upon the peoples within these states still looking with hope to the West.

3. The admission of Outer Mongolia would give some sanction to the Soviet effort to organize Asia into pseudo-independent states.

4. If we accepted an omnibus settlement excluding the Republic of Korea, the Federal Republic of Germany and the Indo-China states, the Soviet Union would be even less likely to agree to their admission later. It would be particularly difficult to omit the Republic of Korea at a time when the United Nations is taking action to defend it against Communist aggression.

5. Even though the questions of membership and representation are technically unrelated, willingness to admit the Soviet satellites might make it more difficult to obtain support for our position on Chinese representation.

6. Admission of the five Soviet-sponsored applicants would increase Soviet obstructive capabilities, while on many issues we could not count on the votes of all the eleven non-Soviet applicants included in the arrangement.

7. Additional Soviet satellites in the Organization would correspondingly increase the scope of our internal security problem in New York.

310.2/3-953

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] March 9, 1953—6:49 p. m.

339. Re Membership Committee:

1. Following are Department's comments on Membership Committee officers for your general guidance in working out slate:

*a.* Since Latin Americans sponsored establishment Committee they will probably want Latin American chairman. This would be satisfactory to us and we would be willing leave choice to them.

*b.* Important Committee have good Rapporteur. We suggest von Balluseck, Netherlands, or British Commonwealth representative, preferably Johnson, Canada.

*c.* If Latin American elected Chairman and Western European Rapporteur, Vice-Chairman should be from Near or Far East. Lopez, Philippines, or possibly Lebanon representative suggested.

2. Even if Membership Committee holds early organizational meeting we hope and expect it would not begin substantive work until May.

SMITH

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<sup>1</sup> Drafted by Jones and concurred in by Popper of UNP, cleared in draft with the geographic bureaus and L/UNA, and signed by Assistant Secretary Hickerson.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Assistant Legal Adviser for United Nations Affairs (Meeker) to the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] April 7, 1953.

## UNITED NATIONS MEMBERSHIP QUESTION

In UNP's memorandum of March 26<sup>2</sup> there is a request for a legal analysis of the proposals which Argentina, El Salvador and Peru have made regarding admissions of new members to the United Nations and which will be under discussion by the Special Committee on Membership.

Winnowed down to their barest essentials, the plans, which are overlapping in part, can be stated in the following terms. Argentina submits that the Assembly can admit a member upon a "negative recommendation" of the Security Council. El Salvador contends that a permanent member of the Security Council cannot legally veto a recommendation for admission because the question is of a procedural

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<sup>1</sup> Drafted by Bernard Fensterwald, Office of the Assistant Legal Adviser for UN Affairs.

<sup>2</sup> Not found in Department of State files.



nature. Peru maintains that the Council has already affirmatively recommended a number of candidates despite Soviet vetoes, because the USSR has, by its proposed admission of such candidates in a "package deal", officially evidenced its conclusion that they are qualified for membership.

#### I. ARGENTINE PROPOSAL

The latest restatement of the Argentine plan is contained in document A/AC.61/L.36 (13 December 1952), which is a proposed amendment to the Central American (i.e., Salvadoran) plan (A/AC.61/L.31). The important paragraphs of the resolution as advocated by Argentina are as follows:

*"Considering* that, when consulted about the scope of Article 2, paragraph 4 of the Charter, the Advisory Committee of Jurists at the San Francisco Conference was of the unanimous opinion that, under that provision, the General Assembly could accept or reject a recommendation for the admission of a new Member, 'or a recommendation to the effect that a given State should not be admitted to the United Nations',

*"Considering* that, at its fifteenth meeting on 18 June, Committee II/1 of the San Francisco Conference agreed with that interpretation and expressly decided to include it in the records of the meeting as the only authorized interpretation of that provision, which decision was subsequently approved by Committee II at its fourth meeting on 21 June and by the Conference at its ninth plenary meeting on 25 June,

*"Considering* that, in accordance with that interpretation, the powers of the Assembly to 'reject a recommendation to the effect that a given State should not be admitted to the United Nations' and accordingly to decide favourably on its admission to membership, are expressly recognized,

*"Resolves* to consider each application on its merits and to decide on it accordingly."

The Argentine proposal has been previously discussed by the General Assembly. On November 22, 1949, the Assembly submitted a question in the following form to the International Court of Justice for an advisory opinion: "Can the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2 of the Charter, be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent Member upon a resolution so to recommend?" In a written statement to the Court (Pleadings in Advisory Opinion of March 3, 1950, pp. 110-122) the United States submitted that the Assembly is not empowered to admit a state to United Nations membership in the absence of an affirmative recommendation of the Council. The statement supplies numerous arguments and evidence to support its conclusion. These can be stated here briefly.

(a) *Charter language.* According to the text of Article 4(2), the decision of the Assembly is to be made “upon the recommendation of the Security Council”, not “after having received the recommendations of the Security Council”. The language used thus indicates that the Security Council’s role in admission to membership is not merely consultative.

(b) *Construction of Article 4(2) by the Assembly and Council.* The Assembly discussed the Argentine proposal at its Second session in 1947. In the First Committee debate the resolution was opposed by nearly all of the speakers (Summary Records of First Committee, pp. 343, 349, 354, 360, 363, 365, 372, 378, 379, 381, 383, 384, 388; but see pp. 343, 364 for statements pro), and Argentina did not insist on a vote (*ibid.*, p. 396). A similar proposal was submitted by Argentina at the Third Session (A/AC.24/15). Again a large majority found the proposal unacceptable and it was withdrawn by its sponsor. (Summary Records of Ad Hoc Political Committee, pp. 58, 63 f, 65 ff, 77 f, 81, f, 84 f, 87 f, 90, 91, 95, 97 f, 98, 99, 100, 102, 103, 110, 115, 116, 118, 134; *contra*, pp. 106, 107, 109, 112.)

The rules of procedure of both the Assembly and the Council are inconsistent with the Argentine proposal. Rule 115 of the Assembly’s Provisional Rules, adopted in January 1946, provided for Assembly consideration only in case of an affirmative recommendation (“If the Security Council recommends the applicant State for membership, the General Assembly shall consider, etc.”). Otherwise, the rules made no provision for Assembly action.

In 1946 the Assembly appointed a committee to draw up rules relating to admission which would be acceptable to the Assembly and the Council. The Assembly Committee decided upon the following proposition as a basis for its work: “It was agreed that the General Assembly was not entitled under Article 4, 2, of the Charter to decide to admit a new Member except upon an affirmative recommendation of the Security Council.” (Document A/384, p. 2.) No rule authorizing the Assembly to act without an affirmative recommendation was suggested. The rules which were agreed upon by the special committees and adopted by the Council and Assembly, and those which are in effect today, merely make explicit the right of the Assembly to request the Council to reconsider applications in cases where the Council has not recommended the applicant or has postponed consideration of the application. (See Security Council Rules 58 to 60; General Assembly Rules 123 to 127.)\*

The practice of the Assembly and Council has been uniformly inconsistent with the Argentine proposal. At each of its sessions the Assembly has been faced with the problem of applicants which have

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\*When the Assembly’s Rules of Procedure were revised in 1949 (Res. 362(IV) of 22 October 1949), in the light of a study and recommendations by a Special Committee on Assembly Methods and Procedures, no proposals were adopted or made for changing the existing rules relating to Assembly consideration of membership applications. [Footnote in the source text.]

failed to get an affirmative Security Council recommendation. Rather than seek to admit applicants defeated by the veto in the Security Council, the Assembly has requested their reconsideration by the Council, and the Assembly has given its endorsement of those applicants it considered qualified for admission.

As regards Security Council practice, no "negative recommendations" have been forwarded to the Assembly. When resolutions containing applications for membership have been put to the vote and have failed to obtain seven votes including the concurring votes of the permanent members, the President of the Council has announced *without exception* that the resolutions failed to carry. The Council has never seriously considered that such an action constituted a "negative recommendation". With regard to membership the Council has considered itself capable only of making an affirmative recommendation or none at all.

The arguments and conclusions advanced by the United States and others were accepted by the International Court of Justice and embodied in its Advisory Opinion of March 3, 1950. The following excerpts from that Opinion are particularly pertinent:

" . . . It is in the nature of things that the recommendation should come before the decision. The word 'recommendation', and the word 'upon' preceding it, imply the idea that the recommendation is the foundation of the decision to admit, and that the latter rests upon the recommendation. Both these acts are indispensable to form the judgment of the Organization to which the previous paragraph of Article 4 refers. The text under consideration means that the General Assembly can only decide to admit upon the recommendation of the Security Council; it determines the respective roles of the two organs whose combined action is required before admission can be effected: in other words, the recommendation of the Security Council is the condition precedent to the decision of the Assembly by which the admission is effected.

"In one of the written statements placed before the Court, an attempt was made to attribute to paragraph 2 of Article 4 a different meaning. The Court considers it necessary to say that the first duty of a tribunal which is called upon to interpret and apply the provisions of a treaty, is to endeavour to give effect to them in their natural and ordinary meaning in the context in which they occur. If the relevant words in their natural and ordinary meaning are ambiguous or lead to an unreasonable result, then, and then only, must the Court, by resort to other methods of interpretation, seek to ascertain what the parties really did mean when they used these words.

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"When the Court can give effect to a provision of a treaty by giving to the words used in it their natural and ordinary meaning, it may not interpret the words by seeking to give them some other meaning. In the present case the Court finds no difficulty in ascertaining the natural and ordinary meaning of the words in question and no difficulty in giving effect to them. Some of the written statements sub-

<sup>3</sup> Asterisks in the source text.

mitted to the Court have invited it to investigate the *travaux préparatoires* of the Charter. Having regard, however, to the considerations above stated, the Court is of the opinion that it is not permissible, in this case, to resort to *travaux préparatoires*.

“The conclusions to which the Court is led by the text of Article 4, paragraph 2, are fully confirmed by the structure of the Charter, and particularly by the relations established by it between the General Assembly and the Security Council.

\* \* \*

“To hold that the General Assembly has power to admit a State to membership in the absence of a recommendation of the Security Council would be to deprive the Security Council of an important power which has been entrusted to it by the Charter. It would almost nullify the role of the Security Council in the exercise of one of the essential functions of the Organization. It would mean that the Security Council would have merely to study the case, present a report, give advice, and express an opinion. This is not what Article 4, paragraph 2, says.

\* \* \*

“In consequence, it is impossible to admit that the General Assembly has the power to attribute to a vote of the Security Council the character of a recommendation when the Council itself considers that no such recommendation has been made.” (Reports of Judgments, Advisory Opinions and Orders, 1950, pp. 7–10.)

Argentina has advanced, and will probably continue to advance, two reasons why the Assembly should refuse to accept the Court’s opinion. (1) The Court wrongly ignored the *travaux préparatoires* which, Argentina alleges, support its conclusions. (2) The Court’s Advisory Opinion is not binding on the Assembly.

In regard to the *travaux préparatoires* or legislative history of Article 4(2), the Argentine representative made the following statement to the *Ad Hoc* Political Committee on December 15, 1952 in support of his proposal:

“The matter had been especially considered by the Advisory Committee of Jurists and then in Committee II and finally at the plenary meetings of the Conference. The Advisory Committee of Jurists had unanimously been of the opinion that the text of Article 4, paragraph 2, clearly established the power of the General Assembly first to accept or reject the recommendation for the admission of a new Member and, secondly, to accept or reject a recommendation that a State should not be admitted to the United Nations. That point of view was also clearly stated in the report of Committee II.† Mr. Ferrer Vieyra added that no representatives had impugned the authenticity of the documents to which he was referring. But certain representatives had stated and continued to state that there could be no negative recommendations as regards the admission of new Members.” (A/AC.61/SR 45, p. 280).

This question, which the International Court of Justice did not consider it necessary to discuss, was covered in detail in the written state-

†See Documents of the United Nations Conference on International Organization, II/1/39. [Footnote in the source text.]

ment submitted to the Court by the United States. Chapter V, Section B(2) of the Dumbarton Oaks proposals states that "the General Assembly should be empowered to admit new Members to the Organization upon the recommendation of the Security Council." The comments on, and amendments to, this paragraph which were submitted by governments prior to the San Francisco Conference clearly reflect the understanding that the provision meant that no State could be admitted without a favorable recommendation. The Australian and Egyptian amendments show this most clearly. Australia proposed that the only role of the Security Council would be one of recommendation in regard to the admission of states at war with Members since 1939. (Doc. 2, G/14(1), UNCIO Docs., Vol. 3, p. 545). Egypt suggested that "the General Assembly shall be empowered, after taking the advice of the Security Council, to admit new Members to the Organization" (Doc. 2, G/7(q), *id.*, p. 456).

At San Francisco the matter was considered by Committee II/1. The whole assumption of the discussions was that under the Dumbarton Oaks proposal the assent of the Security Council was required. At its 11th meeting on May 25, Committee II/1 approved by a vote of 28 to 0 the following text: "The General Assembly may admit new Members to the Organization upon recommendation of the Security Council" (Doc. 594, UNCIO Docs., Vol. 8, p. 398). The text is the same as that of Dumbarton Oaks except that the word "may" replaces "shall be empowered to". This completed the only substantive phase of the consideration of this provision. The changes which were subsequently considered and adopted were of a drafting character.

The provision was sent to the Co-ordination Committee and in turn to the Advisory Committee of Jurists. Both of these bodies were to ascertain whether substantive decisions of technical committees (such as Committee II/1) were embodied in satisfactory language. They were to refrain from substantive decisions, and the changes that they suggested should be appraised in the light of their functions.

The Co-ordination Committee redrafted the provision, but, foreseeing translation difficulties, referred the text to the Advisory Committee of Jurists. This Committee adopted a new text, which is the final form of Article 4(2): "The admission of any such State to membership will be effected by a decision of the General Assembly upon the recommendation of the Security Council."

The intent of this change can most adequately be explained by quoting verbatim from the United States written statement to the Court (pp. 120-122):

"The question was raised in the Co-ordination Committee whether the new language had made it clear that the Assembly might accept or reject a recommendation of the Security Council. The text previously adopted by the Co-ordination Committee clearly left some discretion

to the General Assembly—‘States *may* be admitted to membership by the General Assembly upon the recommendation of the Security Council.’ The new language of the Advisory Committee of Jurists—‘the admission . . . *will* be effected by a decision of the General Assembly upon the recommendation of the Security Council’—might possibly be understood to require the General Assembly to admit a State if recommended by the Security Council.

“The Committee of Jurists included in the report of its 14th Meeting on June 18 this statement :

“ ‘A question from the Co-ordination Committee as to whether paragraph 2 of Article 4 made it clear that the Assembly might accept or reject a recommendation of the Security Council was answered in the sense that the text was clear in this respect.’ †

“During the discussion of the Jurists’ text by Committee II/1 at its 15th Meeting on June 18, the secretary of that Committee read a letter which he had received from the secretary of the Advisory Committee of Jurists, as follows (verbatim minutes) :

“ ‘Reference is made to the concern which you expressed as to whether the text of Chapter V, Section B, paragraph 2, as approved by the Co-ordination Committee makes clear that the General Assembly had power to accept or reject a recommendation by the Security Council. The matter was discussed by the Committee of Jurists at its meeting this morning (June 16). The Committee believes that the word “decision” leaves no doubt that the General Assembly may accept or reject a recommendation from the Security Council. That is to say the General Assembly may accept or reject a recommendation for the admission of a new Member or it might accept or reject a recommendation to the effect that a given State should not be admitted to the United Nations. Notice is taken of the language employed in what is now Article 20 concerning the general power of the Assembly and voting therein. That is the paragraph 2, Section C, Chapter V, which states that a two-thirds majority of the Assembly is required to admit a Member.’

“The Summary Report of that same meeting of Committee II/1 contained the observation :

“ ‘The Secretary reported that he had been advised by the Secretary of the Advisory Committee of Jurists that the Committee felt these texts would not in any way weaken the original text adopted by the Committee. In the light of this interpretation, the Committee approved the texts.’ §

“The second report of the Rapporteur of Committee II/1 for submission to Committee II, revised and circulated to the Members of the Committee for their approval June 19, 1945, included the following :

“ ‘The Committee considered a revision of the text of this paragraph which was under consideration by the Co-ordination Com-

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†U.N.C.I.O. Document WD 404, CO/166. [Footnote in the source text.]

§Doc. 1094, U.N.C.I.O. Documents, Vol. 8, pp. 487-488. [Footnote in the source text.]

mittee in order to determine whether the power of the Assembly to admit new Members on recommendation of the Security Council was in no way weakened by the proposed text.

“The Committee was advised that the new text did not, in the view of the Advisory Committee of Jurists, weaken the right of the Assembly to accept or reject a recommendation for the admission of a new Member, or a recommendation to the effect that a given State should not be admitted to the United Nations.

“The Committee was advised that the new text did not, in the included in its minutes as the one that should be given to this provision of the Charter, and on this basis approved the text as suggested by the Co-ordination Committee.”

“Taken as a whole, therefore, the legislative history of Article 4, paragraph 2, clearly supports the conclusion that an affirmative recommendation of the Security Council is necessary for the admission of any State to membership. The question before the Court was squarely before Committee II/1 in the form of the Egyptian amendment and, to a certain extent, in the Australian amendment. The purposes of these amendments were made fully clear, and the amendments were rejected. Their rejection reflects clearly the Committee’s understanding of the text which it then adopted.

“The two changes subsequently made in the Committee II/1 text had nothing to do with the question before the Court. They were made for the drafting purposes set forth above. The inclusion, by the Secretary of the Advisory Committee of Jurists, of the clause ‘or reject a recommendation to the effect that a given State should not be admitted to the United Nations’ in his letter explaining that the Advisory Committee of Jurists did not consider the Assembly’s rights weakened by the new text, and the inclusion of this language in the interpretative statement accepted by Committee II/1, cannot be taken as showing a design to make the Security Council’s function purely consultative.

“It should be noted that the statement gives no indication concerning the nature of ‘the right to reject’ an unfavorable recommendation of the Security Council; it does not suggest that this right constitutes a power to admit a State in those circumstances. The right should probably be construed as merely the power to refer the application back to the Security Council for reconsideration. The surrounding circumstances make it impossible to accept the thesis that the right to reject constituted a power to admit an applicant without a favorable Security Council recommendation. For, if the new text indeed authorized the General Assembly to admit applicants without Security Council approval, it reversed all of the previous decisions on the main question that had arisen after the issue was presented to it by the Egyptian and Australian amendments, adopted a text which called for an affirmative Security Council recommendation. The new text was proposed for drafting reasons, and the only question raised was whether or not it had weakened the Assembly’s right. If it authorized the Assembly to act without a Security Council recommendation, it not only did not weaken the Assembly’s right under the previous text; it vastly broadened that right, granting everything sought to be covered by the Egyptian amendment and more than the Australian amendment was

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||Doc. 1092, *ibid.*, Vol. 8, p. 495. [Footnote in the source text.]

designed to accomplish. It is not reasonable to conclude that so complete a change was adopted without any explanation or discussion of its real scope but rather with explanations showing a far more limited purpose and character."

Regarding the advisory character of the Court's Opinion, the Argentine representative said to the *Ad Hoc* Political Committee that "an advisory opinion was not binding either on the Security Council or the General Assembly or even on the Court itself . . . and that it might be possible for the Court to change its opinion and move towards an interpretation more closely in keeping with the records of the San Francisco Conference." There is a lack of clarity in both the meaning and significance of the thought that the Court's opinion is not binding on the Court. The Court could not change its opinion on its own initiative, and it seems extremely doubtful that either the Assembly or another United Nations organ would request another advisory opinion on the exact same question. Although the Argentine representative was correct in stating that the Opinion was not "binding" on either the Assembly or Council, neither body will lightly ignore an Advisory Opinion which has been requested. The Court is the "principal judicial organ of the United Nations", and its Opinions should be given the highest consideration. Once an Advisory Opinion has been sought and received, the requesting body as a practical matter has less untrammelled discretion in making a decision. A decision which runs counter to an Advisory Opinion would have to be supported by very weighty considerations. As a matter of practice, no organ of the United Nations has ever seen fit to act contrary to such an Opinion.

The question raised by the Argentine proposal is dealt with by Hans Kelsen in his work *The Law of the United Nations* (1950), pp. 63-64. Kelsen concludes similarly that the Argentine interpretation of Article 4(2) is without foundation.

## II. SALVADORAN PROPOSAL

The latest version of the Central American or Salvadoran proposal is contained in document A/AC.61/L.31 of December 10, 1952. The important parts of the draft resolution, beginning with the 4th pre-ambular paragraph, are as follows:

*"Considering* that in order to secure the adoption at the Conference of San Francisco of the rule regarding the unanimity of the permanent members of the Security Council it was necessary for the sponsoring Powers to settle the doubts of various delegations as to the scope of that rule, and for that purpose to issue the Declaration of 7 June 1945 in which it is stated that the permanent members may make use of the veto in cases which relate to the maintenance of international peace and security and which, according to the Declaration, consist exclusively of cases in which the Security Council has to make decisions which involve its taking direct measures in connexion with settlement



of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace and suppression of breaches of the peace;

*“Considering* that according to that same Declaration restricting the scope of the veto, decisions of the Security Council which do not involve the taking of any of the measures previously referred to, but which are connected with the maintenance of peace and international security are to be taken by a procedural vote, that is to say by the vote of any seven Members of the Council;

*“Considering* that the expression ‘a procedural vote’ used in the Declaration is itself proof that the subjects to which it refers may not be procedural matters in the strict sense of the term but are governed, by assimilation thereto, as if they were procedural;

*“Considering* that, although it is a subject which may be connected with the maintenance of peace and security, the admission of new members to the United Nations is not included among the cases in which, according to the permanent members of the Council themselves, they may make legitimate use of the privilege of the veto, but is included among the cases which are dealt with by a procedural vote;

*“Considering* that, as the organ with which responsibility for deciding on applications for the admission of new members chiefly rests, the General Assembly has the right and also the duty to decide on the cases pending, and in so doing can and should apply the criterion maintained in the Declaration of San Francisco of 7 June 1945, according to which the Security Council acts on this subject by a procedural vote;

*“Decides* to consider separately each of the applications for admission that are pending and in each case to decide in favour of or against admission in accordance with the merits of the case and the results of a vote taken in the Security Council in conformity with Article 27, paragraph 2, of the Charter.”

At the 42nd meeting of the *Ad Hoc* Political Committee on December 12, 1952, the representative of El Salvador gave a lengthy explanation of the proposal. He recalled the circumstances of the acceptance by the San Francisco Conference of the Yalta voting formula. The core of his argument is that (1) the Four-Power Statement of June 7, 1945 (UNCIO Doc. 852, III/I/37(1)) was “what was known, in the law of contract, as an offer” and that the offer had been accepted by the other Members and had become a part of the Charter; and (2) paragraph 1 of the Statement “contained a complete enumeration of cases . . . in which the permanent members could use the right of veto” and these cases “were exclusively those in which the Security Council had to make decisions which involved its taking direct measures “regarding the maintenance of peace and security.”

The voting formula now contained in Article 27 is that which was drafted at Yalta. At the Yalta Conference Secretary of State Stettinius explained the proposed formula to Marshal Stalin and Prime Minister Churchill, indicating what categories of decisions by the Council would require the vote of the permanent members. In the first of these categories he listed recommendations on the admission of new

members. The question which is raised by El Salvador is whether the Four-Power Statement had the effect of excluding membership from the list of vetoable questions despite the understanding at Yalta and the fact that the Yalta voting formula was embodied in Article 27 of the Charter. The preponderance of the evidence militates against such a conclusion.

No one paragraph of the Four-Power Statement can read apart from the whole document. Paragraph I(1), on which the Salvadoran representative places so much stress, must be read in conjunction with the other parts of the Statement, and particularly with paragraphs I(4) and II(2). Paragraph I(1) states, in part :

“ . . . Under Chapter VIII, the Council will have to make decisions which involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members. The first group of decisions will be governed by a qualified vote—that is, the vote of seven members, including the concurring votes of the five permanent members, subject to the proviso that in decisions under Section A and a part of Section C of Chapter VIII parties to a dispute shall abstain from voting.”

Paragraphs I(2) and I(3) enumerate certain types of decisions which will not require a qualified vote. Decisions regarding admission are not included in the enumerated list, and those that are enumerated are quite dissimilar in kind and importance from decisions on admissions. Paragraph I(4) says that once you go beyond the type of decision that has been enumerated in paragraph I(2), “decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement under Section B, Chapter VIII.” The paragraph enumerates examples of decisions which might begin such a chain and says that such decisions are subject to the veto. The admission of new members is not included in this enumeration either.

Part I of the San Francisco statement thus shows that the sponsoring powers were not addressing themselves to such a matter as membership when they wrote paragraphs I(1) and I(2). They did, however, include a later paragraph which in a general way governs the matters not covered in paragraphs I(1) and I(2). Paragraph II(2) makes clear that, where there is uncertainty whether a decision is procedural or substantive, only a qualified vote of the Council can determine that it is procedural. In other words, the double veto is to apply in cases of doubt. The Security Council in its practice has apparently never

entertained a doubt as to the substantive nature of admissions questions.

The Salvadoran argument depends upon the Four-Power Statement. When that Statement is read in its entirety, it is seen that the Statement does not support the Salvadoran contention, but, together with subsequent practice, negates that contention.

The Four-Power Statement is only one part of the legislative history of Article 27. The Dumbarton Oaks proposals, the discussions at Yalta, and the Yalta voting formula are all part of this history. There remains the significant fact that after all of the discussions at San Francisco and the issuance of the Four-Power Statement, the Yalta formula was left intact in Article 27. Equally important, however, is the post-San Francisco application of Article 27. This history contains no evidence whatever that Article 27 should be interpreted so as to make decisions on membership subject to an unqualified vote of any seven members of the Council.

By resolution 117 (II) of November 21, 1947, the Assembly requested the Interim Committee to make a broad study of the veto problem in the Council. The report of the Committee to the Assembly (Document A/578 of July 15, 1948) contains, *inter alia*, two lists of types of decisions which are made by the Council. In one list were included "decisions which are of a procedural character within the meaning of Article 27, paragraph 2, of the Charter." Decisions in regard to admission of new members were not included in this list. The other list included "decisions which the Interim Committee recommended should be adopted by the vote of any seven members of the Security Council, whether these decisions are considered procedural or non-procedural." Decisions in regard to membership were included in this list.

The Assembly considered the Committee's report in the spring of 1949 and passed resolution 267 (III) on the subject. The resolution recommends to members of the Council that they consider as procedural the decisions listed in an annex to the Assembly's resolution. Like the Interim Committee's list of procedural decisions, the Assembly's list did not include membership. The Assembly also considered the Interim Committee's second list of decisions, which the Committee felt should be adopted by an unqualified vote, whether the decisions be deemed procedural or non-procedural. The Assembly modified somewhat the Interim Committee's recommendation and in doing so ruled out any implication that at least some decisions on the second list might be procedural. The Assembly recommended to the permanent members of the Security Council "that they seek agreement among themselves upon what possible decisions by the Security Council they might forbear to exercise their veto, when seven affirmative votes have already been cast in the Council, giving favorable consideration to the list of such decisions contained" in the second list of the Interim Committee

(underscoring supplied). This recommendation is addressed to the permanent members and not to the whole Council; it requests that the permanent members "forbear to exercise their veto" on certain questions, including the question of admission of new members.

Again, in resolution 296K(IV) of November 22, 1949, the Assembly requested the permanent members of the Council "to refrain from the use of the veto in connexion with the recommendation of States for membership in the United Nations." Thus the Assembly, while requesting that the veto right not be used, has recognized that this right exists in connection with membership applications.

There are still further factors pointing to the conclusion that decisions on membership are not procedural and are subject to a qualified vote:

(1) Under paragraph 2 of Article 18 of the Charter the question of admission of new Members is included in the list of decisions of the Assembly on "important questions" which "shall be made by a two-thirds majority" rather than by a simple majority.

(2) In the last six years the USSR has cast a large number of negative votes in the Security Council on membership applications. Without exception, these have been treated by the Council Presidents as constituting vetoes which prevented the Security Council from making favorable recommendations on the applications in question. The Council has never sought to follow any other course than that adhered to by the Security Council presidents.

(3) In regard to United States interpretation we should recall that toward the close of the 80th Congress, Senator Vandenberg introduced in the Senate S. Res. 239, which was subsequently passed and has come to be known as the Vandenberg Resolution. Among its provisions, this resolution recommended that the United States seek to limit the exercise of the veto in the Security Council, in particular with respect to pacific settlement of disputes under Chapter VI of the Charter, and with respect to the admission of new members. The clear implication was that the veto did apply on membership questions.

(4) The Salvadoran proposal in effect would constitute an attempt on the part of the Assembly to interpret Article 27, which deals exclusively with the Security Council, in a matter entirely repugnant to the interpretation which has consistently been given to that Article by the Council itself.

The representative of El Salvador recognized this principle in part when he said that "it had been decided that each United Nations body should have the right to interpret those provisions of the Charter for the application of which it was responsible" (42nd meeting of the *Ad Hoc* Political Committee). However, he completely perverted the principle in application when he continued by saying: "If the Security Council informed the General Assembly that seven or more of its members had voted in favor of the admission of a State but that one of the permanent members of the Council had voted against such admission, it would be for the General Assembly, and not for the Security

Council, to interpret and apply the provisions of Article 27 of the Charter and to decide whether or not there was a favorable recommendation by the Security Council." Not only is this proposition lacking in logic, it also is based on the fallacy that admission of new members is the sole responsibility of the Assembly, with the Council playing a very minor advisory role. The International Court of Justice pointed out the fallacy of any such idea in its advisory opinion of March 3, 1950: "The General Assembly and the Security Council are both principal organs of the United Nations. The Charter does not place the Security Council in a subordinate position. Article 24 confers upon it 'primary responsibility for the maintenance of peace and security', and the Charter grants it for this purpose certain powers of decision. Under Articles 4, 5, and 6, the Security Council co-operates with the General Assembly in matters of admission to membership" etc. (underscoring supplied).

### III. PERUVIAN PROPOSAL

The Peruvian draft resolution, which is contained in document A/AC.61/L.30 of December 8, 1952, states the philosophy of the Salvadoran proposal but is based on a further proposition. Mr. Belaunde, the Peruvian spokesman summed up the purposes of the proposal as follows:

" . . . it was the object of the Peruvian draft resolution to make it clear that, in conformity with the debates at the San Francisco Conference, (1) the Security Council's vote on the question of the admission of new Members should be a procedural vote to which the unanimity rule did not apply, (2) to determine the circumstances in which the veto was legitimate, and (3) to ensure, by referring to the precedent of the 'Uniting for Peace' resolution, that the application of the Charter was not paralysed."

The first object is the same as that of the Salvadoran proposal and no further comment is required.

The second and third objects are interconnected. They envisage a determination by the Assembly that a negative vote by a permanent Member of the Security Council is not "legitimate" when cast contrary to the International Court of Justice Opinion of 1948, and a decision by the Assembly to ignore a veto which it has determined not to be "legitimate". In his presentation to the Ad Hoc Committee at its 42nd meeting Mr. Belaunde said in this regard:

"It might admittedly be asked who or what would determine whether or not the reasons prompting a permanent Member's negative vote were legitimate. The answer was clear: common sense. Surely, it was not arguable that the USSR's veto on the admission of certain States was legitimate when the USSR had itself conceded that those States qualified for admission and had proposed that they should be admitted on condition that other candidates it supported were also admitted." (Underscoring supplied).

Mr. Belaunde's answer in reply to "what" has certain merit. As to "who" should make the determination, the import of his whole statement is that it should be the Assembly.

Each major organ of the United Nations has the prerogative of interpreting its own actions. Although there is no specific reference to interpretations in the Charter, the final report of Committee IV/2 of the San Francisco Conference contains the following statement: "In the course of the operations from day to day of the various organs of the Organization, it is inevitable that each organ will interpret such parts of the Charter as are applicable to its particular functions." (UNCIO Doc. 933, IV/2/42(2), p. 7). Even the International Court of Justice, the highest judicial organ of the United Nations, can give only an advisory opinion on questions of interpretations regarding the functioning of other United Nations organs under the Charter.

Mr. Vieyra of Argentina pointed this out very clearly at the 45th meeting of the *Ad Hoc* Political Committee when he said that the advisory opinion of the International Court of Justice of March 3, 1950 "was not binding either on the Security Council or the General Assembly." If the Court cannot give interpretations of the Charter which are legally binding on the Assembly or Council, *a fortiori* neither the Assembly or Council has the ability to give an interpretation binding on the other.

If a Soviet veto is imposed on illegal grounds, it is the Council, and not some other Organ, which should determine the illegality and the consequences thereof. The Council might request the International Court of Justice's aid in this matter, but both the Council and Assembly have refrained from putting this question to the Court in the past.

The Soviets have cast vetoes on membership resolutions more than two dozen times. In each case the President of the Council has declared that the resolution failed because of the negative vote. The President never made any other ruling or failed to make this one, and his action was never challenged by a member of the Council.

Mr. Belaunde in the past, and obliquely in his present proposal, has advocated a unique theory. In essence it is that a "recommendation" need not be accomplished by one single action of the Council. It could be evidenced by the totality of favorable votes at various times, single or multiple proposals for admission, etc. For example, if an applicant received the favorable vote of five members including three permanent members at one juncture, and received the favorable vote of another permanent member at a later time, and was proposed in a package deal (which failed of adoption) by the remaining permanent member—that would constitute a favorable recommendation.

In addition to the recurrent weakness of having the Assembly find a recommendation of the Council when the Council found none, this theory runs counter to the usual practices of parliamentary bodies.

Decisions are normally reached by a show of hands at one instant and not by a tally of those in favor, to one degree or another, at various times. The old expression "stand up and be counted" has a great deal of relevance to this situation.

#### IV. CONCLUSION

The above analysis discloses that none of the Latin-American "juridical" plans for breaking the membership impasse rests on a good legal foundation. That of Peru in particular is ingenious. But it is believed that the International Court of Justice, if asked, would not answer that the Assembly could now admit to membership the nine applicants in the Soviet package which individually have received seven or more votes. The Court has already ruled out the Argentine plan. History and practice appear to condemn El Salvador's proposal.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by the United Nations Adviser,  
Bureau of European Affairs (Allen)*

CONFIDENTIAL

[NEW YORK,] April 9, 1953.

Subject: Membership Problem in UN

Participants: Count Guidotti, Italian Observer  
Ambassador Lodge  
Mr. Ross (part of conversation) } US  
Mr. W. P. Allen

In the course of a general conversation, Count Guidotti made clear his Government does not intend at present to press actively any further steps to obtain Italy's admission to the United Nations. He recalled they had made their one big, determined effort during the Paris session of the GA, at which time the problem was much simpler of solution, and found then it was impossible to obtain an agreement of enough of the major powers to accomplish their objective. They continue to stand, of course, on the tripartite declaration of a year and a half ago in which the Governments of the US, UK and France expressed their determination to make every effort to obtain Italy's admission.

However, Guidotti raised the possibility that if as a result of the current apparent change of Kremlin tactics there should be an armistice in Korea, this might lead to seating the Chinese Communist representatives, which, in turn, would create a more propitious atmosphere on the whole problem of membership and perhaps re-open possibilities for some sort of arrangement to admit a number of the pending applicants.

Beyond recalling that he had been one of the first Senators strongly to espouse Italy's admission and reiterating his belief that Italy should be a member, Ambassador Lodge was noncommittal on any immediate prospects.

In the course of the conversation, Count Guidotti did make clear his strong hope that whatever eventually might be done in the membership problem, it would not be necessary to include also the question of German membership since that was in turn so dependent upon the central question of German unity that to seek to include West German membership in the UN as part of any arrangement would thus preclude all practical possibilities indefinitely.

In response to a question Ambassador Guidotti stated he saw no possibility of any advance towards a solution of the membership problem being made through the Inter-Sessional Membership Study Committee which the first part of this Session had established. This, he implied, was simply a holding operation and in effect a waste of time since a solution to the membership deadlock, if and when it comes, will come about through changed circumstances and not through any work which such a Committee could perform.

[Here follows discussion of another matter.]

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

SECRET

[WASHINGTON,] April 27, 1953.

Subject: Decision on Membership Policy

Mr. Hyde informed us last weekend of the following developments:

1. The French have received new instructions authorizing them to accept a general membership deal;
2. Senator Lodge is attracted to the idea and will probably write a letter today to the Secretary suggesting a re-examination of the whole membership policy with the idea of his negotiating a Big 5 agreement.

Since the special Assembly committee on membership will begin work almost immediately, and since both the Secretary and Ambassador Lodge plan to be away for some time after this week, a decision will be necessary this week.

We think the most serious questions involved in this probably relate to Chinese representation, unless an armistice becomes more remote or unless the Chinese Communists are condemned as aggressors in Indochina. Pressure on our Chinese representation policy is already strong and will become more serious by the next Assembly. It is suggested that

<sup>1</sup> Drafted by the Officer in Charge, General Assembly Affairs (Taylor).



the least we could do—if a decision is reached to embark on a course of seeking large-scale membership agreement—would be to insist upon assurances from other friendly and important countries that there will be no linking of the membership problem with the seating of the Chinese Communists.<sup>2</sup>

We have studied other possible combinations, having in view a “Missouri Compromise” arrangement in which fewer states would be admitted now on a 3-1 ratio. However, there seems to be no formula under which this ratio could be maintained. The most logical approach would be to take Europe first and then Asia, but the Soviet ratio is too high in Europe and we would thus be giving up our bargaining power before securing the admission of Japan. What we therefore come to is a fully inclusive arrangement with the possibility of postponing action on the divided states.

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<sup>2</sup> For documentation on the Chinese representation question, see pp. 620 ff.

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FE files, lot 55 D 388, “United Nations”

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*

[WASHINGTON,] April 27, 1953.

Subject: Reopening of UN Membership Question

An informal report has been received from USUN that the French delegate's instructions on the UN membership question have been changed. The French are now to favor the working out of some package arrangement with the USSR.

Senator Lodge is understood to be at least open-minded on the problem and is preparing a letter to the Secretary requesting that the Department review the whole question. It is anticipated that the letter will reach the Department Tuesday morning. The question of membership will accordingly become again a matter of intensive study in the Department within the next few days. Secretary Dulles, in his book on U.S. foreign policy, favored the general concept of universality so there is some feeling that he too may be inclined toward a fresh approach to the membership question.

In commenting on the changed French instructions, one of the UK delegates made a remark to the effect that the French had in mind the seating of the Chinese Communists.

*Comment:* The membership question is being precipitated at this time in part because the special committee which was appointed by the GA last Fall to seek a solution to the membership deadlock is soon to begin active discussions in New York. While discussion of package proposals would have no part in the comparatively abstract discussions

of the committee, national policies with respect to a package proposal will be reflected indirectly. Thus, for example, if this Government is contemplating abandoning opposition to package proposals, our representative in the committee will naturally dwell more on the benefits of universality and the need for a less rigid interpretation of Article IV of the Charter than upon the necessity for considering each application individually without reference to any other considerations.

I have long been of the view that a solution of the membership problem must be based upon some kind of a package arrangement although it may be dressed up in various ways—barring, of course, a complete change in East-West relations. I feel uneasy, however, about possible political implications of a change in position at the present moment. It seems entirely possible that an effort will be made to bring in the Chinese representation question as a balancing factor in some manner.

The British comment on French intentions, while possibly lightly made and with political motivations not entirely clear, suggests the possibility of a tie-in in the French mind between the Chinese representation question and the Indochinese situation. If the Chinese Communists were to recognize the UK in the near future—a possibility which CA has had in mind for some time—this gesture while inexpensive to the Chinese Communists might have serious consequences in under-mining British resistance to the seating of the Chinese Communists. While we have clearly got to face this situation if a truce is reached there are certain disadvantages in reaching this point at this time.

Full study of the subject will, however, have to await Senator Lodge's letter and intensive consideration of whether (a) a reasonable package arrangement can be worked out and (b) whether we can indicate decisively to the British and the French that in working along these lines with them we shall expect that they will stand firm on the Chinese representation issue.

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FE files, lot 55 D 388, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon)*<sup>1</sup>

SECRET

[WASHINGTON,] April 29, 1953.

Subject: Reconsideration of "Package" Approach to Membership Problem

Attached is a draft of a memorandum on the membership question which UNP is sending to Mr. Hickerson today. As indicated in a

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<sup>1</sup> Addressed to the Assistant Secretary of State for Far Eastern Affairs (Robertson) and the Deputy Assistant Secretary (Johnson).

memorandum earlier this week, Senator Lodge is understood to be interested in reviewing the possibilities for a "package" approach to the membership problem. Although a letter from him giving his views had been expected, there have been delays in the preparation of the letter in New York. UNP is accordingly proceeding with a study of the question in view of the urgency of the matter. Both Ambassador Lodge and Secretary Dulles are planning to be away after this week so that if any decision is to be reached on the question at this time it will have to be by Friday.

The draft memorandum has accordingly been given by UNP to the Geographic Bureaus for informal study and comment.

So far as FE is concerned the draft memorandum presents the following main problems:

1) *Korea*: Are we prepared to consider proposing in a second step of the negotiations that Korea's admission be postponed until some specified future time—such as the achievement of unification; the conclusion of the political conference on a Korean settlement?

2) *Indochinese States*: Would FE similarly be prepared in a second step of the negotiations to accept postponement of the admission of the Indochinese States to some agreed future date—such as the conclusion of hostilities in the general area, etc.?

3) *Outer Mongolia*: Is FE prepared, after the initial proposal has been rejected, to accept an arrangement including Outer Mongolia if such inclusion is the price of the arrangement?

Membership for Japan is provided for in both steps 1 and 2 of the UNP draft. The effort to include Spain which is not at present a candidate may be questioned. Certainly FE might object if its inclusion appears likely to render a package proposal unacceptable. The omission of Switzerland which, like Spain, is also not a candidate is not explained in the draft.

In view of the urgency of the problem I am circulating the draft to the three Offices immediately and shall get in touch with you as soon as I have the comments.

[Attachment]

*Draft Memorandum by the Officer in Charge of General Assembly Affairs (Taylor)*

[WASHINGTON,] April 27, 1953.

#### 1. *Problem*

There is a strong feeling among United Nations members that the seven-year membership stalemate should be broken. A special committee will shortly study the entire membership problem. The present moment may be suitable for a determination by the United States of its definitive program or policy toward the problem.

Twenty-one states—16 non-Soviet and 5 Soviet-controlled—must be considered for admission. Of these, all but the Federal Republic of Germany and Spain have applied. All fourteen non-communist\* applicants have been vetoed by the USSR while the five Soviet candidates† have never received seven Security Council votes.

The USSR has proposed, as a single “deal”, the admission of its five candidates and nine of the non-Soviet applicants (all but Japan, Republic of Korea, Vietnam, Laos and Cambodia). While this proposal has not been adopted, it is generally recognized that—unless a number of states were to remove their objections to Latin American suggestions for circumventing the veto—the only possibility of a complete solution would be through Big Five agreement to include practically all states, Soviet and non-Soviet. However, we must expect that unless the Chinese Communists remain in the “aggressor” status, attempts will be made to include the seating of the Chinese Communists in any general membership arrangement.

The alternative to a general membership agreement would be to permit non-members to participate in the General Assembly. This would not be a really satisfactory solution for the non-member states but must be offered to friendly applicants if their admission cannot be achieved. The essential question, therefore is: Are there terms on which it would be desirable for the United States, during the next few months, to promote Big Five agreement for the admission of a number of new members?

## II. *Possible approach to negotiation of membership agreement*

The following approach to Big 5 negotiations would depend upon prior assurance from the UK, France and a reasonable number of other states that they would oppose any efforts to include the seating of Chinese Communists as part of a membership settlement.

1. Our initial position might be to indicate that, in our view, the membership problem is the admission of twenty states (including Germany and Spain but not Outer Mongolia) and accordingly to suggest Big 5 agreement to (a) admit all fourteen non-Soviet applicants and the four European satellites (not Outer Mongolia), and (b) not to use the veto to exclude any future applicants. The United States might later agree to Outer Mongolia if this will serve our objectives.

2. Although we would consider any suggestions for the admission of fewer states, no such plan would probably be workable or satisfactory to us. In any discussions of this problem, our objective should be to secure some agreement in principle that would provide for all 16 of our candidates even if not all were admitted immediately. Thus, we might accept postponement of the admission of the Republic of

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\*Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam. [Footnote in the source text.]

†Albania, Bulgaria, Hungary, Outer Mongolia and Rumania. [Footnote in the source text.]

Korea, the Federal Republic of Germany, the three Indochinese states and possibly Spain, if terms for their subsequent admission were agreed to and if the USSR accepted all other states we favor.

3. Should the Soviet Union offer less than the above, we would have to consider whether to reject the entire arrangement or, alternatively, to support the admission of states upon which agreement is possible and press for the broadest possible participation in the General Assembly of any states we favor which are not admitted.

### III. Discussion

The approach suggested above would represent the distance to which the United States might go in an effort to reach agreement on the membership problem. It would require concessions which the Soviets have never been willing to consider. In fact, Soviet agreement to Korea, Japan, Germany, the Indochinese states and Spain may well depend upon prior political settlements. If agreement is impossible, there may be political advantage in offering an arrangement as suggested above and in having it rejected by the USSR.

Perhaps the most serious questions would be the implications for the Chinese representation problem. A Korean armistice would make it increasingly difficult to maintain support for excluding the Chinese Communists. These difficulties would probably be increased by seeking a membership settlement through agreement. Therefore, it is believed necessary before seeking such a settlement to obtain firm assurances from the UK, France and others that they will oppose efforts to link the seating of the Chinese Communists to the membership problem.

The Soviets will doubtless insist on Outer Mongolia's inclusion in any agreement. Thus, we should not embark on negotiations unless we can, if necessary, ultimately accept Outer Mongolia in return for all the rest.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Deputy United States Representative at the United Nations (Wadsworth)*<sup>1</sup>

SECRET

[WASHINGTON,] May 7, 1953.

Subject: Objectives and Work Program of Special Membership Committee

The following are the Department's views on the objectives of the Special Membership Committee and on the organization of its work. We hope that advance agreement can be reached on these matters with Committee Members so that at the outset the Committee will decide upon a suitable work program.

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<sup>1</sup> Drafted by the Officer in Charge, General Assembly Affairs (Taylor), and cleared in draft with the geographic bureaus and L/UNA.

The main purpose of the Committee should be to develop the various alternative approaches to the membership question in concrete enough form so that the Assembly could, if desirable, make use of them in the fall. The Committee should, insofar as practicable, avoid consideration of the qualifications of individual applicants and confine its study to the larger aspects of the entire problem. It should preferably not make specific recommendations for a particular course of action or vote on individual proposals, but should examine all proposals offered as solutions and report to the Assembly the arguments for and against each of them. In other words, its objective should be a thorough analysis of all proposed solutions which would assist the Assembly to reach a decision.

The proposals which the Committee will probably consider fall into several categories. In one category are proposals regarding admission procedures, such as the Assembly's previous recommendation that the Big Five agree among themselves not to veto membership applications, and various Latin American proposals calling for independent Assembly action to admit applicants which have been vetoed by the Soviet Union. In a second category are proposals regarding the application of the criteria of Article 4, such as the Peruvian resolution adopted by the Sixth Session, suggestions for a universal membership and the Soviet proposal for simultaneous admission of applicants. Under a third category is the suggestion for non-voting participation in the Assembly for non-Member states, such as the proposal submitted to the Assembly by El Salvador in 1950.

Under our conception of the Committee's objectives, it would report on all of these approaches. Although we could not support the various Latin American proposals for Assembly action to admit applicants and would have to express our strong doubts as to their legality, the promotion of them by the Latin Americans would point up the responsibility of the Soviet veto for the frustration of the membership question and might have a useful effect upon the Soviet Union. From this point of view it would be desirable that statements of these proposals be included in the Committee's report even though the majority could not endorse them. Similarly, while we could not support the principle of absolute universality or an application of Article 4 based on this principle, for your information we might at some time in the future have to accept this approach should we decide to seek an omnibus settlement. It may therefore be found desirable for the Committee to state this approach as well as the application of Article 4 which the United States and the majority have thus far favored. Finally, we believe it would be advantageous for the Committee to give some consideration to the question of non-voting participation in the Assembly for non-Member states. Even though we have not decided to press for this alternative to membership in view of the negative reaction of

Italy, and should make this point clear to the British and others, we believe we should utilize the occasion for developing this possibility should we decide to move ahead on this basis in the future and in order to strengthen our position against the Soviet Union on the membership question.

If agreement can be reached on the over-all objective of the Committee, it could then proceed to reach decisions on its work program which would achieve this objective. In our view the best procedure might be for the Committee to ask the Chairman and Rapporteur to prepare an agenda listing the various proposals which the Committee would analyze. These would include the major proposals discussed in the Secretariat paper on the historical background of the membership question as well as any new proposals which might be introduced. The proposals might be organized on the basis of the categories mentioned above. In order to limit the debate and minimize pressure by individuals for Committee approval of specific proposals, the Members might be requested to give their views on all proposals within one category by a single statement. At the end of the Committee's discussion, the Rapporteur would prepare a report containing a clear statement of the proposals considered and a summary of the views expressed on each.

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UNP files, lot 59 D 237, "Membership"

*Department of State Instruction to the United States Representative  
on the Special Committee on Membership*

SECRET

[WASHINGTON,] May 11, 1953.<sup>1</sup>

POSITION PAPER ON ADMISSION OF NEW MEMBERS

THE PROBLEM

The Special Committee on Membership established by the Seventh General Assembly was instructed "to make a detailed study of the question of the admission of States to membership in the United Nations, examining the proposals and suggestions which have been made in the General Assembly and its Committees or which may be submitted to the Special Committee by any Members of the United Nations . . .". It was requested to submit a report on its work and conclusions to the Eighth Session.

Generally speaking, the proposals which the Committee will consider fall into three categories. In one category are proposals regarding admission procedures, such as the various Latin American proposals calling for independent action by the Assembly to admit applicants

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<sup>1</sup> Transmitted on May 13 to the Deputy U.S. Representative at the United Nations (Wadsworth).

vetoed by the Soviet Union. In a second category are proposals regarding the application of the criteria of Article 4, such as the Peruvian resolution adopted by the Sixth Assembly, proposals for a universal membership, and the Soviet proposal for simultaneous admission of applicants. Under a third category is the proposal submitted by El Salvador in 1950 for non-voting participation in the Assembly for applicants excluded by the Soviet veto.

What should be the position of the United States on the work of the Special Committee and on the various proposals which it will consider?

#### RECOMMENDATIONS

The United States position on the work of the Committee and proposals it will consider should be as follows:

##### 1. *General Objective and Procedure of the Committee*

The Committee's objectives should be limited to an exploration of the various possible approaches to the membership question and, without itself taking decisions, to a formulation of these alternatives in such a way as to facilitate action by the Assembly and the Security Council. It should avoid consideration of the qualifications of individual applicants and confine its study to the larger aspects of the entire problem, examining all proposals offered as solutions, and without casting votes or making specific recommendations, reporting to the Assembly the arguments for and against all proposed solutions.

##### 2. *Proposals on Admission Procedures*

(a) With respect to various proposals relating to the veto, the Committee's report should contain adequate recognition that the most important reason for the frustration of the membership question is the Soviet abuse of the veto right.

(b) The United States should indicate its strong sympathy with the purposes of the proposals of El Salvador, Argentina and Peru, since they represent an unending effort at a solution and since they represent attempts to counteract the arbitrary policies of the Soviet Union. However, we must note the legal difficulties of these proposals as outlined in the Comment section below. If these proposals are pressed to a vote, we would have to vote against them.

(c) If the Latin American countries wish to discuss the possibility of an advisory opinion from the International Court of Justice on the veto, a request for such an opinion should preferably be so framed as to link the question of the effect of a negative vote of a permanent member to the Court's opinion of 1948. However, the United States should not take the initiative in proposing this alternative or express optimism as to the results of recourse to the Court.

##### 3. *Proposals Concerning the Application of the Criteria of Article 4*

(a) The Committee's report should stress the necessity of complying with the Court's opinion of 1948 and of basing votes on membership applications exclusively on the conditions contained in the Charter.



(b) If any members take the position that Article 4 should be applied so as to permit the attainment of absolute universality and the admission of an applicant without the act of admission constituting approval of the conduct of its government, we should not endorse this position and should point out the difficulties involved in view of the language of Article 4. However, we should not object if the arguments in favor of an application of Article 4 based on universality are included in the report together with a statement of the application which we have supported.

#### *4. Non-Member Participation in the General Assembly*

Unless prior consultations show that Italy and Japan object, the Committee's report should include, as one of the approaches studied, the grant of non-Member participation in the Assembly as a possible temporary measure if no solution to the membership problem is forthcoming. If practicable, some other member, such as El Salvador, should be induced to present a paper or proposal on this matter.

#### COMMENT

##### *Background*

The qualifications for new members and the procedures for their admission are governed by Article 4, which reads as follows:

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The International Court of Justice has given two advisory opinions on Article 4. In a 1948 opinion, it said that a Member, while recognizing that a state fulfills the conditions of Article 4, cannot subject its favorable vote on the admission of that state to the additional condition that other states be admitted simultaneously. In a 1950 opinion, the Court advised that the General Assembly cannot admit a state in the absence of a favorable Security Council recommendation.

Only nine states have been admitted as new members since the founding of the Organization. These nine are: Afghanistan, Burma, Iceland, Indonesia, Israel, Pakistan, Sweden, Thailand, and Yemen. The last time that a state was admitted was in 1950, when Indonesia was accepted.

Nineteen other candidates have applied. The USSR has used its veto 28 times to block the admission of fourteen of these candidates (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, and Vietnam), all of which the Assembly has determined to be qualified. The remaining five, which are Soviet-sponsored (Albania, Bulgaria, Hungary, Ru-

mania, and Outer Mongolia), have never received the seven votes required for a Security Council recommendation or been found qualified by the Assembly. In addition to these nineteen, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications.

The Soviet Union has proposed the simultaneous admission of nine of the non-Soviet applicants (including Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal but not Cambodia, Japan, Republic of Korea, Laos and Vietnam) and of the five Soviet-sponsored candidates, always making clear, however, that it would continue to use its veto to block the admission of the non-Soviet applicants unless its own candidates were also admitted. The majority on the Security Council, including the the United States, have not accepted this package deal. The membership question has therefore remained deadlocked, the Soviet Union vetoing the non-Soviet applicants and the majority rejecting the Soviet-sponsored candidates or a package deal.

The large majority of members have become increasingly concerned over this stalemate. Some of the Latin American countries have proposed that the Assembly should itself proceed to admit applicants vetoed by the Soviet Union. Other countries have urged a solution within existing membership procedures based on universality.

The Seventh Session of the Assembly established a Special Committee to review the whole problem and report its conclusions to the Eighth Session. The Committee is composed of representatives of the following nineteen states: Argentina, Belgium, Canada, China, Colombia, Cuba, Egypt, El Salvador, France, Greece, Lebanon, Netherlands, New Zealand, Norway, Peru, Philippines, South Africa, United Kingdom, and United States. (The Soviet Union, Czechoslovakia and India were also designated as members of the Committee but declined to participate.)

#### *Work of Special Committee*

##### *1. Objectives and Work Program*

The main purpose of the Committee should be to develop the various alternative approaches to the membership question in concrete enough form so that the Assembly could, if desirable, make use of them in the fall. The Committee should, insofar as practicable, avoid consideration of the qualifications of individual applicants and confine its study to the larger aspects of the entire problem. It should preferably not make specific recommendations for a particular course of action or vote on individual proposals, but should examine all proposals offered as solutions and report to the Assembly the arguments for and against each of them. In other words, its objective should be a thorough analysis of all proposed solutions which would assist the Assembly to reach a decision.

It is especially important that the Committee's debates and report not serve to promote the idea that a solution can be achieved only through big power negotiations—a development which would tend to weaken our hand if we later decide to negotiate a settlement and which would make our position more difficult should we decide not to negotiate a settlement. The Committee should therefore discuss and report upon all the approaches, including a provisional arrangement for permitting non-members to participate in the Assembly pending their admission. To the same end, it would be preferable if the United States, United Kingdom, and France would not declare themselves definitely on the substance of the problem, and if the countries which strongly desire a big power settlement would refrain from enthusiastic declarations or resolutions to this effect in the Committee. The small powers on the Committee should, accordingly, be induced to take the formal leadership in the Committee in order to emphasize, at this stage, the role of the Assembly as a whole in this problem rather than that of the great powers. In this way the Committee, representing the broad membership of the Assembly, can convey to the USSR an impression of its sense of urgency concerning this problem and of a willingness to consider courses other than big power agreement.

If agreement can be reached on the over-all objective of the Committee, it could then proceed to reach decisions on its work program which would achieve this objective. The best procedure might be for the Committee to ask the Chairman and Rapporteur to prepare an agenda listing the various proposals which the Committee would analyze. These would include the major proposals discussed in the Secretariat paper on the historical background of the membership question as well as any new proposals which might be introduced. The proposals might be organized on the basis of the categories mentioned in the "Problem" above. In order to limit the debate and minimize pressure by individuals for Committee approval of specific proposals, the members might be requested to give their views on all proposals within one category by a single statement. At the end of the Committee's discussion, the Rapporteur would prepare a report containing a clear statement of the proposals considered and a summary of the views expressed on each.

## *2. Proposals on Admission Procedures*

The continued use of the veto over membership applications by the Soviet Union has led to repeated efforts to find ways to eliminate the veto from votes on recommendations for admission. The United States in 1947 announced that it would not exercise its veto to exclude any of the then applicants which the Assembly deemed qualified, and said that it would go further and accept complete elimination of the veto in the Security Council in reference to the admission of applicants in

the future. In 1948, the Interim Committee embarked upon a study of voting procedures in the Security Council. The results of its study were embodied in a resolution adopted by the Assembly in the spring of 1949. This resolution, *inter alia*, recommended that the permanent members of the Security Council should seek agreement among themselves upon what possible issues they might forbear to use the veto and suggested that admission to membership was such an issue. In the fall of 1949, the General Assembly adopted a resolution recommending that the permanent members refrain from using the veto over membership applications. The United States supported these resolutions and has reiterated from time to time its position that it will not prevent the admission of any state whose application receives seven affirmative votes in the Security Council. It would be desirable for the Committee's report to stress the past efforts of the Assembly on this question and to recognize that the most important reason for the frustration of the membership problem is the Soviet abuse of the veto right.

As a result of the continued use of the veto by the Soviet Union, a number of Latin Americans have pressed for direct Assembly action to admit applicants. The Special Committee will have before it three proposals, submitted by Argentina, four Central American states, and Peru, respectively, calling for such action. These proposals overlap in some respects but the essentials of each are as follows: Argentina submits that the Assembly can admit a member upon a "negative recommendation" of the Security Council; El Salvador contends that the Assembly can admit applicants which have received seven or more favorable votes in the Security Council on the ground that a recommendation to admit a new member is not subject to the veto. Peru also maintains that membership applications are not subject to the veto, and that even if the veto does apply, it is inadmissible in cases involving a violation of the Charter; thus, according to Peru, the Assembly can admit at least the nine non-Soviet applicants included in the Soviet package deal since the Soviet Union is willing to admit these nine as part of a group and its separate vetoes of these states are illegal.

The United States fully sympathizes with the motives behind the Latin American proposals but each of them presents legal difficulties which make it difficult if not impossible for us to support them. In the first place, as the International Court of Justice advised in 1950, the General Assembly cannot admit an applicant in the absence of a favorable Security Council recommendation. In the second place, it has been generally understood from the beginning that a recommendation to admit a new member is subject to the veto and the Assembly and Council have always proceeded on this basis. Even if there were some doubt on this point, it would be for the Security Council and not the Assembly to decide whether the question was vetoable. There could

be serious consequences in connection with the veto power over other matters of vital concern to us if a precedent were established whereby the Assembly could itself determine whether a matter before the Council is substantive or procedural. In the third place, even though the Soviet vetoes of Italy and the eight others included in its package deal have been cast on non-Charter grounds, it does not follow that they are null and void or that the Assembly can take action assuming this. It is believed that the majority on the Committee will be unable to support the Latin American proposals for these same reasons.

At the same time, the promotion of these proposals by the Latin American countries would point up the responsibility of the Soviet veto for the frustration of the membership question and might even have a useful effect upon the Soviet Union. It would therefore be useful for the Committee's report to include statements on them even though the majority could not support them. It would also be desirable for the Committee to refrain from rejecting them through a vote.

At the Sixth Session of the General Assembly the Central American States submitted a draft resolution which would request an advisory opinion from the International Court of Justice as to whether membership applications are subject to the veto. While this proposal was subsequently withdrawn and has never been seriously considered by the Assembly, the Latin American countries may urge its consideration by the Special Committee. However, we have grave doubts that the Court would consider itself competent to consider the question and even if it did consider itself competent it would almost certainly decide that a recommendation to admit a new member is substantive.

If a question were to be submitted to the Court, it should at least be calculated to increase the likelihood that the Court would consider the question and give a desirable decision. A question which linked the veto problem to the Court's 1948 opinion would seem to be the most logical alternative. For instance, the Court might be asked whether the Assembly can admit a state when a permanent member of the Security Council has proposed and voted for a proposal that the Council recommend the admission of the State as one of a group of states to be admitted simultaneously and yet voted against a proposal in the Security Council for a separate recommendation on the admission of the State, which proposal received seven or more affirmative votes and no negative vote from any other permanent member. As the Seventh Session of the Assembly the United States Delegation discussed this alternative informally with several Latin American delegations. However, the latter decided not to press for any request for an advisory opinion.

If the Latin American members of the Committee commence discussion of a request for an advisory opinion from the Court on the veto it would be desirable again to discuss with them informally the al-

ternative mentioned in the paragraph above. However, it would be necessary to point out that we are not at all optimistic about the results of recourse to the Court.

### 3. *Proposals Regarding the Criteria of Article 4*

The Soviet Union has conditioned its consent to the admission of nine applicants on the simultaneous admission of the five Soviet-sponsored candidates. The General Assembly has adopted a number of resolutions requesting the Soviet Union to abandon this policy. It has, since 1947, adopted resolutions determining that specific candidates are qualified and should be admitted and requesting Security Council reconsideration of their applications. In 1947 it requested an advisory opinion from the Court as to whether a Member can condition its consent to the admission of one State upon the simultaneous admission of another. When the Court replied in the negative, the Assembly in 1948 adopted a resolution recommending that states act in accordance with the Court's opinion. At the Sixth Session the Assembly again requested that the Security Council reconsider all applications and base its action exclusively on the conditions contained in Article 4 and on the facts establishing the existence of these conditions. The Soviet Union has disregarded all of these resolutions and has maintained that its package deal is the only solution.

The United States has warmly supported the Assembly's resolutions directed against the Soviet membership policies. It has strongly opposed the Soviet package deal on the grounds that each application should be considered separately on its own merits, that the deal includes five applicants which in our judgement should not be admitted and omits others which should. Thus far the majority in the Assembly have supported the United States position. It would be desirable for the Committee to note the past resolutions of the Assembly and to determine that the Soviet policies are contrary to the Charter.

At the same time it will be realized that a number of Members, particularly the Scandinavian countries and certain Arab-Asian states, favor universality as an immediate goal. Many of them have supported the Soviet package proposal even though they do not endorse the theory of *en bloc* admission. Sweden has submitted resolutions to past Assemblies recommending reconsideration of applications in the light of the principle of universality, and in 1949 Iraq proposed that members apply with greater flexibility and generosity Article 4 to States which have not received seven votes in the Security Council. The Committee will undoubtedly consider proposals for absolute universality and for an application of Article 4 under which the Organization, in deciding whether to admit an applicant, would not have to pass judgment on the conduct of its government.

The United States has always expressed the opinion that universality is a desirable ultimate goal and that all states should be admitted

as soon as they become qualified. However, we have maintained that the criteria of Article 4 cannot be ignored and that the Organization has to examine the conduct of an applicant in deciding whether it is a "peace-loving" state which is "able and willing" to carry out its obligations. We have pointed out that the Soviet satellites have rendered at least moral support to Communist aggression in Korea; that the European satellites defied efforts of the Assembly to end the guerilla war in Greece; have waged a war of nerves against Yugoslavia; and have molested foreign diplomats; and that Rumania, Bulgaria and Hungary have violated the human rights provisions of their Peace Treaties. On these grounds we have argued that the Soviet candidates do not meet the basic criteria required by Article 4.

It would be desirable for the Committee to include in its report a statement of the application of Article 4 which we and the majority have thus far favored. At the same time, it will be realized that under existing procedures a political settlement based on universality providing for the admission of both Soviet and non-Soviet applicants appears to be the only solution to the membership problem. If the United States should ever decide to seek such a settlement, it would be desirable to base agreement on a principle and not a deal, and we might therefore have to accept a new application of Article 4. For this reason, and since the Committee's report should contain statements on all proposed solutions, it is believed that the United States should not object if Members of the Committee favoring universality request that a statement of their views be included in the report.

#### *4. Non-voting Participation in the Assembly for non-Member States*

Only one formal proposal for non-member participation has been presented to the General Assembly. Under this proposal, submitted by El Salvador in 1950, the General Assembly would have requested the Secretary General to invite non-Members whose applications have been vetoed by the USSR to send observers to sessions of the General Assembly and its Committees, including the Interim Committee, "in order to enable them to express their views and furnish information whenever consulted by the Delegation or any Member State." The proposal would also have provided for the distribution to Members of documents and letters sent by the non-Members to the Secretary General. The General Assembly, however, did not adopt this proposal. Many Members, including the United States, while fully sympathizing with the motives behind El Salvador's suggestion, wanted more time to consider its implications or had doubts that the non-Members would themselves be interested.

The Department has for the past few years considered the possibility of granting non-Members the right to participate in the Assembly pending their admission, and has concluded that there is nothing in the Charter to prevent this. However, thus far Italy has opposed this

idea, Japan has shown no great enthusiasm, and some Members have expressed reservations. We have, therefore, never pressed for this course.

While we have made no decision to suggest non-member participation as an interim solution, it would nonetheless be desirable for the Committee to consider this alternative along with other proposals, provided Italy and Japan have no objections. This would be in line with our view that the Committee's objective should be an analysis of all proposed solutions. Furthermore, it is possible that Italy, Japan and others might become interested if it becomes clear that full membership will not be forthcoming in the near future, if an attractive plan is submitted to them and if the plan is presented not merely as a favor to them but also as a means to increase the effectiveness of the Assembly. In addition, discussion of non-member participation in the Committee would strengthen our position against the Soviet Union on the membership question.

There are various possible alternative arrangements under which non-Members qualified for admission might be permitted to participate in the Assembly. The Assembly might adopt a resolution providing that, upon the specific request of a non-Member, the Assembly might invite the state to participate without vote in Committees on which all Members are represented and in the plenary meetings. Participation might include speaking under the same rules as members, and of making proposals. The Assembly might also request non-Members which participate in the Assembly's proceedings to make a voluntary financial contribution to cover the cost of their participation. While we would wish to avoid discussion in the Committee on the specific states which might be granted the right to participate, we would hope that the Assembly, if it decided to move ahead on this basis, would limit the privilege to those states already found qualified for membership.

If possible the United States should avoid taking the lead in discussions of non-Member participation in the Committee. El Salvador might be approached informally to ascertain whether it wished to initiate discussion on this matter.



UNP files, lot 59 D 237, "Membership"

*Memorandum by the Director of the Office of United Nations Political and Security Affairs (Wainhouse) to the Deputy United States Representative on the Security Council (Ross)*

SECRET

[WASHINGTON,] May 14, 1953.

Subject: Membership

You will remember that we have talked about a possible message from Ambassador Lodge to the Department which would be of such a character as to bring about the necessary crystallization of policy in the Government on this membership question. I suggest that perhaps the most effective way to do this would be for you to submit something to Ambassador Lodge, and I am offering you the attached language as an indication of what might be most helpful here. I understand that you have in mind adding a statement regarding the current meetings of the Membership Committee.

[Attachment]

SECRET

I am impressed by the strong feeling among United Nations members that a settlement of the membership question is imperative. The French, who have hitherto opposed any package deal on membership, have now indicated to us that they would favor such an approach provided agreement could be reached with the United Kingdom and with us. I shall need to exchange views with both the French and British on this subject in the very near future.

In my opinion there would be positive advantage to us if we could, within the next few months, make a proposal for the admission of a substantial number of new members. Looking ahead to the General Assembly, it will probably be very helpful to us to have some proposals of this character. I realize that the problem has many complexities which we should need to work out before offering any specific proposal. I should appreciate it if, on an urgent basis, the Department would give me an indication of the lines along which I might discuss this with the French and British, and work out the terms and conditions under which such a proposal might be made. I assume that at some point the matter would come into discussion among the Big 5.

310.2/5-1453 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, May 14, 1953—6:12 p. m.

438. Re Membership Committee:

Immediate injection omnibus proposal by Egypt into Committee's discussion and decision hold general debate may raise difficulties for US unless we reach agreement with UK and France on satisfactory line to be taken by all three delegations. Dept suggests desirability discussion this problem with UK and France. Suggest you stress difficulties for all three governments if effect Committee's discussions and report is promote idea solution possible only through political settlement. In fact any concessions made in Committee relating to possible membership agreement in future would on one hand weaken our bargaining power with USSR if we decide seek settlement and would on other hand make our positions much more difficult in Assembly if we decide against. You might suggested to France and UK most effective method handling problem would be:

1. Continue stress in Committee necessity keeping several approaches open.
2. Stress necessity Committee not embark on consideration individual applicants including any specific plans for admission particular countries.
3. Point out serious weakness Egyptian position in advocating members apply different voting standards in SC than GA and base our reasoning on Court opinion to effect decision on membership applications must be based solely upon criteria article 4.

*FYI* if UN members desire achieve universal membership by political settlement we believe this could be done only if general agreement reached by Members beforehand upon some new method of applying criteria article 4. This would necessarily mean any new standard would be applied to all states and not merely some as in case Soviet proposal and that much lower standard of qualifications would in effect be used by members within discretion they have under article 4. However since we have not made any decision seek omnibus settlement we would prefer avoid any indication willingness accept new basis for applying article 4 which might be taken up by others as basis for strong movement toward omnibus arrangement. We therefore hope three governments would not raise question new application criteria of article 4 themselves during Committee discussions unless this proves absolutely necessary. *End FYI.*

SMITH

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<sup>1</sup> Drafted by Jones and concurred in by Wainhouse of UNP; cleared in draft with the geographic bureaus and L/UNA; approved for transmission by Assistant Secretary Hickerson; and signed by Eric Stein, Acting Officer in Charge, Pacific Settlement Affairs.

310.2/5-2153 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

SECRET

NEW YORK, May 21, 1953—6:50 p. m.

715. Re admission of new members: As Department aware, there appears to be strong feeling among UN members, particularly the small countries, that settlement of membership question is imperative. French, who have hitherto opposed any package deal on membership, have now indicated to us that they would favor such approach provided agreement could be reached with UK and US.

Proceedings thus far in special committee on membership indicate sentiment in favor of breaking deadlock. As indicated in Deptel 438, May 14, Egyptian suggestion that omnibus settlement is only practical solution would probably raise difficulties for US. British feel it may be difficult to keep committee from at least tacitly recognizing that a political accommodation among the big five is only way out of impasse. Looking forward to 8th GA, when Soviet package proposal doubtless will be reintroduced (with better prospects of adoption unless some other settlement is in sight), it might be helpful to us to take initiative with some sort of omnibus proposal of our own, although I have reached no firm conclusion as to what the precise nature of such a proposal should be.

I am generally in favor of trying, under the right circumstances, to find omnibus solution of this problem.

Our action in UN on this question should be consistent with broad lines of policy laid down by President in his April 16 speech which, while it did not refer to admissions question, did refer to a series of other specific matters, in order of priority, as tests of Soviet sincerity. In other words, while he is willing to meet Soviets half way, he wants evidence of their sincerity in regard to such matters Korea, Indochina, Austria and Germany before we start making substantial concessions to them. Admission of Soviet satellites to UN would be substantial concession for which there should be some very real *quid pro quos*.

In addition to foregoing general considerations there are number of specific risks against which we must carefully protect ourselves:

1. There is likely to be, following armistice in Korea, a much stronger emotional and political drive for seating Communist China in UN than for admitting new members. While American public opinion might in due time become reconciled to admission of Soviet satellites to UN, particularly if such action followed clear evidence of Soviet sincerity in regard to matters mentioned in President's speech, I do not anticipate that American public opinion within predictable future would countenance seating Communist China. Any action which we may support with regard to new members is bound to have effect on our position in UN with regard to Chinese repre-

sentation and could conceivably seriously weaken our position in latter regard. This should be governing consideration.

2. As indicated, any political solution of membership question would have to be based on clear evidence that Soviet Union has demonstrated by deeds its will for peace. Moreover such solution would have to be based on evidence that satellite countries had demonstrated by their action (e.g., Cardinal Mindzenty, et cetera) that they would at least plausibly qualify under Article 4 of charter.

3. We should also insist on something better than two-to-one ratio in our favor in order to preserve at least our voting ratio on important questions in GA. Moreover, we should not lose sight of fact that nuisance value of each Soviet satellite in UN may offset positive advantage we derive from having our friends in UN.

4. Finally, we must face fact that unless we succeed in securing admission of all nations whose candidacies we support, there is every likelihood that the Soviets, having secured the admission of all their satellites, would veto such nations friendly to US as had not been initially admitted. In this connection Department will recall indications we have had from British that they have had in mind package deal which would leave out Japan, admission of Japan presumably to be used as *quid pro quo* for seating Communist China. This, I feel, would be quite inadmissible for us.

I feel that procedure outlined by Department for work of present admissions committee, which would prevent it from reaching firm conclusions, is entirely sound and I think we should insist, particularly with British but also with French and others, that this committee refrain from vitiating our bargaining power by attempting to make any specific recommendations at all, including a recommendation that a political settlement should be sought.

LODGE

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UNP files, lot 59 D 237, "Membership"

*Briefing Memorandum for the Appointed Assistant Secretary of State for United Nations Affairs (Murphy)*<sup>1</sup>

SECRET

[WASHINGTON,] July 3, 1953.

## ADMISSION OF NEW MEMBERS

### I. THE PROBLEM

United Nations Members have become increasingly concerned over the membership deadlock. The question will again be considered at the Eighth Session.

### II. BACKGROUND

Under Article 4, membership is open to "peace loving" states which are "able and willing" to carry out their Charter obligations. The As-

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<sup>1</sup> Drafted by Paul W. Jones.

sembly admits an applicant state "upon the recommendation of the Security Council."

Fourteen of the pending applicants (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam) have been vetoed by the USSR and five (Albania, Bulgaria, Hungary, Outer Mongolia and Rumania) have never received seven Security Council votes for admission. Spain and the Federal Republic of Germany have not yet applied.

The USSR has proposed the admission *en bloc* of nine non-Soviet applicants (all but Japan, the Republic of Korea, Vietnam, Laos and Cambodia) and the five Soviet candidates. This proposal has never been accepted. Some Latin American countries have proposed that the Assembly can admit non-Soviet applicants vetoed by the USSR on the grounds that the veto does not apply to membership applications.

A Committee established by the Seventh Assembly met this spring to examine all proposed solutions. Its report contains no specific recommendations. However, it shows that the Latin American proposals for direct Assembly action were generally unacceptable and that whereas the specific Soviet package deal was also unacceptable, many Members felt that the only solution is probably an omnibus settlement involving the admission of both Soviet and non-Soviet applicants.

### III. PRESENT U.S. POSITION

1. Recognizing the desirability of the admission of all qualified states, we have supported the admission of the fourteen non-Soviet candidates and opposed the admission of the five Soviet candidates.

2. We have opposed the Soviet "package" on the grounds that each applicant should be considered on its own merits, that the "package" includes applicants which are not qualified and that it omits Japan and others which are.

3. We have indicated that we would not veto membership applications but have maintained that a Security Council recommendation on an application is subject to the veto and that a Council recommendation is necessary before the Assembly can admit an applicant.

4. We have recognized that under existing procedures the only solution to the deadlock probably is an omnibus settlement including Soviet and non-Soviet applicants, but have been unwilling to seek or agree to such a settlement.

5. We intend to reexamine our position before the Eighth Session in the light of circumstances then existing. In May Ambassador Lodge indicated he is generally in favor of seeking an omnibus solution under right circumstances provided this would not adversely affect the Chinese representation problem, provided the USSR and the satellites have given concrete evidence by deeds of a sincerity of peaceful

purpose, and provided satisfactory terms of a settlement providing for states we favor can be worked out.

#### IV. ANTICIPATED DEVELOPMENTS

There may be strong pressure in the Assembly for an omnibus settlement. Support for this course will probably increase if the USSR shows a willingness to reach satisfactory solutions on other long-standing issues.

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310.2/8-2753

*Memorandum of Conversation, by the Officer in Charge of General Assembly Affairs (Taylor)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 27, 1953.

Subject: General Assembly Matters: UN Membership

Participants: Miss Barbara Salt, First Secretary, British Embassy  
Mr. Paul B. Taylor, UNP  
Mr. Eric Stein, UNP

Miss Salt came at her request for a general discussion of problems to be expected at the Eighth General Assembly. In particular, she was under instructions to raise the question of United Nations membership.

#### 1. *Membership*

As to membership, the foreign office had begun to study the problem for this year. They were inclined to think the issue should not be agitated this year and, in particular, they were especially concerned that no impairment of the veto take place through one or another of the Latin American proposals which have been before the United Nations in the past several years. Although the foreign office thinking is not final as yet, they are, as last year, inclined to think that if there is strong pressure for a Latin American proposal, the best course would be to submit it to the International Court on some agreed formulation. She was inclined to favor a formulation that would clearly result in a negative opinion by the Court. She said it is the view of the foreign office that the Chinese representation problem is in its nature, and must be completely separate from the membership problem. She asked whether we felt there was a relationship between the two matters. I said that, speaking personally, it seemed to me there was a connection in that if the Soviet Union were ever to go so far as to agree to a complete "package" of new members, it would be likely to put Communist China into the package as well. I told her we were just now formulat-

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<sup>1</sup> Source text indicates this memorandum was dictated Aug. 26.

ing our position on the membership question and would inform her when a decision had been reached.

[Here follows discussion of the Chinese representation question; see page 690. There was discussion also of "Miscellaneous Items".]

PAUL B. TAYLOR

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IO files, SD/A/C.1/429

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 5, 1953.

#### ADMISSION OF NEW MEMBERS

##### THE PROBLEM

Nineteen membership applications are pending, including fourteen non-Soviet applications (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, and Vietnam) and five Soviet-sponsored applications (Albania, Bulgaria, Hungary, Rumania and Outer Mongolia). In addition, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications. The Federal Republic of Germany and Spain have not yet applied.

In the Security Council the Soviet Union has vetoed all the non-Soviet candidates while the required majority has never approved the admission of the Soviet candidates or the Soviet package proposal for the simultaneous admission of the five Soviet-sponsored applicants and nine of the non-Soviet applicants (all but the Republic of Korea, Japan, Vietnam, Laos, and Cambodia).

The General Assembly has become increasingly concerned over the stalemate. The Seventh Session established a Special Committee to study all proposed solutions and placed the membership question on the agenda of the Eighth Session. The Committee met this spring. It analyzed various Latin American proposals for independent Assembly action to admit applicants, as well as proposals like the Soviet package deal. Its report to the Assembly makes no specific recommendations but none of the proposals it reviewed was found generally acceptable.

At the Eighth Session there may be pressure from the Latin American countries for independent Assembly action to admit applicants, but there is likely to be stronger pressure for a political settlement providing for the simultaneous admission of both Soviet and non-Soviet applicants.

## UNITED STATES POSITION

1. The United States should indicate support for the fourteen non-Soviet applicants and opposition to the Soviet-sponsored applicants and also to the Soviet package proposal, and should call upon the Soviet Union to abandon its arbitrary membership policies.

2. The United States may support a resolution requesting the Security Council to keep under consideration all pending applications and reaffirming the principle that each application should be considered separately on the basis of the criteria of Article 4.

3. The United States should oppose the Soviet package proposal if it is resubmitted. If the proposal is likely to receive majority support, the United States may seek to amend it in order to obtain a resolution along the lines of recommendation 2 above.

4. The United States should not support proposals for independent Assembly action to admit applicants and should endeavor to persuade their sponsors not to bring them to a vote. However, if necessary to prevent adoption of proposals unacceptable to us, the United States may support a request for an advisory opinion from the International Court of Justice as to whether the Assembly can admit an applicant vetoed in the Security Council not on Charter grounds but rather because of the Council's refusal to admit others simultaneously.

5. If Italy and Japan are definitely interested in arrangements for non-member participation in the Assembly without the right to vote, the United States may consult with other members to seek their reactions, with a view to laying the groundwork for possible action along these lines at the next session for states excluded by the Soviet veto.

## COMMENT

The United States strongly supports the admission of Italy, Japan and the other non-Soviet applicants and deplores the fact that their admission has been blocked by the Soviet veto. It opposes the admission of the Soviet-sponsored applicants on the ground that they have failed to demonstrate that they meet the basic Charter qualification; and opposes the Soviet package proposal because it is contrary to the Charter principle, reaffirmed by the International Court of Justice in 1948, that each application should be considered separately on its own merits, because it includes the Soviet applicants and because it omits others we strongly favor.

The United States fully sympathizes with the motives behind various Latin American proposals calling upon the Assembly to admit applicants even though the Security Council has not made a favorable recommendation. However these proposals present legal difficulties. Article 4 of the Charter, as interpreted by a Court opinion of 1950, requires a favorable Security Council recommendation before the Assembly can admit an applicant. Furthermore, it has been generally understood from the beginning that recommendations on membership applications are subject to the veto.

Under existing procedures perhaps the only solution lies in a political settlement involving the admission of both Soviet and non-Soviet



applicants. However, even in the unlikely event that the Soviet Union could be induced to agree to a settlement which provided for all the states we favor, it is believed that we should not seek such a settlement. There should be concrete deeds on the part of the Soviet Union and its satellites showing a sincere desire to settle other long-standing issues before the satellites are admitted. In addition, United States agreement to admit Soviet satellites in spite of the fact that they have failed to demonstrate that they are able and willing to carry out the Charter obligations could jeopardize support for our position on Chinese representation.

In order to do everything possible for Italy and Japan, the United States has considered arrangements which would give non-Members excluded from membership by the Soviet veto the right to participate in the Assembly on a regular basis without vote. Italy thus far has not been interested and Japan, while more interested than Italy, has shown no great enthusiasm. However, if these countries definitely want such arrangements it would be desirable to consult with other Members to obtain their reactions. We believe that such arrangements could be worked out in accordance with the Charter and might provide the best solution for some time to come. Even though it would not be practicable to take action on non-Member participation arrangements at the Eighth Session, it would be desirable, if Italy and Japan become interested, to lay the groundwork for future action by consulting with other Members, some of which have had legal reservations.

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310.2/9-1253 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

CONFIDENTIAL

NEW YORK, September 12, 1953—8:47 p. m.

183. Verbatim text. Re membership and Department's 119, September 11.<sup>1</sup> Consultation today with UK delegation revealed clearly that they are not thinking of emphasizing subject of membership in studies contemplated by Dutch item on charter revision. Words "particular attention" cropped up only in informal conversation and unfortunately conveyed erroneous impression. Their tentative idea (as embodied in first recommendation of following draft resolution on which they would like to have our comments) is that member governments should study possible revisions of admission procedures for consideration in connection with other proposals for charter revision.

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<sup>1</sup> Not printed (310.2/9-1153).

*"The GA,*

*"Recalling its Resolutions 113A(II) of 17 November, 1947, 197B (III) of 8 December, 1948, 296K(IV) of 22 November, 1949, 495(V) of 4 December, 1950, 506A(VI) of 1 February, 1952, and 620(VII) of 21 December, 1952,*

*"Recalling in particular the opening paragraph of Resolution 506 (VI), which reads:*

*'Considering that the Charter of the UN provides that membership is open to all states not original members of the organization and that this universality is subject only to the conditions that they be peace-loving and accept the obligations contained in the Charter and, in the judgment of the organization, are able and willing to carry out these obligations',*

*"Considering that certain applicant states have failed to secure admission, notwithstanding the fact that the great majority, and in some cases, all members of the organization have believed them to fulfill the provisions of Article IV(1) of the Charter,*

*"Considering that the GA, being aware of the importance of this problem, has striven for some years to find a solution and at its 7th session instructed a special committee to make a detailed study of the question of the admission of states to membership to the UN and requested it to submit a report on its work and its conclusions to the GA at its 8th session,*

*"Having examined the report of the special committee,*

*"Concludes:*

(1) that procedural methods designed to overcome the difficulties which at present prevent the admission of new members are not likely to find general acceptance, and

(2) that while there is no agreement amongst the five permanent members of the Security Council on the admission of particular applicants no solution of a political nature is practicable,

*"Recommends:*

(1) that member governments should study possible revisions of the procedure for admitting new members and submit these for consideration of other member governments, so that they may be considered in connection with other proposals for the revision of the Charter, and

(2) that the five permanent members of the SC confer with one another with a view to assisting the council to come to positive recommendations in regard to pending applications for membership, whenever circumstances appear to be propitious and in any case before the 9th session of the GA."

With respect this draft, Crosthwaite emphasized that it represented UK Delegation's ideas based on general instructions and had not been cleared by British Foreign Office.

WADSWORTH

320/9-1753 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*

CONFIDENTIAL

WASHINGTON, September 17, 1953—12:57 p. m.

Gadel 5. Re Membership (urtel 183) :

Department sees no difficulty in UK suggestion Members study possible revisions of admission procedures in connection Charter review.

However, we have several objections to UK draft contained reftel. First, draft would close door to various Latin American proposals. Although we cannot support them we believe GA should not reject them finally and categorically. In addition we wish avoid debate with Latin Americans which draft as it now stands would probably necessitate.

Second, UK draft does not like past GA resolutions seek change in USSR policies which are cause of stalemate, and clearly implies GA favors early political solution of membership problem. Resolution could therefore be used by others in attempt persuade us agree to political solution rather than persuade USSR abandon its arbitrary policies.

In light of above we suggest following changes in UK draft:

1. First paragraph should also refer to GA resolution 197A (III) which recommends members act in accordance ICJ 1948 opinion.

2. Conclusions should be omitted. Alternatively, resolution could, without drawing conclusions, simply note that neither procedural methods nor proposals aimed at political solution secured general acceptance in Special Committee.

3. Recommendations should include request that SC keep under consideration all pending applications and that all Members vote on applications solely on basis criteria of Article 4. This recommendation should be inserted after present recommendation (1).

4. Phrase "and in any case before the Ninth Session of the GA" should be omitted from present recommendation 2.

SMITH

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Telephone Conversation, by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper)*

RESTRICTED

[WASHINGTON,] September 17, 1953.

Subject: Membership

Mr. Stein telephoned at 4:30 p. m. to say that Belaunde of Peru is pressing the idea of setting up a negotiating committee of five UN Members on the problem of admission of new members to the UN. The

Committee would be instructed to approach all groups and all major powers, with a view to working out a political solution to the membership problem.

Realizing that the Committee could only be a source of annoyance and inconvenience to us, Mr. Stein wondered how strongly we felt that Belaunde should be talked out of his idea. He pointed out that we had dissuaded Belaunde from pressing to a vote last year his resolution seeking a legal solution for the membership problem. Now, therefore, Belaunde was interested in political methods.

I said I believed a good deal would depend on how strongly Belaunde felt that he must take a leading position in the discussion of the membership problem this year. Since he was one of our most useful friends in the Assembly, we obviously could not press our opposition to the idea of a Committee to extremes. Mr. Stein and I discussed some possible compromise language. He suggested that the Assembly give the Secretary General authority to appoint such a Committee when he thought it appropriate, but we doubted the Secretary General would wish to be, or should be, given such discretionary authority. I suggested that alternatively, the resolution might state that such a committee should be established by the 9th General Assembly if no progress had previously been made in the solution of the membership problem by that time.

We left it that we would attempt to think of other formulae by 9:30 tomorrow morning, when the US Delegation Staff will be talking to Byrnes, and later in the day with the British.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Telephone Conversation, by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper)*

RESTRICTED

[WASHINGTON,] September 18, 1953.

Subject: Membership

Participants: Mr. Eric Stein, U.S. Delegation  
Mr. David H. Popper, UNP

I outlined this morning the following possibilities for dealing with Belaunde's proposal for establishing a Negotiating Committee on Membership:

1. We might satisfy Belaunde by permitting him to introduce a general resolution on the membership problem acceptable to the United States and the United Kingdom.
2. The Negotiating Committee might be set up, to be available to the five permanent members of the Security Council when they consider that such a Committee would be useful in reaching a solution.

3. The Committee might consist of the non-permanent members of the Security Council, who would be asked to lend their good offices in connection with the Five Power consultations on membership.

4. The Committee might be asked to look into the problem of associate membership (I cautioned Mr. Stein that this variant could not be used without further consideration of the desirability of stressing associate membership this year).

5. Belaunde might be encouraged to introduce a resolution requesting an advisory opinion of the Court as to whether the Assembly can admit an applicant vetoed in the Security Council on illegal grounds. Mr. Stein remarked that the British and French were strongly opposed to the suggestion.

Mr. Stein will keep us advised.

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320/9-1853 : Telegram

*The Secretary of State to the Department of State*

CONFIDENTIAL

NEW YORK, September 18, 1953—8 p. m.

Delga 13. Re Membership.

Working group met with Governor Byrnes<sup>1</sup> this morning to review situation re membership item. Meeting reviewed UK draft and redraft prepared in New York on basis Gadel 5. Governor Byrnes and group felt this approach unlikely to gain acceptance in face of other approaches likely to be put before ad hoc committee this year.

Meeting analyzed at length the new suggestion of Belaunde concerning a small UN body to undertake negotiation of a membership settlement. Following points were brought out as drawbacks of this approach:

- (a) It would result in establishment of one more UN subsidiary organ which would be unable to achieve results;
- (b) When a settlement of the membership problem becomes possible, such can be achieved without resort to committees;
- (c) Activity by the commission could embarrass the US through proposals for settlement which this government would reject;
- (d) Establishment of the UN body might raise false hopes for a solution of the membership problem, particularly among the 14 applicants whom we support.

There was also discussion of variants on Belaunde suggestion, such as (1) use of non-permanent members of the Security Council either as a good offices committee or as a group to consult with any committee that might be established by GA; (2) designation by SYG of in-

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<sup>1</sup> James F. Byrnes, former Secretary of State, Member of the U.S. Delegation to the General Assembly. Within the Delegation, Byrnes was U.S. spokesman with regard to matters relating to the membership question (that is, U.S. Delegate on the General Assembly's *Ad Hoc* Political Committee).

dividual or group to lend good offices at appropriate time; (3) delay in providing good offices group until Ninth Session; and (4) reference of legal questions to ICJ. These alternatives generally considered unsatisfactory as being unlikely to gain sufficient support in Assembly to head off Belaunde proposal or other less desirable resolution.

After discussion and weighing of alternatives, Governor Byrnes felt conclusion was clear that US at this Assembly should support and give direction to Belaunde suggestion. He noted that this contained positive elements which would certainly evoke support in GA. While he was doubtful of negotiating group's ability to produce settlement, he thought it better for US to support proposal which would be viewed as even a little hopeful rather than one totally pessimistic.

It was noted that Belaunde would, in all probability, press ahead with his plan regardless of US views; if US can support his basic idea, we will probably be able largely to control the kind of resolution on membership which emerges from the Assembly as to composition of subsidiary group and functions. We would hope to make clear group was only to hold itself available for good offices. In this way, possibilities of embarrassing action by group would be minimized.

Governor Byrnes felt there was merit in incorporating reference to charter revision in membership resolution. He felt membership was one of the obvious subject matters to be considered in connection with revision. It was agreed that any group set up by Assembly should not be required to report back at any fixed time but should be instructed to report only in its discretion.

We expect to receive from Belaunde a draft resolution on which he has been working. Here in New York we expect to try some redrafting of his resolution along lines which would make it acceptable to us, incorporating elements of charter review and need for each applicant to be considered on own merits. We will wire texts to Department for its consideration as soon as they are available. Exploratory talks with UK and Netherlands disclose that Netherlands delegation and UK working level favorable to Belaunde idea.

DULLES

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820/9-1953 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 19, 1953—2: 03 p. m.

Gadel 7. Re: membership.

1. Dept reluctant accept Belaunde suggestion for committee to negotiate membership settlement. In view our present inability embark

<sup>1</sup>Drafted and signed by Popper; cleared with the Deputy Assistant Secretary of State for UN Affairs (Popper) and the geographic bureaus (NEA not included)

upon political solution membership deadlock, committee could only be source of embarrassment and difficulty to us. Doubt utility creating illusion of possible progress on membership problem in absence of supporting evidence.

2. However, we appreciate tactical advantage avoiding rigidly negative attitude toward idea for which Belaunde can probably muster considerable support, as indicated by favorable reaction of UK and Netherlands Delegations. If US Delegation concurs, we suggest you might therefore take cautiously favorable position vis-à-vis Belaunde proposal, and press for text least harmful US objectives. Points made last three paragraphs Delga 13 would be helpful and should if possible be included in draft resolution.

3. Would appreciate receipt of draft texts as they are developed.

SMITH

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320/9-2153 : Telegram

*The Secretary of State to the Department of State*

RESTRICTED PRIORITY NEW YORK, September 21, 1953—1 a. m.

Delga 17. Verbatim text. Re admission of new members.

Belaunde (Peru) gave us following tentative draft this morning:

*"The GA*

Having examined the report of the special committee on the admission of new members;

*Considering*

That the aims of the charter of the UN would be furthered through the cooperation of all peace-loving states;

That recommendations of the GA on the admission of new members have not prospered;

*Believing*

That the exercise of this new attempt should be without prejudice to the juridical positions maintained by members of the UN and to any recommendations which the GA may eventually adopt;

*Decides*

To establish a good offices board to be appointed by the President of the GA composed of three members not represented on the SC, empowered to consult with other member states, as well as with states which are candidated for membership in the UN, with the object of exploring the possibilities of reaching a general understanding which would facilitate the admission of new members. The good offices board shall report to the GA as appropriate."

DULLES

IO files, US/A/M(Chr)/265

*Minutes of Fifth Meeting of the United States Delegation to the  
General Assembly, New York, September 23, 1953*

SECRET

[Here follow list of persons present (44) and brief reference to a matter of Delegation attendance at plenary meetings of the General Assembly. Byrnes presided in the temporary absence of Lodge.]

1. *Membership*

Mr. Stein made the presentation on the problem of admission of new members. He noted the qualifications set forth for the admission of new members in Article 4 of the Charter and the procedures outlined therein for such admission. He said the sad reality was that nineteen candidates had been knocking at the door of the UN for a long time. Fourteen of these were non-Communist nations and they included Italy, Japan and Austria. All these applications had been vetoed in the Security Council by the Soviet Union. The other five applicants were Soviet Satellites which had never obtained a majority in the Security Council.

The Soviet Union had proposed the simultaneous admission of five satellites and nine non-Communist states in what was generally referred to as a "package deal". This proposal had never obtained a majority vote in the Security Council. The United States opposed this approach since the applications of each country must be considered individually and on their own merits. The result had been a deadlock on the question of membership in the Security Council.

The General Assembly had been extremely concerned with this problem and pressures had built up in the Assembly for some move looking to universality of membership. These pressures had gone in two directions. The first was that the Assembly should take over the whole problem and admit those candidates who were qualified. This course was favored by the Latin Americans, who had come up with some very clever theories none of which, however, had been legally acceptable to the United States. The second course was that of a political settlement, i.e., some sort of "package deal". These pressures had reached their height in Paris in the winter of 1951-52, when a resolution to this effect had almost been adopted by the Assembly.

The United States position on this question was relatively simple. First of all, the five Soviet Satellites simply did not qualify for admission. However, the US did favor the admission of all the others who did qualify. Under the Charter, as presently drafted, it would only be possible to obtain their admission by some sort of deal as the Soviets proposed, but this would involve admission of those we felt were not qualified. In addition, a concession on the admission of Satellites would



not be possible now, since it would lend weight to the arguments, although logically unconnected, made in favor of seating the Chinese Communists.

A holding operation was therefore necessary. The question was how to accomplish this. Mr. Stein said that Ambassador Belaunde of Peru wanted to have a Good Offices Committee of three which would bargain on a political basis with the parties concerned in an effort to break the deadlock on this matter. This Committee, according to his plan, would have no deadline and would report only if progress were made. Such an approach, Mr. Stein added, would keep the Latin Americans happy and would be very helpful in avoiding the immediate pressures for a package deal. Mr. Stein said that this matter had been taken up with Governor Byrnes who felt that it might be worth-while as a way out for the time being. He also noted that the Department had reluctantly concurred in this proposed course of action. The only disadvantage, said Mr. Stein, was that this might commit us to agreeing at some future time to a political settlement. However, it was the least embarrassing solution for us now and did put us on record as not stalling on this matter. He therefore recommended that the Delegation approve this course of action.

Mr. Stein also mentioned the possibility of Associate Membership for those applicants we considered qualified. Under this scheme they would have all rights of full Members except that of voting. There was the thought that this could some day lead to their acceptance as full Members. It had been discussed with the Italians, Japanese and the Austrians.

Governor Byrnes said that with regard to his views as mentioned by Mr. Stein, he was not too optimistic about the success of any Good Offices Committee, but he felt that the deadlock was very likely to be protracted and that the US Government would face great pressures in the future. He, therefore, agreed with the Staff recommendation. Governor Byrnes noted that if we stood by the qualifications set forth in the Charter we could not allow the admission of the Satellite States. None of them were independent or willing to uphold the obligations of the Charter. To admit them, moreover, would bless them with the characterization of "peace loving". World public opinion would not be favorable to such action, he felt. However, the Latin Americans wanted most strongly to see Italy become a member of the United Nations. Therefore, there was this pressure to contend with. Governor Byrnes said he had read the report of the Committee which had met during the past year to discuss the question of membership and he appreciated the different points of view set forth there. He reiterated that he agreed with the Staff that a Good Offices Committee would not be harmful and might do some good. He wanted, however, to be able

to say something about the personnel of such a Committee. He noted also that the British and some others had approved this general idea.

Mr. Murphy read from the language of the Department's telegram and said that the United States Delegation could reply to this that it supported the idea wholeheartedly. Governor Byrnes added his agreement.

Ambassador Lodge, on assuming the Chair, noted the interest of the Secretary in the Associate Membership idea. He said he had tried to sell this idea to the Japanese, who were the biggest country not represented in the UN. He felt that if they would agree, it might become fashionable for others to accept such a type of membership. He noted that the Italians had originally disliked this idea as a sort of second-rate citizenship, but considered this attitude rather doctrinaire on their part. Mr. Murphy said that the Japanese had become very interested in such a possibility of late. Governor Byrnes pointed out that just such a contingency as this would be left open by the recommended approach and the various pressures would be avoided.

Mr. Ward Allen, with regard to Italy's opinion, said that the Italians feared that pressure for their full membership would abate if they got only part of the way in.

Mr. Taylor noted that the position paper authorized us to consult with other countries regarding Associate Membership, if the Japanese and Italians showed any interest in this idea, in order to lay the groundwork for action at future sessions. He recalled that in a discussion with the Austrian Observer, who had once been quite opposed to this idea, they were indicating an attitude of willingness now and thought that the objection that had once been understood to be the attitude of all European non-Members might no longer be so firm.

[Here follows discussion of another agenda item.]

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320/9-2353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, September 23, 1953—11 a. m.

Delga 27. Verbatim text: Re membership:

USDel this morning wholeheartedly agreed we should support Belaunde (Peru) idea for good offices committee. Governor Byrnes will give Belaunde following re-draft latter's resolution (see Delga 17, September 21) this morning:

*"The GA*

Having examined the report of the special committee on the admission of new members;

*Considering*

That the aims of the Charter of the UN would be furthered through the cooperation of all peace-loving states, that efforts of the GA to facilitate the admission of new members have not met with success,

*Believing*

That a new effort to find a solution to this problem should be without prejudice to the juridical positions maintained by individual members of the UN and to any further consideration of the subject by the GA,

*Decides*

To establish a committee of good offices consisting of the representatives of (three member states) empowered to consult with members of the SC and with other member states, with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of qualified new members in accordance with Article 4 of the charter. The committee shall report to the GA as appropriate."

LODGE

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Wells)*

RESTRICTED

NEW YORK, September 23, 1953.

Subject: Membership: Peruvian Draft Resolution

Participants: Ambassador Victor A. Belaunde, Peruvian Delegation  
 Sr. Jose Encinas, Peruvian Delegation  
 Milton K. Wells, US Mission

Late this afternoon Dr. Belaunde and Mr. Encinas had two comments to make on our re-draft of their resolution. In general, both liked our draft. However, they questioned the desirability of mentioning "Members of the Security Council" on the theory that this unduly emphasized the key role of the Permanent Members of the Security Council in the present deadlock. As Encinas commented, it would seem better to refer only to "Member States". This, he said, would make the terms of reference more innocent looking, but just as effective. Belaunde did not comment especially on this point except to say that he supposed our intention was precisely that of emphasizing that the Committee's principal job would be to consult with the Permanent Members of the Security Council.

Both expressed disappointment that our draft had omitted reference to consulting with applicant states. I told them that our feeling was that this language might get the Committee into other proposals not strictly related to membership as, for example, a possible proposal on the part of the USSR that if Japan would renounce its Mutual Defense Pact with the US, the USSR would not block its application.

Belaunde seemed impressed by this line of argument and said he would think it over. In a separate conversation, Encinas expressed a decided opinion that eliminating the reference to consulting with applicant states would not remove the danger we have in mind; and that, on the other hand, it might turn out to be useful for the Committee to hear the views of the various applicant states since they have no direct way of laying their views before the General Assembly. Encinas hoped that our delegation would reconsider our objection to this language.

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810.2/9-2553

*Memorandum of Conversation, by the Deputy Assistant Secretary of State for Far Eastern Affairs (Johnson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 25, 1953.

Subject: Associate Membership in the UN

Participants: Mr. Ryuji Takeuchi, Japanese Minister  
Mr. Hiroto Tanaka, First Secretary, Japanese Embassy  
Mr. U. Alexis Johnson, Deputy Assistant Secretary  
Mr. Robert J. G. McClurkin, Acting Director, NA

Mr. Takeuchi and Mr. Tanaka came in at their request. Mr. Takeuchi said that Ambassador Lodge and the Secretary had talked to the Japanese in Tokyo and to Ambassador Sawada in New York about the possibility of some kind of associate membership in the United Nations. His government would like to have more information about what we have in mind. He mentioned such questions as whether we thought that there might be an annual contribution for the Japanese to pay; whether they would have the right to talk; what the procedure for becoming an associate member would be; and what obligations as well as what rights they would have. He said that a questionnaire on this subject had been left with NA/J by Mr. Tanaka. I said that we would undertake to try to get answers to these questions and would then talk further with him, perhaps in company with Ambassador Murphy.

Mr. Takeuchi concluded by commenting that at the moment they were a little in the position of someone who is being asked how he would like to ride in a second class car which doesn't exist and for which the plans had not yet been drawn.

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<sup>1</sup> Drafted by McClurkin.

320/9-2553: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

NEW YORK, September 25, 1953—6:54 p. m.

Gadel 11. Japanese Embassy has referred to recent conversations Secretary and Lodge with Araki on desirability "associate membership" for Japan and has requested our "concrete ideas" on specific terms such plan and reactions other non-members approached. Embassy indicated some reluctance of Japan take firm position until these questions answered and prospects of general support for Japan ascertained and asked whether we intend take positive approach re "associate membership" now.

Department believes that pending consultations other UN Members we could not give Japan final views on exact terms of plan or prospects success on basis of which Japan could take position. In our view arrangements might be worked out which would provide extensive enough privileges to make plan attractive to Japan. Such privileges would include right participate in Main Committees and Plenary, with right speak under same rules as Members, make proposals and receive GA documents. Participants might also be allowed have votes recorded but not counted. To cover cost such participation GA could request voluntary contributions.

However we see following difficulties:

1. Other Members might consider above arrangements incompatible with Charter. If willing support any arrangements at all they might support only limited privileges which would not be acceptable Japan.

2. Other Members might be willing move ahead only if plan covers both Soviet and non-Soviet applicants, a condition we could not accept.

3. Would be difficult obtain support for non-Member participation if Japan is only qualified applicant interested.

In view above considerations suggest you consult soonest with UK, French and other key delegations, pointing out advantages both to UN and to non-Members concerned of non-Member participation and desirability doing everything possible for states unjustly excluded, and ascertaining their reactions to arrangements along above lines for non-Soviet applicants if they are interested. Also suggest you consult further with Italy. If there is general reluctance accept plan now you might sound out others on desirability requesting good offices committee provided for in Belaunde resolution consider possibility non-Member participation for states qualified for membership.

Department informing Japanese Embassy US Delegation considering whole problem and will keep in close touch Sawada.

DULLES

<sup>1</sup> Drafted by Paul W. Jones and concurred in by Popper, cleared in draft with the geographic bureaus and L/UNA, and signed by the Assistant Secretary of State for UN Affairs (Murphy).

320/9-2853 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL

NEW YORK, September 28, 1953—9 p. m.

Delga 41. Re: Membership. Membership problem discussed today at luncheon meeting arranged by Governor Byrnes for Belaunde (Peru), Uruquia (El Salvador), De La Colina (Mexico), Crosthwaite (UK), and Ordonneau (France).

Byrnes stated in strongest terms our opposition to admission of satellites on ground that as long as Article 4 requires qualifications for membership these qualifications must be observed and cannot be bargained away for a price. Group agreed.

Three arguments were advanced [by Byrnes] in support of Belaunde idea.

- (1) GA abandonment of any further efforts in this matter would create sense of frustration, particularly among applicant states;
- (2) UN applies principle of negotiation to all problems. There is no reason why it should not be applied to membership deadlock;
- (3) Under Article 4 GA has definite role in membership problem which it cannot abdicate.

Considerable opposition expressed in group to concept that committee should "negotiate". Ordonneau and Crosthwaite strongly opposed Belaunde's thought of several progressive "small packages", some of which might involve satellites.<sup>1</sup>

De La Colina urged that committee's tasks should be limited to that of GA liaison committee with SC since problem can be solved only when agreement reached in SC.

Group then agreed on following redraft last paragraph Belaunde's resolution:

"Decides to establish a committee of good offices consisting of the representatives of (3 member states) empowered to consult with members of the SC with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of qualified new members in accordance with Article 4 of the charter. The committee shall report to the GA as appropriate."

Ordonneau indicated that France might drop its opposition to the idea. We wonder whether Belaunde will stick to agreed redraft.

In a private conversation Belaunde recognized merit of associate membership idea but thought separate resolution should be offered on

<sup>1</sup> Stein had reported previously on Sept. 24 the following regarding the British position on associate membership: "I asked Mr. Crosthwaite whether the UK maintains its past negative position towards the idea of associate membership for the qualified applicants. Crosthwaite said the British remain strongly opposed to the idea and consider it entirely unconstitutional." (Memorandum of conversation by Stein (excerpt), Sept. 24, 1953, UNP files, lot 59 D 237, "Membership")

that subject and his committee should not get involved in negotiating arrangements for associate membership.

LODGE

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by the Director of the Office of British Commonwealth and Northern European Affairs (Raynor)*

SECRET

[WASHINGTON,] September 30, 1953.

Subject: Irish Application for Membership in United Nations

Participants: Mr. Sean Lemass, Deputy Prime Minister of Ireland  
Ambassador Nearne, Embassy of Ireland  
Mr. Sean Leydon, Secretary of Industry and Commerce  
The Secretary  
Mr. Hayden Raynor, Director, BNA

In the course of a courtesy call today following the conclusion of a general discussion on world-wide trouble spots, Mr. Lemass inquired as to the status of the membership question in the United Nations and specifically with respect to the long pending Irish application for membership.

The Secretary replied that he could see one of two alternatives possibly leading to a solution in this question. The first would be to work out some kind of arrangement by which applicants which were able to obtain a two-thirds vote in the General Assembly would be afforded the right of participation in the deliberations of that body. He pointed out that, of course, the Assembly under present circumstances was, of course, the important body. He said while certain corners might have to be cut to achieve this kind of solution, he thought it might be possible. The other alternative he said would involve amending, presumably at the Charter revision conference in 1955, the provisions on membership. He said, of course theoretically the Soviets had a veto even on the question of amendments.

In reply to Mr. Lemass' specific inquiry the Secretary expressed the view that a package proposal for admitting applicants en masse was not feasible at this time in view of the character of some of the applicants. He said while we, for instance, might not have too much difficulty with an applicant such as Rumania, when it came to applicants such as Outer Mongolia and Albania it was quite another matter. He also said that it would be inevitable that the Russians in some way would tie in Red China to any package proposal and we just did not think that events today would indicate that Red China deserved membership. For all of these reasons he thought the idea of package admission was not possible today.

*Note:* After leaving the Secretary's office Mr. Lemass commented to Mr. Raynor that there was some feeling in Ireland that the Irish application should be withdrawn but the position of the government was to permit it to remain on file, so to speak, as it has for the last several years.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Meeker)*

CONFIDENTIAL

NEW YORK, September 30, 1953.

Participants: Mr. Eric Stein—U.S. Delegation  
Mr. Leonard Meeker—U.S. Delegation  
Mr. Ushiroku, Assistant Japanese Observer

Mr. Ushiroku inquired whether we thought the Peruvian draft resolution was likely to be adopted and whether it could be expected to produce results. We gave our opinion that the Peruvian draft would be passed and that it seemed unlikely that the good offices committee to be established under it would be able to make significant progress. We asked Mr. Ushiroku whether the Japanese Government had yet reached a decision on the desirability of an arrangement by which Japan and some other applicants would have non-voting participation in the General Assembly. He said that no decision had been reached, and probably would not be until after the Foreign Minister's return from his current trip in southeast Asia. Mr. Ushiroku thought this might be in about ten days. He said the Japanese Government would be influenced in its decision by various factors: (1) the attitude of other applicant states; (2) the likelihood of Assembly delegations agreeing to an arrangement for non-voting participation; and (3) the effect that such an arrangement might have on the admission of Japan to regular membership. We said we did not know what the attitude of other applicant states would be and, in response to a specific query, said we understood the Italian observer was checking the matter with his foreign office. As to the attitudes of other United Nations Members, we said that our consultations here in New York had not proceeded far enough to disclose any general sentiment. On the third point, it was very difficult to assess what the effect of non-voting participation might be on prospects for admission.

Mr. Ushiroku asked, if the Japanese Government should decide in favor of non-voting participation, whether this could be arranged at the current session of the General Assembly. We said this appeared unlikely. The item on admission of new members stands at the top of the *Ad Hoc* Political Committee's agenda, and it would be very diffi-



cult, to secure the inclusion of a separate item on the agenda toward the end of the eighth session. We discussed briefly the possibility of not concluding finally the debate on the membership item when that item is considered at the head of the *Ad Hoc* Political Committee's agenda, with a further debate, directed to the question of non-voting participation, after the committee had finished with its other items. We expressed doubt about this suggestion, pointing to the undesirable precedent it might set.

Mr. Ushiroku referred to the memorandum on detailed arrangements for non-voting participation which the Japanese had enclosed with a letter to Mr. Young (NA) on November 4, 1952. Mr. Ushiroku asked whether we would have strong objection to any of the points covered in that memorandum. We said we did not think so. We mentioned, however, that the whole question of arrangements for non-voting participation was capable of many different formulae, and that this was a matter which would require considerable discussion and negotiation. For example, a question might arise as to contributions to the United Nations budget by non-voting participants. Mr. Ushiroku said he thought his Government had omitted this element from its memorandum deliberately. We also discussed the possibility of including in the arrangements for non-voting participation some reference to the non-members' obligations to abide by the Charter. Mr. Ushiroku recalled in this connection the provisions of the Japanese Peace Treaty.

Mr. Ushiroku promised to let us know when his Government had any views to communicate.

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320/10-153 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

SECRET

NEW YORK, October 1, 1953—8 p. m.

Delga 52. Re Associate Membership. USDel has consulted with key delegations such as Australia, Norway, Brazil, Philippines, New Zealand, Sweden, Netherlands, UK, Belgium and France on possibility non-voting participation for applicant states found qualified for membership by GA.

With the exception of Brazil, none of delegations consulted showed positive interest in non-voting participation and some stated definite opposition, referring to constitutional objections. In view these reactions, we do not now plan take any further steps here re non-voting participation apart from reference in Governor Byrnes statement to ad hoc political committee. Situation, of course, would be changed should Japan or Italy change position and show definite interest.

LODGE

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 1, 1953.

Subject: Membership

Participants: Ambassador McGuire, Australia  
Mr. W. D. Forsyth, Australia  
Mr. W. P. Allen, US

Mr. Forsythe stated that the Australians will support the Peruvian resolution. It seems to them certainly harmless and the most expeditious way of disposing of the problem for this GA.

In amplification of the Australian position on associate membership, Mr. Forsythe reiterated the two principal reasons behind Australia's dislike of the idea. First, they feel it would be an undignified position of second class citizenship in which to place the important pending applicants; secondly, it is not expressly provided for in the Charter. It could, therefore, be justified legally only on the theory that what is not specifically prohibited under the Charter is permitted. This is exactly the theory which so many of the anti-colonial powers are following in order to expand the proper scope and jurisdiction of the UN in the colonial field. In the Australian view this is a dangerous theory and in terms of consistency, logic and precedent, they are reluctant to see it applied to other fields of UN operation.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Separate Conversations, by an Adviser of the United  
States Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 2, 1953.

Subject: Membership

Participants: Mr. Hens Boyesen, Norway  
Ambassador Borberg, Denmark  
Mr. W. P. Allen

According to Mr. Boyesen the Norwegian Delegation thinks the Belaunde proposal is a good one and will vote for it. They very much decry the Argentine suggestion that the Committee should report back at this session, agreeing with our view that this would destroy any real utility of the Committee. The Norwegian Delegation will, however, consistent with its past practice, vote for the Soviet package proposal. They continue to feel so strongly that Europe is under-represented that they are prepared to vote for the largest package deal which any

of the big powers offers. While they appreciate reasons why to other countries a package deal might not seem politically desirable, nevertheless they do not find it internationally immoral to work out a horse-trade.

In Ambassador Borberg's view, while Denmark will vote for the Peruvian proposal, it would have been preferable for the Committee, which the proposal sets up, to have consisted of the non-permanent members of the SC (of which Denmark is one). There is no dispute between the GA and SC on this issue but simply disagreement between the five veto powers. If any political conciliation among them is possible or desirable, the non-permanent members of the SC are the appropriate and available ones to assist in bringing it about. However, as stated above, Denmark will vote for the Peruvian resolution, and as to membership, Borberg thought that in addition to Peru, whose membership is inevitable, such neutral countries as Sweden and India would be the best choice. I indicated we would probably prefer that at least one of the two remaining countries be one which does not favor a package deal.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 2, 1953.

Subject: Associate Membership

Dr. Haymerle is awaiting further word from Vienna as to the present thinking of his government on this problem. His personal view, however, which he thinks will be shared by his government, is that it would be desirable to take steps to work out some sort of associate membership only if there is very general spontaneous sentiment among the members for such a course. He does not find any such sentiment at present—indeed, his soundings tally with those of USGADel that a number of countries have grave doubts both constitutionally and politically as to the wisdom of any such plan. Dr. Haymerle feared, therefore, that if it were pushed, while an appropriate resolution might well be gotten through the GA, nevertheless it would have taken such effort and there would have been sufficient opposition that it might well result in making the countries less disposed to exert real efforts to obtain full membership for the pending applicants.

While he could see some merit in additional participation of qualified applicants he put forward the suggestion, as yet only a personal one, that rather than attack the problem head-on under the concept of associate membership, it would be preferable to pick a few items,

relatively non-controversial ones at first, and have the GA increase the practice of inviting qualified applicants to participate without vote. The practice could be continued and broadened gradually. In thus approaching the problem in a piece-meal fashion, less opposition would be aroused with less likelihood that a definite stigma of second class citizenship would be attached to the applicants.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 6, 1953.

Subject: Associate Membership

Dr. Haymerle advised me that he has now received his Government's views on this matter and they are negative. The Austrian Government feels it would be undesirable to promote the idea of associate membership, since it would be likely to arouse such controversy and so increase the political tension surrounding the issue as to hinder rather than help the eventual attainment of the principal objective of full membership.

According to Haymerle, his Government was not even attracted to his more modest approach (previously reported) of gradually increasing the number of specific items as to which the pending applicants would be invited by the Committees to state their views, fearing that, tho to a lesser extent, this would have the same impeding effect on the attainment of full membership. Haymerle was therefore happy to note that we had not mentioned it in our speech.

I stated that we still had the matter under consideration, however, and if any of the other applicants, including Japan, desired it, we might want to pursue it further. He urged that before we took any steps in that direction we consult further with him.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 6, 1953.

Subject: Membership

Participants: Mr. Jens Boyesen, Norway  
Ambassador Hans Engen, Norway  
Mr. W. P. Allen, US

The Norwegian representatives confirmed that Norway will vote for the Soviet package proposal for simultaneous admission of 14 appli-

cants. They voted for a similar proposal in 1951 and abstained last year only because they did not want to "prejudice" the work of the commission then being set up. Although I pointed out that this year we are also setting up a new commission whose work could be prejudiced by such a vote, they remained unconvinced.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 7, 1953.

Subject: Membership

Mr. Nincic assured me that although the Yugoslav Government favors a package deal in principle, they will, nevertheless, abstain on the Soviet resolution on the theory that so long as it is strongly disapproved by some of the big powers its passage might prejudice any slight chance of success of the negotiating committee to be set up under the Peruvian resolution. They will vote for the Peruvian resolution.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Separate Conversations, by an Adviser of the United States Delegation to the General Assembly (Wells)*

RESTRICTED

NEW YORK, October 7, 1953.

Subject: Membership

Participants: Separate conversations with:

Ambassador Victor Belaunde, Peruvian Delegation  
 Sr. Carlos Peon del Valle, Mexican Delegation  
 Ambassador Cristian Tattenbach, Costa Rican  
 Delegation  
 Sr. Jose Ribas, Cuban Delegation  
 Milton K. Wells, US Delegation

Ambassador Belaunde reported that he is now sure that most of the Latin Americans will support his resolution. He thought that the Netherlands would be agreeable to forming the third member of the proposed Good Offices Committee along with Pakistan and Peru. In reply to my query, he suggested that it will be preferable to ask either the Brazilian or Mexican delegation to propose the committee's composition.

Sr. Peon del Valle revealed that his delegation would support the Peruvian resolution in line with its traditional policy of doing everything possible to encourage a trend toward universality. He also stated that his delegation would oppose the Soviet package deal this year.

Ambassador Tattenbach said that his delegation would give its support to the Peruvian resolution although without much enthusiasm. At the same time he said Costa Rica would reserve its position on the pending Central American draft resolution. He said he would vote against the Soviet proposal for the simultaneous admission of fourteen applicants.

Ribas also said that he would support the Peruvian proposal, but without much enthusiasm. He said that Cuba will again oppose the Soviet-proposed package deal.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Key)*

CONFIDENTIAL

NEW YORK, October 8, 1953.

Subject: UN Membership

Ambassador Sarasin (Thailand) informed me that his delegation would vote against the Soviet "package" proposal and would vote for the Peruvian resolution.

Sarasin, who is the Thai representation on the *Ad Hoc* Committee, said that he was not planning to speak on this question.

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320/10-953 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, October 9, 1953—8:34 p. m.

Delga 96. Subject: Japanese associate membership. Sawada advised Key that his government had decided not to apply for an associate membership and to hold this matter in abeyance for the remainder of the current session inasmuch as discussion of the membership question in the *ad hoc* committee was nearing its end. His government would, however, re-examine the question prior to the opening of the ninth session in the light of international conditions then existing.

LODGE

UNP files, lot 59 D 237, "Membership"

*Memorandum of Separate Conversations, by an Adviser of the United States Delegation to the General Assembly (Allen)*

CONFIDENTIAL

NEW YORK, October 13, 1953.

Subject: New Soviet Proposal on Membership

Participants: Minister Hergel, Denmark	} Separate } Conversations
Governor Byrnes, US	
Ambassador Hans Engen, Norway	
Mr. W. P. Allen, US	

According to the Danish and Norwegian representatives, the Scandinavian group finds the new Soviet proposal smaller package deal somewhat less attractive than the original proposal of fourteen. They have requested instructions from their respective governments, but the tenor of the conversation made it clear that they are disposed to abstain on this proposal if it comes to a vote. Minister Hergel stated that he had approached Ambassador Malik (USSR) yesterday to inquire whether the new proposal for the admission of five is an addition to or in place of the previous Soviet proposal for simultaneous admission of fourteen. Although Ambassador Malik then replied that the USSR would not "insist" on pressing their fourteen-nation proposal to a vote, Minister Hergel has since heard that the Soviets intend to request a vote on both proposals.

Both Norwegian and Danish representatives advanced the idea that it might be desirable to avoid a vote on either of the Soviet proposals and raised the possibility as to whether, following the expected passage of the Peruvian resolution to set up a negotiating committee, some delegate might move that the two Soviet package proposals not be voted upon. Both representatives thought if this were done they would be able to persuade their delegations to vote for it. Governor Byrnes advised Minister Hergel that such a proposal would be satisfactory to the US and consistent with his speech, and that if it were made the US would vote for it.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Stein)*

CONFIDENTIAL

NEW YORK, October 22, 1953.

Subject: Membership

Belaunde told me today that he proposes to have the Good Offices Committee on Membership meet as early as next Saturday. He will

propose that the Netherlands member should be the Chairman. He gave me to understand that he obviously assumes that the Dutchman will decline in Belaunde's favor. Belaunde proposes to suggest that a letter be sent by the Committee to all Members of the SC advising them of the availability of the GOC. The Committee then would approach every Member of the SC in alphabetical order.

I asked Belaunde whether calling the meeting for Saturday would not be rushing things a bit too much. I said that if the Committee becomes too active during this session of the Assembly there will be pressure on the three members to report during the 8th session. I pointed out that the resolution itself provides for a report during the 8th session, or at the latest the 9th session. Belaunde agreed that the Committee must not put itself in the position of having to report while the 8th session is on. He agreed that he would not rush things. He is anxious to discuss with us what the Committee should do.

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Hickerson-Murphy-Key files, lot 58 D 33, "Membership"

*The United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

NEW YORK, March 15, 1954.

DEAR DAVE: This confirms my conversation with you of Sunday, March 14.

At the Caracas Conference, Ambassador Belaunde of Peru asked me to obtain instructions from my Government on the subject of the United States position on the admission of Hungary, Rumania and Bulgaria to the United Nations. He said specifically that he was not proposing that Outer Mongolia or Albania be admitted, but felt that it might be possible to make an advantageous arrangement as regards the admission of other countries if we would consent to the admission of Hungary, Rumania and Bulgaria.

I talked to the Secretary about it, and he said that he imagined that Belaunde had in mind the admission of Italy. The Secretary also clearly inferred to me that he might not be averse to a deal which could be really advantageous to the United States in securing the admission of a substantial number of free states in exchange for the admission of a few communist ones.

I desire to know therefore what the present position of the U.S. Government is on this subject. If we propose to adhere without deviation to the policy of the previous Administration, then I would like to be informed. I am inclined to hope that this would not be the case.

If it is our position that we would be willing to enter a trade providing the trade is advantageous I suggest we might tell Ambassador



Belaunde that if he is able to promote an arrangement which is clearly advantageous we would be interested in taking a look at it.

Ambassador Belaunde expects to be back in New York by the first of April, and I would hope to have instructions from you well in advance of that time.

Faithfully yours,

HENRY CABOT LODGE, JR.

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Hickerson-Murphy-Key files, lot 58 D 33, "Membership"

*Memorandum by the Deputy Assistant Secretary of State for United Nations Affairs (Wainhouse) to the Deputy Under Secretary of State (Murphy)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] March 23, 1954.

Subject: United Nations Membership Question

*Background*

Ambassador Lodge has informed us (Tab A)<sup>2</sup> that Belaunde of Peru, Chairman of a General Assembly Committee to explore prospects for breaking the membership deadlock in the UN, indicated to him at Caracas that if we would consent to the admission of Bulgaria, Hungary, and Rumania, it might be possible to make an advantageous arrangement as regards the admission of other countries. Ambassador Lodge asks whether the Department proposes to adhere without deviation to the policy of the previous Administration on this matter (i.e., no package deal). He is "inclined to hope that this would not be the case," and says that the Secretary clearly inferred to him "that he might not be averse to a deal which could be really advantageous to the United States in securing the admission of a substantial number of free states in exchange for the admission of a few communist ones."

If we decide to accept a political settlement on membership, one possibility might be to agree to admit *three* of the Soviet applicants (Bulgaria, Hungary, and Rumania) in return for Soviet agreement to admit *ten* of the non-Soviet applicants (Austria, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Libya, Nepal and Portugal). This arrangement would not provide for four present applicants we favor (Republic of Korea and the three Indo-China States), or for future applicants like Germany or Spain. However, it would be more advantageous to us than the Soviet package of *five* Soviet applicants (including Albania and Outer Mongolia in addition to Bulgaria, Hungary and Rumania) and *nine* non-Soviet applicants (excluding Japan as well as the Republic of Korea and the three states of Indo-China).

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<sup>1</sup>Drafted by Paul W. Jones of the Office of UN Political and Security Affairs.

<sup>2</sup>*Supra.*

*Questions for Consideration*

In considering an answer to Ambassador Lodge, the main questions which require reexamination are:

1. If we agreed to admit Soviet candidates despite their conduct, would it be harder to keep out the Chinese Communists? <sup>3</sup>
2. How serious would public and Congressional opposition be to the admission of Soviet candidates as part of a deal?
3. If Soviet candidates were admitted, would serious difficulties arise because article 4 of the Charter says that membership is open to "peace-loving states" which are "able and willing to carry out their Charter obligations"?
4. Would the admission of Soviet candidates dignify the puppet regimes and discourage opposition elements in these countries, or would new contacts through the UN between the free world and the satellites be helpful to us?
5. Would a settlement along the lines outlined above materially increase obstructive capacities of the Soviet bloc and increase our difficulties in obtaining free-world majorities?
6. If we proposed a deal which the Soviets refused, could we then, without having to use the veto, prevent adoption of the Soviet package proposal or a "compromise" proposal unacceptable to us?
7. Is there some other arrangement on which agreement might be reached which would be preferable to the one outlined above? For instance, would it be better to have a larger package which, in addition to the candidates suggested above, included Albania in return for Soviet agreement to include Spain (which has not yet applied)?
8. Should we propose as a part of a deal that the permanent members agree not to use the veto in future cases? Should we also try to get a guarantee that Germany, Korea and the three states of Indo-China will eventually be admitted?
9. Might this question be discussed with the U.S.S.R. during or after the Korean Political Conference, or should it be handled exclusively through Belaunde and his Good Offices Committee (Peru, Netherlands and Egypt)?

*Recommendation*

That you call a meeting of Assistant Secretaries to discuss these questions. Ambassador Lodge is anxious for instructions before April 1, when Belaunde arrives in New York.

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<sup>3</sup> Marginal notation beside this paragraph in Murphy's handwriting: "Yes".

Hickerson-Murphy-Key files, lot 58 D 33, "Membership"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Deputy Assistant Secretary of State for United Nations Affairs (Wainhouse)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] March 25, 1954.

Subject: Reexamination of UN Membership Question

We have sent copies of your March 23 memorandum on UN membership to Messrs. Robertson (FE), Merchant (EUR), Byroade (NEA), Woodward (ARA), Phleger (L), and Bowie (S/P). When Mr. Murphy responds to your memorandum you might suggest to his office that all of them be invited to the meeting.

The following are UNP's views on the main questions for reexamination which were enumerated in your memorandum:

1. We believe that if the U.S. agreed to admit Soviet candidates despite their conduct, it would be harder to keep out the Chinese Communists. We think that is the major consideration against a deal on membership at this time, but we would like to get some indication of what the Department's view would be on a membership settlement if in the future we found that a deal would not jeopardize support for our position on Chinese representation.

2. We are inclined to believe there would not be too serious domestic opposition to the admission of Soviet candidates as part of a deal provided we could get a trade along the lines suggested in your memorandum and could hold the line on Chinese representation. However, advance Congressional consultations would be advisable.

3. We believe we could meet the Charter difficulties a deal would involve. We could, for instance, make it clear that we are willing to accept at its face value the commitment to accept the obligations of membership made by all the applicants, as a means of testing their intentions. We are most anxious for the admission of states like Italy and Japan. Therefore, we are willing to accept a political settlement if this is what the overwhelming majority really wants, and on the clear understanding our views on the Soviet applicants remain unchanged.

4. We think that the admission of Soviet satellites would have the advantage of making them more accountable for their conduct. However, others will be better judges of the effect of the admission of satellites on opposition elements in these countries and on the governments in control.

5. A settlement along the lines suggested in your memorandum to Mr. Murphy would increase Soviet obstructive capacities, though not materially. (The Soviet bloc now represents one-twelfth of the total. If the deal went through, it would represent one-ninth of the total.) We could still maintain sufficient free-world majorities on "cold-war" issues but these majorities would not be proportionately as great as they have been, since on some questions many of the new non-Soviet Members would abstain. There would be serious difficulties for us on colonial and human rights questions.

<sup>1</sup>Drafted by Paul Jones (UNP).

6. If we proposed a deal which the Soviets refused, we believe we would still not have to resort to the veto in the Security Council to prevent the adoption of the Soviet proposal or some other "compromise" proposal, assuming we could keep the UK and France in line. However, we would have a difficult time in the Assembly, particularly if the USSR should add Japan to its package.

7. If we agreed to include Albania (in addition to Bulgaria, Hungary and Rumania) we might conceivably be able to get Spain included. However, we would have no future bargaining power since all the Soviet applicants except Outer Mongolia (which we believe we should not include in a deal now or later) would be admitted. Furthermore, the more inclusive the deal, the greater might be the chances that some country would try to obtain the seating of Chinese Communists as part of a membership deal.

8. We believe we should propose as part of a deal that the permanent members agree not to use the veto in future cases, if we can do this without jeopardizing our right to use the veto on Chinese representation. We should also try to get a guarantee that Germany, Korea and the three states of Indochina will eventually be admitted.

9. In our view, we should not discuss this question at Geneva,<sup>2</sup> particularly because we doubt the advisability of making a decision to accept a package deal at this time. If we later decided to move ahead, we would probably do better to negotiate directly with the Soviets.

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<sup>2</sup> For documentation on the Geneva Conference, see volume xv.

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310.2/3-3154 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, March 31, 1954—3 p. m.

533. Re Austrian membership in UN. Mr. Heinrich Haymerle, the Austrian observer, called this morning at his request to say that his government was thinking about the desirability of bringing up once again the question of Austrian membership in the United Nations. They have the feeling, in view of the flat turn-down which the Soviets gave to the Austrian treaty at Berlin<sup>1</sup> that maybe the Soviets would not object.

He said that the current Austrian thinking was that raising the issue could not do any harm, that either they were admitted to membership which would be a very good thing for them, or else they would be turned down in which case they would be no worse off than they are now.

I would like the Department's attitude on this matter.

LODGE

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<sup>1</sup> For documentation on this subject and other matters relating to Austria (as the operations of the Five-Power Commission at Vienna), see volume vii.

310.2/3-3154 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, April 6, 1954—7:01 p. m.

470. Re: Austrian Membership in UN (urtel 553). Austrian Ambassador approached Department this matter April 2, stating Austria considering raising Austrian membership question and requesting our views. Department replied as follows:

1. Austria need not submit new application since SC could reconsider Austria's case on basis application submitted 1947. To keep Austrian application in foreground Austrians might wish submit to SYG a document for circulation UN Members referring this application and reiterating importance Austria attaches to admission.

2. US warmly supports Austria's membership. However would be difficult isolate Austria's case in SC since other candidates would expect action on their applications too and since USSR could be expected resubmit its package proposal, which we could not accept, and Soviets would argue this proposal offered only solution. We therefore doubt successful outcome if Austrian application now reconsidered in SC. Assembly appointed Good Offices Committee to try break deadlock but we are not very hopeful about results.

Ambassador said Hammarskjold, while not optimistic, seemed indicate to Austrian UN Observer there might be some slight hope for Austria's admission. However Ambassador said he personally agreed our estimate of situation and said he would report our views to Austrian Government including our suggestion Austria might submit document along lines mentioned above. We are under impression Austrians chiefly interested in getting on record their continued desire UN membership but do not necessarily expect SC action at this time.

In subsequent conversation Gruber same date reference was made to Austrian Government's proposal (Vienna's 2468)<sup>2</sup> that question UN membership be considered by Five Power Commission Vienna. He took general view question should not be raised Vienna where Soviets could veto before it came to attention other UN Members and said he would recommend accordingly to Vienna.

DULLES

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<sup>1</sup> Drafted by Paul W. Jones (UNP) and Edgar P. Allen of the Office of Eastern European Affairs, cleared with the Bureau of European Affairs, approved for transmission by the Acting Director of the Office of UN Political and Security Affairs (Popper) and signed by the Deputy Assistant Secretary of State for UN Affairs (Wainhouse). Repeated for information to Vienna (telegram 2953); repeated on Apr. 7 to Paris, London, and Moscow by air pouch.

<sup>2</sup> Not printed.

FB files, lot 55 D 480, "United Nations"

*Memorandum by the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright) to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

CONFIDENTIAL

[WASHINGTON,] April 6, 1954.

Subject: UN Membership Question

Ref: Miss Bacon's Memorandum of March 26 and Mr. Wainhouse's Memorandum of March 23 <sup>1</sup>

I attended this morning the meeting of the Assistant Secretaries which was convoked in Mr. Murphy's office, to discuss the UN membership question.<sup>2</sup> The question had been raised by Ambassador Lodge, who seemed to think we should take a fresh look at it.

After considerable discussion, it was agreed among those present that we should stick to our present position which is one of opposing "package deals". It was felt that acceptance of even a limited package deal, such as that proposed by Belaunde, would be highly dangerous in relation to the Chinese membership question. It was also felt that, with the Geneva Conference in the offing, no consideration of any change in our position should be attempted at this time.

Mr. Murphy accordingly instructed Mr. Key to reply to Ambassador Lodge in the sense indicated above.

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<sup>1</sup> The Bacon memorandum of Mar. 26 has not been found in the Department of State files.

<sup>2</sup> No memorandum of this meeting has been found in the Department of State files.

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310.2/4-1254 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL PRIORITY NEW YORK, April 12, 1954—3 p. m.

612. Regarding membership. Belaunde (Peru) called on me Saturday morning at his request to give me his views on the membership question. He said that there were three countries who were above the Battle and who could be considered as neutrals in the cold war, to wit: Ireland, Finland, Austria. Both Ireland and Austria, he pointed out, were not members of NATO. On behalf of the West, there were Italy and Portugal. On behalf of the East, there were Hungary, Rumania, Bulgaria. On behalf of the Arab world, there were Libya and Jordan. On behalf of Asia, there were Nepal and Ceylon. He did not feel that Russia could reasonably object to Libya, Jordan, Nepal and Ceylon.

As far as Hungary, Rumania and Bulgaria were concerned, they were at present outside of the international order because they are

not regarded as Pacific nations which carry out their international obligations. From a legalistic and juridical standpoint there is the fact that the ICJ at The Hague has held that Hungary, Rumania and Bulgaria must name the third member of the Conciliation Commission and that they have not done so. He thought it would be well if the UK were to persuade these three countries to name the individuals and that the individuals named would be approved by us in advance. He felt that the above twelve countries constituted a "package" which might have some chance of approval.

I told him that I was not at all optimistic and did not feel that he ought to get his hopes up about such a package being approved by us. I said that speaking purely personally, it seemed to me that the only package which was really attractive was one in which all of the five permanent members would agree to give up their right to veto the admission of new States. But I made it clear that this was a purely personal view on my part and did not represent the US position.

He said he wanted to go to Washington and talk with the people in Department, who would have this matter in charge. He assumed that it would be Bedell Smith. I assume it would be Assistant Secretary Key. Will you please advise me whom he should see when he goes to Washington because he would like to go within a week or two.

LODGE

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310.2/4-1354 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, April 13, 1954—2 p. m.

618. My telegram 612, April 12. Regarding Membership. Belaunde (Peru) advised USUN officer yesterday that he had spoken with Vishinsky and Hoppenot regarding his thoughts on a twelve-country package deal consisting of Austria, Bulgaria, Ceylon, Finland, Hungary, Ireland, Italy, Jordan, Libya, Nepal, Portugal and Rumania. He expected to see Dixon (United Kingdom) later in day. According to Belaunde, Hoppenot did not raise any strong objection to deferring question of Cambodia, Laos and Vietnam until results Geneva Conference known. He said Vishinsky noncommittal, limiting himself to light comments on why Belaunde would exclude Albania and Outer Mongolia, and demurring somewhat when asked whether in truth he didn't consider Austria, Finland and Ireland in neutral category. Belaunde said he also asked Vishinsky why the USSR didn't urge the three satellites to show their good disposition by cooperating with conciliation commission. Belaunde reported that his colleagues on Good

Offices Committee "authorized" him approach four powers, and he hoped to go to Washington this week. Later, Scheltema (Netherlands) confirmed that he and Egyptian colleague had interposed no objections to Belaunde's initiating preliminary, exploratory talks. However, for his part, Scheltema stressed that he felt that he was not in a position to associate himself formally with a proposal which his own government might not approve. In reporting matter to The Hague, therefore, Scheltema was interested to know our reactions. He was told that I had given Belaunde a pessimistic reaction as my purely personal views, but that as yet we had not had any official comments from Department.

LODGE.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright)*

CONFIDENTIAL

[WASHINGTON,] April 13, 1954.

Subject: UN Membership Question

New York's 612, April 12, reports that Belaunde of Peru, the Chairman of the Good Offices Committee on Membership which was created at the last GA, has given his views on the membership question to Ambassador Lodge. Belaunde is thinking tentatively in terms of a package of 12 which would not include any Far Eastern candidate. Ambassador Lodge, who had not yet received the Department's letter giving the results of recent consideration of the membership question here, told Belaunde that he ought not to get his hopes up about such a package being approved by the U.S. Belaunde, however, indicated a desire to come to Washington to talk about the membership question with the Department.

The letter giving the Department's views on the membership question is being sent to Ambassador Lodge today. It informs him that the Department has reviewed the membership question, that it continues to oppose a package deal and continues to favor separate consideration of each application. The letter authorizes Ambassador Lodge to give this position to Belaunde and to inform him that Mr. Key would be glad to discuss the membership question with Belaunde if the latter still wishes to come to Washington after being informed of the Department's position.

*Note:* Dispatch of the letter to Ambassador Lodge has been delayed in order to permit Mr. Key to discuss the membership question with the Secretary. As originally drafted the letter, after stating the Department's opposition to a package deal, added that the Secretary concurred in this position. It is understood that the Secretary deleted



this sentence and substituted a statement to the general effect that on balance the question whether or not to agree to a package proposal was a close one and that he opposes a package deal at present.

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Hickerson-Murphy-Key files, lot 58 D 33, "Membership"

*The Assistant Secretary of State for United Nations Affairs (Key) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] April 13, 1954.

DEAR CABOT: I am sorry I could not reply earlier to your letter of March 15 on the UN membership question. However, it seemed desirable to wait to give you an answer until a meeting could be held with Mr. Murphy, Mr. Phleger, and the interested Assistant Secretaries.

We had such a meeting last week and carefully reviewed the whole problem. It was decided that, however much we wanted to see the states we favor admitted, we should maintain our position against any trade involving the admission of Soviet-sponsored applicants in return for the admission of others. The overriding reason for this decision was the connection between the membership problem and the Chinese representation issue. Although these two questions are technically different matters, we all agreed that, practically speaking, it would be difficult if not impossible to keep them separate, and that our consent to the admission of Soviet-sponsored candidates despite their conduct would make it harder for us to hold the line on keeping out the Chinese Communists.

It was felt that even if we were not faced with this major problem, there would be several other considerations to take into account against a trade on membership at this time. First, the imminence of the Geneva Conference would make any move toward a deal particularly untimely. Second, it would be difficult for us to agree to admit Soviet-sponsored applicants in view of the present language of article 4. Third, Soviet agreement to a trade on terms acceptable to us would be extremely unlikely. If, in spite of this, we indicated we might go along with a deal provided certain terms were met, and if the Soviets rejected these terms, it would then be harder for us to prevent the adoption of the Soviet package deal or some "compromise" proposal unacceptable to us.

I think we might be able to discourage a serious move toward a deal if we make our position clear to Belaunde before his Good Offices Committee starts to consult with other Security Council members. I therefore suggest that you tell him that the Department has considered the

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<sup>1</sup> Drafted by Paul W. Jones (UNP) and cleared in draft with the Bureau of European Affairs (Apr. 7), the Bureau of Far Eastern Affairs (Apr. 13), and the Office of Eastern European Affairs (Apr. 13).

matter and that we continue to oppose a deal on membership that includes Soviet-sponsored applicants and stand on our position of favoring separate consideration of each candidate on its merits. You might also wish to inform the UK and French Delegations that there has been no change in our position.

I have mentioned this question to the Secretary. He feels that it is a close question but as things now stand, the balance is against a present "package" proposal.

We have just received the report of your conversation with Belaunde of April 10. You may inform him that I would be very glad to discuss the membership question with him if he still wishes to come to Washington after you have informed him of the Department's position as outlined above.

Sincerely yours,

DAVID MCK. KEY

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310.2/4-1354 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 15, 1954—6:54 p. m.

496. Re Membership (urtels 612 and 618). In light Department views stated Key letter to Lodge April 13,<sup>2</sup> request you inform Belaunde and UK and French delegations that Belaunde's package proposal unacceptable. You may also inform Scheltema (Netherlands) this is our official position in response his enquiry (urtel 618) and in your discretion other SC members.

If Belaunde still wishes come Washington after you have discussed our position with him, we will arrange appointment with Key.

SMITH

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<sup>1</sup> Drafted by Paul W. Jones (UNP), cleared with the geographic bureaus (except NEA) in draft, approved for transmission by Paul B. Taylor, Officer in Charge, General Assembly Affairs, and signed by Assistant Secretary Key.

<sup>2</sup> *Supra.*

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310.2/4-1654 : Telegram

*The Acting Secretary of State to the Embassy in Austria*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 16, 1954—7:32 p. m.

3073. Your views requested as to where Austria should raise question their membership UN. Austrian objective, which Department sup-

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<sup>1</sup> Drafted by Hugh G. Appling of the Office of Western European Affairs; and cleared with Richard B. Freund, Officer in Charge, Italian and Austrian Affairs, the Director of the Office of Eastern European Affairs (Barbour), and Ward P. Allen, Special Assistant for UN Affairs, Bureau of European Affairs; signed by the Deputy Assistant Secretary of State for European Affairs (Bonbright).

Sent also to Moscow (664) and USUN New York (501) for action and repeated for information by pouch to London and Paris.

ports, is according Austrian UN observer, Haymerle, first to obtain membership or, failing this, to keep Austrian case before world attention.

On assumption there was no chance Soviets would accept Austrian membership except as part of some new package deal our first reaction, shared by Austrian Embassy here, was that it would be unwise raise matter in Vienna discussions of occupation alleviations where Soviets could veto before leverage world opinion could be used.

However, there may be possibility USSR, as gesture to Austria and to counter public opinion consequences Soviet Berlin Conference position, would now agree to membership. If favorable possibilities exist, chances success might be improved by raising question in Vienna apart from broader problems and out of limelight. Soviet position if problem raised initially in UN would almost necessarily be negative because of earlier position. On other hand if Soviets were to participate in four power recommendation from Vienna Soviets might find reversal easier and acceptance in UN would then presumably follow.

Re suggestion made to Gruber (paragraph one Deptel 470 to USUN repeated Vienna 2953 pouched other posts) that Austria send document to UN, Haymerle reports matter still under consideration Vienna but he doubts any decision will be taken until after Geneva Conference. Consideration should be given this connection that if possibility favorable Soviet action in Vienna considered to exist, any prior action by Austria to raise issue in UN might prejudice action in Vienna.

SMITH

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810.2/4-1854 : Telegram

*The Ambassador in the Soviet Union (Bohlen) to the Department of State*<sup>1</sup>

CONFIDENTIAL

Moscow, April 18, 1954—5 p. m.

1279. While I can understand desire of Austria for UN membership even with continuance occupation status, I would question wisdom of making too serious an attempt to this end which might be regarded as acceptance present status of Austria for long period time (Deptel 664). However, if considerations Austrian sensibilities are such that question must be raised, I would be inclined to favor it being raised initially in UN in order to avoid possibility Soviets using this request Vienna as bargaining point to gain some offsetting concessions from Austrians and three Western powers.

BOHLEN

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<sup>1</sup> Repeated for information to Vienna (37), London (203), and Paris (271).

310.2/4-2054 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*<sup>1</sup>

SECRET

NEW YORK, April 20, 1954—7 p. m.

648. Reference Austrian membership in United Nations, Department telegrams 470, April 6, 501, April 16, my telegram 553.

## General Considerations:

1. If we press for Austrian membership through United Nations, how do we explain to other candidates why we are not pushing them also?
2. This might lead to chain reaction resulting in renewed pressure for package deal to which we are opposed.
3. We agree, therefore, with Bohlen conclusion (Moscow 1279, April 18) United States should not press too seriously at this time.

## Specific Considerations:

4. We would see no adverse effect here, should question be raised informally Vienna.
5. Simultaneously Austrians could file contemplated United Nations letter. We could make press comment favorable to Austria. Here again lies danger starting chain reaction.
6. In any event, we ought to make clear to Austrians:
  - (a) We do not foresee practical possibility in foreseeable future of Austrian membership.
  - (b) We are opposed to package deal.
  - (c) We do not want start chain reaction.

LODGE

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<sup>1</sup> Repeated in Department of State telegrams on Apr. 28, 6:33 p. m., to Vienna (3181), London (5723), Paris (3873), and to Moscow by air pouch.

310.2/4-2054 : Telegram

*The Chargé in Austria (Yost) to the Department of State*<sup>1</sup>

CONFIDENTIAL

VIENNA, April 20, 1954—6 p. m.

2648. Re Deptel 3073. From receipt Austrian memorandum of March 30 with its mention of UN Embassy was inclined doubt wisdom or usefulness of having Austrian membership raised in proposed five-power body, which was to concern itself with alleviations in burdens of occupation. We think it inappropriate to have proposed *ad hoc* committee concern itself with this problem.

Austrians will doubtless wish to renew plea for entry into UN at early date and Embassy believes we should give appropriate support

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<sup>1</sup> Repeated for information to London (226), Paris (350), and Moscow (152). Passed by Department to USUN as Vienna's 1.

any Austrian move this direction. Our support of an Austrian plea would not in Embassy's view involve us in any greater acceptance present status of Austria though Embassy agrees with Moscow's 1279 recommending initial effort be made at UN. On the other hand if Austrian Government desired to sound out informally Soviets in Vienna, we should have no strong objection.

For Department's background initial Austrian application of July 7, 1947 for UN membership was considered by executive committee on August 8. Soviet member demanded censure of Austrian Government for by-passing AC. Soviets insisted AC approval necessary while Western representatives maintained Austrians free to address UNGA directly. Matter dropped without action. However when Chancellor in accordance 6 A of Control Agreement submitted Parliamentary declaration of July 3, 1952 again seeking UN membership, executive committee unanimously took note of Chancellor's letter of information and even thanked Austrian Government for it.

YOST

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310.2/4-2054 : Telegram

*The Acting Secretary of State to the Embassy in Austria*<sup>1</sup>

SECRET

WASHINGTON, April 28, 1954—6:12 p. m.

3180. On basis Moscow's 1279, Vienna's 2648 (both being repeated USUN) and USUN's 648 (being repeated Vienna, London, Paris, Moscow), Department concludes, if Austria wishes raise question UN membership, it should do so by transmitting document to UN SYG rather than in new five-power body Vienna, where, however, Austria might usefully sound out Soviets informally bilaterally. After tripartite agreement foregoing we propose so to advise Gruber and Haymerle, making clear that we warmly support Austrian membership except as part of package deal but are not optimistic that Soviets would agree its separate admission in foreseeable future. We have already advised Austrians against going beyond submission of document to SYG because we doubt desirability pushing for UN Security Council action on Austria now since this would probably lead to fruitless discussion of whole membership problem and we would reiterate this view at appropriate time. Embassies London and Paris should ascertain views French and British Governments to permit development tripartite position.

SMITH

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<sup>1</sup>Drafted by Hugh G. Appling of the Office of Western European Affairs. Richard B. Freund, Officer in Charge, Italian and Austrian Affairs, secured necessary clearances within the Bureau of European Affairs (EE, WE and EUR) and from the Office of UN Political and Security Affairs, and signed. Repeated for information to London (5721), Paris (3872), and to Moscow and New York by pouch.

310.2/4-3054 : Telegram

*The Ambassador in France (Dillon) to the Department of State*

SECRET

PARIS, April 30, 1954—4 p. m.

4157. Deptel 3872 (Vienna 3180). We have discussed Department's position with Sauvagnargues. Foreign Office views are identical and they will instruct French HICOMER accordingly.

DILLON

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Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"

*The Assistant Secretary of State for United Nations Affairs (Key) to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET

[WASHINGTON,] May 11, 1954.

DEAR CABOT: In a memorandum of April 28, 1954,<sup>2</sup> you asked for comments on a paper concerning the UN membership problem which Ambassador Sawada handed to you. Ambassador Sawada suggests in this paper: (1) that we propose a list of applicants for "simultaneous admission" which would include, in addition to Japan and the other applicants we support, all or some of the five Soviet-sponsored candidates; (2) that in so doing it would not be necessary for us to consent outwardly to the "package deal" formula, since we could take the position that we have come to consider the "behaviour" of each of the Soviet-sponsored candidates to be satisfactory under a "more liberal interpretation" of article 4; (3) that it might be desirable for us not to condition our approval of the Soviet-sponsored applicants upon Soviet approval of the Republic of Korea or the three Associated States of the Indo-China; and (4) that the Soviet Union should and could concede that Japan's admission shall not be linked with the "admission" of the Chinese Communist regime, since the Chinese representation question is legally not a membership question. Ambassador Sawada also expresses the view that it would be to our advantage if the United States rather than the Soviet Union or some "neutral" country submitted a new membership proposal for Japan's admission.

If we decide at some future time to agree to a trade involving the admission of Soviet-sponsored applicants, I think we would want to consider a different application of the criteria of article 4 as suggested by the Ambassador. If we could base our acceptance of a trade on a lower standard, as some Members have already advocated, the admission of Soviet satellites could more easily be achieved without the act of admission constituting approval of the character of their regimes

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<sup>1</sup> Drafted by Paul W. Jones of UNP and cleared in draft with the Bureau of Far Eastern Affairs and the Bureau of European Affairs.

<sup>2</sup> Not found in Department of State files.

and without an endorsement of the "package deal" formula. Furthermore, since the Soviet Union, even if it agreed to Japan's admission, would hardly agree to the admission of the Republic of Korea and the three Associated States of Indo-China, we would have to consider whether we could consent to a settlement which did not provide for the immediate admission of these latter four states. However, we could certainly not consent to this now, and if we ever could, it could only be on the basis of some arrangement guaranteeing their future admission.

With respect to the Ambassador's statement that the Chinese representation question is legally not a membership question, this is, of course, perfectly true. However, it certainly does not follow that the Soviet Union would not couple its consent to the admission of Japan with a demand that the Chinese Communists be seated.

Of course, any consideration on our part of the Ambassador's idea of a new proposal to be submitted by us must be purely academic. As you point out in your memorandum, his proposal is contrary to our membership policy at this time. We therefore cannot give Ambassador Sawada any encouragement.

In giving him your reactions to his paper, I suggest you stress that we strongly desire a solution to the membership problem which would achieve Japan's admission, and that we have carefully reexamined the entire question. However, we have concluded that we cannot agree to the admission of the Soviet-sponsored applicants, which in our view do not now meet the criteria of article 4, and we are not prepared to water down these criteria. I would also point out the obvious difficulties of any arrangement which did not provide for the Republic of Korea and the three Associated States of Indo-China but which did provide for Soviet-sponsored applicants. Finally, as the Ambassador well knows, it is the Soviet Union which has vetoed the admission of Japan. The United States, on the other hand, has strongly supported Japan's admission and has sponsored its application in the United Nations. It is thus clear that the responsibility for the exclusion of Japan rests solely with the Soviet Union.<sup>3</sup>

Sincerely,

DAVID MCK. KEY

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<sup>3</sup>The Deputy U.S. Representative at the United Nations (Wadsworth) informed Assistant Secretary Key in a memorandum as follows:

"On May 18 I gave Ambassador Sawada our reactions to his Membership proposal. He made little comment, but my impression was that he had not expected that his proposal would be accepted." (310.2/5-2154)

UNP files, lot 59 D 237, "Membership"

*Memorandum by the Acting Director of the Office of United Nations Political and Security Affairs (Popper) to the Assistant Secretary of State for United Nations Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] May 13, 1954.

Subject: Your Appointment with Ambassador Belaunde

Ambassador Belaunde wants to discuss the UN membership question when he meets with you on May 17 at 10:30 a. m. He is Chairman of the GA Committee established to consult with SC members to try to break the deadlock.

He might also mention Peru's candidacy to succeed Colombia on the Security Council.

1. *Membership*—Belaunde has already discussed the problem with Ambassador Lodge and others at USUN (see USUN's 612 and 618 and memorandum of conversation of April 28 attached).<sup>2</sup> He suggests a package of twelve, including three Soviet-sponsored applicants (Bulgaria, Hungary and Rumania) and nine non-Soviet applicants (Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal, and Portugal). Apparently he has in mind that agreement would be reached in advance to admit all twelve but the twelve would be divided into groups to be admitted in separate stages. Ireland, Finland and Austria, for instance, would be offered as one unit.

The applicants not included in Belaunde's package are two Soviet-sponsored candidates (Albania and Outer Mongolia) and five non-Soviet candidates (Japan, Republic of Korea, Vietnam, Laos and Cambodia). Belaunde's list differs from the Soviet package in that Albania and Outer Mongolia are not included.

Belaunde told Ambassador Lodge that Bulgaria, Hungary and Rumania were presently "outside of the international order". He recalled that the International Court of Justice has held that these satellites should name members to arbitration commissions under their peace treaties, and he thought the UK might persuade them to name the individuals who would be approved by us in advance. (In 1949, Australia, Canada, New Zealand, the UK and the US charged the satellites with systematic violation of the human rights provisions of the peace treaties and pressed for settlement through the treaty procedures, under which each party would name a representative to a special arbitration commission and these two would then agree upon a third member, or failing agreement, the UN Secretary-General would name him. The three satellites, however, have refused to cooperate. In an advisory opinion the Court held that the satellites were

<sup>1</sup> Drafted by Paul W. Jones (UNP).

<sup>2</sup> Apr. 28 memorandum of conversation not found in Department of State files.



obligated to name representatives to the commissions but all three denied the Court's jurisdiction. In 1950 the Assembly condemned the willful refusal of the satellites to fulfill their obligations. We have cited this case as evidence that these satellites are not qualified for UN membership).

As you know, the Department has decided against a package deal, principally because our agreement to admit Soviet-sponsored applicants despite their conduct would make it harder for us to keep out the Chinese Communists. Under Belaunde's package, we would have to agree to the admission, at least at some stage, of three Soviet-sponsored candidates (Bulgaria, Hungary and Rumania). For this reason, and because the package does not provide for certain states we favor (Japan, Republic of Korea and the three Indo-Chinese states), Belaunde's package is unacceptable to us. It is therefore important not to give him any encouragement. At the same time, since he is such a staunch friend of ours, and in view of his strong feelings on the need for a solution to the membership problem, it is, of course, advisable to give him a full opportunity to state his views on the question.

In giving him our membership position, we recommend that you indicate the following:

1. We share his concern over the continued deadlock, and we have recently reexamined the entire problem and have given very careful consideration to his proposal.

2. We have again concluded, however, that we must continue to oppose the admission of Soviet-sponsored applicants which in our view do not now meet the criteria of "peace-loving" states which are "able and willing" to carry out their obligations.

3. Even if we could agree to the admission of Soviet-sponsored applicants we could not consent to a trade which provided for their admission but which did not provide for Japan, the Republic of Korea and the Indo-China states.

If Belaunde raises the question of the appointment of members to the arbitration commissions under the peace treaties, we suggest you reply that in the light of the history of this problem we believe no country could persuade the three satellites to name individuals to the commissions.<sup>3</sup>

[Here follows a short discussion of the Security Council election situation.]

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<sup>3</sup> Ambassador Belaunde was unable to keep the appointment with Assistant Secretary Key on May 17 and instead sent a memorandum dated May 16 through the Peruvian Embassy in Washington. This memorandum was forwarded by Key to Ambassador Lodge under a letter of May 17, 1954, not printed (Hickerson-Murphy-Key files, lot 58 D 33, "Ambassador Lodge"). The Belaunde memorandum has not been found in the files of the Department of State.

310.2/5-2154 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*<sup>1</sup>

SECRET

LONDON, May 21, 1954—11 a. m.

5253. Re Austrian UN membership Foreign Office concurs with Department's position (Deptel 5721, April 28).<sup>2</sup> Delay in reaching decision due to second thoughts on Austria's eligibility for membership in view of its occupation status. Legal staff which in 1949 found Austria eligible has now reversed itself. Hence Foreign Office considers any action beyond Austrian letter to UNSYG undesirable.

ALDRICH

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<sup>1</sup> Repeated for information to Vienna (168) and Paris (unnumbered).

<sup>2</sup> Not printed.

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310.2/5-2154 : Telegram

*The Secretary of State to the Embassy in Austria*<sup>1</sup>

SECRET

WASHINGTON, June 4, 1954—7:01 p. m.

3508. In light British and French agreement (London's 5253 and Paris 4157) views contained Deptel 3180 to Vienna conveyed to Gruber June 3 as tripartite position.

We suggested to Gruber that in order gain maximum propaganda advantage from UN move his Government may in any event wish postpone any action along foregoing lines until after conclusion ad hoc Committee phase now under discussion Vienna.

USUN requested express similar views to Haymerle.

Department concerned by UK view reported London's 5253 that Legal Staff has now reversed self on Austria's eligibility. U.S. feels strongly present position must be maintained, particularly since (1) UNGA found Austria qualified for membership and (2) USSR included Austria in its "package" proposal for UN membership.

DULLES

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<sup>1</sup> Drafted by Edgar P. Allen of the Office of Western European Affairs; cleared with the Office of U.N. Political and Security Affairs and the Bureau of European Affairs; and signed by the Officer in Charge, Italian and Austrian Affairs (Freund). Sent also for action to USUN (621). Sent for information to London (6572), Paris (4416), and Moscow by pouch.

310.2/6-1654 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, June 16, 1954—noon.

839. Re Austrian membership. As requested urtel 621 USUN advised Haymerle our position re Austrian membership along lines urtel 3180. Haymerle stated that at time original approach on question, Austrian Government felt possibility existed Soviets might agree membership as gesture to Austria after Berlin Conference. Events since do not justify this feeling and Haymerle personally not optimistic. His government would withhold any action on question awaiting further developments Geneva. Haymerle will inform government our position and advise USUN of text any letter for UNSYG. Would also notify 4 in Vienna that letter had been sent UNSYG. He asked whether letter should request action some kind. USUN answered in negative on ground that entire membership question would probably be brought forth. Haymerle also questioned whether letter should go perhaps to committee of 3 instead of SYG. USUN indicated preference for SYG. In response to query as to likelihood of favorable result through efforts committee of 3, USUN indicated that we uninformed as to any proposal unrelated to package deal.

Haymerle brought up subject "second class membership" which his government opposes on ground it may prejudice their position as regards regular membership. He felt that there were many opportunities for inviting Austrian participation which would give the advantage of associate membership without its disadvantages. He suggested that Austria might be invited to participate in various committee discussions and indicated annoyance that Austria was invited to technical assistance conference only at time when pledges were being made. Also stated possible interest at future time of replacing Italy on UNICEF board.

LODGE

310.2/6-2054 : Telegram

*The Chargé in Japan (Parsons) to the Department of State*<sup>1</sup>

CONFIDENTIAL

TOKYO, June 20, 1954—9 a. m.

[Received—3:12 a. m.]

3166. 1. Embassy officer confidentially informed by Foreign Office official responsible for UN affair that Foreign Minister now personally studying question associate membership UN. Decision expected soon.

<sup>1</sup> Passed by Department of State to USUN, 7:30 a. m., June 20.

Reconsideration associate membership initiated at request USUN as result Wadsworth-Sawada conversation last month.

2. Foreign Office official reported principal objections to associate membership:

- (1) Loss of prestige in accepting secondary position
- (2) Diet and public desire for full membership and unwillingness to settle for less
- (3) Reduced bargaining position vis-à-vis US for support of full membership
- (4) Expectation Japanese delegation required to make commitments on controversial issues although not in position vote and exercise influence. Japanese doubtful charter permits associate membership and unwilling to apply unless favorable GA decision assured. Japanese also fear isolation as only associate member. Italian unwillingness to seek this status has been conveyed to Foreign Office.

3. Foreign Office official reported above disadvantages are balanced by recognized value on associate membership in providing needed experience and opportunities for more active role in Far East.

PARSONS

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310.2/6-2054 : Telegram

*The Secretary of State to the Embassy in Japan*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, June 23, 1954—8:10 p. m.

2847. We note from Tokyo's 3166 Japan presently studying question of non-member participation arrangements in GA ("Associate Membership") but has several objections. Whether such arrangements would be desirable for Japan is question for Japan itself decide. However since we see no hope for early admission Japan, in our view these arrangements for Japan and others excluded from membership by Soviet veto would be most positive step possible at ninth GA. With these considerations in mind suggest Embassy and USUN communicate following to Japanese as points they may wish consider:

1. US regards non-member participation arrangements as only interim measure and not as substitute for full membership. US would continue strongly support Japanese membership in UN after such arrangements might be adopted.

2. We believe arrangements could be worked out consistent with Charter which would permit Japan and other qualified states take active part on regular basis in GA and exert considerable influence even if their vote could not count. Pending consultations other UN

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<sup>1</sup>Drafted by Paul W. Jones (UNP), cleared in draft with the geographic bureaus and L/UNA, approved for transmission by Popper and signed by Assistant Secretary Key.

Sent for action also to USUN (671) and for information to Rome (4361) by pouch.

Members we could not of course guarantee to Japan exact terms of arrangements. However seems to us terms could provide extensive privileges, including right speak and make proposals in main GA Committees and GA plenary and right have votes recorded but not counted. In return GA might request voluntary financial contribution to cover costs such participation.

3. Such arrangements would have advantages for UN as well as non-members concerned. As more states would be permitted contribute to discussions in GA effectiveness and prestige of UN would be increased. In addition USSR would be shown that majority will cannot be completely frustrated by Soviet veto on membership applications. Even possible that effectuation in practice of such arrangements would ultimately lead USSR conclude point of diminishing returns had been passed in continuing veto membership of states like Japan.

4. Question of desirability non-member participation arrangements from Japan's standpoint is of course for Japan to determine itself. Furthermore Department aware Italy has opposed such arrangements and that number of UN Members have been reluctant proceed for both legal and political reasons. We agree it would be undesirable make proposal in GA unless favorable decision assured on acceptable basis and in particular we could not agree to any plan which provided for Soviet-sponsored as well as non-Soviet applicants. If Japan really interested in arrangements we would be glad consult with Italy and other non-UN Members and also with UN Members to try obtain their agreement to action at Ninth GA for applicants which have been determined eligible for UN membership by GA but have been excluded by Soviet veto in SC. On basis results these consultations it could be decided whether it would be feasible move ahead.

DULLES

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310.2/6-2954 : Telegram

*The Ambassador in Japan (Allison) to the Department of State*

CONFIDENTIAL

TOKYO, June 29, 1954—8 p. m.

3266. Reference Department telegram 2847, June 23.

1. Substance of reference telegram communicated to Foreign Office. Foreign Office official reports Foreign Minister has not reached decision on question non-member participation in GA. He seemed particularly impressed by Embassy's inability to give any hope of early admission Japan to full membership, and implied there had been some wishful thinking on subject in Foreign Office.

2. With regard specific arrangements, Foreign Office considers right to make proposals as key provision.

3. Japanese fear of loss in prestige by accepting non-member participation in GA indicated by objection to use term "associate membership" since term has stigma of Japan's former secondary status in ECAFE with which Japanese were dissatisfied. Foreign Office official suggested as possible alternative "non-voting participant". Embassy officer thought question of satisfactory title could be worked out.

ALLISON

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310.2/7-154 : Telegram

*The Chargé in Austria (Yost) to the Department of State*

CONFIDENTIAL

VIENNA, July 1, 1954—4 p. m.

4. Schoaner, Chief of Political Department and Matsch, chief [garble] Department, took up with me July 1 question of Austrian application for membership in UN. They said Austrian Government desired to have information on following points.

1. Is US still unalterably opposed to en bloc consideration applications of non-members?

2. Would US consider favorably plan, which Austrians understand advanced by Belaunde of Peru, for voting on applications non-members broken down into three or four separate blocs?

3. Would US see any objection to Austrian Government addressing new note to UN recalling and urging action upon its pending application for membership?

4. Would US be able to offer Austrian Government any further advice as to how it might facilitate action on its application for UN membership?

Austrian representatives explained, while government had little hope under present circumstances attaining membership, it felt some action was necessary to demonstrate Austrian people questions not forgotten nor neglected despite lapse seven years. They said they intend also to take up this subject with British, French and Soviet elements in Vienna. They pointed out Austrian move would be in nature of reminder and not new application for membership.

I told them it was our understanding US remains opposed to consideration of applications in groups which would include Soviet satellites and reiterated reasons for our stand. I added that I thought we fully supported Austrian purpose to remind UN of its application for membership and we would inquire about specific points raised.

YOST

810.2/7-154 : Telegram

*The Secretary of State to the Embassy in Austria*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 7, 1954—7:51 p. m.

42. 1. Re urtel 4 you should inform Austrian Government along following lines:

*a.* Department still opposes en bloc consideration membership applications and favors consideration each applicant on own merits. Admission applicants like Austria which are fully qualified should not be linked to admission Soviet-sponsored applicants which in our view are not qualified.

*b.* Department understands Belaunde plan contemplates agreement admit at least certain Soviet-sponsored candidates at some stage and thus plan unacceptable to us.

*c.* Department has no objection to Austrian note to UN Secretary General recalling Austria's pending application and reiterating Austrians desire for UN membership, and did in fact suggest this course to Austrians. Note would serve purpose of demonstrating to Austrians question not forgotten. However, believe note should not be couched in terms which would result in Security Council taking up application at this time. Would be difficult isolate Austria's case in SC because other candidates would request action on their applications and because USSR would in all probability resubmit package proposal which we would not accept and Soviets would argue their proposal offered only solution. Thus we see no useful purpose SC action on Austria now.

2. Department unable see any way to achieve favorable action on Austria's membership application at this time but is presently considering possibility nonmember participation arrangements in GA for states like Austria which have been excluded from membership by Soviet veto. Suggest you discuss matter with Austrians along following lines:

*a.* In our view arrangements could be worked out consistent with Charter which would permit these states exert considerable influence in GA even if their vote could not count. While we are unable in absence consultations other members, indicate specific terms such arrangements, seems to us they could provide extensive privileges including right speak and make proposals in main GA Committees and GA plenary and right have vote recorded but not counted. GA might request voluntary contribution to cover costs such participation.

*b.* Believe such arrangements would increase GA effectiveness. In addition they would show USSR that majority will cannot be completely frustrated by Soviet veto. Even possible that effectuation in practice of arrangement would ultimately lead USSR conclude point of diminishing returns had been passed in continuing veto membership of applicants like Austria.

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<sup>1</sup> Drafted by Paul W. Jones and Elizabeth Ann Brown (UNP), cleared with the Bureau of European Affairs, the Deputy Under Secretary (Murphy) and L/UNA, approved for transmission by Popper, and signed by Assistant Secretary Key.

c. Department aware Austria has opposed such arrangements and that number other non-UN members as well as UN Members have been reluctant consider them. We would not wish any such proposal in GA unless favorable action assured on acceptable basis and in particular we would not wish proceed unless we could be certain beforehand that arrangements would not be extended to Soviet-sponsored applicants. If Austria reconsiders matter and decides it is really interested we would be glad consult with other non-members concerned and also UN Members to try obtain their agreement to approval by Ninth GA of non-member participation arrangements for applicants which have been determined qualified for UN membership by GA but have been excluded from membership by Soviet veto. On basis results these consultations it could be decided whether it would be feasible move ahead.

FYI We have discussed matter with Japanese along above lines and Foreign Office presently considering matter.

DULLES

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310.2/7-854 : Telegram

*The Chargé in Austria (Yost) to the Department of State*

CONFIDENTIAL

VIENNA, July 8, 1954—8 p. m.

57. Reference: Deptel 42. Substance reftel communicated to Schoener and Matsch July 8 who expressed appreciation saying other three powers had not yet replied to Austrian questions re UN application members.

Austrians somewhat surprised that Timoshenko representing Soviet element had immediately replied to third question Embtel 4. He asserted he did not need to refer this question to Moscow since he knew Soviet Government favored Austrian membership in UN and had no objection to Austria sending note reminding UN its pending application. In reply to Austrian question Timoshenko added Soviet Union of course continued to support acceptance en bloc of non-members.

Austrians promised to inform us reactions other powers including USSR when received.

YOST



310.2/8-2654

*Memorandum of Conversation, by Elizabeth Brown of the Office of  
United Nations Political and Security Affairs*

CONFIDENTIAL

WASHINGTON, August 26, 1954.

Subject: Admission of Austria to the UN; UNCURK; Neutral  
Nations Supervisory Commission; Cyprus

Participants: Miss Barbara Salt, UK Embassy  
Mr. Allen, EUR  
Miss Brown, UNP

1. *Admission of Austria to the UN*

Miss Salt referred to a memorandum given to the Embassy in London on June 28 setting forth the basis for the British views that Austria was not legally qualified for admission to the UN. Mr. Allen said so far as he had been able to discover the Embassy had not transmitted this document to the Department. Miss Salt stated that the Foreign Office did not consider that Austria met the legal requirements for admission and had requested her to seek an explanation of the basis for the opposite views of the United States since it would like to be persuaded Austria's admission was possible.

She read us from the Legal Adviser's memorandum and promised to provide us with a copy later. We agreed to obtain the comments of our Legal Adviser on it. The memorandum made two principal arguments: (1) because of the restrictions placed on Austria by the Control Agreement and the presence of the Occupying Powers it was not fully sovereign and could not fulfill the Charter obligations of a UN Member, e.g. Article 2(5); (2) to press for Austria's admission would undermine the UK position on other applicants such as Outer Mongolia, whose sovereignty on paper was less dubious. The memorandum also advanced the possibility of an early Assembly vote expressing the view that Austria should eventually be admitted to the UN, but at the same time it raised the question whether such action would be politically wise.

Mr. Allen recalled that the Assembly had previously found Austria fully qualified for admission as illustrated by Resolution 296(IV) and moreover, the USSR had included Austria in its package proposal. We told Miss Salt that we were quite certain that the UK had supported this Assembly resolution and promised to confirm this point by telephone. Mr. Allen commented that even if it should turn out that our Legal Advisers shared the UK's doubts, in light of these facts, it would be politically undesirable to voice them.

Miss Salt mentioned the idea of associate membership and recalled that the UK had never been as keen on such an arrangement as the United States, both because of serious doubts as to its legality and the

view that it would require Charter amendment. We indicated that the United States continued to favor associate membership arrangements, which we felt did not require Charter amendment, but that some applicants, particularly Italy, were not interested, apparently because they feared the result might be to ease up on pressure for full membership. Japan, however, had indicated some interest.

Miss Salt noted current rumors of a possible deal to admit Finland and Austria. We added that Libya had also been suggested in the same context. Mr. Allen observed that the rumors might stem from the Secretary General's suggestion, in his annual report, that several states not directly from either conflicting camp might be admitted.

[Here follows discussion of the other matters indicated in subject-heading.]

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UNP files, lot 59 D 237, "Membership"

*Memorandum by Elizabeth Brown of the Office of United Nations Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] September 7, 1954.

MEMBERSHIP PROBLEMS IN WHO REGIONAL COMMITTEE FOR WESTERN PACIFIC: KOREA AND INDOCHINA

THE PROBLEM

If the USSR sends a delegation, it might propose, possibly at the opening session, that representatives of the North Korean and/or Viet Minh regimes ("People's Democratic Republic of Korea" and "Democratic Republic of Viet-Nam") be invited to participate in some capacity, and that the Delegations from Viet-Nam, Laos, Cambodia and from the Republic of Korea, be excluded.

UNITED STATES POSITION

1. The United States Delegation should take the position that any such proposals are out of order on the grounds (a) that neither of these two regimes have any status whatsoever in the WHO or any other organization in the United Nations system and are consequently not entitled to participate in the meetings in any capacity, and (b) that the Republic of Korea, Viet-Nam, Laos and Cambodia, as WHO members, are fully entitled to participate.

If it appears that proposals contemplated in the "Problem" above might be made, the Delegation should consult in advance with other friendly Delegations to secure broad support for an out-of-order position.

2. However, if for any reason an out-of-order position is not successful and any of the proposals contemplated in the "Problem" above

are put to the vote, the United States Delegation should vigorously oppose and vote against them.

#### BACKGROUND

1. *Korea*—The United Nations General Assembly, on December 12, 1948 adopted a resolution recognizing the Government of the Republic of Korea as the only lawful government in Korea. The Assembly subsequently reaffirmed this resolution. The Government of the Republic of Korea has been recognized by more than 30 nations, including the United States. The Republic of Korea has been admitted to 6 specialized agencies of the United Nations, including WHO. It has also been determined qualified for United Nations membership by the United Nations General Assembly, and would be a United Nations member now were it not for the Soviet veto in the Security Council. The Communist puppet regime in North Korea, which is a convicted aggressor against the United Nations, has never been a lawful government. It has no status whatsoever in the United Nations or any specialized agency. The United Nations Security Council, in 1949, decided not even to consider a communication purporting to be a membership application from this regime.

2. *Indochina*—The three Associated States of Indochina (Vietnam, Laos and Cambodia) have each been admitted to a number of specialized agencies, including WHO, and each has been recognized by over 30 countries, including the United States. These three countries have also been determined qualified for United Nations membership by the General Assembly and have been excluded solely by the Soviet veto in the Security Council.

The Viet Minh regime is a Communist-led rebellion against the recognized authority and is not a lawful government. It has no status whatsoever in any UN specialized agency and a Soviet proposal to give this regime membership in the United Nations in 1952 was opposed by every member of the Security Council except the USSR.

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310.2/8-2554 : Telegram

*The Chargé in Cambodia (Goodman) to the Department of State*

SECRET

PHNOM PENH, August 25, 1954—6 p. m.

86. By confidential note Foreign Ministry has informed Embassy Cambodian Government has accepted offer Australian Government to raise question Cambodian membership UN at next General Assembly session. Ministry asks that US support candidacy.<sup>1</sup>

GOODMAN

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<sup>1</sup> The Department of State replied in telegram 42, Sept. 2, 1954, 12:06 p. m. :  
 "US continues favor Cambodia's admission UN your 86 and will support such proposal at forthcoming UNGA." (310.2/8-2554)

UNP files, lot 59 D 237, "Membership"

*Memorandum of Telephone Conversation, by the Deputy United States Representative at the United Nations (Wadsworth)*

CONFIDENTIAL

[NEW YORK,] September 1, 1954.

Subject: 1) Australian Item re Admission of Laos and Cambodia;  
2) *Ad Hoc* Commission on Prisoners of War

Participants: Mr. Dag Hammarskjold, Secretary General, United Nations  
Ambassador James J. Wadsworth, United States Mission

In a telephone conversation with Mr. Hammarskjold this morning, the following points were covered:

1) He was seriously disturbed by the action of Australia in suggesting the item on Laos and Cambodia, could not see where it could do anyone any good, and might easily throw the General Assembly into a violent and non-productive debate on Indo China. He is toying with the idea of writing a personal note to Casey, but will wait until after he has talked with Sir Pierson Dixon tomorrow.

2) I indicated the United States Government's strong desire to have the *Ad Hoc* Commission on POW's continued, and he agreed enthusiastically to do everything he could to keep Guerrero and others on the job. He apparently had not considered seriously that they would close down.

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310.2/9-754

*Memorandum of Conversation, by the Special Assistant on United Nations Affairs, Bureau of European Affairs (Allen)*

CONFIDENTIAL

[WASHINGTON,] September 7, 1954.

Subject: Australian GA Item on Admission of Laos and Cambodia

Participants: Mr. James Allen, Australian Embassy  
Mr. Ward P. Allen, EUR

Supplementing Sir Percy Spender's recent discussion with the Acting Secretary, Mr. Allen gave me the following statement of his Government's thinking on this matter:

The Australian view is that the first barrier to Communism in area is recognition of autonomy and independence of Laos and Cambodia. There was general agreement on their status at Geneva which Australia hoped could be confirmed by their entry into United Nations. While they are not unduly optimistic as to result of this move it is conceivable that Russians will not wish to veto applications and some move will have been made in general question of admissions. (See section in Secretary-General's report on this matter.)

The Australian Government does not wish to open up the whole question of Indo China by placing a new item on the agenda. They will be satisfied to have the question considered with the general item on admission of new members. They do not, however, wish it to be swamped by other items and caught up in a resolution which has no hope of getting anywhere. The resolution attached to explanatory memorandum should be put in at first moment permitted by the rules. The membership item should read—"admission of new members (a) report of good offices committee, (b) admission of Laos and Cambodia."

When I took him to task for Australia's failure to consult the US in advance, he confessed that this was the fault of the Embassy here. The Government had sent a long telegram to Paris, London, the Associated States Capitals, etc. which the Embassy here misunderstood as not calling for consultation with us until *after* French reaction had been received. Apparently External Affairs intended simultaneous consultation. However, by the time French agreement was obtained, it was too late to consult us in advance of submitting the item.

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IO files, SD/A/C.1/446

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 9, 1954.

#### ADMISSION OF NEW MEMBERS

##### THE PROBLEM

Nineteen membership applications are pending, including fourteen non-Soviet applicants (Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal, Vietnam) and five Soviet-sponsored applicants (Albania, Bulgaria, Hungary, Rumania and Outer Mongolia). In addition, the North Korean and Vietminh regimes have submitted communications purporting to be membership applications.

In the Security Council the Soviet Union has vetoed all the non-Soviet candidates, while the required majority has never approved the admission of the Soviet candidates or the Soviet package proposal for the simultaneous admission of the five Soviet-sponsored applicants and nine of the non-Soviet applicants (all but the Republic of Korea, Japan, Vietnam, Laos and Cambodia).

The General Assembly has become increasingly concerned over the stalemate. A Special Committee established by the Seventh Session reviewed various proposals, none of which was found acceptable, and was unable to make any specific recommendations. The Eighth As-

sembly appointed a Committee of Good Offices (Egypt, the Netherlands, Peru) "empowered to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of new members in accordance with Article 4 of the Charter." This Committee has carried on informal discussions, apparently without success. It has not yet submitted any report, but so far as we know, it has made no progress.

Australia has submitted a new agenda item on the admission of Laos and Cambodia. No explanation of this proposal has been made, but since the applications of both states are already pending, presumably the purpose is to focus Assembly attention on them in the hope the Indochina settlement may now make their admission possible.

In his annual report this year the Secretary General referred to the membership impasse, emphasizing the number of states absent from the United Nations, a fact that he regarded as lessening the effectiveness and influence of the Organization. He suggested that "if it does not seem possible to break the present log-jam all at once, a beginning might be made with some of those cases which do not directly enter into the balance between the conflicting camps". There have been rumors in New York suggesting the possibility of a "deal" of such a limited character. In this connection admission of Finland, Libya and Austria has been mentioned. Accordingly, at the Ninth Session it is possible that some proposal of this character may be put forward.

#### UNITED STATES POSITION

1. The United States should indicate its support for the fourteen non-Soviet applicants and opposition to the Soviet-sponsored applicants and also to the Soviet package proposal, and should call upon the Soviet Union to abandon its arbitrary membership policies.

2. If a proposal to admit a selected few states (e.g. Finland, Austria, Libya) is made, or if Australia submits a proposal or separate proposals for admission of Laos and Cambodia, subject to instructions from the Department, the Delegation should seek a separate vote on each of the applicants proposed and should vote for any of the non-Soviet applicants.

3. The United States should oppose the Soviet package proposal if it is resubmitted. If the proposal is likely to receive majority support, the United States may seek to amend it in such a way that it would become a resolution requesting the Security Council to keep under consideration all pending applications and reaffirming the principle that each applicant should be considered separately on the basis of the criteria of Article 4.

4. The United States believes that, as long as there is no prospect for the admission of qualified applicants to United Nations member-

ship, it would be desirable for the Assembly to devise arrangements for non-member participation in the Assembly without the right to vote. The Delegation should indicate these views in consultation with other delegations and seek to obtain majority agreement on appropriate arrangements for such of the non-Soviet applicants as may apply.

#### COMMENT

The United States strongly supports the admission of Italy, Japan, and the other non-Soviet applicants and deplores the fact that their admission has been blocked by the Soviet veto. It opposes the admission of the Soviet-sponsored applicants on the ground that they have failed to demonstrate that they meet the basic Charter qualification; and opposes the Soviet package proposal because it is contrary to the Charter principles, reaffirmed by the International Court of Justice in 1948, that each application should be considered separately on its own merits, because it includes the Soviet applicants and because it omits others we strongly favor.

In light of the suggestion in the Secretary General's report and the widespread view that new efforts should be made to break the membership impasse, and apart from the Australian proposal for admission of Laos and Cambodia, it is possible that a proposal will be made for admission of several applicants selected as a sort of "middle group", not directly aligned with either the Soviet bloc or the free world. They would be drawn from the fourteen non-Soviet applicants. Presumably no such proposal will be made without a prior favorable commitment by the USSR. If the USSR is now prepared to abandon its insistence upon admission of all Soviet-sponsored candidates, we will be confronted with a new situation.

Obviously the United States would not wish to take the initiative in choosing any of the fourteen non-Soviet applicants for special treatment. On the other hand, should some other Member make such a proposal, in light of our frequently expressed support for each of the fourteen non-Soviet applicants, all of whom we regard as fully qualified for admission, we would not wish to oppose several applicants simply because some other qualified states have not been proposed. However, in order to make clear that the United States is not departing from its established opposition to any sort of a "package deal", recommendation 2 above provides that a separate vote should be sought on each applicant.

It is recognized that the three states currently mentioned in rumors in New York—Austria, Finland, and Libya—cannot be depended upon to add to the majority supporting free world positions. At the same time we would not wish to block their admission on this ground. Moreover, the possibility of only a few of the non-Soviet applicants being admitted has always existed.

On several past occasions the Assembly has taken separate votes on each of the applicants and by overwhelming majorities endorsed the qualifications of the fourteen non-Soviet applicants for admission. Since all of them have now been declared qualified by the Assembly, little point is seen for seeking this year a new resolution endorsing each non-Soviet application. Nevertheless, should applicant states not included in any proposals wish to have their names submitted again for Assembly action, we would initiate or support such action. (In any event, regardless of what happens in the Assembly, assuming several applicants obtain favorable Soviet votes in the Assembly, we may wish to consider putting to a vote in the Security Council the applications of all the non-Soviet applicants.)

It will be important to take up the Australian proposal for admission of Laos and Cambodia in such a way that the Assembly will not become involved in substantive discussion of the Indochina settlement.

In order to do everything possible for Italy and Japan, the United States has considered arrangements which would give non-Members excluded from membership by the Soviet veto the right to participate in the Assembly on a regular basis without vote. Italy thus far has not been interested and Japan, while it previously indicated some interest, has just informed USUN that it is not interested at present. Nevertheless, the United States continues to believe that, as long as there is no prospect for admission of qualified applicants to the United Nations, it would be desirable for the Assembly to make arrangements for non-member participation in the Assembly. These views should be discussed with other delegations and if majority support for a proposal for non-member participation is forthcoming, such action should be sought. In order to limit such arrangements to the non-Soviet applicants, the Assembly would provide that they would be open to those applicants that have received seven favorable votes in the Security Council and whose qualifications have been endorsed by the Assembly.

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UNP files, lot 59 D 237, "Membership"

*Memorandum for the Files of Telephone Conversation, by Elizabeth Brown of the Office of United Nations Political and Security Affairs*

OFFICIAL USE ONLY

[WASHINGTON,] September 14, 1954.

Subject: Facilities for Observers at UN Headquarters.

I telephoned Mr. Bender at USUN to confirm just what facilities the Secretary General provides for permanent observers.

He informed me that, at Council and Committee meetings, the first row of seats in the public section, is reserved for observers, while in the General Assembly plenary, two seats in the rear rows on the Assembly



floor are reserved for each observer. In addition, observers receive copies of all unrestricted UN documents and may request other documents upon the basis of need and special interest. Finally, permanent observers are listed in the Secretariat's blue book of Permanent Missions and Delegations to the United Nations.

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Department of State microfilm series: Telegram

*The Acting Secretary of State to the Mission at the United Nations*

CONFIDENTIAL                      WASHINGTON, September 21, 1954—4: 04 p. m.

Gadel 1. Re: Admission New Members. In view likelihood membership may be early item on *Ad Hoc* Political Committee's agenda Department believes GADel should immediately initiate consultations with representative key delegations re possible arrangements for non-member participation (recommendation 4 SD/A/C.1/446). Draft resolution which should be used as basis discussions embodies maximum privileges that could be extended to non-members, some of which may be dropped in course negotiations other delegations. Following is text.

*“Considering* that Security Council has been unable, owing to opposition of one of its permanent members, to make recommendations required under Article 4 of Charter United Nations respecting admission to membership in United Nations of Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam;

*“Considering* also that in judgment of General Assembly, as expressed in Resolution 113 (II), 197 (III), 296 (IV), and 620 (VII), Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam are peace-loving within meaning Article 4 of Charter and are able and willing to carry out obligations of membership in United Nations, and are thus entitled to be admitted as Members;

*“Recognizing* that above-named states, while not yet Members United Nations, pending their admission to membership, can contribute substantially to Organization if they are given opportunity to participate directly in work of United Nations;

*“The General Assembly*

“1. *Invites* any state not a Member of United Nations which General Assembly has found qualified for admission but whose application has been blocked by inability of Security Council owing to opposition of a permanent member to make affirmative recommendation under Article 4 of Charter, to send resident representative to Headquarters United Nations and to accredit representatives to sessions of General Assembly;

“2. *Decides* that such representatives may speak and make proposals in main committees and in plenary sessions of General Assembly and shall have right to have their vote recorded but not counted:

“3. *Direct's* Secretary General (a) to place any non-Members who avail themselves of provisions of paragraph 1 on same basis as Members of United Nations with respect to distribution United Nations documents, and (b) to accept and circulate as United Nations documents any proposals or communications received from such non-Members;

“4. *Requests* Secretary General, during Ninth Regular Session of General Assembly, to recommend to Sixth Committee, for action during current session, any amendments or additions to rules of procedure General Assembly necessary to carry out provisions of this resolution;

“5. *Requests* Advisory Committee on Administrative and Budgetary Questions in view of desirability of enabling any non-Members who decide to participate in work of United Nations on above basis to make a financial contribution to United Nations to cover costs of such participation—to consider and make recommendations to General Assembly during present session on development of an equitable basis for arriving at amount of such contributions.”

SMITH

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700.00(S)/9-2254: Circular telegram

*The Acting Secretary of State to Certain Diplomatic Missions*

CONFIDENTIAL

WASHINGTON, September 22, 1954—1 a. m.

Infotel. Ref Gadel 1 to New York, Sept. 21.<sup>1</sup> We instructed GA delegation initiate immediately discussions key delegations on possible arrangements participation with maximum privileges for 14 non-member countries found qualified by GA for UN membership. Draft resolution would have GA invite these countries send resident representatives New York and accredit them GA sessions; allow these representatives speak, make proposals, and have votes recorded but not counted; and direct UN Secretary General distribute UN documents to them and accept and circulate as UN documents proposals and communications from them. Countries covered by draft resolution are: Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, Republic of Korea, Laos, Libya, Nepal, Portugal and Vietnam.

SMITH

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<sup>1</sup> *Supra.*

320/9-2454 : Telegram

*The Ambassador in Japan (Allison) to the Department of State*

CONFIDENTIAL

Tokyo, September 24, 1954—9 p. m.

717. Department pass USUN. Reference intel September 22 on non-member participation in UN.

1. According to latest information available to Embassy, Japanese Government still undecided on question non-member participation in GA. As long as even slim possibility of full membership exists Japanese Government apparently not willing to accept non-member participation. Foreign Office still had hopes for acceptance package proposal on membership including Japan as outlined by Ambassador Sawada to USUN.

2. In accordance with Deptel 2847 of June 23, Embassy has refrained from pressuring Japanese to accept non-member participation. Advantages of non-member participation were communicated to Foreign Office along with expression of US willingness to sound out other non-UN and UN members on plan providing Japanese were really interested.

3. In view of above it is desirable to consult fully with Japanese Government prior to submission GA resolution on non-member participation. Embassy would appreciate further instructions and fuller information on proposal.

ALLISON

320/9-2754 : Telegram

*The Ambassador in Japan (Allison) to the Department of State*

CONFIDENTIAL

Tokyo, September 27, 1954—7 p. m.

PRIORITY

738. Pass USUN.

1. Foreign Office informed Embassy officer that Ambassador Sawada, following discussion with Lodge on United States proposal for non-member participation in UN, has recommended acceptance United States proposal providing proposal covers other non-member States as well as Japan. Foreign Office believes Sawada would exclude Communist non-member States but is not certain.

2. According to Foreign Office official, Sawada still under firm instructions to hold out for full membership as long as even slightest possibility exists. Responsible Foreign Office officials including Foreign Minister will meet tomorrow to discuss amendment of instructions to Sawada to embrace acceptance United States proposal along lines suggested by Sawada.

3. Japanese Government now undecided on accepting non-member status. Principal objection is fear that acceptance will lessen possibility for full membership. Embassy prepared to urge acceptance, pointing out United States willingness to continue seeking full membership on all appropriate occasions. Embassy will await reply to Embassy's telegram 717, September 24 in order to assure full consideration with USUN.

ALLISON

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310.2/9-2454 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 27, 1954—4:12 p. m.

Gadel 6. Re: Delga 15.<sup>2</sup> US continues to support admission any of fourteen non-Soviet candidates including Libya. While obviously not in position to take initiative in choosing any of fourteen for special treatment, we would vote for separate resolution on Libya if Lebanon alone or jointly with other Arabs proposes such action. Precedent exists in fact that GA in 1952, for example, adopted resolutions on only Japan, Vietnam, Cambodia, Laos, Libya, Jordan. As position paper indicates, however, should any other qualified applicants wish to have names submitted again for GA action we would initiate or support such action.

SMITH

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<sup>1</sup> Drafted by Brown of UNP, cleared with the Bureau of Near Eastern, South Asian and African Affairs, signed by the Deputy Director of the Office of UN Political and Security Affairs (Bond).

<sup>2</sup> Delga 15, Sept. 24, 9 p. m., from New York, reported a *démarche* from an Arab Delegate, regarding a possible Arab proposal for a single candidacy for membership for Libya separate from any general membership ("package") approach. The Mission (Wadsworth) had stated it would check with the Department. (310.2/9-2454)

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Assistant Secretary of State for Far Eastern Affairs (Robertson)*

CONFIDENTIAL

[WASHINGTON,] September 27, 1954.

Subject: Non-member participation in the United Nations

In view of the Secretary's personal interest in our sounding out other delegations on the possibilities of moving ahead at this General Assembly on the associate membership question, the Department recently sent USUN a possible draft resolution on the participation of

non-members in the UN. Under the draft resolution the General Assembly would invite any state "which the General Assembly has found fully qualified for admission" to accredit representatives to General Assembly sessions. These representatives would be entitled to (a) speak and make proposals, (b) have their votes recorded but not counted, (c) receive UN documents, and (d) to make and have circulated proposals and communications. Non-members taking advantage of this invitation would be expected to make a voluntary contribution to the UN.

In discussions in New York both the Italian and Austrian initial reactions were negative. The UK representative anticipated that his government would not support the plan. Some Latin American states, on the contrary, showed interest.

The Japanese representative expressed strong personal interest but said that in the past Japan had felt that Japan should receive full membership and the Japanese Government had accordingly not taken a formal decision in support of any other type of participation. He said that he would consult his government on the matter and let us know its views.

*Comment:* It is believed that the Secretary's interest in this problem arises partly in the desire to avoid the essentially negative position which we have taken on the membership question during recent sessions. With nineteen applications pending,<sup>1</sup> some way of breaking the deadlock has been growing in the General Assembly. Non-member participation, if limited to states which have received GA approval, might be the most advantageous solution from our point of view—if it is generally acceptable. The conditions of participation indicated in the draft resolution are very generous. They amount in fact to all the benefits of full membership except the right to have the vote counted.

The proposal is likely to meet difficulties on several scores:

(a) As there is no charter provision for non-member participation, differences may arise among our friends concerning the extent of the rights to be conferred.

(b) To date, the proposed beneficiaries have either been opposed or shown a minimum of interest. Their position in general has been that their chances for obtaining full membership would be impaired if they showed a disposition to accept a lesser status.

(c) The proposal will meet with strenuous Soviet Block [sic] opposition. The result might be an effort to offer non-member participation to Soviet Block candidates.

USUN is now reporting the reactions of other delegations. When fuller reports have been received, a decision will be taken whether or not to proceed to introduce the proposal.

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<sup>1</sup> Marginal notation indicating words "pressure for" were to be added at this point.

310.2/9-2854 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, September 27, 1954—8:29 p. m.

Delga 22. Re Gadel 1. Consultations our new non-member participation plan proceeding. We intend make number high level approaches to other delegates here, with Senator Fulbright, in next few days, using our resolution as basis for discussion, but without showing it to them.

Re resolution, we believe specific names should be deleted from preambular paragraphs. This should help to avoid invitation to add other specific names through amendment and at same time not embarrass those who do not wish to take advantage of arrangements set down by GA for non-member participation.

This also in line with views expressed by Secretary to me re this subject.<sup>1</sup>

LODGE

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<sup>1</sup> In telegram Gadel 15, Sept. 29, 4:28 p. m., to New York, the Department of State responded:

"Department concurs in deletion names applicants from preambular paragraphs draft resolution Gadel 1. Our only concern is that resolution by its own terms continue make clear that applicants eligible to accept GA invitation limited to those whose admission blocked by Soviet veto in SC and whom GA has found qualified for admission." (310.2/9-2754)

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310.2/9-2754 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, September 28, 1954—7 p. m.

Delga 28. Re membership. Krishna Menon (India) made the following proposal to me today:

That the GA adopt a resolution stating that it would elect to membership nations which had received seven votes in the SC;

That the SC promptly meet and vote on applications in accordance with this new procedure which would, of course, eliminate the veto;

That thereafter an understanding be reached between the US and the Soviet Union. For illustrative purposes only, this could be an understanding that Italy, Ireland, Portugal and Finland would be admitted, that then Hungary would be admitted and that then another group of states which the US approves of would be admitted, after which one state in the Soviet Group would be admitted;

That "states like Japan and North and South Korea would not be considered at this time".

He asked me to consider this scheme carefully and talk to him about it.

My impression is that he deliberately sought me out in order to put this to me and that although he was careful to say that it was simply a personal idea of his, it is actually a good deal more than that.

Request instructions.

LODGE

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States Delegation to the General Assembly (Bonsal)*

CONFIDENTIAL

[NEW YORK,] September 29, 1954.

Subject: Non-Member Participation

Ambassador Sawada told me that he had an opportunity of discussing with Prime Minister Yoshida, on the occasion of the latter's brief passage through New York, our current proposal for non-member participation. "I sold him the idea in principle although there will have to be discussions in detail with the Foreign Office", said Sawada.

(This conversation and other which I have had on this subject stress the importance, in my judgment, of our being able to furnish delegates and observers with whom we discuss this matter a piece of paper setting forth in summary form just what we have in mind and emphasizing the difference between this proposal and previous proposals. This piece of paper need not necessarily be in the form of a draft resolution. In fact, it would probably be most useful if it were merely a statement of the principal points of our proposal.)

320/9-2954 : Telegram

*The Acting Secretary of State to the Embassy in Japan*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 29, 1954—5:25 p. m.

694. Re your 717 and 734 US continues strongly favor admission all qualified applicants to full UN membership as SecState emphasized his GA speech September 23. However long as little or no prospect their admission US decided it necessary consider further possibility developing alternative means of drawing applicants into Organization's work. USGADel instructed explore possibility getting GA to devise arrangements for non-member participation in GA and now consulting in NY in effort elicit majority support for such proposal.

Proposal as indicated intel September 22 envisages arrangements whereby GA would issue general invitation to participate in GA and

<sup>1</sup> Drafted by Brown (UNP), cleared with officers in the Bureau of Far Eastern Affairs and signed by Assistant Secretary Key.

to send resident representative to UN headquarters, to all applicants whose admission blocked by SC inability to make affirmative recommendation owing to Soviet veto. Terms proposal exclude Soviet-sponsored applicants. Any time after adoption of this proposal qualified applicants could decide whether to avail themselves of privileges extended by GA.

While GA action not dependent advance commitment qualified applicants to accept GA invitation naturally greater support for proposal will be forthcoming if at least some applicants express interest in GA participation on proposed basis. As explained intel, aside from fact votes would not count and could not hold office, non-members would be on virtually same basis in GA as members. While obviously each applicant must decide for itself whether accept GA invitation we hope Japan and other qualified states would decide to participate. We believe they can contribute to work of organization and we do not believe acceptance or rejection of such arrangements will affect adversely chances for admission to full membership. US intends to continue to press for admission all qualified applicants in every feasible way.

USGADel has consulted with Sawada and will continue maintain close touch with him on developments this proposal. Suggest Embassy discuss matter with Foreign Office on basis above making clear we are still exploring matter and will keep Sawada informed re progress our consultations. Probably within short time we can reach decision whether proceed with proposal for non-member participation.

SMITH

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320/9-2954 : Circular telegram

*The Acting Secretary of State to Certain Diplomatic Missions*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, September 29, 1954—7:15 p. m.

168. Re Arrangements Non-Member Participation UN General Assembly. US continues strongly favor admission all qualified applicants to full UN membership as SecState emphasized his GA speech September 23. However so long as seems no prospect their admission in view Soviet intransigence US decided it necessary consider alternative means drawing them into Organization's work. USGADel now consulting in NY in effort elicit majority support for arrangements for non-member participation. We have not submitted formal proposal.

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<sup>1</sup> Drafted by Brown (UNP) and concurred in by Eric Stein, Officer in Charge, Pacific Settlement Affairs, cleared with the geographic bureaus (except ARA) and signed by Assistant Secretary Key. Sent to six posts as printed here, and to seven other posts with additional instructions; repeated for information to USUN in New York.



As indicated intel September 22 we envisage arrangements whereby GA would invite all applicants whose admission blocked in SC by Soviet veto to participate in GA and send resident representative UN headquarters. Terms proposal exclude Soviet-sponsored applicants. Any time after adoption this proposal qualified applicants could decide whether accept GA invitation.

While GA action not dependent advance commitment applicants accept invitation naturally greater support for proposal will be forthcoming if some applicants express interest. While each applicant must decide for itself whether accept invitation we hope qualified states would decide participate. We believe they can contribute to work of organization. We do not believe acceptance such arrangements will affect adversely chances for admission to full membership. US intends continue to press for admission all qualified applicants in every feasible way.

Request you discuss above with Foreign Office and report reactions soonest.

SMITH

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IO files, US/A/3705

*Working Paper by the United States Delegation to the General Assembly*

CONFIDENTIAL

[NEW YORK,] September 30, 1954.

DRAFT RESOLUTION ON NON-MEMBER PARTICIPATION

*The General Assembly,*

*Considering* that the Security Council has been unable, because of the opposition of one of its permanent members to make recommendations required under Article 4 of the Charter of the United Nations respecting the admission to membership in the United Nations of qualified applicants,

*Considering* further that in the judgment of the General Assembly, as expressed in Resolutions 113 (II), 197 (III), 296 (IV) and 620 (VII), certain applicants have been determined to be peace-loving within the meaning of Article 4 of the Charter and able and willing to carry out the obligations of membership in the United Nations, and are thus entitled to be admitted as members,

*Recognizing* that the effectiveness of the United Nations would be enhanced if qualified applicants are given the opportunity to participate directly in the work of the United Nations.

1. *Invites* any state not a member of the United Nations which the General Assembly has found qualified for admission but whose application has been blocked by the inability of the SC owing to the opposition of a permanent member to make affirmative recommendation

under Article 4 of Charter to send a Resident Representative to Headquarters UN and to accredit Representatives to Sessions of the General Assembly;

2. *Decides* that such representatives may speak and make proposals in main committees and in plenary sessions of the GA and shall have the right to have their vote recorded but not counted;

3. *Directs* the SYG (a) to place any non-members who avail themselves of the provisions of paragraph 1 on the same basis as members of the UN with respect to the distribution of UN documents, and (b) to accept and circulate as UN documents any proposals or communications received from such non-members;

4. *Requests* the SYG, during the 9th regular session of the GA, to recommend to the 6th Committee, for action during the current session, any amendments or additions to the rules of procedure of the GA necessary to carry out provisions of this resolution;

5. *Further Requests* the Advisory Committee on Administrative and Budgetary Questions in view of desirability of enabling any non-members who decide to participate in the work of the UN on the above basis to make a financial contribution to the UN to cover costs of such participation—to consider and make recommendations to the GA during the present session on the development of an equitable basis for arriving at the amount of such contributions.

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320/9-3054 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET  
PRIORITY

NEW YORK, September 30, 1954-3 p. m.

Delga 40. London for Secretary from Lodge. Re non-member participation in UN. We have had exploratory talks with number of key delegations regarding our proposal on non-member participation in the United Nations (Gadel 1, September 21). Returns thus far are not decisive either way.<sup>1</sup>

In discussing matter with Senator Fulbright and staff, Senator Fulbright suggested, and I agree, that we should couple our non-member participation proposal with a General Assembly declaration or expression of opinion that membership should not be subject to the veto and that charter be revised to this effect.

I am aware of the relation between this proposal to our position that the seating of the Chinese Communists is subject to the veto. However,

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<sup>1</sup> Certain memoranda of conversations regarding these talks in New York are in UNP files, lot 59 D 237, "Memberships"; none printed.

I believe we can make a plausible distinction between admission new members on the one hand and seating of the Chinese Communists on the other.

I believe that joining this element to our non-member participation proposal would materially affect attitude of qualified non-member states and persuade them of the advantages of non-member participation; one of the most common reactions from these countries has been fear that non-member participation is end of line for them. A positive stand by us to remove veto from membership would indicate firm US commitment to do everything possible to bring about admission of qualified applicants.

I believe such a proposal would be favored by the American people. This is confirmed by the grass root soundings taken by the Wiley subcommittee on charter review. This would also be in line with the Vandenberg resolution of 1948.

Request urgently your views on this matter.

LODGE

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320/10-154 : Telegram

*The Ambassador in the United Kingdom (Aldrich) to the Department of State*

SECRET

LONDON, October 1, 1954—11 a. m.

1640. For Lodge from Secretary. Believe your proposal a constructive one and that in connection with dealing with this matter non-member participation, we should make it clear beyond a doubt that on assumption Charter Review Conference is held, we will there propose to remove veto from membership, so that present move only an interim measure which will force hand of Soviet at Review Conference.<sup>1</sup>

ALDRICH

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<sup>1</sup> For documentation on this subject, see pp. 170 ff.

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IO files, US/A/M (SR)/7

*Minutes of Seventh Meeting of the United States Delegation to the Ninth Regular Session of the General Assembly, New York, October 1, 1954, 9:45 a. m.*<sup>1</sup>

SECRET

Mr. Taylor opened the meeting by announcing that the General Committee would meet next week in order to consider the Soviet item which was introduced in yesterday's general debate by Mr. Vyshinsky.

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<sup>1</sup> Drafted on Oct. 22.

*Membership Question*

Presenting this subject, Mr. Sisco said that at the last session of the General Assembly a Committee of Good Offices was established, which in the past year has attempted to find the answer to the membership problem. It has not been able to do so, and accordingly its report to the 9th General Assembly will be one of reporting failure.

In previous years, the Soviets have introduced a "package deal". We have consistently opposed this plan, since it is our view that the five Soviet applicants are not peace-loving as defined in Article 4 of the Charter. Also, the Soviet "package deal" does not include five other states of the free world which have received seven votes in the Security Council and a 2/3 majority in the General Assembly, furthermore, such a proposal is contrary to the 1948 opinion of the ICJ which stated that each applicant should be considered separately. In the last session of the General Assembly this proposal never came to a vote since it was withdrawn by the Soviet Union because it did not have the required majority of the General Assembly.

This year's membership item is in two parts: Part a. consists of the report of the Committee of Good Offices and Part b. is the Australian proposal to admit Laos and Cambodia. We have received indications that the UK and most of the Commonwealth nations will support a continuation of the Committee of Good Offices.

The United States position on the admission to membership of the 14 free nations is as follows: We will continue to support admission of the 14 and we will vote against the admission of the five Soviet sponsored nations. If it is proposed that a selected few states within the group of 14 be admitted the Delegation will, subject to instructions from the Department, ask for a separate vote on each of the applicants proposed and will vote for any of the non-Soviet applicants.

We are now directing our efforts toward the United States proposal for non-member participation, Mr. Sisco said. This is a new proposal. We would ask the General Assembly to set forth the arrangements for participation of 14 non-member states. Each of which would receive all UN documentation, be able to engage in debates and could even vote, although the vote would not be counted. We have already had exploratory discussions on this subject with other delegations although there have been no decisive reactions either way as yet.

The United Kingdom and some other delegations have raised some doubt as to the juridical basis of the US proposal and a legal memorandum has been prepared, which we will present to the UK Delegation. Other Delegations have asked what the attitude is of the non-member states themselves. They have been non-committal, Mr. Sisco said, with the exception of Korea, which is enthusiastic, and Japan, whose Prime Minister has accepted the US proposal in principle. We

have asked the Department to make contact with those non-member states which the Delegation cannot talk with in New York, since their acceptance of the proposal would facilitate its passage in the General Assembly. Another difficulty encountered is that some delegations have asked whether non-member participation might not be the end of the line for those nations concerned. Our response has been that non-member participation is an interim step towards full membership. Mr. Sisco outlined a telegram sent to the Department yesterday which coupled the non-member participation proposal with a resolution asking the General Assembly to declare that membership questions are not subject to veto in the Security Council and that the Charter should be revised to this effect. This morning a telegram was received from the Secretary approving this policy.

At this point, Mr. Sisco said, the Delegation can soon start expanding its efforts, and the Liaison Officers will be able to engage in further discussions with other delegations on the subject.

Ambassador Lodge observed that the Secretary of State, in his speech in the general debate, had stated that the greatest threat to the United Nations today is the limitation of its membership. This proposal, Ambassador Lodge said, is a far reaching and very important one and one which the United States has a fighting chance to put over. Mr. Bonsal asked whether he might not be supplied with a paper outlining the US proposal so that he might explain it more thoroughly to his liaison contacts, and Mr. Sisco replied that he could supply him with such a paper. Mr. Barco then reported that he had heard from Mr. Asha of Syria that Mr. Belaunde of Peru, Chairman of the Membership Committee, was considering a package proposal including 8 free nations and 4 Soviet-sponsored nations.

Senator Fulbright asked what limitations there would be to participation in this non-member program and Mr. Sisco replied that anyone who has received 7 votes in the Security Council and a  $\frac{2}{3}$  majority in the General Assembly would be qualified and observed that this is limited at present to the 14 nations previously described. The Delegation expressed approval of the coupling of the non-member participation idea with the possible revision of the Charter to eliminate the veto on membership questions and there was some discussion on the possibility of revising the veto situation now rather than waiting until the Charter Review Conference.

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by Senator J. W. Fulbright of the United States Delegation to the General Assembly and Joseph J. Sisco, an Adviser of the Delegation*

CONFIDENTIAL

[NEW YORK,] October 1, 1954.

Subject: Non-member Participation

Participants: Mr. Crosthwaite, U.K. Delegation  
Mr. Michael Williams, U.K. Delegation  
Senator Fulbright, U.S. Delegation  
Mr. Joseph Sisco, U.S. Delegation

Senator Fulbright made available to Messrs. Crosthwaite and Williams a copy of a brief summary of our non-member participation proposal and a copy of the legal memorandum which explains the juridical basis of our proposal.

Mr. Crosthwaite said he would take this matter up in their delegation urgently. During the course of the luncheon conversation Messrs. Crosthwaite and Williams made the following points:

1. He described their position on our proposal as somewhere between outright opposition and extreme scepticism.
2. The UK has real doubts as to the legality of the proposal.
3. He indicated that according to their information none of the European non-members would favor participation on the basis of our proposal.
4. They were opposed to any proposal which would derogate from the authority of the Security Council and enhance the position of the General Assembly. He explained further that in their view the General Assembly is not a reliable organ. He maintained that the UK has no comparable "veto" in the GA as the US has by virtue of its ability to muster 20 Latin American votes on any proposal which really affects its interest. He cited the Latin American support of the US against Indian participation in the Korean Political Conference.
5. They did express specific opposition to the provision that the vote of the non-member participants be recorded but not counted.

[Attachment 1]

*Brief Summary of United States Proposal*

LIMITED OFFICIAL USE

The proposal is for non-member participation of the 14 qualified states. (Those states who have received 7 votes in SC and  $\frac{2}{3}$  majority in GA).

Under the proposal the GA would set up arrangements for the participation of these non-members. Their privileges might include: receive UN documentation; they could speak, make proposals, and have

their vote recorded but not counted, they would be asked to make some financial contribution.

This is different from the old associate membership idea. The GA would invite the qualified non-members to participate on the above basis—no individual applications would be necessary. The non-members could choose to respond to the GA invitation to participate shortly after the adoption of the resolution or at a subsequent later date.

It would be an interim step towards full membership. This proposal is complementary to our continued support of qualified applicants for full membership. Its juridical basis rests on the assumption that the GA, as an adaptable and flexible organ, can invite states to participate in its proceedings under conditions defined by the GA.

The proposal would also include an operative paragraph or two in the resolution which would have the GA declare or express the opinion that membership should not be subject to the veto and that the Charter be revised to this effect.

We have been informed that the Prime Minister Yoshida has accepted the proposal in principle. The Koreans have also indicated their willingness to participate on this basis. We are awaiting responses from a number of other non-members.

[Attachment 2]

*Legal Memorandum*

LIMITED OFFICIAL USE

*Non-Voting Participation in the General Assembly*

Representation and voting in the General Assembly are provided for in Articles 9 and 18 of the Charter, which specify that each United Nations Member is entitled to five representatives and one vote in the Assembly. The Charter makes no provision for any form of associate membership in the United Nations.

On the other hand, the Charter does not exclude the possibility of non-Member states appearing before and being heard by United Nations organs, including the General Assembly. Indeed, Articles 11(2) and 35(2) clearly contemplate this. Article 35(2) provides that a "state which is not a member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the Charter."

In a large number of instances, main committees of the Assembly have invited representatives of non-Member states to appear and speak on questions coming before the Assembly. For example, representatives

of Albania and Bulgaria were heard in the Greek case; representatives of Jordan have been heard in discussion of the Palestine problem; the Republic of Korea has been represented by spokesmen in the Assembly's Political and Security Committee. Austria and Italy also have appeared and been heard by Assembly Committees.

These have been instances where the non-Member states concerned were thought to have a special interest in the particular subjects under consideration, and were therefore invited to participate. But there is nothing in the Charter to suggest that similar arrangements may not be made by the General Assembly for one or more non-Member states whose participation the Assembly believes would be valuable over the whole range of subjects dealt with in the Assembly's sessions.

The General Assembly, by large majorities, has expressed its view that fourteen of the existing applicant states ought to be admitted to membership in the Organization so as to participate in its work; they have been excluded only through the veto in the Security Council by one permanent member of the Council. There is no reason why the Assembly may not invite these states to participate in its deliberations, with such privileges as the Assembly wishes to accord, so long as the non-Members do not have their votes counted so as to affect the outcome on proposals placed before the Assembly and its Committees.

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310.2/9-2854 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 4, 1954—6:24 p. m.

Gadel 22. Re: Membership.

1. In regard merits Menon proposal that GA state it would elect to membership states receiving seven SC votes (Delga 28) GADel should point out certain LA states in past urged virtually identical approach, which US was unable support and GA did not accept. Believe Menon's proposal would not receive majority support in view (1) 1950 ICJ advisory opinion that GA cannot act on admission state to membership in absence favorable SC recommendation; (2) earlier advisory opinion implicitly recognizing applicability of veto to membership; and (3) unfavorable reaction 1953 Special GA Committee on Membership to proposals for resolving current stalemate by some formula denying applicability of veto under present Charter text.

2. Package aspects Menon proposal do not seem to follow from his initial suggestion. If GA were to decide admit any state receiving seven SC votes, we see no reason for coupling this decision with understand-

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<sup>1</sup> Drafted by Brown (UNP), cleared with the Bureau of Far Eastern Affairs and the Bureau of Near Eastern, South Asian and African Affairs, approved for transmission by Popper, and signed by Assistant Secretary Key.



ing between US and USSR as to successive admission of groups of states to balance non-Soviet and Soviet-sponsored applicants. US maintains position each applicant must be considered on its merits and cannot accept any arrangement amounting to series of "package" deals. Furthermore we cannot accept view action applications ROK and Japan should be indefinitely suspended as Menon plan contemplates.

DULLES

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Sisco)*

CONFIDENTIAL

[NEW YORK,] October 5, 1954.

Subject: Non-Member Participation Proposal

Participants: Mr. Crosthwaite, UK Delegation  
Mr. Williams, UK Delegation  
Senator Fulbright, US Delegation  
Mr. Sisco, US Delegation

Mr. Crosthwaite asked to see us regarding our non-member participation proposal and left with us a legal memorandum which sets forth the reasons why the UK believe our proposal to be of dubious legality.<sup>1</sup> Mr. Crosthwaite shifted his emphasis somewhat in the discussions. In our last conversation he had stressed the argument that our proposal would tend to derogate from the Security Council and enhance the position of the GA which was not a reliable organ from the point of view of the UK, particularly on colonial issues.

Today Mr. Crosthwaite said the UK cannot support our proposal because the GA in effect would be concluding a *coup d'etat* by taking into its own hands the participation of the 14 qualified applicants. He said the UK cannot support our proposal. If, however, we were willing to submit it to the International Court of Justice and in turn the International Court of Justice were to put its stamp of legal approval on it, then the UK was prepared to consider whether the proposal was politically feasible or desirable. Mr. Crosthwaite stressed that since our proposal is of dubious legality, it would stimulate the GA to further illegalities.

We stressed that in our view, as indicated in our own legal memorandum, our proposal was well founded in its juridical basis. We also said that it did not necessarily follow that a liberal construction of the Charter on the non-member participation proposal necessarily had any connection with future liberal interpretations which the GA might take. While we appreciated the legal views set forth by the UK, we

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<sup>1</sup> Not found in Department of State files.

believed our legal case was equally strong. Moreover the political reasons for moving on this proposal are perhaps more important.

Recalling the arguments presented by Mr. Crosthwaite at our previous meeting, we also made the following points.

1. Our non-member participation proposal would not alter the actual or theoretical function and balance of the Security Council on the GA under the Charter.

2. It does not appear that the participation of the 14 qualified applicants would alter the balance of the GA to the detriment of the UK. The few states of the 14 qualified member group which might side with the anti-colonials would not make any appreciable difference with respect to GA consideration of colonial issues. Moreover there are among the group of 14 some states, such as Italy and Portugal whose policies could be expected to parallel those of the administering powers.

3. We assume that the US and UK are moving together and continue to favor the admission of the 14 qualified applicants as full members. If the participation of the 14 qualified non-members would make the GA more unreliable from the UK point of view, would this not also be the case if the same 14 participate as full members? We find it inconsistent that the UK would oppose non-member participation on the ground that the GA would be less reliable and at the same time favor participation of this group of 14 as full members.

4. The UK overestimates our influence with the Latin Americans. We do not have a 20 vote veto but what influence we have is largely based on common interests. There are very few issues in which our own influence with the Latin Americans have not at the same time redounded to the equal advantage of the UK.

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320/10-654

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Popper)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] October 6, 1954.

Subject: Non-Member Participation in UN General Assembly

Participants: Mr. Hiroto Tanaka, First Secretary, Japanese Embassy

Mr. David H. Popper, UNP

Miss Elizabeth Brown, UNP

Miss Ruth Bacon, FE

Miss Marjorie McMullen, NA

At his request Mr. Tanaka came in to discuss with us the latest developments regarding non-member participation in the General Assembly. He showed us the text of a proposal the Embassy had received from Ambassador Sawada, the Japanese Observer in New York, which we confirmed embodied the main elements of the tentative US pro-

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<sup>1</sup>Drafted by Brown.

posals. Recalling some previous doubts in the Japanese Foreign Office as to the desirability of "associate membership" for Japan, Mr. Tanaka explained that Ambassador Sawada had taken up our latest suggestions directly with the Prime Minister, Mr. Yoshida, in New York, and the latter had decided Japan should favor the proposal. He inquired regarding the current status of our negotiations.

Mr. Popper explained that the US Delegation to the General Assembly was consulting with other Members and with those applicants that would benefit from the proposal. Once these consultations were completed, we would be in a position to decide whether to proceed with the proposal. One problem was that some of the applicants, notably Italy, Austria and Portugal, had reacted negatively, apparently to some extent on the basis, which we regarded as unjustified, that it might prejudice their chances for full membership. Some UN Members, particularly the United Kingdom, were concerned as to the legality of the proposal. If most of the applicants and many Members opposed the idea, it would be difficult to proceed.

In response to a question from Mr. Tanaka, Mr. Popper indicated that so far only Japan, Jordan, the ROK and just possibly, Ireland were interested in the plan. He observed that if large important powers such as Japan and Italy were interested, it would undoubtedly affect the attitude of others. It was also noted that many UN Members were still without instructions. The prospect did not appear especially encouraging, Mr. Popper concluded, though we wanted more information before making up our minds.

Mr. Tanaka thanked us for the information. He appeared somewhat surprised that more applicants were not interested in the proposal. He indicated that he would be assisting Ambassador Sawada in New York on this matter. We suggested that he should get in touch with Mr. Sisco and Mr. Bonsal of the US Delegation in New York, which he said he would do.

D[AVID] H. POPPER

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310.2/10-654 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

SECRET

WASHINGTON, October 6, 1954—9:37 a. m.

Gadel 29. Re: Membership. We have been considering means implementing proposal Delga 40. At this stage we are inclined believe best approach would be insert two new paragraphs in preamble resolution on non-member participation.

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<sup>1</sup> Drafted by Brown (UNP) and concurred in by Stein, Officer in Charge, Pacific Settlement Affairs, cleared with the geographic bureaus (except ARA) and the Deputy Under Secretary of State, approved for transmission by Popper, and signed by Assistant Secretary Key.

First new paragraph which would become opening preambular paragraph would read: "*Recalling* that the General Assembly in Resolution 296K (IV) requested the states permanent members of the Security Council to refrain from the use of the veto in connection with the recommendation of states for membership in the United Nations."

Second new paragraph which would precede last paragraph preamble as presently written would be: "*Recognizing* that the problem of the admission of new members will require full consideration at a Charter Review Conference so that admission to membership in the United Nations may no longer be blocked by the veto of a permanent member of the Security Council."

This approach would be combined with strong statement in US membership speech concerning our intention propose at Charter Review Conference removal of veto from membership. Procedure has advantage of minimizing danger that GA might establish undesirable precedent of going on record with specific policy declaration regarding approach to other problems to be dealt with at Charter Review Conference. We would not wish see GA embark on course in this case that might lead to moves for similar declarations regarding Charter review on such contentious issues as matters involving non-self-governing territories or particular Chinese Communist representation on which US position must not be jeopardized.

Suggest USDel consult with key delegations on above basis and report reactions Department.

DULLES

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UNP files, lot 59 D 237, "Membership"

*Memorandum by Elizabeth Brown of the Office of United Nations  
Political and Security Affairs*

CONFIDENTIAL

[WASHINGTON,] October 6, 1954.

SUMMARY OF REACTIONS TO US PROPOSALS FOR NON-MEMBER  
PARTICIPATION IN UNGA

Reactions to our non-member participation proposal, from both qualified applicants and Members, as indicated in the attached, detailed survey, have not been encouraging.

1. Out of the fourteen applicants we consider eligible under our proposal, only three (Japan, Jordan, ROK) are interested. Five (Cambodia, Ceylon, Laos, Libya, Nepal, Vietnam) have not responded. It is clear that three (Italy, Austria, Portugal) are entirely negative, and informal reactions from the remaining two (Ireland, Finland) indicate they will also be negative.

2. We have reactions, mainly preliminary and informal, from twenty-six delegations. Of the eight Latin American states approached, three (Peru, Mexico, El Salvador) favored the plan, and one other (Colombia) probably would support it. The two Far Eastern states consulted promised reactions later. In the British Commonwealth, the United Kingdom is strongly opposed on legal grounds, and we have no final reactions from the others, though Canada, Australia and New Zealand appear somewhat intrigued by the idea. Only one (Belgium) of three Western Europeans consulted seemed favorably disposed. The reaction of the Near and Middle Eastern states has been generally noncommittal, except that Greece and Turkey seem inclined to support the plan.

[Attachment]

CONFIDENTIAL

[WASHINGTON,] October 6, 1954.

REACTIONS TO US PROPOSAL FOR NON-MEMBER PARTICIPATION IN UNGA

A. ATTITUDES OF QUALIFIED APPLICANTS

1. *Austria*

Official reply negative on basis might prejudice full membership later and proposal had aspect of "second-class citizenship" in UN.

2. *Cambodia*

No response.

3. *Ceylon*

No response.

4. *Finland*

Finnish observer was "confident it would not be in the Finnish interest to accept anything short of full membership."

5. *Ireland*

Foreign Office comments informally it will probably favor the plan and also states new Irish Government has reached no decision as to its attitude toward UN, but will be influenced by the attitudes of Italy and the Vatican.

6. *Italy*

Opposed.

7. *Japan*

Japanese observer indicated his Government favored the proposal

8. *Jordan*

Preliminary reaction favorable.

9. *ROK*

Enthusiastic.

10. *Laos*

No response.

11. *Libya*

Under-Secretary approached in Benghazi who promised give us reaction and indicated Libyan intention to resubmit application for full membership.

12. *Nepal*

No response.

13. *Portugal*

Not interested in proposal. However, Embassy expressed view Portugal would go along if other qualified nations accepted.

14. *Vietnam*

No response.

## B. ATTITUDES OF OTHERS

1. *Latin American States*

*Peru*—Without instructions but reacted favorably and urged US to press proposal.

*Argentina*—Would support only as a second best approach and then would favor making the participation as full and formal as possible, even to the point of making the states "members of the GA."

*Mexico*—Reacted favorably, emphasizing necessity for developing a firm legal basis for such GA action.

*El Salvador*—Extremely enthusiastic and would like to help in every possible way.

*Brazil*—Initially non-committal, indicating legal aspects would have to be considered with great care. Subsequently instructed that Foreign Office took a dim view, feeling plan was legally doubtful, and questioning desirability of establishing second-class membership. However, would pursue the matter with us when we had concrete proposal to show them.

*Venezuela*—Personal and informal reaction that idea of "second-class" membership highly unsatisfactory and gives idea that full membership being abandoned, as well as provides USSR with propaganda point alleging US circumvention of the Charter.

*Nicaragua*—Generally negative along same lines as Venezuela but raised question of what might be done to include Spain and Western Germany.

*Colombia*—Favorable to anything in direction of bringing non-members into the organization but said it would be a good idea to make sure that such a measure would be passed by GA before introducing it.

2. *Far Eastern States*

*Burma*—Promised to give us views later.

*Indonesia*—Promised views later but did not seem very strongly interested.

### 3. *British Commonwealth*

*Australia*—Ambassador Spender's interest in 1952 noted but recalled that official Australian position negative. However, Mr. Casey found no objection but was referring matter to Canberra.

*Canada*—Was interested in exploring matter but Ottawa generally cautious, with some legal doubts. Inquired whether any consideration had been given to requesting ICJ opinion on legality and seemed to have some concern over fact that plan would benefit one group of non-members over another.

*New Zealand*—Found proposal interesting and promised to refer it to his Government. Some question as to whether non-members would wish to be put in position of having to vote on certain matters and whether arrangement sufficiently attractive to offset financial obligations involved.

*Union of South Africa*—Full membership or nothing, and while promising to consult Government predicted a negative response.

*United Kingdom*—Cannot support. Doubted legality and suggested desirability of ICJ reference, indicating that if the US is willing to submit it to Court and it finds plan legal, the UK will be prepared to consider whether the plan is politically feasible or desirable. Moreover, important non-members are not interested.

### 4. *Western Europe*

*Belgium*—If applicants reacted favorably and US sponsored the resolution, would undoubtedly support it.

*Netherlands*—Doubted legality and whether European non-members would participate.

*France*—Preliminary Foreign Office reaction not favorable.

### 5. *Near and Middle East*

*Syria*—Some interest.

*Israel*—Considerable interest but noncommittal.

*Iran*—Probably no objection if no states mentioned and that is left up to GA for decision.

*Iraq*—Noncommittal but willing to study further.

*Turkey*—Favorably disposed and promised further reaction.

*Greece*—No objection.

*India*—Japanese observer indicated to USUN that India would favor some sort of arrangement permitting greater non-member participation in UN.

*Ethiopia*—Promised views later but questioned legal basis and wondered about the practical effect of such a plan.

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Sisco)*

SECRET

[NEW YORK,] October 7, 1954.

Subject: Non-Member Participation

Participants: Mr. Selwyn Lloyd, UK  
Mr. P. M. Crosthwaite, UK  
Mr. W. Sykes, UK  
Senator Fulbright, US  
Mr. Joseph Sisco, US

We discussed our non-member participation proposal once again and we stressed the following: that our legal case, in our view, is as good as that presented by the UK; that we do not believe that General Assembly action on our non-member participation proposal will stimulate the GA to take future actions which the UK believe to be of dubious legality; that submitting our proposal to the ICJ would only delay the opportunity for non-member participation; that we do not believe the participation of the 14 qualified applicants would alter the balance of the GA to the detriment of the UK or the US, but rather the states could be expected to make a contribution to the work of the UN.

The UK really made no new points, but there was a different emphasis in their argumentation. The legal argument was not stressed as much by Mr. Lloyd. When it was pointed out to Mr. Lloyd that it appeared inconsistent for the UK to say on the one hand that they oppose non-member participation of the 14 because it would increase their difficulties in the colonial field, and on the other that they favored the full membership of these 14, he made the following statement in strict confidence. His Government believes the best posture on the membership question is the one which they have maintained all along, namely, that it is the Soviet veto which is keeping out the 14 qualified applicants as full members. In actuality, in light of the difficulties which a number of these states could make as full members, the UK, while maintaining its present posture, is not enthusiastic about their admission as full members or on any other basis. If, Selwyn Lloyd continued, we could get Italy in alone for example, the UK believes this would be politically desirable. He doubted very much that it was politically wise and realistic to bring in so many possible trouble makers, either on the basis of our proposal or on the basis of full membership, and he argued that this would neither serve UK nor US interests.

During the course of the conversation, it was also made clear that if we go ahead on our non-member participation proposal, that the



UK is likely to introduce a proposal referring it to the ICJ. They also stressed that the European countries are firm against our proposal.

Our impression, as a result of this conversation and the two previous ones, is that the UK is firm on its position.

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UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by Senator J. W. Fulbright of the  
United States Delegation to the General Assembly*

CONFIDENTIAL

[NEW YORK,] October 7, 1954.

Subject: Membership

Participants: Mr. Menon—India  
Mr. Singh—India  
Senator Fulbright—US  
Mr. Joseph Sisco—US (in part)

Mr. Menon stated that the conference was to be strictly personal and unofficial and exploratory in nature. He was not making any commitments nor asking for them. Mr. Menon did practically all of the talking.

I indicated to him practically verbatim the substance of Gadel 22. His response was that it was an official document and not to be considered very seriously. The point he was seeking to make was that the membership matter, if it is to be resolved at all must be resolved by mutual agreement, not by votes. If the stalemate on admission is to be broken, it must be broken by agreement between Russia and the US. He made no formal proposal, but the implication from his statement was that India is in a position to be the intermediary in working out agreements which would lead to a solution of the membership problem.

Mr. Menon paid the US the compliment of saying that he would trust our word if it were given. As he sees it, the veto on this matter should not be abolished. I understand his position to be that he would oppose the abolition of the veto on membership problems. The whole thing must be worked out by agreement. He stressed that it will and can be worked out when Russia and the US feel that it is politically desirable to do so and there is no need of considering abolition of the veto. He believes in the veto on this and other matters.

I did not raise with Mr. Menon their reaction to our non-member participation proposal. On his own initiative Mr. Menon brought it up and said that he was opposed to it. The only way is by agreement.

Mr. Singh stressed to Mr. Sisco that in their view the way to attack this problem is to direct our efforts toward doing something about full membership rather than proposals for non-member participation.

310.2/10-754

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Acting Director of the Office of Northeast Asian Affairs (McClurkin)*

CONFIDENTIAL

[WASHINGTON,] October 7, 1954.

Subject: India's Views on UN Membership for Japan

In his speech in the general debate in the General Assembly the Indian delegate, Krishna Menon made the following statement concerning Japan:

“Another fact which I am instructed by my Government to refer to is that of Japan. We hope that very soon, and with the utmost speed, a peace treaty between the Soviet Union and Japan will emerge and that Japan will take its place in this Assembly. This is a matter of concern to us as an Asiatic country and we believe that if Japan took its place as a free and equal member of the United Nations it would be a contribution to the stability of Asia and would prevent certain problems that have already begun to rear their heads from coming up here. It would also be a contribution to the greater universality of the United Nations itself.”

*Comment:* It is to be noted that apparently Menon conditions Japan's admission to the UN upon the prior conclusion of a treaty of peace between the USSR and Japan. He thus essentially sustains the Soviet point of view while ostensibly urging Japan's admission. This equivocal position is in line with the proposal which he recently made to the U.S. Delegation that we support a membership procedure which would circumvent the veto but would involve a U.S.-USSR understanding concerning which candidacies would be acceptable. He suggested that Japan would be excluded for the present.

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310.2/10-854 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET

NEW YORK, October 8, 1954—6 p. m.

PRIORITY

Delga 75. For the Secretary from Lodge. Re: Non-Member Participation in UN. USGADel, including Sen Fulbright, have had number exploratory conversations with key dels regarding our non-member participation proposal. Fol is our analysis:

*Commonwealth:*

UK firmly opposed. They contend our proposal of dubious legality. Lloyd, in a long and revealing talk with Fulbright on strictly confi-

dential basis gave what appears to be real reason for strong UK opposition. They fear that participation of 14 qualified applicants will cause increasing difficulty for them by making GA less reliable on number of issues, particularly colonial field. They insist that they wld have to put our proposal to the ICJ if we moved ahead.

When it was pointed out to Lloyd that it appeared inconsistent for UK to say on the one hand that they oppose non-member participation of the 14 because it wld increase their difficulties in the colonial field, and on the other that they favored the full membership of these 14, he made the fol statement in strict confidence. His Govt believes the best posture on the membership question is the one which they have maintained all along, namely, that it is the Soviet veto which is keeping out the 14 qualified applicants as full members. In actuality, in light of the difficulties which a number of these states cld make as full members, the UK, while maintaining its present posture, is not enthusiastic about their admission as full members or on any other basis. If, Selwyn Lloyd continued, we cld get Italy in alone for example, the UK believes this wld be politically desirable. He doubted very much that it was politically wise and realistic to bring in so many possible trouble-makers, either on the basis of our proposal or on the basis of full membership, and he argued that this wld neither serve UK nor US interests. (Memo of conversation being pouched.)

He made it clear that Nepal wld be either under the influence of China or India, that Finland was under the guns of the Soviet Union, that Portugal wld not want to come in because of the colonial question, that Ireland wld be a constant source of irritation and embarrassment to the UK and that, in his opinion, altogether too much weight was given in the GA to small countries out of all proportion to their size. He did not want to increase the number of such countries, which was already too large.

Casey, Australia, personally found no objection but wld not commit govt unless substantial support prevalent for our proposal.

Canada is not enthusiastic, with some legal doubts, though they indicated it might be difficult for them to oppose our proposal if we went ahead. South Africa negative. New Zealand moderately interested, but noncommittal.

*Europe:*

France and Belgium both negative, and Netherlands doubtful on grounds applicants themselves do not favor our proposal.

*Arab-Asian:*

India strongly opposed. Arab reactions cautious. Entezam (Iran) indicated coolness and reported lack of interest other dels. Egypt, Syria, Iraq, Ethiopia and Israel still studying proposal, but no en-

thusiasm indicated. Turkey undecided, Kyrou (Greece) does not believe our proposal practical, and Saudi Arabia and Liberia negative.

*Latin American States :*

Of 8 LA states approached, 3 (Peru, Mexico and El Salvador) favored plan, and one other, Colombia, probably wld support it.

*Qualified Applicants :*

Out of 14 applicants we consider eligible under our proposal, Japan favorable, ROK enthusiastic and informal views of Jordan appear to be favorable. It is clear that 3 (Italy, Austria and Portugal) are entirely negative and informal reactions from two others (Ireland and Finland) indicate they will also be negative.

Reasons given by members in addition to those indicated above include fol:

Non-member participation plan rather than constitute interim step towards full membership, will be substitute for it and will not contribute to breaking the log jam; members point to unenthusiastic responses of most non-members themselves, the latter of whom see non-member proposal as second class role of sovereign states.

The lack of enthusiasm for the non-member participation plan added to the extreme desirability of not having a conflict with the Brit, wld make me unhesitatingly recommend that we drop this proposal at this session. The reason I do not make this recommendation is because of the great importance which I attach to the change in the Japanese attitude. Remembering our conversations in Tokyo in August of 1953 and the great progress in Japanese thinking as shown by indication PriMin Yoshida is presently in support of this scheme. I am very reluctant to throw all this good work away. I hope that Dept will be able to think of a definition which covers Japan alone and brings her in as a non-member in the spirit of the proposal. If such a device cld be formulated, we might try putting it to the Brit simply on a Japanese basis alone, without bringing up all the other countries to which UK objects.

LODGE

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, Between the Secretary of State and the United States Representative at the United Nation (Lodge)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] October 11, 1954.

Subject: US Plan for Non-Member Participation

In the course of a conversation that covered many topics, Amb. Lodge informed the Secretary of the status of our canvass of opinion regarding the non-Member participation plan. In view of this report the Secretary agreed that it would be wise to drop this scheme for this session. However, he was intrigued by the idea of trying to devise a formula which would permit Japan, and possibly Italy, to participate in the GA. It was worthwhile not to lose the benefit of the favorable reaction already received from the Japanese.

Amb. Lodge suggested that some formula based upon the criterion of size might be the basis for such action. If stretching the criterion to include Italy would be of use in getting the votes of the Latin American bloc, that might be worth a try.

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<sup>1</sup> Drafted by Charles D. Cook (USUN). Source text indicates this memorandum was dictated Oct. 18.

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FE files, lot 55 D 480, "United Nations"

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Drumright)*

SECRET

[WASHINGTON,] October 15, 1954.

Subject: Non-member Participation in the UN

Attached is a draft instruction to New York prepared by UNP as another effort on non-member participation.<sup>1</sup> Ambassador Lodge had suggested that the Department find some formula which would cover Japan alone. The present draft singles out Japan and Italy for initial approaches to see if they would declare their willingness to participate in the GA in a non-member status if the GA saw fit to grant it. If Japan and Italy were receptive to the suggestion, all other qualified applicants (i.e., free-world candidates) might be approached and the GA might then pass a resolution extending to all applicants making declarations which have already been found qualified for admission the privileges of non-member participation.

UNP is proposing this draft in an effort to meet the Secretary's apparent continuing interest in the proposal as well as Lodge's desire to respond to Japan's interest. The proposal has been broadened so as

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<sup>1</sup> Not attached to source text.

not to affront the ROK and Jordan, both of which have expressed interest and possibly to make the proposal more palatable to some UN members.

The UK has questioned the proposal on legal grounds and has also informed our Delegation that for political reasons the association of any of the applicants except perhaps Italy in UN activities would be undesirable in the British view. EUR is accordingly objecting to the despatch of the telegram. You may accordingly be asked to discuss the draft at a meeting with Key and Elbrick.

The present draft with certain changes is acceptable to NA and PSA and to me. While it is doubtful that adequate support for the proposal will be forthcoming in the General Assembly, I believe that a further try will do no harm and might possibly do good. In view of the Japanese and ROK interest in the project, I see no reason for dropping it until we are sure that nothing further can be done. Accordingly, I recommend that we support UNP in favoring despatch of the instruction.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Assistant Secretary of State for International Organization Affairs (Key) to the Secretary of State*<sup>1</sup>

SECRET

[WASHINGTON,] October 18, 1954.

Subject: US Plan for Non-Member Participation in UNGA.

Reactions in New York to our proposal for non-member participation in the General Assembly, both from UN Members and from the qualified applicants, have been largely negative. Nevertheless, because we wish to do everything we can to end the membership deadlock, we would like to approach other Delegations in New York with the following alternative plan:

1. Japan has expressed definite interest in non-member participation; Italy has indicated readiness to reconsider its negative position if there is a real and impelling reason (Tab A).<sup>2</sup> We would suggest to these two states, as key applicants whose position would strongly affect Assembly reactions, that they renew their standing applications, as other applicants have done, and in the same communication state that, in line with their desire to accept the obligations of the Charter and play their part in the UN, they would, if the GA sees fit, be willing to participate as non-members to the extent such participation would be consistent with GA procedures and Charter provisions. We might then similarly approach the other qualified applicants.

2. Assuming Japan, Italy and possibly others respond favorably, the GA would (1) note the declarations and extend to the states involved the privileges discussed in our earlier proposal (Tab B);<sup>2</sup> and

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<sup>1</sup> Drafted by Brown (UNP) and the Director of the Office of UN Political and Security Affairs (Popper).

<sup>2</sup> Tabs A and B were not attached to source text.

(2) arrange for granting the same status to other qualified applicants as they choose to request it.

3. Because many Members, particularly the UK, strongly oppose non-member participation on legal grounds, they may propose reference of the matter to the ICJ for an advisory opinion. If the majority favors this step, we would acquiesce. We believe chances for a favorable Court opinion are good. Whatever the Court's view might be, the operation as a whole would put us in a relatively good position vis-à-vis the applicants and the Charter Review Conference and would keep the membership issue alive.

4. It is possible that Japan, Italy, and the bulk of the UN membership would not go along with this new variant of our plan. In that case, we might have to limit our action at this session to a description of our proposal in a speech in the Committee, stating we were presenting it for further consideration by governments in the event that the membership deadlock continued.

5. The above proposal has been discussed with FE, EUR, and NEA, and those three bureaus have cleared the attached draft telegram (Tab C) to the Delegation in New York, subject to your decision.

*Recommendation*

That you authorize the Department to instruct the US Delegation to pursue the foregoing course of action.

[Attachment—Tab C—Draft Telegram]

SECRET

[WASHINGTON,] October 18, 1954.

Re: Delga 75. While we think it impractical and politically undesirable to single out Japan, we suggest following plan for your consideration and possible action:

1. We note Japan definitely willing go forward with non-member participation and as reported Rome's 1412 possibly Italy also if we make clear we attach importance its participation. We believe there would be great advantages for UN in providing non-member participation status these two states and have little doubt many other applicants would also come along once non-member status established for Italy and Japan. We have focused on Italy and Japan on basis their population, resources, importance in Europe and Far East respectively, potential contribution to UN and present broad participation various activities UN system (e.g. Italy in TC, regional economic agencies, specialized agencies, etc.). We see disadvantages in distinguishing Japan and Italy as ex-enemy states for this purpose both because it would give Communists propaganda ammunition and because it could undermine US position re: Bulgaria, Hungary, and Rumania.

2. We would suggest Italy and Japan renew standing applications for UN membership in new messages to Secretary General as other applicants have done, and in same communication state that in line with desire to accept obligations of Charter and play part in UN they

would, if GA sess [sees?] fit, be willing participate in GA in non-member status. In order avoid possible affront their prestige and dignity exact language should be carefully worked out, perhaps along some such line as a statement that if it seems likely affirmative action on their applications will be indefinitely delayed, they would be willing, in interest making more effective contribution to attainment UN objectives, to give serious consideration to possibility participating in Assembly to extent such participation would be consistent with Assembly procedures and Charter provisions.

3. Assuming Japan and Italy agree, we might formally approach all 14 qualified applicants to see whether interested in making similar declaration. Purpose this procedure would be to enable ROK and other applicants interested in non-member participation to act at same time as Japan and Italy if they wish. It would be understood if they preferred to delay response way would be clear for them to make decision any time. In view Australian item Laos and Cambodia these two states might wish withhold response until committee action completed that item.

4. GA in turn would: (1) note these declarations and extend to Japan and Italy (as well as others making such declarations) privileges set forth in Gadel 1 and (2) state that if any other applicants found qualified for admission desire make similar declaration, Secretary General authorized extend same privileges to them. Alternatively, if other delegations consider that (2) constitutes improper delegation authority in important matter relating to membership, GA could simply declare willingness consider favorably granting similar status other qualified applicants.

5. If UK and others insist any such arrangement illegal and propose reference to ICJ for advisory opinion, we would state our belief that such an arrangement constitutes healthy development of Charter, like Uniting for Peace Program, and that we see nothing in Charter precluding it. However, if GA insists on ICJ reference, arrangements could perhaps be made for Court to deal with matter through summary proceedings before current GA adjourns. We feel good chance ICJ would rule favorably and consider in any event risk Court reference worth taking since even if negative opinion, it would put US in relatively good position vis-à-vis applicants and Charter Review Conference.

6. Suggest you discuss situation on basis above with key delegations in New York starting with UK, and with Japan and Italy. In discussion with latter Gadel should indicate our feeling that if they go along, prospect reasonably good for favorable GA action and little question widespread support for ICJ reference if we decide follow that course. In your conversation with UK made clear US cannot accept extreme views given Gadel by Lloyd and remains convinced, as I



said in general debate, power and influence UN will progressively decline unless ways found bring all peace-loving states into organization. US cannot believe Lloyd's remarks represent considered UK judgment. We feel strongly UN cannot satisfactorily fulfill its important tasks when qualified states continue to be excluded from its activities and cannot agree to indefinite passive acquiescence present deadlock. On contrary we believe must actively explore every proper method solve problem or minimize its destructive consequences.

7. We appreciate difficulty of persuading British and other Europeans in light their rather strong reactions as reported urtels. However, we are inclined to proceed with this approach notwithstanding their hesitancy. We consider this an organizational question on which honest differences of opinion may be threshed out in Committee discussions and on which we should be willing calmly to accept GA verdict.

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UNP files, lot 59 D 237, "Membership"

*Memorandum by the Secretary of State to the Assistant Secretary of State for International Organization Affairs (Key)*<sup>1</sup>

SECRET

[WASHINGTON,] October 19, 1954.

I have your memorandum of October 18th. I am disposed to let this matter coast for the time being. I think it useful to have formulated the idea and to have brought it to the attention of other delegations. However, in view of the lukewarm response and the fact that Italy would only act as a favor to the United States, I am disposed to let the matter continue in the present status for this session. I think it constitutes a useful prelude to possible Charter amendment and it suggests an alternative which could perhaps be usefully adopted at the Charter Review Conference if the Soviet Union vetoes a Charter review amendment.

I think that our delegation should make it clear to other delegations that we believe that the United Nations is bound to wither away unless it becomes more universal. Perhaps if this idea seeps in for a year, it will bear some fruit next year.<sup>2</sup>

J[OHN] F[OSTER] D[DULLES]

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<sup>1</sup> Drafted by the Secretary of State; initialled for Dulles by Roderic L. O'Connor, Special Assistant to the Secretary of State.

<sup>2</sup> In a memorandum of Oct. 20, Brown (UNP) informed Sisco in New York of the Dulles decision:

"I attach for your information two copies of the memorandum on the above subject which the Secretary sent to Mr. Key in response to our memorandum putting up the idea of possibly going ahead on the basis of declarations from Japan and Italy. We will try to reflect in the draft US statement the emphasis which the Secretary places on the importance of the UN becoming more universal and include a fairly detailed statement of our position on non-member participation proposal as something to which serious consideration must be given if the present impasse on membership continues." (UNP files, lot 59 D 237, "Membership")

310/10-2054

*Memorandum of Conversation, by the Assistant Secretary of State for International Organization Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] October 20, 1954.

Subject: Spanish Observer at UN.

Participants: Sr. Propper, Chargé d'Affaires, Spanish Embassy  
Mr. Key, IO  
Mr. Allen, EUR  
Miss Brown, UNP

Mr. Key called in Sr. Propper to discuss with him the Spanish desire to arrange for an observer at the UN. As he understood the situation, in response to a telephone call from the Spanish Ambassador, Secretary General Hammarskjold had written him a letter indicating the possible problem raised by the various General Assembly resolutions on Spain and stating his intention in these circumstances to consult members of the UN if an official request from Spain to send a permanent observer to the UN were received. Mr. Hammarskjold was now awaiting the Spanish reply. Sr. Propper confirmed this sequence of events.

Mr. Key informed Sr. Propper that we agreed with the Spanish Embassy that it was unnecessary for the Secretary General to consult others, but he also noted the Secretary General's somewhat delicate position in matters of this sort, which led him to lean over backwards. In any case, if we were consulted, Mr. Key said we would indicate our support for a Spanish observer, a view undoubtedly shared by many other members, though a few undoubtedly remained hostile toward Spain. He went on to suggest that if Spain wished to go ahead, a decision it must make for itself, it might facilitate matters by sending a reply to the Secretary General's letter. In such a letter the Spanish Government might in effect reserve its position on the matter of consultations, perhaps expressing the hope that the Secretary General had made any inquiries he considered necessary but at the same time stating that it saw no reason for such action and knew this view was shared by others. Alternatively, an appropriate Spanish representative might discuss the matter informally with the Secretary General in New York.

Sr. Propper believed that it might be best for his government simply to ask directly for observer status, sending the name or names of the Spanish personnel involved in the same communication. He expressed the view that the presence in the Secretariat of Spanish Communists might have some bearing on the UN reaction. He indicated his hope

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<sup>1</sup> Drafted by Elizabeth A. Brown of the Office of UN Political and Security Affairs, on Oct. 25.

that a permanent small observer group of perhaps one to three persons might be a good beginning for Spain's participation in the UN.

Sr. Propper informed us that his government had sent observers to the 8th General Assembly, the request having been made in a letter from the Foreign Minister to the Secretary General. These observers had been afforded the appropriate courtesies in New York. Mr. Key suggested that it would be helpful to refer to this fact in the letter asking for permanent observer status for Spain. In this connection he noted the possible advantages in handling this matter orally in New York since it would be possible to make some relevant points informally that might not be suitable for inclusion in a letter.

After further discussion, Sr. Propper was inclined to feel that it would be preferable to include in the letter requesting observer status: the statement that a Spanish representative would be pleased to come to New York to discuss the matter directly with the Secretary General. He emphasized the view of his government that events had entirely overtaken the various UN resolutions on Spain, noting that Spain was now participating in a number of the specialized agencies and exchanged diplomatic representatives with most UN members. Mr. Key suggested it would be useful for the Spanish letter to refer to broad Spanish participation in other international activities.

Sr. Propper expressed his appreciation and indicated he would take the matter up with his government in the light of the various suggestions we made to him.<sup>2</sup>

DAVID MCK. KEY

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<sup>2</sup> On Nov. 10, 1954 Sr. Propper called on Assistant Secretary Key to hand him a copy of the Spanish text of a note of Nov. 6, 1954, from the Spanish Ambassador to the Secretary-General of the United Nations, requesting UN observer status for Spain; not printed. At that time Sr. Propper explained that it had been decided not to discuss in the note the question whether the Secretary-General need consult with other members on the Spanish request. It had also been decided not to mention that the Spanish Government had representatives present at the General Assembly's eighth session, "since technically speaking, they were not called observers." (Memorandum of conversation by Key, Nov. 10, 1954, with attached Spanish text of Spanish Embassy note of Nov. 6, 1954, 310/11-1054)

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320/10-2054 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*

SECRET

WASHINGTON, October 20, 1954—3 p. m.

PRIORITY

Gadel 54. Re: Non-Member Participation UNGA [UN]. Secretary has decided we should let our non-member participation proposal "coast". He expressed views (1) useful for US to have formulated idea and brought it to attention other delegations; and (2) if idea seeps

in for year may bear fruit next GA. Secretary also suggested Gadel should make clear to others our belief UN bound to wither away unless it becomes more universal.

In further membership discussions Gadel should act on above basis. Department will send separate instructions re Japan.

HOOVER

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310.2/10-2154 : Telegram

*Memorandum of Conversation, by the Deputy Director of the Office of United Nations Political and Security Affairs (Popper)*

CONFIDENTIAL

[WASHINGTON,] October 21, 1954.

Subject: UN Membership

Miss Salt came in to inquire as to how our proposal for non-member participation in the United Nations was progressing. Since we had already sent instructions to New York to cease pressing the matter, I informed her that we had no intention of going on with it for the present, owing to the unenthusiastic reaction from the bulk of the Members and applicants we had consulted.

Miss Salt expressed relief. She remarked that the basis of the British opposition to the idea was legal and not political in character. She stated that Selwyn Lloyd's conversation with Senator Fulbright (in which Lloyd had indicated opposition because of the undesirable political effects of enlarging the General Assembly) was an approach that would appeal to men engaged in politics, but was at pains to point out that it was not the real basis of British policy.

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310.2/10-854 : Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 21, 1954—3:48 p. m.

Gadel 57. Re: Membership—Japan.

1. In informing Japanese observer our decision drop non-member participation proposal at current session GADel should express sincere US appreciation Japanese attitude and indicate our disappointment over generally negative response other Members and applicants which led us to abandon this approach for time being. We hope, however, idea may ultimately bring results. Re possibility arrangement for

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<sup>1</sup> Drafted by Brown (UNP), cleared with officers in the Bureau of Far Eastern Affairs, signed by the Director of the Office of UN Political and Security Affairs (Popper).

Japan alone as suggested Delga 75 we have concluded, as apparently Japanese observer has also, it would be impractical and politically undesirable.

2. Latest Japanese suggestion (Delga 121) <sup>2</sup> to provide observers with additional privileges in GA involves many same difficulties as broader proposal for non-member participation and raises additional problems. Observers are, on strictly informal basis, accorded certain privileges by Secretary General on his own authority purely as matter of courtesy. Any move to grant them such rights as appearing and speaking in committees would require GA action establishing observer status which might encounter legal objections, and would also pose question what states eligible. In present circumstances we believe it undesirable for GA to formalize observer status in any way. We consider any grant of privileges in GA to non-members must be coupled with provisions limiting it to qualified applicants, which would be more difficult to justify in case of observers. Moreover, any formalization observer status would present special difficulties for US in view of fact Headquarters Agreement makes no provision for observers, on basis of which we have denied and will continue deny visas to representatives of Soviet satellites who wish to come to New York as observers.

3. We see no objection to Japan's renewing present application, as others have done, and draft communication shown to Bonsal seems excellent.

HOOVER

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<sup>2</sup> Not printed; it was USUN Information Digest No. 78, Oct. 19, 1954, 11:35 p. m. (310.5/10-1954).

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320/10-2154: Circular telegram

*The Acting Secretary of State to Certain Diplomatic Missions* <sup>1</sup>

CONFIDENTIAL WASHINGTON, October 21, 1954—7:07 p. m.

203. Re Deptcirtel 168: Because of generally unenthusiastic response to US non-member participation proposal from other UN Members and most applicants we will not press proposal for time being. However still believe idea has merit, discussion useful and possibility ultimate progress along these lines not foreclosed.

Inform Foreign Office accordingly.

HOOVER

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<sup>1</sup> Except for telegram reference, in this case Department's telegram 694 to Tokyo, an identical text was sent to the Embassy in Japan in telegram 861, Oct. 21, 7:06 p. m. (320/10-2154).

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Sisco)*

LIMITED OFFICIAL USE

[NEW YORK,] October 22, 1954.

Subject: Membership

In response to Dr. Chai's inquiry he was informed that the U.S. did not intend to press for its non-member participation proposal at this Session. Dr. Chai expressed the view that some kind of resolution is needed at an early date for the membership item. He indicated that both the Dutch and the UK are giving consideration to a resolution which would continue the Good Offices Committee.

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310.2/10-2554 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

LIMITED OFFICIAL USE

NEW YORK, October 25, 1954—6 p. m.

Delga 139. Verbatim text. Reference: Membership. UK has asked for our comments regarding following draft resolution, including whether we could co-sponsor it with them and several others.

*"The General Assembly,  
Declares that universality of membership in the UN is subject only to the provisions of the Charter and that the aims of the Charter would be furthered by the admission to membership of the United Nations of all states who conform to these provisions;*

*Expresses the conviction that continuing efforts to find a solution to this problem within the terms of the Charter must be made;*

*Records its appreciation of the efforts made by members of the Committee of Good Offices;*

*Notes that, while there has been no fundamental change in the general position regarding the admission of new members, the Committee does not consider that all possibilities of reaching an understanding have been exhausted;*

*Decides to continue the Committee for a further year with its same membership and same terms of reference;*

*Requests the Committee to submit a further report to the General Assembly at its tenth session."*

Request Department's comments.

WADSWORTH

UNP files, lot 59 D 237, "Membership"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the General Assembly (Bonsal)*

CONFIDENTIAL

[NEW YORK,] October 26, 1954.

Subject: Australian Resolution Regarding Membership of Laos and  
Cambodia in the UN

Mr. McNicol told me that the Thai had agreed to co-sponsor the Australian resolution on UN membership for Laos and Cambodia. On the other hand, the Burmese have rejected an Australian request to join in sponsoring the resolution, the Burmese position being that they cannot make a special gesture in the direction of Laos and Cambodia without making a similar one for Nepal and Ceylon.

Mr. McNicol said that he supposed that we would not wish to co-sponsor the Australian Resolution of Laos and Cambodia. I replied that while we certainly do not wish to give the impression that we were not heartily in favor of Laos and Cambodian membership, we also wished to make our position equally clear regarding membership for Viet-Nam and for the other 11 countries which seven members of the Security Council as well the majority of the General Assembly have favored for membership.

(It is my understanding that the Department is preparing to send the delegation an expression of its opinion on the Australian resolution.)

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310.2/10-2554: Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, October 27, 1954—6:52 p. m.

Gadel 69. Re: Membership.

1. Department considers draft resolution Delga 139 acceptable. We are not certain US sponsorship necessarily desirable or useful unless other major powers, except USSR, intend co-sponsor in which case we would naturally wish join sponsors. We are unaware any positive advantages US co-sponsorship and believe possibly preferable to limit sponsors to smaller powers not so directly involved in membership problem as are five major powers with SC veto.

2. Department has considered Australian inquiry whether desirable seek GA endorsement all 14 qualified applicants rather than only Laos and Cambodia. While singling out these two involves obvious difficulties we see very little point in having current GA endorse all fourteen qualified applicants as in past. Furthermore uncertain whether all

<sup>1</sup>Drafted by Brown (UNP), cleared with the geographic bureaus (except ARA), signed by the Director of the Office of UN Political and Security Affairs (Popper).

fourteen actually desire new GA action endorsing them. Since Laos and Cambodia believe they have chance of admission, they could contend it was frustrated by inclusion states on which negative Soviet position completely clear.

GA Del will of course make clear in speech US continues support admission all qualified applicants, and specifically that in our view Vietnam is no less qualified for admission than Laos and Cambodia.

As position paper indicated, US perfectly willing support proposals covering any other qualified applicant which wishes name resubmitted or to take initiative any such case if appropriate.

DULLES.

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310.2/10-2854 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

NEW YORK, October 28, 1954—7:06 p. m.

Delga 154. Reference: Membership. Following draft resolution tabled by Australia, Pakistan and Thailand:

*"The General Assembly,*

*Noting that at Geneva on 21 July 1954 the representatives of Cambodia, the Democratic Republic of Vietnam, France, Laos, the People's Republic of China, the State of Vietnam, the Union of Soviet Socialist Republics, and the United Kingdom expressed their conviction that the execution of the provisions in their declaration and in the agreements on the cessation of hostilities in Indochina will permit Laos and Cambodia to play their part in full independence and sovereignty in the peaceful community of nations,*

*Declaring that Laos and Cambodia are peace-loving states within the meaning of Article 4 of the charter, are able and willing to carry out the obligations of the charter and should therefore be admitted to the United Nations.*

*Request the Security Council to take note of this declaration.*

LODGE

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310.2/11-154 : Telegram

*The Deputy United States Representative at the United Nations (Wadsworth) to the Department of State*

LIMITED OFFICIAL USE  
PRIORITY

NEW YORK, November 1, 1954.  
[Received 5:58 p. m.]

Delga 168. Verbatim text. Re Membership. Menon made available following draft resolution:

*"The General Assembly,*

*Having considered the report of the Committee of Good Offices established by Resolution 718 (VIII),*



*Noting* that notwithstanding the best endeavours of the Committee the problem remains unresolved,

*Further noting* the view recorded by the Committee that possibilities of reaching an understanding remain and that "different views may eventually be harmonized within the spirit of the Charter",

1. *Expresses* appreciation of the work and the efforts of the Committee of Good Offices,

2. *Decides*, in accordance with Rule 138 of the Rules of Procedure, to send back the pending applications to the Security Council, together with a full record of the discussions in the General Assembly, for further consideration,

3. *Suggests* that the Security Council consider the desirability of establishing a small sub-committee to explore ways and means of resolving this problem.

4. *Requests* the Security Council to report to the General Assembly at its Tenth Regular Session."

Menon said his proposal should be voted on first since it deals with Part A of membership item. He continues to conceive Parts A and B as separate items. He does not believe there would be any need either for UK proposal re continuance of GOC or to vote on Australian Resolution re Laos and Cambodia. Menon conceives of his resolution as one which will maintain favorable atmosphere rather than harden "cold war". He asked us to stress that his proposal based on rules of procedure. He has in mind we would be members of the subcommittee along with the USSR and several others. He intends to speak to Belaunde, UK, and others.

Request Dept's views soonest.

WADSWORTH

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310.2/10-2854 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 2, 1954—6:34 p. m.

Gadel 77. Re: Membership. First preambular paragraph Australia-Pakistan-Thailand resolution (Delga 154) raises difficulties for US by naming "Democratic People's Republic of Vietnam" and "People's Republic of China". Suggest GADel informally inquire whether sponsors willing consider revising paragraph to delete these two, possibly limiting those named to three UN members that signed Geneva Indochina Agreement. If sponsors maintain present language, US should abstain and make appropriate explanation. GADel will of course vote for other paragraphs and for resolution as whole.

DULLES

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<sup>1</sup> Drafted by Brown (UNP), cleared with the Bureau of Far Eastern Affairs, and signed by Popper.

310.2/11-154 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 2, 1954—6:33 p. m.

Gadel 78. Re: Membership. As indicated Gadel 69 we favor UK draft resolution providing for continuation for Good Offices Committee (Delga 139). We do not consider Indian proposal (Delga 168) acceptable substitute.

Preambular provisions Indian draft generally duplicate British text except that latter has advantage of specific declaration of principle of universality of membership of qualified states. We believe continuation of Good Offices Committee with present membership preferable any effort establish special SC subcommittee. In our view it would be extremely difficult for SC to agree upon composition membership subcommittee, particularly since in past membership question has been handled by separate SC committee of whole. Undoubtedly five permanent members would insist upon inclusion. On other hand, we see some advantage in maintaining existing Good Offices Committee without Great Power participation. Gadel might wish remind Menon USSR supported Good Offices Committee last year which in our view undermines his position that Indian draft alone maintains favorable atmosphere and keeps membership problem out of "cold war". At same time, while we see no particular advantage and seriously doubt usefulness, we would not oppose GA request that SC reconsider pending membership applications. Relevance Rule 138 seems questionable since GA has no special SC membership report and can always request SC reconsider pending applications as it has done in past without reference to rule.

Department believes might be appropriate to seek combination British and Indian proposals so that (1) Good Office Committee continued and (2) SC requested reconsider pending applications and report 10th GA.

We do not agree that adoption Indian proposal, whether as now drafted or combined with UK resolution, would make unnecessary vote on resolution covering Laos and Cambodia. This is separate item before Committee, on which we believe resolution useful if only to re-emphasize USSR alone continues bear responsibility for exclusion these two states.

DULLES

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<sup>1</sup>Drafted by Brown (UNP), cleared with the geographic bureaus (except ARA), and signed by Popper.

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

NEW YORK, November 3, 1954.  
[Received 12:15 p. m.]

Delga 176. Verbatim text. Re membership. Following draft resolution tabled by Soviet Union:

"The General Assembly requests the Security Council again to review the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, the Hashemite Kingdom of the Jordan, Austria, Ceylon, Nepal and Libya with a view to the adoption of recommendations for the simultaneous admission of all these states to membership in the United Nations."<sup>1</sup>

WADSWORTH

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<sup>1</sup> Marginal notation: "Sisco confirms GADel wants no instructions on this."

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310.2/11-354 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

LIMITED OFFICIAL USE NEW YORK, November 3, 1954—7 p. m.

Delga 177. Verbatim text. Re membership. The following draft resolution table by India today. Would appreciate having Dept's views urgently.

*"The General Assembly,*

*"Having considered* the report of the Committee of Good Offices established by Resolution 718 (VIII),

*"Noting* that notwithstanding the best endeavours of the Committee the problem remains unresolved,

*"Further noting* the view recorded by the Committee that possibilities of reaching an understanding remain and that 'different views may eventually be harmonized within the spirit of the Charter',

1. *Expresses* appreciation of the work and the efforts of the Committee of Good Offices,

2. *Decides*, in accordance with Rule 138 of the Rules of Procedure, to send back the pending applications to the Security Council, together with a full record of the discussions in the General Assembly, for further consideration,

3. *Suggests* that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem,

4. *Requests* the Committee of Good Offices to continue its efforts,

5. *Requests* the Security Council and the Committee of Good Offices to report to the General Assembly at its Tenth Regular Session."

UKDel believes that above resolution has same effect they were contemplating in their own resolution. Moreover, they have no objection to reconsideration of pending applications.

LODGE

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310.2/11-154 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 4, 1954—7:15 p. m.

Gadel 81. Re: Membership. Comments contained in Gadel 78 also applicable revised Indian resolution (Delga 177).

We see no purpose whatever in suggestion contained new operative paragraph 3 for "periodic" SC meetings on membership problem and would plan to oppose it if it came to vote. Such meetings were intended to be held on very special occasions during which SC members would be represented by Foreign Ministers or other special representatives. UN membership question, on which no progress has been made in recent years, is not of such importance as to warrant "periodic" meetings, and we think only harm could come of holding one without any prospect of successful solution this problem. Moreover, "periodic" meeting more likely result in Chinese representation issue being raised in SC than regular meeting. Therefore urge you make strong effort dissuade Indians from pushing this idea, enlisting support of British and others who we feel sure should agree in view our common past reluctance to hold "periodic" SC meetings.

DULLES

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<sup>1</sup> Drafted by the Director of the Office of UN Political and Security Affairs (Popper), cleared by the geographic bureaus (except ARA), and signed by Popper.

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310.2/11-454

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Popper)*

CONFIDENTIAL

[WASHINGTON,] November 4, 1954.

Subject: Membership

By arrangement with NA, Mr. Suma came in for a general review of the status of the UN membership problem.

Mr. Suma said that the Japanese, like the United States, had sought reactions from other applicant states and UN members to the plan for "non-member participation" or, as he put it, "resident membership". Their information, like our own, was that the reaction had been gen-

erally unfavorable. Mr. Suma wondered whether there was any further action in this field which could be suggested to Prime Minister Yoshida when he reaches Washington.

I went over the current situation in the *Ad Hoc* Political Committee with Mr. Suma and expressed our conclusion that we did not expect that there would be any advance in solving the membership problem at this time. In the circumstances, I said, we could perceive no further action which might usefully be taken by Japan. I said I thought the discussion, both public and private, of the non-member participation idea, had been useful and that it might come to have increasing importance if the membership deadlock were to persist for the next few years. For the time being, however, we were letting the matter rest.

DAVID H. POPPER

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310.2/11-554 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL

NEW YORK, November 5, 1954—10 a. m.

Delga 185. Re membership. Resolution on Laos and Cambodia unlikely to be voted on paragraph by paragraph unless we request it. Such a request from US would in our view tend to give undue importance to first preambular paragraph and undesirably highlight our differences with Allies on Indochina settlement. For these reasons we are inclined vote for resolution as a whole and make appropriate explanation of vote. We believe this approach achieves objective Department has in mind and is within spirit of instructions Gadel 77.

LODGE

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310.2/11-554 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

NEW YORK, November 5, 1954—4:43 p. m.

Delga 187. Re membership. Argentina, Cuba and El Salvador submitted following amendments to joint draft resolution on Laos and Cambodia (Delga 154):

1) Insert the following new paragraph between first and second preambular paragraphs:

“*Recalling* previous resolutions of the General Assembly in which it was stated that the states mentioned in the preceding paragraph, and

also Austria, Ceylon, Finland, Ireland, Italy, Japan, The Hashemite Kingdom of Jordan, Libya, Nepal and Portugal, were peace-loving states within the meaning of Article 4 of the Charter, able and willing to carry out the obligations of the Charter, and that consequently they should be admitted to the United Nations;"

2) In second preambular paragraph replace the phrase "Declaring that Laos and Cambodia" by the following:

"*Reaffirms* that Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, The Hashemite Kingdom of Jordan, Laos, Libya, Nepal and Portugal".

3) Delete subheading "(B) admission of Laos and Cambodia".

LODGE

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310.2/11-554 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

NEW YORK, November 5, 1954—4:42 p. m.

Delga 188. Re membership. Following resolution tabled by Argentina, Cuba and El Salvador:

"*The General Assembly,*

"*Noting* the growing general feeling in favour of the universality of the United Nations, membership in which is open to all peace-loving states which accept the obligations contained in the Charter and, in the judgment of the organization, are able and willing to carry out those obligations;

"*Requests* the Security Council to re-examine the pending applications for admission to membership and endeavour as soon as possible to make positive recommendations on the subject, so that the General Assembly may adopt the appropriate decisions;

"*Instructs* the Committee of Good Offices established under Resolution 718 (VIII) to consult with the members of the Security Council in order to help that organ to reach an agreement in accordance with the preceding paragraph;

"*Decides* to postpone the discussion of this item for a fortnight after the adoption of this resolution, and then to resume its consideration of the question with a view to reaching, during the present session of the General Assembly, an adequate solution of the problem of the admission of new members."

LODGE

310.2/11-554 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 6, 1954—2:26 p. m.

Gadel 84. Re Membership: We would be willing support amendments to draft resolution on Laos and Cambodia contained Delga 187 provided they are revised to include ROK and Viet-Nam which have also been found qualified under previous GA resolutions and which we believe must be endorsed again by Assembly if endorsement given others. However we would prefer that amendments with ROK and Viet-Nam added constitute separate resolution in order show clearly where opposition to Laos and Cambodia lies. Request you discuss matter with sponsors draft resolution on Laos and Cambodia and with LA sponsors of amendments to obtain their agreement to separate resolution and inclusion ROK and Viet-Nam.

DULLES

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<sup>1</sup> Drafted by Paul W. Jones (UNP), cleared with the Bureau of Far Eastern Affairs (in draft) and with the Bureau of Inter-American Affairs, and signed by the Deputy Director of the Office of UN Political and Security Affairs (Bond).

310.2/11-554 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 9, 1954—6:40 p. m.

Gadel 86. Re: Membership (Delga 185): We would prefer separate vote on first preambular paragraph of draft resolution on Laos and Cambodia in order make our position this paragraph perfectly clear. However, if tactical situation makes it inadvisable for US request separate vote, US Delegation need not do so and may vote for resolution as whole with appropriate explanation. Explanation should include statement that we voted in favor of resolution because of conviction that two states are fully qualified and desire do everything possible to expedite their admission. At same time US continues support admission all other qualified applicants. In our view outcome Geneva Conference did not increase or decrease eligibility of any candidates which GA had previously found fully qualified. State of Viet-Nam is for instance equally qualified as GA has likewise already declared.

DULLES

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<sup>1</sup> Drafted by Paul W. Jones (UNP) and Ruth Bacon, UN Adviser, Bureau of Far Eastern Affairs; signed by Popper.

310.2/11-1054 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

NEW YORK, November 10, 1954.

[Received 9 : 20 p. m.]

Delga 212. Re membership. Following is text of separate resolution covering 10 applicants tabled November 10 by Argentina, Cuba and El Salvador :

*"The General Assembly*

*Recalling* previous resolutions of the General Assembly in which it was stated that Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of Jordan, Libya, Nepal, and Portugal, are peace-loving states within the meaning of Article 4 of the Charter, able and willing to carry out the obligations therein contained, and that consequently they should be admitted to the United Nations,

*Reaffirms* that Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of Jordan, Libya, Nepal and Portugal are peace-loving states within the meaning of Article 4 of the Charter, able and willing to carry out the obligations therein contained, and should therefore be admitted to the United Nations.

*Requests* the Security Council to take note of this declaration."

LODGE

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310.2/11-1054 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

CONFIDENTIAL

NEW YORK, November 10, 1954—9 p. m.

Delga 213. Re membership. Following is text of resolution tabled by Argentina, Cuba, El Salvador and India on Nov. 10 :

*Begin Verbatim Text*

*"The General Assembly*

*Noting* the growing general feeling in favour of the universality of the United Nations, membership in which is open to all peace-loving states which accept the obligations contained in the Charter and, in the judgment of the organization, are able and willing to carry out those obligations,

*Having considered* the report of the Committee of Good Offices established by Resolution 718(VIII),

*Noting* that, notwithstanding the best endeavours of the Committee of Good Offices, the problem remains unresolved,

*Further noting* the views recorded by the Committee of Good Offices that possibilities of reaching an understanding remain and that "different views may eventually be harmonized within the spirit of the Charter",



1. *Expresses appreciation* of the work and the efforts of the Committee of Good Offices;
2. *Decides* to send back the pending applications to the Security Council, together with a full record of the discussions in the present session of the General Assembly, for further consideration and positive recommendations;
3. *Suggests* that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem;
4. *Requests* the Committee of Good Offices to continue its efforts;
5. *Requests* the Security Council and the Committee of Good Offices to report to the General Assembly during the present session if possible and in any event during the Tenth Regular Session." *End Verbatim Text.*

UK, France, Australia and New Zealand informally discussed joint resolution with US. Point raised was operative para 3. Crosthwaite (UK) said his del had doubts re advisability this suggestion, since SC could itself always decide whether periodic meeting desirable and chances of its being helpful very remote. However, UK apparently willing vote in favor and he expressed hope US would not do more than abstain on para 3. He thought it desirable that there not be too much division among permanent members this matter and pointed out they would always be able vote down any suggestion for periodic SC meeting. Ordonneau (France) agreed.

Dept please instruct.

LODGE

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310.2/11-1054: Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL

NEW YORK, November 10, 1954—9 p. m.

Delga 216. Re membership. Argentina, Cuba, El Salvador and India today tabled joint draft combining their respective earlier proposals. (Delga 213) Argentina, Cuba and El Salvador also tabled separate resolution on ten qualified applicants. (Delga 212). We plan, in absence other willing sponsor, to move amendment adding ROK and Vietnam, which will be before Committee when it meets tomorrow afternoon.

There was inconclusive discussion in Committee concerning procedure to be followed in dealing with various resolutions. Australia proposed all resolutions be discussed concurrently and decision re order of voting deferred until discussion completed. India, strongly supported by Argentina and others, moved that Committee decide to vote first on combined Indian-Latin American draft (Delga 213). It is obvious from Committee discussion and conversation between Menon

and Wadsworth after meeting that following vote on Indian-LA Resolution, proposal would be made which would avoid vote on other resolutions we estimate Indian motion will carry. USSR supported Indian proposal. Ordonneau (France) informs us that USSR is prepared not to seek vote its package proposal if others not pressed.

In informal discussions after meeting with Australians, British, French and New Zealanders, their estimate also was Indian motion to give Indian-Latin American Resolution priority would carry. Ordonneau (France) expressed view best face-saving tactic was probably to "go along gracefully" with Menon proposal and let other proposals be referred in some way to SC. He believed, that while Australian Resolution would carry despite substantial number abstentions (his estimate all Arabs, some LA's and all Asian states except Pakistan and Thailand would abstain) affirmative vote would be considerably smaller than in past, possibly not more than twenty. Ordonneau said also, that on basis their canvassing, indications are that Vietnam would be in even worse position, and even ROK unlikely emerge with good vote in light of irritations of some dels with them. Ordonneau said France would vote in favor of Vietnam.

Crosthwaite (UK) concurred generally in French views and pointed out particular problem in connection Vietnam since UK now instructed abstain which would mean unfortunate divergence would become public, which he regarded as serious. This reason alone, Crosthwaite felt, made it most undesirable to press for vote on other resolutions after adoption of Indian-Latin American joint draft. He explained UK abstention based on view should not buy "pig in a poke".

It became clear tactics would depend upon whether Australia decided not to press for vote on Laos and Cambodia, it being generally understood that if they sought vote on their resolution other resolutions including Soviet package and our amendment re ROK and Vietnam would also be put to vote.

Australians seeking instructions on whether (1) press motion to accord priority their resolution on Laos and Cambodia which is likely be defeated; and (2) insist upon vote their proposal on Laos and Cambodia.

Re (1) above, unless Australians decide they must seek vote on according priority to their proposal Laos and Cambodia, which we would support but which would almost certainly be defeated, we believe we should support Indian priority motion.

Re (2) above, if Australians do not press for vote on Laos and Cambodia, we believe we should go along without pressing for vote on any of pending proposals particularly in light of shaky position of Laos and Cambodia and definitely unfavorable situation on Vietnam.

If situation develops in this way, next question will be whether Committee actually refers resolutions that have been tabled to SC after Indian-Latin American joint draft adopted, or whether there will be general agreement that since joint Indian-LA resolution provides for sending records to SC, no further action necessary. We would hope latter course would be followed but if specific resolutions referred to SC we intend make clear Soviet package proposal is in entirely different category from other proposals which cover applicants already determined qualified for admission.

LODGE

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310.2/11-1054 : Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL  
PRIORITY

WASHINGTON, November 11, 1954—1:33 p. m.

Gadel 91. Re membership (Delga 213). Department leaves to your discretion whether to request separate vote on operative paragraph 3. If there is separate vote on this paragraph believe you should vote against it unless sentiment other friendly permanent members is such that you think it desirable to abstain. If there is no separate vote you are authorized vote for resolution as whole with appropriate explanation our position on paragraph 3.

DULLES

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310.2/11-1054 : Telegram

*The Secretary of State to the Mission at the United Nations*

CONFIDENTIAL  
PRIORITY

WASHINGTON, November 11, 1954—1:33 p. m.

Gadel 92. Re membership (Delga 216). While we are surprised over your estimate re lack of support for Australian joint draft resolution and for our amendment on Vietnam and ROK, we concur in course of action outlined reftel which US Delegation intends follow.

We strongly hope Committee will not refer Soviet package proposal to SC, since this would weaken GA's past position in opposition to this proposal. Therefore we agree that if resolutions other than Indian-Latin American draft are not voted upon, it would be preferable for Committee not to refer them to SC after adoption Indian-Latin American draft and to decide no further action necessary.

DULLES

310.2/11-1154 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

CONFIDENTIAL

NEW YORK, November 11, 1954—8 p. m.

Delga 222. Regarding membership. Australia instructed press for vote its resolution on Laos and Cambodia. Committee discussion today made clear Indian intention to move, following adoption Joint Indian-LA Draft (Delga 213), that all other pending proposals be referred to SC. Our estimate and that of UK is that, while vote would be close, Indian initiative probably would succeed though by narrow margin.

Should Indian motion fail and committee proceed to vote on other proposals, we estimate resolution on Laos and Cambodia would carry, though by smaller favorable vote than past GA endorsements these two applicants. At this point, it is possible move might be made not to vote on remaining two proposals; namely, LA resolution on ten applicants, with US amendment adding ROK and Vietnam, and Soviet package proposal. Cuban representative suggested this possibility in Committee today. We would unless instructed otherwise oppose such a move if it develops.

LODGE

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310.2/11-1654 : Telegram

*The United States Representative at the United Nations (Lodge) to  
the Department of State*

CONFIDENTIAL

NEW YORK, November 16, 1954—8 p. m.

PRIORITY

Delga 240. Re membership. As Department aware India-Indonesia resolution referring all pending resolutions (i.e., Australian proposal on Laos and Cambodia, Soviet package proposal, joint LA proposal covering ten applicants, and US amendment on ROK and Vietnam) adopted 25-24 with 6 abstentions. Those absent were Costa Rica, Ecuador, El Salvador, Liberia, and Venezuela. Abstentions were Afghanistan, Canada, Ethiopia, Iran, Israel, and Peru. It is possible that when Plenary considers Committee report on membership this resolution could be defeated, provided 4 absent LA states voted with US and Canada, which was confused in Committee proceedings, changed its abstention to negative vote. A few affirmative votes, namely Bolivia, Greece and the Philippines, might possibly be influenced to shift.

We see three possible courses:

1. If resolutions relating to particular applicants are not reintroduced in Plenary, we could vote in favor of referral resolution, mak-

ing appropriate explanation of vote, i.e., including emphasis that this constitutes strictly procedural action and implies no endorsement whatsoever of the substance of the resolution, and particularly Soviet package proposal; that we will insist in SC that each applicant be considered on its own merits; and that we will continue vigorous support applications fourteen qualified states. Affirmative vote on India-Indonesia referral resolution would be analogous to US support referral Indian disarmament resolution to Disarmament Commission despite our objection substance of that resolution.

With respect to our vote yesterday in *Ad Hoc* Political Committee against referral, we did so on ground publicly stated that we desired opportunity to vote on substantive proposals and in particular in favor of endorsement qualified applicants. We also made clear in Committee statement that our objection to referral of Soviet package to SC was on ground it is not in same category as resolutions reendorsing 14 qualified applicants. It is possible that a negative vote on the India-Indonesia referral resolution in the Plenary, in the absence of resubmitted resolutions re applicants, would be misinterpreted by the 14 qualified applicants and world opinion generally as wakening our support for their admission.

2. We could move for separate vote on documents listed in referral resolution, voting in favor referral all documents, except Soviet package proposal. Since vote in *Ad Hoc* Committee on referral latter was 24-21-10, with some lobbying we might be able defeat its referral. However, such move likely to decrease US prestige as being over-rigid, considering unlikelihood of SC taking referral action seriously.

3. Since we have already made US position clear on Soviet package in Committee and see little advantage in repeating same performance in Plenary, we could simply vote on referral resolution as a whole and seek to enlist enough votes to defeat it. We would take line that India-Latin American Resolution provides for referral of full GA records to SC and it is therefore superfluous for Plenary to adopt India-Indonesia referral resolution.

In light of prospect that votes on resolutions re particular applicants will likely be by unimpressive majorities, or certainly by majority smaller than in the past, we think we should not encourage their resubmission for Plenary action. In this regard attitude of Australians and Latin Americans important. We do not know at present what action if any Australia is contemplating in Plenary. UKDel tells us Australia now inclined to feel no further action called for, the record having been made. Ribas (Cuba) however at the conclusion of the *Ad Hoc* Political Committee yesterday and again today did indicate his hope that the referral resolution would be defeated and the other resolutions resubmitted. He also suggested possibility joint co-sponsorship by Cuba, El Salvador, Australia, Pakistan, Thailand and US of resolution favoring all 14 of qualified applicants.

Department should also consider whether India-Indonesia referral resolution should be regarded as subject to two-thirds rule. We believe case can be made either way, but in light of legislative history this

proposal believe it would be difficult to convince enough dels that it requires two-thirds majority.

At meeting today Ambassador Wadsworth and staff arrived at following consensus and recommendations.

*a.* It is desirable to conclude Plenary action with minimum wrangle and as expeditiously as possible.

*b.* We should not encourage resubmittal of resolutions relating to individual applicants.

*c.* We should not press for GA decision that Indian-Indonesian referral resolution requires two-thirds majority.

*d.* If resolutions relating to individual applicants resubmitted in Plenary, we should vote against referral resolution and seek support of others to do same. If referral resolution defeated, we would then vote in favor of resolutions relating to endorsement of 14 qualified applicants and against Soviet package resolution (if resubmitted).

*e.* If resolutions relating to individual applicants not resubmitted, we should vote in favor of referral resolution and make explanation of vote along lines indicated in (1) above.

Since number of dels anxious to have our views, request instructions as soon as possible. We expect Plenary to consider membership problem Monday, November 22.

LODGE

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310.2/11-1654 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, November 18, 1954—5:19 p. m.

Gadel 106. Re: Membership (Delga 240). Department concurs in GADel's recommendations *a*, *b*, *c* and *d*. While case could be made for requiring  $\frac{2}{3}$  majority for adoption referral resolution on ground purpose of referral is favorable SC consideration of applications listed in draft resolutions and hence is more than procedural, (see discussion GA 370th plenary, February 1, 1952) we agree US should not press for Assembly decision to this effect.

We do not concur in recommendation *e*. We believe proper course, provided resolutions covering individual applicants not re-submitted, is simply vote on referral resolution as a whole as indicated alternative 3 Delga 240. We hope you can enlist enough votes to defeat it in light of close committee vote.

In accompanying explanation of vote, GADel would make clear that our opposition to referral resolution based on view (1) entirely unnecessary since other membership resolution provides for sending all

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<sup>1</sup>Drafted by Brown (UNP), cleared with the geographic bureaus (except ARA), signed by the Director of the Office of UN Political and Security Affairs (Popper).

Assembly records to SC which would include these draft proposals; and (2) equates Soviet package proposal which GA has consistently rejected with proposals covering applicants previously determined to be qualified and whose admission has been blocked by Soviet veto in SC. We are not impressed with argument that negative US vote on referral would be misinterpreted since we can make perfectly clear in explanation of vote that we continue to support all 14 qualified applicants and are simply opposing pointless proposal. Moreover, committee history of referral proposal and explanations its sponsors seem to us to demonstrate that its purpose was to prevent any expression of GA opinion on individual applicants.

DULLES

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310.2/12-154

*Memorandum of Conversation, by the Assistant Secretary of State for European Affairs (Merchant)<sup>1</sup>*

CONFIDENTIAL

[WASHINGTON,] December 1, 1954.

Subject: Spanish Observer Status at the United Nations

Participants: Sr. Don Jose Maria Areilza, Spanish Ambassador  
Assistant Secretary Merchant  
Mr. West

The Spanish Ambassador called at his request. He reported that he had been in New York last week and had discussed this subject with Ambassador Lodge, Secretary General Hammarskjold, and representatives of Peru and Colombia. He said that his conversations had been very satisfactory, and that he expected that the question of observer status for Spain would be satisfactorily settled during the middle of this month. He added that he felt that according of observer status to Spain would clear the way for Spain's application for UN membership "if and when" such an application appeared appropriate. (The Ambassador did not make it clear whether he believed that the gaining of observer status would actually remove the difficulties imposed by various UN resolutions unfavorable to Spain, or whether he merely thought that such status would be helpful).

Mr. Merchant expressed pleasure that the matter was proceeding satisfactorily and said that the Ambassador knew, of course, that Spain could count upon US support.

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<sup>1</sup> Drafted by George L. West, Officer in Charge, French-Iberian Affairs, Office of Western European Affairs, on Dec. 2.

## MATTERS ARISING UNDER CHAPTERS XI, XII, AND XIII OF THE CHARTER OF THE UNITED NATIONS (TRUSTEESHIP AND NON-SELF- GOVERNING TERRITORIES)<sup>1</sup>

### I. THE UNITED STATES ATTITUDE ON THE COLONIAL QUESTION

#### *Editorial Note*

In the year 1952, policy makers in the Department of State made a strenuous effort to formulate a comprehensive and clear statement of United States policy on colonial questions, with particular reference to the United Nations as a forum for making statements of public policy. These 1952 efforts occurred in a definite historical setting, going back to at least 1948, when on July 20, 1948 the idea of a "colonial policy paper" was propounded by Philip C. Jessup, Acting Chief of the United States Mission at the United Nations, in a letter to Dean Rusk, Director of the Office of United Nations Affairs, not printed (ODA files, lot 62 D 228, "Background, 7—The attitude of the United States on the colonial question"). Rusk picked up the idea, which he circulated in the Department of State in a memorandum of July 27, 1948, pointing out the need for a "long-range policy with respect to emergent nations. . . ." (ODA files, lot 62 D 228, "Background, 7—The attitude of the United States on the colonial question"). There followed a paper dated September 10, 1948, drafted by William L. Yeomans of the Division of Dependent Area Affairs, entitled "Summary of United States Policy Towards Non-Self-Governing Territories" (ODA files, lot 60 D 512, "Col/Pol US Policy Dependent Areas (Gen'l)"); and the insertion of the following passage in Secretary of State George C. Marshall's general debate address to the Third General Assembly at Paris on September 23, 1948: "We have noted with particular interest the report of the Secretary-General on the work of the United Nations relating to the millions of people who are not yet fully self-governing. We are mindful of the obligations undertaken in the Charter for the political, economic, and social development of these peoples. We believe that all possible assistance and encouragement should be given to them, to the end that they may play

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<sup>1</sup> Continued from *Foreign Relations*, 1951, vol. II, pp. 520 ff.



their full part in the family of nations—either as independent states or in freely chosen association with other states.”

The Yeomans paper of September 10, 1948 was a simple and rough two-page “summary”; but it was the precursor of a long line of drafts each more ambitious and longer than the preceding, beginning with a draft for a Rusk speech in June/July 1949. There followed later in July and in August 1949 the first drafts of a full blown policy paper on “United States Policy Toward Colonial Areas”. These were pushed in particular by Benjamin Gerig, Director of the Office of Dependent Areas, but never reached any finished stage. With the steadily deteriorating situation in the Fourth Committee of the Fourth General Assembly in late 1949 (as between the Administering Authorities and the non-colonial powers) with the United States finding itself squarely in between, the need for formulating a consensus within the Department of State on a general colonial policy for the United States seemed suddenly to become urgent. The Assistant Secretary of State for United Nations Affairs (Hickerson) mounted an initiative on December 23, 1949 (see *Foreign Relations*, 1949, volume II, pages 369 and 370) which led directly to the paper, printed *infra*.

This paper was the third of three complete drafts that were produced by the Colonial Policy Review Sub-Committee, January–April 1950, after approximately 20 meetings. Although it was cleared through all the bureaus at the working level, it never was cleared at the Assistant Secretary level. This was probably due more to the pressure of time than any other factor. It was necessary to finalize the paper in late April (April 26, 1950) for use as a background paper for the use of United States delegates to the London Foreign Ministers’ Conference in May 1950. It provided the basis for the United States document, “United States Policy Toward Dependent Territories”, May 1, 1950 (Doc. FM D F-3/1) (see editorial note, *Foreign Relations*, 1950, volume II, page 440).

Unpublished documentation on the historical background and drafting history of this 1950 paper is in the following files retired by the Office of Dependent Area Affairs (ODA files: lot 60 D 512, “Col/Pol: U.S. Policy Dependent Areas (Gen’l)”); lot 62 D 228, “7—The attitude of the United States on the colonial question”; “Col/Pol: Bureau comments”; “Col/Pol: Col. Pol. Paper ’50 (Preparation of draft)”); “Col/Pol: US Col. Pol. (Early draft papers)”); “Col/Pol: Col. Pol. Paper ’50 (Texts of drafts)”); “Col/Pol: Fon. Min. Conference, May ’50”).

Attention was again focused on this 1950 paper in mid-1952, when proposals were advanced for still another review of the United States position with regard to the dependent areas and the colonial powers who ruled those areas.

Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Paper Prepared by the Colonial Policy Review Sub-Committee of the  
Committee on Problems of Dependent Areas*<sup>1</sup>

SECRET

[WASHINGTON,] April 26, 1950.

## UNITED STATES POLICY TOWARD DEPENDENT TERRITORIES

## INTRODUCTION

A. *Significance of the Colonial Problem*

The problems that arise because a very large segment of the world's population continues to reside in territories which have not yet become fully self-governing have assumed wide significance in the development of American foreign policy. Referred to collectively as "the colonial problem", questions involving the status and future development of dependent territories arise repeatedly in international forums, in the political warfare between East and West, and in the bilateral relations of the United States with other states.

Colonial questions have a significant bearing on United States security. The attitude the United States takes on colonial issues affects at once our relations with the principal colonial powers, who are at the same time friendly Western democratic states, and with the far greater number of states who have emerged at one time or another from colonial rule and whose good will is likewise of vital concern to this Government.

More than 200 million people live in the seventy-odd dependent territories of the world.\* The future alignment of these emerging peoples

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<sup>1</sup>The origins of this paper are described in the editorial note, *supra*. As there noted, the document was drafted by the Colonial Policy Review Sub-Committee. The Committee on Problems of Dependent Areas (CDA), the parent committee, was made up of the geographic bureaus, the Bureau of United Nations Affairs, and certain other Department of State offices that normally were involved in dependent areas questions (as the Assistant Legal Adviser for United Nations Affairs, the Policy Planning Staff, the Executive Secretariat, and the Bureau of Economic Affairs). The Committee on Problems of Dependent Areas, established in March 1944, had two antecedents in the colonial policy field: the Committee on Colonial Problems (CP) (September 1943–January 1944) and the Committee on Colonial and Trusteeship Problems (CTP) (January–March 1944). Minutes and documents of these three colonial policy committees collectively make up lot 54 D 5.

This document was circulated in the Department of State (see editorial note, p. 1139) as a reprint on July 25, 1952 (Doc. CP D-8, July 25, 1952, lot 54 D 5), and came to be referred to as "the 1950 paper".

\*Exact figures cannot be given because the question of what constitutes a non-self-governing territory is itself an item of dispute. The number of such territories, including trust territories and those enumerated under Chapter XI to the United Nations has varied from 84 and 72 since 1946. These figures do not include such areas as the former Italian Colonies, the Anglo-Egyptian Sudan, and the dependencies of Spain and Portugal. Nor do they include the under-developed hinterlands of some states or the "autonomous areas" of others. [Footnote in the source text.]

with the democratic world is a matter of prime importance to the United States.

*B. Foundations of United States Policy in the Colonial Field*

United States policy toward colonial areas stems from deeply held traditions of the American people as well as from the present and future requirements of United States security in the broad conception of that term.

Mindful of their own colonial origin and of the attainment of American independence after a successful revolution, the people of the United States have maintained a traditional attitude of sympathetic understanding and encouragement toward dependent peoples striving for political freedom. Confronted by a colonial issue, the average American will, as if by instinct, favor the peoples of a colonial area against their European rulers. This fundamental psychological alignment of the American people must be taken into account in the formulation of United States policy.

Associated with this traditional view of colonial questions is the humanitarian interest of the American people in the development and welfare of the inhabitants of dependent areas. Missionaries have been sent by American churches widely through Africa, Asia, and the Pacific, and American mission schools and hospitals are maintained in colonial areas. Private institutions such as the Rockefeller Foundation, the Carnegie Corporation, and the Phelps-Stokes Fund have made notable contributions in the fields of education and health. This same humanitarian concern has led the United States to subscribe to the principle enumerated in Chapter XI of the United Nations Charter, that the interests of the inhabitants of dependent areas are "paramount", and to accept "as a sacred trust" the obligation to promote to the utmost within the system of international peace and security the well-being of dependent peoples.

In the formulation of United States policy on colonial questions considerations relating to the security of the United States and to general international security are clearly of great importance. The security interests of the United States must, however, be broadly conceived; for security factors now include such remote elements as an adequate landing strip on an obscure Pacific atoll or a friendly administration in a little-known territory of Central Africa. In any particular case, due weight must be given not only to the immediate and more obvious effects of a given policy, such as the retention of a base area in the hands of a friendly power, but also the longer-term effects of such a policy on the attitudes towards the United States of the people of the colonial area in question and of the large number of states of the world which are "anticolonial" in their outlook. In most dependent areas of the world the security interests of the United States at the present

time will best be served by a policy of support for the Western Colonial Powers, coupled, as necessary, with suggestions to them for the acceleration of political, economic, and social development. An example of such an area might be British East Africa, where nationalist movements are still in an embryonic state and the continuance of British rule is generally accepted by the inhabitants. In some other areas, however, where nationalist forces have so effectively challenged European administration that its restoration seems impossible even with the expenditures of great resources by the power concerned, it is in the interests of the United States to accept the situation as it is and to encourage the progressive and peaceful transfer of administration from the imperial power to the local inhabitants. A recent example of such an area is Indonesia. In any given colonial issue, the United States must make a determination as to whether its security interests are best served by a support of the position of the colonial power or by efforts to bring about adjustments in the direction of the demands of nationalist groups. In the long run the United States can have only one assurance of the preservation of its security interests in most colonial areas the conviction of the inhabitants of the area that the United States has pursued and will continue to pursue policies in which the colonial peoples themselves believe and which they consider to be in their own best interests.

### *C. New Factors in the Colonial Problem*

In formulating a colonial policy for today the United States needs to take account in particular of four developments:

1. *The rapid development of nationalist movements in areas formerly dependent.*

Since the end of the Second World War eight formerly non-self-governing territories have become full Members of the United Nations, and three others (Ceylon, Jordan, and Korea) have been excluded only by a Soviet veto. Nationalist movements have emerged in such areas as Southeast Asia and North and West Africa. There is every reason to suppose that this trend will be accelerated in the next few years.

2. *The impact of militant communism.*

The policy makers of the Soviet Union obviously regard the colonial relationship as one of the principal weaknesses of the Western World. The Soviet Union has neglected few opportunities in its own propaganda organs and United Nations (especially in Committee IV, in the Trusteeship Council, and in the Special Committee on Information Transmitted under Article 73(e)) to attack the colonial powers and their administration of non-self-governing territories. It has been noticeable that within the United Nations, Soviet speeches have con-

centrated on Africa and on British, French, and Belgian administration there.

Strong communist movements already exist in the colonial areas and emergent states of Southeast Asia. On the basis of present information, Communist penetration has not proceeded nearly as far in Africa, although among nationalist leaders and groups there are undoubtedly some with communist ties or sympathies.

It is clear from communist ideology and propaganda and from the tactics of Soviet representatives in the United Nations that the USSR attaches high importance to its efforts to alter the present westward alignment of colonial areas. It should be recognized that in this battle for the allegiance of colonial peoples the Soviet Union gains certain immediate advantages through its irresponsibility.

### *3. Developments in colonial policy.*

American public opinion does not take adequately into account the extent to which colonial powers have in recent years taken steps toward the objectives of self-government and independence for their dependent territories and have undertaken programs for their economic and social development. In the latter field, the British Colonial Development and Welfare Fund and the French FIDES (Fonds d'investissement pour le développement économique et sociale) involve considerable expenditures by British and French taxpayers. Belgium has plans for economic and social development in the Congo. Britain's plan calls for an average of about forty-eight million dollars a year over a ten-year period to be spread throughout Britain's colonies. While the United States has probably spent an average of more than fifty million dollars a year in Puerto Rico alone, it should be recognized that Britain is now a poor country with many colonies. The new development plans of the leading colonial powers have been retarded by shortages of technicians and materials, but a number of important projects have already been inaugurated and more rapid progress may be expected in the future.

To assist in the development of a more informed American public opinion, it would be in the interests of the colonial powers to give more publicity, through the United Nations and other channels, to the progressive aspects of their colonial policies and, in the United Nations, to avoid adopting positions which serve to divert attention from the progressive steps which they actually are taking.

### *4. The role of the United Nations.*

The Charter of the United Nations has made dependent areas, as a whole, a matter of international concern. The effect of the inclusion of Chapters XI, XII, and XIII in the Charter is that for the first time in history a world organization—in this case the United Nations—has before it for discussion a vast volume of information on the dependent areas of the world, whether they be trust or non-self-

governing territories. The International Trusteeship System, outlined in Chapters XII and XIII of the Charter, is an improved version of the League of Nations Mandates System for the supervision of the territories, principally former mandates, inhabited by seventeen million peoples. Chapter XI represents the interest of the world community in the welfare and development of the vast majority of non-self-governing peoples who do not live in trust territories. Chapters XII and XIII of the Charter differ markedly from Chapter XI. For Trusteeship Territories, Chapters XII and XIII set up a system of international supervision under which the Trusteeship Council is empowered not only to examine annual reports on these territories but receive and examine petitions relating to these territories and to make periodic visits for purposes of inquiry into the nature of the administration and the progress being made by the inhabitant. In Chapter XI administering Members undertake generally to promote the advancement and development of the peoples concerned, to protect them against abuses, and to further international peace and security. Specifically these same Members undertake to transmit regularly to the Secretary-General of the United Nations, for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical character relating to economic, social, and educational conditions in non-self-governing territories. However, Chapter XI does not provide for an organ of the United Nations to examine or make recommendations for the information transmitted from non-self-governing territories; nor does it make provision for the receipt of petitions from, or visiting missions to, such territories.

United Nations activity in this sphere has created a serious problem for the United States. Of the 59 Members of the United Nations, those who have responsibility for trust or non-self-governing territories are a small minority of eight. Most of the rest are anti-colonial by ideology (the Soviet Union and satellites) or by memories of dependence (Asiatic, Arab, and Latin American states). By their superior voting strength, the non-colonial powers are in a position to carry their views in the United Nations General Assembly by an overwhelming majority. The United States is an administering Member by virtue of its responsibility for one trust territory and six non-self-governing territories. It has, moreover, a profound interest in the survival and revival of its Western European allies, the principal colonial powers. On the other hand, the United States is by tradition sympathetic to the aspirations of colonial peoples, and in Asia and Africa cannot afford to allow the colonial peoples to feel that their best hopes lie with the Soviet Union.

I. GENERAL OBJECTIVES OF UNITED STATES POLICY TOWARD  
COLONIAL AREAS

The objectives of the United States in the colonial field set forth below are based on the fundamental considerations discussed in the introductory portion of this paper. The application of these general objectives and their translation into policies to be pursued regarding the various dependent areas of the world is set forth in the four regional sections of Part III of this paper. These sections recognize that in a given area at a given time it may be in the best interests of the United States to place special emphasis upon certain of the objectives. Thus, for example, it is felt that in the immediate future it is in the United States interest to place considerable emphasis, in the implementation of its policy toward certain dependent territories, on economic and social advancement and political education to reach the goals of self-government or independence. It will be noted that the safeguarding of the security interests of the United States is not stated as a separate objective, since it is felt that it forms an integral part of all United States objectives in this field and has been a basic factor in their formulation.

A. *Political Objectives*

1. *To favor the progressive development of all dependent peoples toward the goal of self-government and the development of those dependent territories where conditions are suitable toward independence; and to encourage the metropolitan governments to take progressive steps toward the achievement of such self-government or independence in the areas for which they are responsible.*

While self-government should be a goal for all dependent peoples, independence can be the goal only for those territories where conditions are suitable. There are, of course, widely varying degrees of self-government up to full independence.

It is generally held that a self-governing territory achieves independence when it acquires control of its defenses, foreign relations, and customs. However, since the administration of a fully self-governing territory requires essentially the same capacity on the part of its people as the administration of an independent state, the criterion for determining the relative desirability of self-government or complete independence is not the capacity of the inhabitants but such other characteristics of the territory itself as its size, its economic resources, its defensibility as a unit, and the status desired by the inhabitants.

It is not possible to foresee all the factors which might make independence an undesirable goal for a given dependent territory. It is at least possible to say, however, that in principle voluntary integration is more desirable than "balkanization" and that independence

should be the goal only where a viable state can be effected. It would be unwise to set up scores of small "independent" states which would be economically unsound, unable to resist communist penetration or to contribute effectively to their own defense against an aggressor, or which have insufficient internal unity or cohesiveness to maintain themselves as a political unit. In some areas federation would seem to make independence possible for a group of territories which, separately, could not reasonably aspire to it.

The degree of self-government can increase only as rapidly as people show capacity, and the development of a capacity for self-government depends, in part, upon the provision by metropolitan administrations of opportunities for indigenous peoples to gain experience at progressively responsible levels in all phases of economic and governmental activity. Village and municipal councils provide a useful training ground for developing responsible practical experience. Increasing appointment of indigenous inhabitants to administrative and financial posts of responsibility and provision of adequate educational facilities are essential. An important milestone along the road to complete self-government is reached when a territorial legislature in which indigenous inhabitants form the majority has power to legislate on matters of purely territorial concern.

Since the Charter was signed at San Francisco, substantial advances toward self-government have been made in a number of territories and more than 500 million people have achieved independence. Nationalist movements are gaining strength in non-self-governing territories throughout the world. United States policy must be based on the general assumption that nationalism in colonial areas is a force which cannot be stopped but may, with wisdom, be guided. Numerous pronouncements by United States Government leaders in successive administrations have enunciated the policy of encouraging progress toward self-government and independence in colonial areas.†

*2. To encourage the metropolitan powers to foster the growth of responsible democratic movements and institutions among indigenous peoples in colonial areas and, in special cases, after frank consultation with the metropolitan power concerned, to lend the encouragement of the United States, or as appropriate even its active support to democratic nationalist movements.*

The nature and scope of United States efforts to further the implementation of the foregoing objective will necessarily vary according to the circumstances of each particular case. The United States should recognize that, though in varying degrees, the colonial powers are carrying out the United Nations Charter undertaking to assist dependent peoples "in the progressive development of their full political

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†A collection of such statements from 1942 to the present is annexed to this paper. (To be added) [Footnote in the source text.]



institutions." There are, for example, few British territories which have not received, in the post-war years, a further degree of self-government. In areas where the colonial powers appear to be moving ahead in the political sphere as fast as the circumstances warrant, the United States could probably make its most constructive contributions to political advancement through assisting these powers to achieve more rapid economic, social, and educational development of such territories through such means as the ECA, bilateral or multilateral technical assistance, joint efforts with the metropolitan powers in the Caribbean and South Pacific Commissions, and provision for an expanded program for the exchange of teachers, students, and research workers with colonial territories. The United States should also continue to encourage the progressive development of democratic institutions in colonial areas through the public statements of American officials and through the policies pursued by the United States in its own territories and within the United Nations. Due account in any such statements should be given to the fact that such development may vary according to the stage of advancement of the people concerned.

In its relations with the metropolitan powers the United States should encourage them so to conduct themselves that when their control over a territory ends they will be able to retain the good will of the inhabitants, and such relations as may be mutually beneficial, whatever the new status of such a territory may be. The United States clearly cannot support a nationalist movement in a stable dependant area in ways to which an administering power could take legitimate exception. On the other hand, in those special cases where great changes are clearly in the offing and where the authority of the administering power may already be substantially limited by the strength of nationalist movements, the United States may need in its own interest to play a more active role in the promotion of a solution which both sides could accept. For example, the conflict between the Indonesians and the Netherlands threatened the security of the entire Southeast Asia area. As a result, it was essential for the United States to assist in the achievement of a settlement.

On the premise, believed valid, that nationalist movements in colonial areas can be guided, it is clearly in the interest of the United States to give appropriate encouragement to those movements which are non-communist and democratic in character and which represent the aspirations of a substantial segment of the population. The spread of democratic institutions, as we understand the term and not in its perverted Soviet usage, is an objective which the United States should actively pursue. Democratic principles, embracing such things as the right of individuals to choose their own form of government and to be protected against unjustified encroachments of the state, are intrinsically valuable and definitely part of the aspirations of colonial

peoples. The encouragement by metropolitan powers and by the United States of democratic nationalist movements would also contribute toward the building of colonial areas into bulwarks against the spread of communism. The very fact of a demonstrated United States interest in democratic nationalist movements will strengthen the hand of these groups against their communist counterparts. In this connection the Philippine Representative to the United Nations, General Romulo, has declared: "The true goal of all dependent peoples is freedom and not enslavement by a new master."

*3. To assist, as appropriate, in the development of the changing political relations between colonial peoples and metropolitan countries toward whatever type of relationship, consistent with the United Nations Charter, is best suited to the particular situation, whether trusteeship, voluntary, union, joint membership in a common political union, or some less direct associative relationship, and with regard to much developments to recognize the principle stated in Chapter XI of the Charter that the interests of the inhabitants of these territories are paramount.*

Both self-government and independence may be enjoyed within a larger political framework. In response, on the one hand, to the increasing demand of dependent peoples for the right to manage their own affairs and on the other hand, to the facts of economic interdependence and cultural affinity and the need of new governments for greater security than they can provide for themselves, new forms of association between colonial powers and their former dependencies have emerged and are continuing to evolve. The British Commonwealth of Nations is the classic example of the voluntary association of formerly dependent territories with the mother country for the pursuit of common ends. Since World War II the concept of the British Commonwealth has undergone further development. The stated objective of the British Government for territories which are still dependent is "self-government within the British Commonwealth". In the West Indies, where Britain has sovereignty over 14 poor and widely-scattered islands, a Closer Association Standing Committee has recently made a report which includes the draft of a Constitution for a British Caribbean Federation. The report starts from the assumption that the main purpose of the task of the Standing Committee is "to seek the shortest path towards a real political independence for the British peoples of the region within the framework of the British Commonwealth—what is meant in fact by 'Dominion status'".

France, under the Constitution of 1946, established the French Union, which is designed to include France and the dependent territories in a somewhat centralized political framework, allowing for varying degrees of self-government and of association with the metropole and including such categories as overseas departments, overseas

territories, associated states, and associated territories. The relationship between the Netherlands and the Republic of the United States of Indonesia, to the establishment of which the United States made a considerable contribution, is another example of the new forms of association being evolved. The Government of Puerto Rico is at the present time giving a good deal of thought to some form of associated relationship with the United States which Puerto Ricans feel would better meet their needs than the old alternatives of statehood or independence.

The United States should give close study to such new forms of association as they develop, and support those which it considers to be in the best interests of the people concerned and consistent with their wishes.

The action of France in making certain territories Departments of France or members of the French Union and as a corollary ceasing to report on them as non-self-governing territories under Article 73(e) of the United Nations Charter has created an issue in United Nations bodies on which the position of the United States is yet to be determined in the light of the foregoing objectives. Similarly the Netherlands West Indian colonies are being integrated with the Kingdom of the Netherlands with increased rights of self-government and with representation in the parliament at The Hague. As a consequence the Netherlands will probably cease to report on these territories within the near future. These new constitutional arrangements have been challenged in the United Nations where non-administering Members suspect that they do not confer genuine self-government on the inhabitants of the areas in question, but have been contrived by the administering Member in hope of removing these areas from the scope of Chapter XI, while in fact retaining them in a dependent status. On this general issue, it is worthy of note that all administering Members are committed by the Charter of the United Nations to promote self-government in colonial areas. In the practice of the United States, the transformation of an area from territorial status to statehood has been effected only with the express consent and active participation of the peoples of the territory and has resulted in self-governing status equivalent to that of other states of the Union. As an alternative to independence, this approach to incorporation is valid and one which will stand up under scrutiny in the United Nations.

Trusteeship stands as a device which may be used to present possible solutions for difficult questions involving the future status of territories. Since the Charter of the United Nations was adopted, trusteeship has been thought of as a possible solution for the problems of such widely-separated areas as Palestine, Antarctica, Berlin, the Italian colonies, and certain Pacific islands. The use of trusteeship in such cases frequently avoids the controversial issue of the extension of

sovereignty over the area by any State or group of States. The United States has made clear its position regarding the use of trusteeship in Pacific areas which may be retained under United States administration. President Truman, in a statement on November 6, 1946, declared, "The United States is prepared to place under trusteeship, with the United States as the administering authority, the Japanese Mandated Islands and any Japanese Islands for which it assumes responsibilities as a result of the second World War". The United States has, of course, assumed responsibility as the administering authority for the former Japanese Mandated Islands; and, in his speech before the National Press Club on January 12, 1950, the Secretary of State declared: "In the interests of the population of the Ryukyu Islands, we will at an appropriate time offer to hold these islands under trusteeship of the United Nations."

It cannot be stated, of course, that trusteeship is in every case the best solution where a change of status of a colonial area is envisaged. As in the case of Eritrea, special situations may require other solutions.

4. *To seek the alignment with the democratic world of dependent peoples and those achieving self-government or independence; in particular to maintain and strengthen their friendship and respect for the United States.*

The importance of this objective is clear in view of the Soviet Union's obvious bid for the sympathies of colonial peoples. It should be recognized however, that among the obstacles to be overcome in the achievement of this objective are not only Soviet propaganda and the bitterness which some such peoples may retain toward their former colonial rulers; there is also, so far as the United States is concerned, a widespread knowledge among colonial peoples of racial discrimination as practiced in this country, a fear of American economic imperialism as a successor to European political imperialism, and a growing suspicion that the traditional American policy of support for the aspirations of dependent peoples is being discarded, in the interests of the containment of communism, for a policy of unlimited support of the colonial powers.

Ceylon, the Philippines, and Indonesia, and, to a lesser degree, Pakistan and India are examples of former dependencies who have friendly relations with the West. Philippine Delegations in the United Nations, for example, frequently express their gratitude for the contribution made by the United States to the development of the Philippines to independence.

5. *To seek the fullest possible mutual understanding and cooperation between the United States and the Colonial Powers on colonial policy and, to the degree possible, the acceptance by the latter of basic United States objectives.*

The principal colonial powers are western European democratic nations whose security and recovery of political and economic strength are fundamental objectives of United States foreign policy. Moreover, the attainment of United States objectives in the colonial field—economic and social, as well as political—is dependent upon the active support and cooperation of these states.

Belgium, France, and the United Kingdom tend to regard American support for the acceleration of political development in colonial areas as a combination of traditional American attitudes in the political sphere and an expectation of supplanting these powers economically in their territories once self-government or independence has been obtained. Moreover, with respect to issues arising in the United Nations, these powers frequently seem to misunderstand the reasons why the United States lends its support to United Nations recommendations which they regard as a threat to that same recovery of strength actively being promoted by this Government through other mechanisms. Their sense of the large stake which they have in the colonial problem as compared with the United States contributes to their resentment of what they regard as irresponsible United States positions taken, *ad hoc*, in the interests of compromise. Frequent and frank exchanges of views between the United States and Belgium, France, and the United Kingdom would certainly not eliminate all differences. Such discussions would be helpful, however, if they helped this Government arrive at a more accurate appraisal of the achievements and problems of the colonial powers, and if they provided a greater understanding on the part of the colonial powers of United States objectives and convinced such powers that the United States had a carefully-thought-out, long-term colonial policy in the formulation of which the position of these states had been taken carefully into account; and that United States positions on specific issues would not be *ad hoc* decisions, dictated by considerations of the moment, but would be consistent with this long-term policy.

The problem is not nearly so great with respect to Australia, Denmark, and New Zealand, since experience shows that these states often express publicly the same view as the United States or (particularly in the case of New Zealand) privately indicate agreement with United States positions. However, steps should be taken as necessary to make sure that these states and the Netherlands understand our objectives.

6. *In like manner to seek the fullest possible mutual understanding and cooperation between the United States and the non-colonial powers on colonial policy and, to the degree possible, the acceptance by the latter of basic United States objectives, as well as an understanding of the problems, responsibilities, and achievements of the metropolitan powers.*

In South East Asia, in the Caribbean, and in Africa it is vitally important that United States policies for these areas should be fully understood by the independent non-colonial powers in or adjacent to these regions. But the importance of this objective is perhaps most frequently apparent when colonial questions are considered in the United Nations. There the non-colonial powers of the world are in a position to use their voting strength to carry through any recommendations which they consider desirable and proper. Basically many of these powers appear to feel that administering states do not possess, or are not entitled to exercise indefinitely, sovereignty over colonial areas in the same absolute sense that they have sovereignty over their metropolitan areas. A number of these also subscribe to an interpretation of the Charter whereby any course of action not expressly prohibited under Chapter XI is permissible to the General Assembly. The danger of radical action on the part of this voting majority is further increased by the fact that quite apart from the Soviet Union and its satellites, most non-administering Members are, for understandable reasons, anti-colonial in their attitudes. Such members, as former dependencies, feel that the colonial powers are still moving too slowly in satisfying not only the political aspirations but also the economic, social, and educational needs of colonial peoples. This impression is likely to be strengthened when colonial powers, in United Nations bodies, dismiss criticism impatiently as based on ignorance or political considerations, instead of seizing the opportunity to explain fully their achievements and problems.

Frequent and frank exchanges of views with Latin American, Asiatic, and African Members of the United Nations are important in the interests of promoting a mutual understanding of purposes in the colonial field. To the degree possible the United States should seek acceptance by the non-colonial powers of basic United States objectives and should seek to promote an understanding on their part of the problems and achievements of the colonial powers and the importance of preventing in the United Nations an open breach between administering and non-administering Members.

*7. The United States should seek to prevent the Soviet Union from being regarded as the champion of colonial peoples.*

This is an exceptionally difficult task as the extreme positions taken by the Soviet Delegation are often identical with the extreme views of native nationalist leaders. However, Soviet propaganda at the United Nations meetings can often be effectively answered by temperate and rational responses. The United States should, therefore, continue its efforts to meet Soviet criticisms with valid responses and should attempt to persuade other colonial powers to follow the same tactics. In the past the British and French Delegations have sometimes met Soviet attacks with rather contemptuous dismissals, a type

of response which has not made a good impression on delegations of non-administering states. The patient and full replies of Admiral Fiske, who served as United States Special Representative during the Trusteeship Council's examination of the first report on the Trust Territory of the Pacific Islands, made, on the contrary, an excellent impression. This was also true of Mr. Fahy's statement on Puerto Rico in the Fourth Committee in reply to an attack by the Ukrainian Representative on United States policy there.

In addition, counterpropaganda techniques should be utilized to expose the true character of Soviet actions and policies toward dependent areas. It should be recognized, however, that the use of these techniques must be carefully adapted to each particular forum whether it be a United Nations meeting or a Voice of America broadcast. In the Fourth Committee of the General Assembly, lengthy speeches on conditions within the Soviet orbit are normally ruled out of order even though they may deal with matters comparable to those under discussion. The use in such organs of a full-dress speech is, almost impossible, although a barbed aside may be a feasible and useful device. On the other hand, in Voice of America broadcasts, and through such other information channels as Department publications and releases, more comprehensive counterpropaganda statements might be utilized.

In the long run, of course, Soviet attacks should be met by the implementation of progressive colonial policies. The United States should make every effort to set an example by improving conditions in its own dependencies and should, wherever feasible, attempt to persuade other colonial powers to speed up the pace of development in their possessions.

*8. To pursue actively, in relation to United States territories and possessions, policies which develop logically from our past achievements and are consistent with the policies we urge on the colonial powers and in international bodies.*

The United States has acquired considerable credit in the eyes of the world generally, not only for its action in granting independence to the Philippines, but also for its administration of its remaining territories and possessions. The United States is presently responsible for the administration of six non-self-governing territories—Alaska, American Samoa, Guam, Hawaii, Puerto Rico and the Virgin Islands of the United States—and one trust territory—the Trust Territory of the Pacific Islands. The United States is consequently an “administering authority”. Many persons regard this status as equivalent to that of a colonial power. The United States must continue to pursue progressive and liberal policies in each of the territories subject to its administration, primarily in the interests of the inhabitants of United States dependent territories, but also in order that the United States may maintain its reputation for enlightened colonial admin-

istration and its capacity for leadership in international forums in which dependent territory problems are considered. In addition to the General Assembly, its Fourth Committee, the Special Committee on Article 73(e), and the Trusteeship Council, these forums include the Caribbean and South Pacific Commissions.

*B. Economic and Social Objectives*

To the end of promoting the political objectives set forth in the preceding section and in a manner consistent with those objectives, the United States should pursue the economic and social objectives outlined below. It is recognized that the implementation of these economic and social objectives is dependent upon the availability of fiscal and economic resources and, accordingly, efforts should be directed to increasing the contributions, in both relative and absolute amounts, which the dependent territories themselves can make to this advancement. It is in the interest of the United States to assist the metropolitan powers in strengthening the economies of dependent territories and it should take appropriate action to do so within the limits of funds available for such purposes at any one time.

*1. To encourage balanced economic development.*

The over-all development of any dependent area, especially its political development, must have a sound economic basis. Economic development must promote the immediate and long-range welfare of the inhabitants and, to be sound, must provide a balance among such factors as the following:

- (a) coordination of economic developments with advancements in the skills, attitudes, customs, and social organization of the inhabitants;
- (b) creation of conditions attractive to capital investment;
- (c) adherence to sound conservation practice; and
- (d) integration with regional and world economic developments.

While the potentialities of each area will indicate priorities in fields of economic development (agriculture, animal husbandry, forestry, mining, fishery industry, and commerce), generally sound development of colonial areas would require attention to greater diversification of economic activities. The physical facts of some areas will not allow a high level of economic development; however, it is desirable that dependent areas not only expand their short-range productivity, but that they develop as far as possible into healthy economic units strong enough to contribute to the collective strength of the free world.

*2. To encourage and to promote, where practicable, mutually advantageous economic relations between colonial areas and the metropolitan countries, as well as with the United States and the rest of the free world.*

The United States seeks the economic advancement of colonial peoples, the development of the resources of colonial areas and eco-



conomic (as well as political) stability sufficient to resist Communist domination. The United States likewise desires to assist and encourage the nations of the free world, including those with interests in colonial areas, to increase their strength.

The United States also desires the advancement of direct United States trade, investment, transportation and strategic interests (including access to strategic materials) which can redound to the mutual advantage both of this country and of the colonial area concerned.

These purposes can be appreciably advanced through the encouragement or promotion of mutually advantageous economic relations between the colonial areas and the metropolitan countries as well as with the United States and the rest of the world.

The ability of the colonial areas to achieve an accelerated development economically, socially, and politically depends in part on the economic recovery of the metropolitan countries and their ability to provide the necessary facilities both in the way of personnel, expanded services and construction required by the colonies. At the same time the efforts of the metropolitan countries to achieve viability at an early date will be furthered in many cases by colonial development projects.

In a more indirect but no less important manner, the expansion of economic activity between the colonial areas and the rest of the world can contribute to increased security, and thus advance the mutual strategic interests of the United States, the metropolitan powers, and the colonial areas as well. Development in the colonial areas accompanied by rising standards of living should make them less fertile fields for Communist agitation and subversion. A strengthening of the metropolitan countries as a result of expanded economic relations with their colonies increases their powers of resistance to the Soviet threat and makes them more effective allies of the United States and the rest of the free world.

The purposes of economic advancement of colonial areas, of increase in the strength of the metropolitan powers of Europe, and of reasonable development of United States trade interests may at times come into conflict. In deciding any such problems on its merits, the purposes must necessarily be balanced, recognizing the principle of the paramountcy of the interests of the dependent peoples, and the problem resolved in the best interest of the United States and the other free peoples of the world.

*3. To encourage the development of transportation, communications, and power.*

Inadequate facilities for transportation and communications to and within the dependent territories of the world constitute major obstacles to their full development. The natural resources of these areas and their inhabitants are frequently isolated, and will not contribute effectively to the economic activity essential to general social advance-

ment until natural barriers have been bridged by modern roads, bridges, railroads, airfields, harbors, radio, telegraph, and telephone systems. The general advancement of the people of these territories is also being held back by their dependence in large measure on the human being as a source of power. The effective utilization of existing resources for the production of artificial power is fundamental to any widespread improvement in the productivity and standard of living in these areas. All developments in the fields of transportation, communication, and power are dependent upon the degree to which the local inhabitants are trained to operate and maintain the necessary facilities.

4. *To encourage the parallel development of primary, secondary, vocational, and higher education.*

Broad, well-planned educational development adapted to the needs of the inhabitants is essential to ensure that political, economic, and social developments proceed along constructive lines. In the political field, ignorance is an invitation to the abuse of power, to the development of local demagoguery, and to the infiltration of anti-democratic ideologies; whereas well-rounded education is the foundation of progress towards democratic self-government. In the economic field, lack of skills, knowledge, and adaptability tend to encourage short-range exploitation and hamper long-range, balanced development. In the whole area of social development education is basic to the constructive adaptation of under-developed peoples to the scientific, technical, and humanistic culture of more advanced peoples. In the planning of educational programs it is important that the needs of local inhabitants for education at all levels be adequately met.

5. *To encourage the improvement of health services and other social services.*

Disease, as well as dietary and other health deficiencies, is a major obstacle to the full development of dependent areas and their inhabitants. The reduction of this obstacle by the improvement of medical facilities and public health services is a fundamental pre-requisite to over-all advance. In this field international cooperation has already demonstrated itself to be most fruitful. The United States should encourage increased cooperation with the World Health Organization, as well as with other international agencies and private organizations working in this field. With the growing impact of Western culture on dependent peoples, improved and expanded social services are necessary to guide constructively social and cultural readjustments. Examples of the type of social services which will be increasingly needed in dependent territories are those dealing with child and maternal health, juvenile delinquents, adult education, and agricultural extension. In these social fields, as in health, the cooperation of international agencies and organizations should also be encouraged.

6. *To encourage the development of responsible non-Communist labor unions and of progressive labor policies.*

An effort is being made by the Soviet Union to exploit the grievances of the growing class of wage earners in the colonies and as a corollary Communists have sought to manipulate colonial trade unions for political as well as economic objectives. In some instances this technique has been successful. Communist-controlled labor unions have, for example, played a part in the recent disturbances in Malaya. Recognizing the importance of the development of a democratic and responsible labor movement in the Colonies, the United Kingdom has for some years been sending to the Colonies experienced British trade unionists to train colonial labor leaders. In spite of the fact that this type of procedure has not been entirely successful in British areas in Africa, it is a promising procedure which should be encouraged.

In the field of labor policy and legislation the standards laid down in ILO Conventions provide a desirable objective.

## II. METHODS OF OBTAINING OBJECTIVES

### A. *Through Bi-lateral Channels*

#### 1. *Foreign Service Missions*

To further the foregoing objectives the United States should utilize to the full American Embassies, Legations, and other Missions in the capitals of colonial and non-colonial powers, as well as American Consular Posts in dependent areas.

Our Embassies and Legations in such capitals as London, Paris, Brussels, The Hague, Copenhagen, Canberra, Wellington, Pretoria, and the United States Mission to the United Nations provide machinery for continuing consultation with the colonial powers on a whole range of problems relating to dependent areas, including problems arising in the United Nations. (The importance of consultations on issues arising in the United Nations is discussed in Section II, B, 2 and 3, pp. 26-28.) These various consultations would give the United States an opportunity to explain United States objectives and to suggest such constructive policies as the introduction of increasing numbers of indigenous inhabitants of dependent areas into responsible government positions. They should also serve as centers for dispersing assistance and advice in relation to dependent area problems through their specialized missions, advisers, and attachés in such fields as agriculture, health, labor, education, and technical assistance problems. Likewise, our Embassies and Legations in such capitals as Cairo, Saigon, Bangkok, New Delhi, Rangoon, Manila, Djakarta, Addis Ababa, and Monrovia present an opportunity to consult with these states on a continuing basis and to explain United States objectives and policies. It is important, for example, that the problem of the Anglo-Egyptian

Sudan be discussed by United States officials with both Britain and Egypt—that United States objectives in Africa be understood by Ethiopia and Liberia as well as by the United Kingdom, France, and Belgium—that United States position regarding Libya, Eritrea, and Somaliland be fully explained to Egypt and Ethiopia as well as to the United Kingdom, France, and Italy, and that American Far Eastern policy should take into account the views of both European and Pacific colonial powers and the new nations of South East Asia.

In dependent areas, American Foreign Service Posts, properly staffed and with proper guidance regarding policies and techniques could become influential centers for encouraging the type of developments which we favor and for preventing misunderstanding of American attitudes. Their officers could exert influence both on the local administering officials and on the native peoples, and, in the areas where they are assigned, could be of increased assistance in preventing communist infiltration and in assuring the orientation of the officials and the inhabitants toward the free and democratic world.

In order to perform this function, the consular posts would have to be strengthened and headed by first-class, experienced officers who would make the consulates centers of foreign technical and cultural activities by virtue of their own personalities, the coordinating and guiding activities of their staffs, and their profound understanding of all the problems and elements in the social and economic, as well as political structures of the territories concerned.

2. *Consultations with Diplomatic Representatives in Washington.*

In addition to Foreign Service Missions and the United States Mission to the United Nations, the Embassies and Legations in Washington of both administering and non-administering powers offer useful and convenient channels through which the Department can carry on consultations on colonial matters.

3. *United States Information and Educational Exchange Program.*

An expanded United States Information and Educational Exchange (USIE) Program could further United States objectives in the colonial field. At the present time USIE devotes only a minor part of its activities to dependent areas. Its officers in the field (Public Affairs Officers) are thinly scattered in the non-self-governing world, many such territories having no such officer. For example, there is no Public Affairs Officer in any trust territory. Thus in such areas, there is frequently no source of information on United States policies towards its own possessions or on the positions taken by this country in the Trusteeship Council and other international bodies on the problems of dependent areas. There often is, however, considerable public criticism and distortion of such United States policies.

Where USIE offices exist in dependent territories, it has been demonstrated that articles on colonial policy and news summaries of events

in this field, when available, will frequently be used by the local press. The experience of the Caribbean Commission has also shown that colonial newspapers, partly because they cannot afford to subscribe to wire services, will often reprint entire stories supplied to them. This largely undeveloped field has abundant educational and counter-propaganda possibilities.

In addition to expanding its press services in dependent areas, USIE could further serve United States interests by increasing the number of United States libraries. Besides serving broad informational and educational purposes such libraries, professionally directed, are effective instruments to technical assistance and might well be planned to supplement other aspects of the technical assistance programs. They can also serve as a channel for information about UN activities supported by the United States. United Nations publications, as well as publications about the United Nations, especially those written for popular consumption and translated into local languages, should not only be available in United States libraries, but should be distributed in quantity to schools, adult education centers, and other interested local organizations. Eventually perhaps such activities can best be carried on by United Nations Information Centers, and the United States should encourage the setting up of more such centers in dependent areas. In the meanwhile it would seem consistent with United States policy to make use of USIE offices and libraries.

The expansion of both USIE and United Nations visual education programs in dependent territories is particularly desirable in view of the high rate of illiteracy in these areas; however, suitable simplified materials must be planned and techniques developed for their use. Such materials might include films, film-strips, and photo-displays, directed on the one hand to explaining the United Nations and United States policies therein, and on the other hand to supplementing technical assistance programs.

Both United States and United Nations fellowship, internship, and educational exchange programs could fruitfully be expanded in dependent territories, where shortage of trained personnel is a major problem. Such programs should be genuinely two-way, for there is also an acute shortage, especially in this country, of persons with first-hand professional experience in colonial areas. These programs would naturally be closely integrated with technical assistance projects, and directed towards the major needs of the areas.

The Voice of America might be more effectively used to further United States policies towards dependent areas, and to counter Soviet efforts to win over colonial peoples. There are now no programs especially designed for audiences in dependent territories or beamed specifically at them. Serious consideration should be given by this Government to the need for strengthening its "Voice" in such areas.

Whether or not this should prove practicable, information on United States policies and activities relating to dependent areas could usefully be strengthened in our broadcasts to most areas of the world, particularly in view of the world-wide misrepresentation which such United States policies and activities constantly receive, especially from communist and communist-influenced propagandists.

Finally, all United States channels of information directed abroad should be kept constantly aware of the world-wide scrutiny to which our domestic policies and practices are subjected and the extent to which communist propagandists seize upon and magnify inconsistencies between our professed policies and our actual practices. Every effort should be made to publicize constructive efforts to solve our domestic problems. No American problem receives more wide-spread attention, especially in dependent areas, than our treatment of racial minorities, particularly the Negro. Discussion of this problem cannot be evaded, and only by full publicity to improvements in this field can the United States position be put in fair perspective before the bar of world opinion and communist propaganda be discredited.

*B. Through United Nations Channels*

1. To further the foregoing objectives the United States should use United Nations organs and the Specialized Agencies to promote a progressive colonial policy.

Colonial questions are being raised with increasing frequency in a wide-range of United Nations organs and agencies. Not only are these questions discussed in the Trusteeship Council, the Special Committee, and the Fourth (Trusteeship) Committee, which devote their time exclusively to such questions, but they also arise frequently in the Economic and Social Council and its Commissions, the Specialized Agencies, the Security Council, the Political and Security Committee of the Assembly, and occasionally in the Third and Sixth Committees of the Assembly.

In all of these bodies when colonial issues are raised, the United States should formulate its position on specific issues in accordance with the broad policy objectives set forth above. Pursuance of these objectives will generally place the United States in a moderate position between the more conservative administering Members on the one hand and non-administering Members on the other.

The United States should encourage appropriate Specialized Agencies to expand their activities relating to dependent territories, both as a means of promoting the economic, social and educational objectives of the United States and of furthering a constructive, technical, and non-political approach to such territories and their problems.

In both the Trusteeship Council and the Special Committee on Information Transmitted under Article 73(e), where administering

and non-administering Members are equally represented, the United States occupies a particularly strategic position. The United States should use its influence responsibly to promote constructive action which will command the support of a substantial majority of Members, administering and non-administering. In cases, however, where the pursuit of United States objectives or a regard for the limitations of the Charter requires the United States to line up clearly with either the administering or non-administering group, the United States should not hesitate to do so.

2. As a means of achieving the fullest possible understanding and acceptance by the Colonial Powers of United States policies in the United Nations the United States should consult with them frequently, particularly on all questions which they consider of major importance. General consultations should be a normal procedure before each session of the Trusteeship Council, the Special Committee and the General Assembly.

For example, consultations with Belgium, France and the United Kingdom in advance of the next sessions of the Special Committee and the General Assembly are particularly necessary in view of the marked divergence of views which developed between these powers and the United States during the Fourth Session of the General Assembly. Of the ten resolutions adopted at the Fourth Session on non-self-governing territories not one was supported by Belgium and the United Kingdom. Moreover these two powers and France reserved their position with respect to the Special Committee and did not participate in the election of the non-administering Members.

In these and in any other subsequent consultations with France, Belgium, and the United Kingdom the United States should explain its policy objectives and so far as possible the position which it expects to take on specific issues which will arise. Since the recommendations of United Nations bodies can only be effective to the extent that they are implemented in the territories by the Members responsible, the United States should seek greater understanding of the attitudes of such Members, the maximum area of agreement, as well as acceptance on the part of these powers of basic United States objectives and positions.

With respect to the Trusteeship council, experience has already shown that advance consultations on issues arising in the Council pay dividends in reaching Council recommendations which all administering Members will strive to implement. The position with respect to Chapter XI matters is more difficult but an effort to reach agreement should nonetheless be made.

It should be borne in mind that there would be an advantage to the United States in holding some general consultations which would include all administering Members, since the United States could then

count on a considerable measure of support for its views from Denmark, Australia, the Netherlands, and New Zealand. The United States should point out, as appropriate, to administering states that it is in their own interest to make more apparent in the United Nations the progressive aspects of their policies with regard to dependent areas and to avoid adopting positions which serve to divert attention from the progressive steps which they actually are taking.

3. Similarly, as a means of achieving understanding and acceptance by the non-administering Members of United States objectives and policies, the United States should consult with them frequently. Consultations should be a normal procedure before each session of the Trusteeship Council, the Special Committee, and the General Assembly. Unless these Members are given a full and frank exposition of the reasons for United States positions on specific issues they are all too apt to assume, when the United States differs from them, that we do so not on principle but out of a desire to placate the administering Members. Experience in various United Nations bodies has shown that a number of non-administering Members are genuinely desirous of making a constructive contribution to the work of the United Nations and welcome suggestions from the United States.

Consultations with non-administering Members are frequently successful in obtaining their support or co-sponsorship for moderate and constructive United States proposals or in modifying resolutions which those states have sought to introduce. The extent to which the United States has in the past consulted with non-administering Members has greatly contributed to the defeat of extreme proposals sponsored by the Soviet Union.

In the Trusteeship Council the United States has worked very successfully with such non-administering Members as Mexico, Iraq, and the Philippines. For example, the Trusteeship Council's Committee on Higher Education in the African Trust Territories had as its Chairman, Mr. Noriega of Mexico, and one of the basic working papers was submitted by the United States Member. The report of the Committee was adopted unanimously by the Council and is regarded by both administering and non-administering Members as one of the Council's most constructive accomplishments. In the Special Committee the United States, as well as Denmark and New Zealand, have worked effectively with the delegates of India, Egypt, and the Dominican Republic.

These efforts should be intensified in the future in the hope of building up a steady and constructive group of non-administering states. The United States should point out as appropriate to the non-administering states that a moderate attitude may frequently be the most effective means of achieving the ends they seek in dependent territories.



4. Increased efforts should be made to utilize United Nations organs and agencies, where practicable, as forums for constructive exchange of ideas and experience concerning the administration of dependent peoples. The detailed reports of the various states which administer trust and non-self-governing territories on the areas for which they are responsible contain information valuable to administrators in other governments who have responsibilities for comparable problems. Officers of our own Government who are concerned with the administration of United States territories and possessions are anxious to know of the experiences of other administering Members in dealing with illiteracy and specialized problems in the fields of public health, agricultural economy and the like. In the Trusteeship Council especially, but also in the Special Committee, there is a growing tendency to approach problems on the technical and analytical rather than on a political basis. The exchange of ideas on administration among the various administering states, and the contribution of ideas by those non-administering Members who have experienced common problems in their own countries, can be a most fruitful development of the Trusteeship System and of Chapter XI. A subsidiary advantage of this approach would be that it would tend to moderate the atmosphere sometimes created in the Council and in the Special Committee when administering Members are "put in the dock" as regards the administration of their territories.

The United States can contribute to a further improvement in the atmosphere of the Council and the Special Committee<sup>†</sup> by such means as the following: by replying patiently and honestly to questions on its own territories; by commending other administering Members on valid accomplishments; by showing willingness to make use of the experience of other Members, where appropriate, as well as to make its own experience available to others.

5. The United States should make increasing efforts to see that indigenous inhabitants of dependent areas are placed in responsible posts in executive, legislative, judicial, and other local organs. This can be done in part by setting a good example in United States possessions. In addition, the United States Delegation to the Trusteeship Council, whenever feasible, should urge the other administering authorities to speed up the policy of placing indigenous inhabitants in responsible posts. In progress of this type, which is of great psychological importance to nationalist leaders, advantages of proceeding somewhat over-rapidly generally outweigh considerations which might suggest a slower pace.

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<sup>†</sup>It should be noted that the Special Committee is not a permanent organ of the United Nations but has been established for a three-year period ending in 1952, at which time the question of its continuation will no doubt be reconsidered. [Footnote in the source text.]

*C. Through Other Channels*

1. The United States should strengthen the two regional non-United Nations Commissions—the Caribbean Commission and the South Pacific Commission—established to advise Member and territorial Governments on economic and social problems arising in the dependent areas within the geographic spheres of the Commissions.

These two regional Commissions represent a mechanism whereby metropolitan governments administering non-self-governing territories in the Caribbean and South Pacific areas can cooperate in the solution of economic and social problems of a regional nature. Each is assisted in carrying out these functions by two auxiliary bodies, a Conference representative of the people of the area and a Research Council which makes recommendations to the Commission itself. Both Commissions also have established Secretariats which include qualified scientific and technical personnel. Both have assembled basic data on social and economic conditions and act as a clearing house for information within the area. Both have planned and carried out programs in the fields of education, health, and economic development, and both have already provided to Member and Territorial Governments technical assistance which otherwise would not have been available.

The use of those two Commissions in connection with the Point IV program to the extent practicable would be a logical and important step. The Commissions are particularly qualified to assess regional needs for technical assistance to non-self-governing territories within their areas, to recommend projects which might be undertaken by two or more Member Governments jointly, and to offer advice and assistance to Governments and Agencies administering technical assistance programs.

The United States can contribute to the success of the Caribbean and South Pacific Commissions by playing a constructive role in meetings of the two Commissions and their auxiliary bodies, by meeting promptly its quota share of the expenses of the Commissions, by furnishing expert assistance for meetings held under the auspices of the Commissions, and by giving prompt consideration to the recommendations of the Commissions and their auxiliary bodies.

2. The United States should urge that the United Nations technical assistance programs be devoted in generous proportions to dependent areas; and, in any bilateral technical cooperation programs (Point IV), this country should encourage colonial powers to request projects for the areas which they administer. In considering the acceptability of all such projects under bilateral programs the United States should adopt the criterion that the interests of the inhabitants of the territory are primary, and it should also support the adoption of this criterion for United Nations projects. Aid planned in accordance with this principle would provide the United States, in cooperation with the

rest of the democratic world, with a strengthened ability to counteract the Soviet attempt to champion the cause of colonial peoples. Furthermore, technical assistance as planned would probably prove more acceptable to colonial peoples than projects developed under ECA and be less susceptible to the charge of strengthening imperialism.

3. Every effort should be made by the United States Government to pursue domestic policies consistent with the objectives stated in the paper, as well as to make clear to the people of the United States the effect which domestic situations have on our foreign relations, and particularly on the faith of other countries in this country's capacity for leadership, with regard to dependent peoples and peoples recently emerged from dependent status, it is highly desirable that our policies and practices towards racial minorities in this country be increasingly brought into fuller accord with the democratic principles we profess. In the whole range of political, economic, social, and educational advancement in this country, increased attention should be given to the necessity of taking such steps as will advance the status of world leadership now incumbent on this country.

### III. REGIONAL APPLICATION OF GENERAL OBJECTIVES

- A. *Western Hemisphere*
- B. *Africa*
- C. *Southeast Asia*
- D. *Pacific Area Dependencies*  
(Materials to be supplied) <sup>2</sup>

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<sup>2</sup> Parenthetical note in the source text.

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ODA files, lot 62 D 228, "Attitude of U.S. on Colonial Question"

*Memorandum by the Acting Deputy Director of the Office of Western European Affairs (Knight)*<sup>1</sup>

SECRET

[WASHINGTON,] April 21, 1952.

Subject: Preliminary Thoughts on the Subject of a U.S. Policy towards Colonial Areas and Colonial Powers.

Our recent endeavors to develop an agreed and effective line of argument against proposals to express a U.S. position on the Colonial ques-

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<sup>1</sup> Knight was assisted in the drafting of this memorandum by William T. Nunley of the Office of European Regional Affairs. Under cover of a memorandum of Apr. 28 the Assistant Secretary of State for European Affairs (Perkins) transmitted this memorandum for information and study to the Deputy Under Secretary of State (Matthews), the Counselor of the Department of State (Bohlen), the Assistant Secretary of State for UN Affairs (Hickerson), the Assistant Secretary of State for Near Eastern, South Asian and African Affairs (Byroade), the Ambassador at Large (Jessup) and the Director of the Policy Planning Staff (Nitze).

tion in the text of the MSP legislation <sup>2</sup> have made it clear that our difficulties go beyond the problem of public presentation of the Departmental point of view. They go, in fact, to the definition of this point of view—to the basic policies which guide our actions in dealing with issues affecting dependent peoples. While there is a wide area of agreement within the Department on issues of this kind, there is also evidence of considerable disagreement on purpose, method, emphasis, etc.

The fundamental problem is very old, and is vitally important to the future course of American foreign policy. Its solution is perhaps as difficult as any that has confronted the United States Government in the whole history of its foreign relations. The solution involves a reconciliation of the long-term interests of the United States with its immediate and short-term interests; it also involves a reconciliation of a widespread popular sentiment with certain international facts which are not always evident to people not actively engaged in the business of diplomacy. Perhaps no complete solution is possible in any case, in the sense of a pat formula which can be depended upon to guide U.S. actions in all of the varied circumstances in which the colonial question presents itself. It seems desirable, nevertheless, to seek a wider area of agreement on certain fundamental principles which must be taken into account in all such circumstances.

First, it must be recognized that the basic sympathy of the United States for the aspirations of dependent peoples for freedom and self-Government is so deep-seated that, in the long run, it is beyond serious question that the United States will offer strong support for these aspirations. There is likely to be little disagreement about the proposition that the United States policy aims at the eventual freedom and self-government of dependent peoples everywhere in the world and that the United States will continue in the future, as in the past, to exert its influence to this end. The attitudes which support this aim are numerous. They have their roots deep in our history, and their offshoots may be found in the present opinions of many different groupings of Americans.

There are few topics in the realm of foreign affairs on which there seems to be such essential popular agreement as upon the American attitude toward dependent peoples. Democrats and republicans, liberals and conservatives, isolationists and internationalists—all these tend to join forces at least to accept the principle that the United States should support the aspirations of dependent peoples. There are certain exceptions, of course, and it must also be noted that a certain part of the public sentiment described is perhaps not so interested in the fate of dependent peoples as in sniping at the colonial powers. Even so, the sympathy of the American people for dependent peoples

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<sup>2</sup> For documentation regarding the mutual security program, see volume II.

is a fact of life that is both healthy and strong. Most practical politicians realize that it is virtually impossible to gain votes, or even to placate critics by supporting the position of the British in Egypt or of the French in Morocco.

Even if popular sentiment were different, those directly responsible for the day to day conduct of foreign affairs would be required to recognize the necessity, in terms of American self-interest, of a benevolent attitude toward the aspirations of dependent peoples. Over a long period of years, it is inevitable that these dependent peoples will gain self-government. Nations of the Western world cannot at the same time maintain their own democratic political institutions and take the measures which would be required to stifle the demands of the dependent peoples, even if they should desire to do so. The strength and security of the United States in years to come will depend to a considerable extent on friendly relations with these dependent peoples, and the United States cannot hope for such relations if it takes the side of colonial powers in the innumerable conflicts which will inevitably ensue which would be required to stifle the demands of the dependent peoples will develop strong democratic institutions and thereby add to the stability and security of the free world can be realized only if these peoples receive sympathetic support and guidance by the United States during their period of evolution.

On the other hand, American policy with respect to dependent peoples is complicated by the fact that the United States today finds itself, through no choice of its own, in the midst of a power struggle with the strongest and most dangerous dictatorship in history. Our long-term interests will have little meaning unless they are reconciled with our immediate security interests. There would be little value in throwing our support to dependent peoples with a view to developing worth-while democratic friends in half a century, if, by so doing, we might seriously jeopardize present American security and the continued survival of democracy itself. This means that our attitudes, together with our calculated long-term policy aims, must be tempered in particular situations by certain considerations of immediate self-interest.

First among these is the hard fact that the U.S. is now engaged in a far-reaching mutual security undertaking with certain nations which are foremost among the world's "colonial powers". Full cooperation with these nations is essential to the security of the U.S. and to the success of its policy of containment of the U.S.S.R. and of deterring aggression by that policy. The dependent peoples cannot, at the present time, make more than a token contribution toward the real defensive strength of the free world. Therefore, the U.S. must either choose the almost impossible course of attempting to defend itself in isolation, or must rely upon the colonial powers of Western Europe to make an

addition to American strength sufficient to deter and to hold in check the tremendous military power of the Soviet armies. We have chosen the latter course. And in order to pursue this course successfully, it is obviously essential that we maintain the friendliest possible relations with our European allies.

It may be argued that our alliance with the colonial powers in NATO would not be affected fundamentally by the U.S. policy toward dependent peoples, because our allies have no alternative but to continue cooperation with the U.S. This argument is frequently advanced in the Congress and elsewhere, and takes the form of various proposals for U.S. action in which such countries as Great Britain and France will have no choice but meekly to acquiesce or submit. "We're paying the piper" it is said, "and we are calling the tune".

This argument embodies some of the most dangerous assumptions that can be made in analyses of present-day foreign policy. In the first place, it assumes that the peoples and the political leaders in the European NATO countries will always react rationally and logically to their own self-interest, quite contrary to the known facts of political life. It is no exaggeration to say that unqualified support for dependent peoples by the U.S. would not only cause a most serious rift between the members of the North Atlantic alliance, but could under extreme circumstances cause the withdrawal of such powers as France, Belgium, and even the Netherlands therefrom. The NATO is an association of sovereign nations and the colonial powers amongst them consider that their relationships with their dependent overseas territories are entirely an internal matter. They have made it abundantly clear that their reports to the United Nations on social and economic matters therein are made as evidence of their recognition of their humanitarian responsibilities and that this cooperation with the UN does not, and can not, infringe on the political relationships existing between these countries and their dependent areas or on the sovereignty of the reporting nations.

But even if we should judge that an actual break up of the North Atlantic alliance is unlikely, the problem of maintaining "full cooperation" remains. A paper alliance would be of little value. The success of our security policies demands that our allies do their full share of the common task, and the development of strong anti-American feelings within these countries would make this task impossible of accomplishment. To be realistic, we must recognize that, in seeking to influence the NATO governments to take measures deemed essential by our mutual defense, we are dealing with politicians who must go to the people at regular intervals and obtain public support. It would be easily possible for criticism of the U.S. and resentment against its policies to grow so strong in European countries that cooperation with the U.S. would be a political liability rather than a

political asset for individual leaders. If such a development should take place, the NATO defense program for all practical purposes might well become a failure in fact even though continuing to exist in theory.

In this connection it is well to note that the peoples of the European colonial powers do not by any means tend to regard the basic American sympathy for dependent peoples as an outgrowth of altruism or idealism. Some of the more charitable regard it as an indication of American immaturity and of a confused appraisal of American self-interest, but there are many people who are convinced that American policy is deliberately aimed at "stealing" the dependent territories on behalf of a new "colonial theory" in which American trade and exploitation could take the place of open political control as under the traditional colonial policy. This conviction is strengthened whenever the U.S. sides with nationalist movements in territories which are clearly incapable of self-government.

A second major consideration which must temper the long-term U.S. attitude toward dependent peoples is the danger of the seizure of these territories by Communist or other hostile totalitarian elements. This danger results not so much from the possibility that local movements towards independence may be Communist dominated (which is true only in rare instances) as from the fact that the Soviet Union profits whenever a "situation of weakness" develops anywhere in the world.

It is part of the Communist gospel (1926 Comintern meeting at Moscow) that Leninists-Stalinists must first support fully any and all nationalist groups with a view to weakening the "imperialist's powers" by detaching their overseas dependencies from them. Only after this first objective has been attained can the Communists then turn their primary attention to fostering the second revolution, "the revolution of the Proletariat", i.e., the subjection of the recently liberated people to the full control of the Communist agents of Moscow. This second revolution can be relatively easy if the "independent" territorial government is so weak that it cannot maintain internal order or if the results of independence have disillusioned the population.

Even in most favorable instances, the government of a newly created nation inevitably faces the most serious political, economic and social problems. And where self-government is attained prematurely, these problems are magnified. If we lived in an age where the Communist will to world domination did not exist, the painful consequences of premature self-government might nevertheless be risked. Over a period of years one could expect the dependent peoples, through the slow process of trial and error, to gain the confidence, the wisdom, and the sense of responsibility required for real independence. However, the Communist danger does exist, and its threat to the dependent terri-

tories cannot be ignored. Premature independence, even with non-Communist governments in control at the start will usually lead to mass dissatisfactions and disillusionments which can be skillfully exploited by the Communists and which can lead within a relatively short period of time to a Communist seizure of power. The difficulties and frustrations of the nascent state do not lead to a reorientation of the popular mind to the West since local leaders find it politically profitable to focus the hatred of the people on the Westerner in order to cover up their own weakness and selfishness. Therefore, by fostering premature independence, we definitely play into Communist hands.

A final consideration which we should bear in mind when confronted with the "colonial question" is that the U.S., regardless of whatever policies it may adopt, can never hope to outbid the Soviet Union for the affections of the extremist elements in the dependent territories. Our internal political processes, as well as our foreign ties, require us to act responsibly. And the responsible can never outbid the unscrupulous. Communist leaders and agents have promised dependent peoples the world on a silver platter; we can not. We can not commit ourselves to provide a bed of roses for newly-independent nations, nor to pick up the check for the social and economic failures which so often occur in connection with early experiments in self-government. Therefore, even with the most sympathetic policies, the U.S. cannot hope to convince the extremist elements in the dependent territories that America is much more than "A little better" than the European colonial nations.

For these reasons, our best interests as well as common sense should lead us to pursue the same policy which we have sought to follow for many years; to assist loyally and frankly both parties in the colonial dialogue along the road of evolution towards the political autonomy of all peoples on a basis of true democracy and enlightened self-interest, of the people as a whole towards the disappearance of colonial bonds. Indeed we should assist as impartial well wishers towards the substitution therefor of freely negotiated and accepted economic and cultural—and sometimes even political—relationships, knitting together the free world into an ever stronger, larger and more prosperous community of equals instead of an anarchic conglomerate of weak, poor and dissatisfied political entities which could provide all too easy victims to Soviet Communism.

It is also desirable for us to seek ways and means of achieving a clearer understanding among the American people and their political leaders of the dilemmas which the U.S. confronts in dealing with the colonial question. It is particularly desirable that we foster a recognition of the fact that the issues are not simple and clear-cut, that the U.S. has conflicting interests, and that our policies must be tailored



to fit particular situations. This will be a very difficult task, but it is a task which must be undertaken if the U.S. Government is to be assured of the public support which the successful execution of this long-term evolutionary policy requires.

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700.022/4-3052

*Memorandum by the Ambassador at Large (Jessup) to the Assistant Secretary of State for European Affairs (Perkins)*<sup>1</sup>

SECRET

[WASHINGTON,] April 30, 1952.

Subject: United States Policy towards Colonial Areas and Colonial Powers

Mr. Knight's preliminary memorandum on United States policy towards colonial areas and colonial powers interests me very much. I think it is an excellent beginning. Since you suggest that you would be glad to have comments I am jotting down a few ideas that came to my mind as I read it.

I think there is a fundamental point which does not emerge clearly in the preliminary memorandum. The point is that the problem is complicated by the attitude of a large number of states, chiefly located in the Middle East and Asia but to a certain extent including also some Latin American states. These states are the vocal and active champions of the dependent peoples. Many of them have recently emerged from their dependent position to a position of full membership in the international society. Some of them no doubt champion the dependent peoples for reasons other than an idealistic concern with the welfare of these peoples. The fact remains, however, that the problem needs to be looked at in terms of our relations with the so-called colonial powers, our relations with dependent peoples, and our relations with the champions of dependent peoples. Viewed in the light of this additional party to the controversy it may well be that the importance of the attitude of the dependent peoples has more real significance even in terms of the hard substance of military effort than is indicated, for instance, in the bottom paragraph on page 2. The hostility or even the neutrality of any large part of this total group might be a very serious burden in case of war.

It is in part the existence of this group of champions or sponsoring states, particularly with reference to operations of the UN, which makes it difficult for us to control the timing of the attainment of independence by some of the dependent peoples. The UN decisions on

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<sup>1</sup> Jessup sent copies of this memorandum to Matthews, Bohlen, Hickerson, Byroade, Nitze, and Knight.

Libya and Somaliland are examples. Other cases may well arise of a similar character.

As I think Mr. Knight's paper brings out, we have a job of selling our views to a number of different audiences. Mr. Knight brings out very well some of the points which have to be made clearer to American opinion. I think one could emphasize more strongly the necessity for bringing home to the colonial powers the fact that even though they are the ones faced with the immediate responsibilities in dependent areas, we have with them a common problem which we must meet together. It seems to me they are more ready than they were a few years ago to recognize that our interest is legitimate even though they still maintain "these are internal matters". For instance, the UK is at last beginning to recognize the legitimacy of our interest in the problem of the Sudan and our last message to Paris on the Tunisian case contains a strong argumentation in support of our interest in this matter.

Obviously we must try to meet the point which Mr. Knight brings out at the bottom of page 3 in regard to the suspicions about American motives. I hope that our record on Indonesia bears out our early attempts to satisfy the Dutch that we were not trying to supplant them economically in the area. We would need to be on our guard constantly to avoid justifying the fears which some elements in the colonial countries now have.

I think we also are faced with a large problem in trying to sell our position to the states which I have described as the champions of the dependent peoples. I think we could in appropriate ways bring home to some of these governments the fact that their situation as they gain in power is somewhat akin to that of the colonial powers. India, for example, in regard to Nepal and Tibet has an attitude which does not square with its attacks upon us or upon the colonial powers. One could probably lift out of official statements of the government and officials of Pakistan statements about the Afghan proposal for Pushtoonistan which would not square with Bokhari's statements in the Security Council on the Tunisian case. India's attitude in regard to Hyderabad is another example in point. The Egyptian attitude towards the Sudan and towards Libya does not seem to be wholly free from an attitude which they would call "imperialistic" if it was held by the UK. I am not suggesting that we accuse them of being two-faced, but that we try to point out to some of them that basically their interests and ours are similar and that they are really not 100% in favor of a free hand for dependent peoples.

The discussion of the communist problem on page 4 raises some questions in my mind but I am not sure enough of the facts to quarrel with the conclusions.

USUN files, "Dependent Areas (DA), 1952-1957"

*Memorandum by the Director of the Office of the Dependent Area  
Affairs (Gerig)*<sup>1</sup>

SECRET

[WASHINGTON,] April 30, 1952.

MEMORANDUM ON U.S. POLICY TOWARDS COLONIAL AREAS AND  
COLONIAL POWERS

The attached paper on U.S. colonial policy by Ridgeway Knight<sup>2</sup> seems to me to give a well-reasoned and lucid interpretation of the policy which we have perforce been following. We have for a long time been trying to balance long-term objectives in the colonial field with short-term requirements.

In actual practice, however, our problems arise when we have to apply this principle to particular cases in the United Nations Committees dealing with colonial questions. It is like we have so often found in our colonial talks with the British and French—we agree in general but differ in particular cases.<sup>3</sup>

There is also the question as to whether the immediate and short-term interests of the free world are best served by supporting our West European allies in particular issues which alienate other large segments of the free world, in particular the Moslem world. Every aspect of the colonial question, large or small, wherever it arises in any Committee of the United Nations, compels us to take a decision which throws our weight either on one side or the other. And we must realize, I think, more clearly, that some innocent-looking questions which might on the surface be regarded as minor in their implications, do have far-reaching effects.

Nevertheless, I think the memorandum of Knight and Nunley is on the whole very helpful and ought to contribute to clearer thinking in the Department on the colonial question generally.

A more detailed reaction to the memorandum is being prepared in UND.<sup>4</sup>

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<sup>1</sup> Addressed to Assistant Secretary Hickerson and the Deputy Assistant Secretary of State for UN Affairs (Sandifer).

<sup>2</sup> Dated Apr. 21, 1952, p. 1102.

<sup>3</sup> For talks with the British and French (separately) on colonial questions in 1950 and 1951, see *Foreign Relations*, 1950, vol. II, p. 434 ff. and *ibid.*, 1951, vol. II, pp. 623 ff.

<sup>4</sup> *Infra.*

711.022/5-1352

*Draft Memorandum Prepared in the Office of Dependent Area Affairs  
and in the Office of United Nations Political and Security Affairs*

SECRET

[WASHINGTON,] May 8, 1952.

Subject: EUR memorandum on "U.S. policy towards colonial areas  
and colonial powers"

The EUR memorandum on U.S. colonial policy, in brief, takes the position that although our long-term interests require us to maintain a sympathetic attitude toward the aspirations of dependent peoples, our short-term security interests require us to give "full cooperation to the colonial (NATO) powers" and that we should explain this dilemma to the American people.

The particular arguments in support of this position are based upon the existence of the East-West conflict and include the following reasons:

- a. Full cooperation with the NATO colonial powers is essential to U.S. security because no others are able to make an effective contribution at this time,
- b. Less than "full cooperation" with the NATO countries might thwart their public opinion to a point where NATO might break up,
- c. Even if such a break-up were unlikely, failure to support our NATO allies' colonial policy may create such strong anti-American feelings and resentment as to prevent effective cooperation,
- d. That "unqualified support for dependent peoples by the United States" would not only cause a serious rift in NATO but might bring about withdrawal of certain powers,
- e. That by the U.S. fostering "premature independence" we definitely play into Communist hands, and
- f. That since we cannot "outbid the Soviet Union for the affections of the extremist elements in the dependent territories", we can not hope to convince these elements that America is more than "a little better" than the European colonial nations.

The EUR memorandum concludes that "our best interests as well as common sense should lead us to pursue the same policy which we have sought to follow for many years—to assist loyally and frankly both parties in the colonial dialogue along the road toward the political autonomy of all peoples on a basis of true democracy and enlightened self-interest of the people as a whole towards the disappearance of colonial bonds".

UNA agrees with the conclusion. However, the body of the memorandum appears inconsistent with this conclusion and, in effect, urges a short-term policy which seems to us directly contrary to the conclusion. In fact, the argumentation in the memorandum raises in our minds the basic question whether it would not be short-sighted to elevate our immediate NATO interests so far above other considerations,

and whether such a policy would not, in the long run, weaken the free world's ability to resist aggression.

The memorandum does not adequately analyze the need to harmonize our NATO interests and obligations with the global security interests of the United States, including our interests in the United Nations. A policy of unqualified support of the colonial powers as advocated in the EUR memorandum would alienate hundreds of millions of newly independent peoples who are fundamentally opposed to colonialism. Such a policy manifestly encourages the formation of a "third force" and might even lead these nations to identify themselves with the Communist cause. The virtually inexhaustible manpower and other resources of these nations constitute a tremendous military potential; we should ponder the effect upon our security if this potential should be denied to us or added to the power of the Soviet Union. Such a stark possibility must be averted in our wider interest.

The United Nations is the best instrument we have to maintain the cohesion of the entire free world. The United Nations provides a forum where a discussion may work as a safety valve and assist in reaching agreement for the progressive advancement of the dependent peoples. In the United Nations we are trying to mobilize the support of the Arab-Asian nations for our policy of opposing Communist aggression anywhere in the world.

Although the Security Council is severely hampered by the conflict between Communism and the free world, the General Assembly has been able to maintain action in Korea and, through its "Uniting for Peace" resolution has attempted to prepare itself for any future action which may be needed against aggression. Such United Nations action could not be taken—action in Korea could not have been taken—without the support and approbation of a significant majority of the non-colonial powers which are Members of the United Nations.

We cannot on one hand deny these nations an opportunity to discuss the problems in which they have a vital interest and on the other hand expect their support of our policies.

Colonial issues can poison the atmosphere not only in the United Nations but it can poison the atmosphere of bilateral and multilateral negotiations outside the United Nations where the cooperation of these nations is essential.

On the one hand, the EUR memorandum advises "full cooperation with the NATO colonial powers". But if this means almost complete identification with their colonial policies and practices, even when these are repressive in nature, as they sometimes are, it is asking more than public opinion generally, even controlling public and Congressional opinion in the United States, would be able to accept. It is part of our difficult task to hold United States opinion together, as well as to influence our NATO colonial allies to follow a course which will

not only not alienate the rest of the world but will not alienate opinion in the United States as well. NATO requires as much support by public opinion in the United States as by public opinion in Western Europe. NATO will be in danger if the people of the United States and the large sectors of the liberal opinion of Western Europe should conclude that NATO is an old-fashioned alliance designed to maintain the *status quo* at any cost. Moreover, if the present policy of NATO colonial powers leads to continued crises, our immediate NATO interest in the colonial areas would be impaired and our allies administering these areas would be weakened by their efforts to deal with such crises.

On the other hand, the memorandum advises against "unqualified support of the dependent peoples". With this UNA fully agrees, for the same basic reason referred to above. This argument is indeed unnecessary since at no time has U.S. policy given such unqualified support. Many of the demands made by extreme elements in the colonial territories, and particularly by their self-appointed sponsors in the United Nations, are wholly impracticable and therefore unacceptable. The colonial relationship, whatever its historic antecedents, we believe is still in many places useful and necessary. The United States itself maintains such a relationship, and we must be prepared to defend it while constantly improving it and moving as rapidly as may be feasible toward its liquidation through the attainment of self-government (as in the case of Puerto Rico),<sup>1</sup> and, in suitable circumstances, to independence (as in the case of the Philippines). On this fundamental and basic American concept of colonial policy there can be no marked deviation either in favor of our NATO allies or of our anti-colonial colleagues in the United Nations.

UNA also considers that the "time" factor in the progress of dependent peoples toward self-government is a delicate matter of great importance. The EUR memorandum refers at one point to "a long period of years", and at another point to "half a century" as a time when self-government might be achieved. We do not believe that it is sound to generalize on this point. Experience has shown that every case must be judged on its own merits. The trend is for dependent territories to achieve self-government before many people believe they are "ready" for it. And it seems likely that this trend will accelerate in the future. The idea of preventing peoples from achieving self-government until they are "ready" for it is a dangerous idea. What the colonial powers need to do is to concentrate on speeding up the political training and economic and social advancement of dependent peoples so that they will have some capacity for governing themselves well when they do achieve self-government. Whether or not the United States should actively press the colonial powers to take such steps, we

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<sup>1</sup> For documentation on this subject, see pp. 1427 ff.

would make a bad mistake by giving these powers "full cooperation" in any other policy.

The United States is thus bound to follow a difficult middle course which may in particular cases make us unpopular with both extremes. This means that we may support the colonial group or the anti-colonial group or we may decline to take a position, depending on the particular circumstances in each case. But the wisdom of this course is apparent to moderate opinion and will become apparent in wider circles if it is properly explained in high level statements.

Full cooperation with our NATO colonial allies cannot be a one-way street. The United States has sought and should continue to seek a basic understanding with our British, French and Belgian colleagues on the colonial question. But such an understanding cannot begin with the premise of accepting their position without qualification. The United States should urge upon them the wisdom of granting freedom of choice to their colonial peoples at a stage early enough to be psychologically advantageous. The British have very nearly learned this lesson and have practiced it successfully in India and more recently in the Gold Coast and in Nigeria.<sup>2</sup> It is the French and Belgians who do not wish at any moment to recognize a point where their colonial tributaries might choose to break away from the metropole. It is this mistaken position which is causing the difficulty.

"Premature independence" obviously is as bad as over-due autonomy. And experience has shown that Communism thrives on delayed and repressive colonial policy as much as on premature independence movements. The U.S. should condone or encourage neither. Above all, the U.S. should avoid the danger of such a close identification with reactionary colonial policies that liberal opinion in the world will no longer be influenced by our leadership. Such liberal opinion exists in Britain, France, and Belgium, as well as in India, Thailand, the Philippines, Mexico and the United States. These liberals are today anti-Communist, and it is to our interest that they should remain so.

It is quite true that we cannot outbid the Soviets on colonial questions for the "affections of the extremist elements in the dependent territories". No such attempt has ever been made. However, it is also true that responsible elements in most dependent areas recognize the difference in motivation between the Soviets and the United States. In the United Nations, the most vocal anti-colonial powers, who have considerable influence on colonial movements, have up until now largely ignored Soviet overtures. In fact, one of the chief objectives of the Arab-Asian group in the United Nations has been to obtain

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<sup>2</sup> For documentation on British West Africa, see volume xi.

U.S. support.<sup>3</sup> It is therefore again to our self-interest to see that elements, now in control of colonial nationalist movements, are not usurped by the extremists under the pressure of repressive colonialism.

For these reasons, UNA does not believe that either our short-term or long-term interests would be served by following the argumentation suggested in the EUR memorandum. It is of the highest importance for the U.S. and for the free world generally, in this critical period, to urge the freedom-loving colonial powers to repeat what in their best and most enlightened periods they have practiced in the past, namely, to accept a freely chosen partnership with their colonies based on democratic principles. And this can only be achieved when the "inalienable rights" of colonial peoples are fully respected.

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<sup>3</sup> For documentation on the concern of the Department of State at the emergence of an Arab-Asian bloc in the General Assembly of the United Nations, see pp. 32 ff.

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ODA files, lot 62 D 228, "Attitude of U.S. on Colonial Question"

*Memorandum by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

SECRET

[WASHINGTON,] May 9, 1952.

Four papers<sup>1</sup> are attached on the subject of United States policy towards colonial areas and colonial powers:

1. Memorandum by Mr. Knight (EUR) with the title "Preliminary Thoughts on the Subject of a U.S. Policy towards Colonial Areas and Colonial Powers", sent under date of April 28 by Mr. Perkins to Messrs. Matthews, Bohlen, Jessup, Hickerson, Byroade, and Nitze.
2. Preliminary comment by Mr. Gerig, dated April 30.
3. Memorandum of comment, dated April 30, by Mr. Jessup.
4. Draft memorandum prepared by UND and UNP, dated May 8, commenting on Mr. Knight's memorandum.

Mr. DePalma tells me that Mr. Watts, Executive Director of the Policy Planning Staff, said at a staff meeting on April 30 that the Policy Planning Staff was thinking of undertaking a study of this subject, using Mr. Knight's memorandum as a springboard.

I recommend that we have a meeting urgently of the interested people in UNA as soon as you have had a chance to look at these memoranda. You have already read Mr. Jessup's memorandum.

What we need to consider urgently is the approach that we take on the procedure to be followed in developing this subject in the Department. Should we undertake to promote the establishment of the working group on the general subject of colonial policy with focus

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<sup>1</sup> See pp. 1102, 1108, 1110, and *supra*.



on United Nations problems? Or should we encourage (perhaps it is already under way without encouragement) an over-all study by the Planning Staff? If the latter is done, what focus should be encouraged for the study:

1. A statement of general guiding principles for colonial policy;
2. A statement of principles applicable in particular to organizations in areas—the United Nations, NATO, and the various geographic areas; or
3. Possibly a combination of these two.

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711.022/5-1352

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Deputy Under Secretary of State (Matthews)*<sup>1</sup>

SECRET

[WASHINGTON,] May 13, 1952.

Subject: United States Policy toward Colonial Areas and Colonial Powers

The attached memorandum<sup>2</sup> represents our tentative views on some of the problems raised in the memorandum of April 28 circulated by Mr. Perkins entitled "Preliminary Thoughts on the Subject of a U.S. Policy towards Colonial Areas and Colonial Powers". I use the adjective "tentative" because this question is not only a continuing one with long and short-term aspects but it is one which is being examined again by the United Nations Liaison Committee in the general "postmortem" on the last General Assembly, in which this problem arose in an acute form, owing to the Moroccan and Tunisian situations.

The colonial problem, however, in more general terms, has been a problem of major importance in the United Nations ever since the drafting of the Charter in 1945. The philosophy, purposes and methods of the colonial system has been a subject which has tended to divide the United Nations into a large anti-colonial group on the one hand and the minority of colonial powers on the other.

The Department of State and United States Delegations in this situation have, in practice, evolved a middle position between these extremes and have attempted to play the role of "honest broker" in developing a sizable group which has held a moderate position with respect to the colonial issue.

Such a middle position not only accorded with our own historical background and our present "colonial" responsibilities, but it also was

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<sup>1</sup>Hickerson sent copies to Bohlen, Jessup, Perkins, Byroade, Nitze, the Assistant Secretary of State for Far Eastern Affairs (Allison), and the Assistant Secretary of State for Inter-American Affairs (Miller).

<sup>2</sup>See the joint memorandum of May 8, p. 1111.

the result of a balance of forces within the government itself where differing views have been held by the various geographical Bureaus in the Department. In this Bureau we have approached the problem pragmatically in an attempt to harmonize divergent positions both on the world scene and internally. The attached memorandum reflects these views.

Various attempts have been made in the Department over the past several years to formulate a comprehensive colonial policy position. The most recent attempt, made in 1950 (see copy attached),<sup>3</sup> though couched in general terms, did not secure complete agreement in the Department and was not finalized as a policy statement. It has, however, served as a general guide in the development of United States positions on particular questions in the United Nations. Our experience has shown, however, that even when agreement is reached on general principles and attitudes to be taken on the colonial question, great difficulty is found in applying them in particular cases as they arise, sometimes unexpectedly, in United Nations bodies. In other words, a statement of general policy or principles will not furnish a general panacea for all our troubles. Nevertheless, in this, as in other fields, we can only proceed intelligently in particular cases if we have a common basis of policy as a point of departure.

Therefore, we believe that thinking on this question in the Department would be clarified if there were another general examination of the problem as a whole, especially in view of the critical issues which Morocco and Tunisia have raised.<sup>4</sup> Increasing pressure and appeals are being made to us by the principal colonial powers and also by the increasingly vocal Arab-Asian,<sup>5</sup> Far Eastern and Latin American countries. The present emphasis on colonial and trusteeship matters in the United Nations necessarily means that such a clarification will look to the problem of dealing with these matters in United Nations organs and agencies. We suggest that a working group be activated at once to undertake this study. The group should include UNA and the geographic Bureaus and perhaps two or three other areas. The Policy Planning Staff should be represented if it desires. The group would naturally seek the views of yourself, Ambassador Jessup, Mr. Bohlen, and other interested officers. I am prepared to designate Mr. Gerig and Mr. Cargo to represent UNA in such a working group.

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<sup>3</sup> See the 1950 working paper, "United States Policy toward Dependent Territories", p. 1077.

<sup>4</sup> For documentation on Morocco and Tunisia, see volume xi.

<sup>5</sup> For documentation on the Department of State's concern at the emergence of an Arab-Asian block in the General Assembly of the United Nations, see pp. 32 ff.

711.022/6-452

*Memorandum by the Assistant Secretary of State for European Affairs (Perkins) to the Deputy Under Secretary of State (Matthews)*<sup>1</sup>

SECRET

[WASHINGTON,] June 4, 1952.

Subject: U.S. Colonial Policy

The large number of recent memoranda and comments on this subject within the Department, including particularly the comments in response to my memorandum of April 28, while demonstrating differences of approach, show that there is no disagreement on the basic proposition that both our long-term and short-term interest require us to maintain the uncomfortable middle-of-the-road position. There are, however, differences of view as to rationale, emphasis and tactics.

Mr. Hickerson's memorandum suggests the reactivation of a working group to undertake an examination of the general problem, particularly since it will constitute one of the major sets of problems at the next session of the United Nations General Assembly. I agree that such a group should be activated. However, I strongly share the feeling that no statement of general policy or principles will obviate the difficulties of working out the U.S. position on specific problems as they arise. Therefore, while the group should, as an initial task, seek to clarify the rationale of our general policy, utilizing the 1950 study as a point of departure, its principal attention should, in my view, be focused on the two following objectives:

(1) A re-appraisal of tactics and strategy to be followed in the UN. At the forthcoming GA our attitude on colonial matters will find its most prominent expression and the impact on world opinion will be greatest. The group should, therefore, explore both the content and feasibility of a vigorous initiative by the Administering Powers, which the U.S. could wholeheartedly back at the next GA both in a forthright presentation of the accomplishments and problems in the colonial field and in regard to specific items on the agenda of the Fourth Committee, or likely to be raised at the GA.

(2) The development of an explanation of the conflict of issues involved which could be used as the basis of published documents, speeches by prominent Department officials or background information for leaders of U.S. public opinion in order to achieve a clearer understanding of and support for our policy by the American people.

I am prepared to designate Mr. Ward Allen, UN Adviser, and Mr. Herbert Hill of the EUR Planning Staff, as regular participants in such a group, together with such other officers of EUR, as the work may require from time to time.

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<sup>1</sup> Copies were sent to Bohlen, Jessup, Hickerson, Byroade, Nitze, Allison, and Miller.

*Editorial Note*

On June 18, 1952 the Department of State Working Group on Colonial Problems was established. Membership included representatives of the Bureau of United Nations Affairs, the four geographic bureaus, the Ambassador at Large, the Policy Planning Staff, the Counselor of the Department, and the Assistant Legal Adviser for United Nations Affairs. Although the membership of the Working Group was virtually identical with that of the longstanding Committee on Problems of Dependent Areas (CDA), the Group did not function as a subcommittee of that committee but independently. The Working Group on Colonial Problems held its first meeting on June 20, 1952, the minutes of which are printed *infra*. Minutes and documents of the Working Group are in lot 54 D 5, which contains also records of the colonial policy committees described in footnote 1, page 1077.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Minutes of Meeting of the Working Group on Colonial Problems,*  
*Department of State, June 20, 1952, 11:00 a. m. to 12 noon*

CONFIDENTIAL

[WASHINGTON,] June 24, 1952.

CP M-1

Present: *UND*

Mr. William Cargo, Acting Chairman

*L/UNA*Messrs. Charles Runyan  
L. C. Meeker*FE*

Miss Ruth Bacon

*S/A*

Mr. Louis H. Pollak

*EUR*

Mr. W. B. Sale

*NEA*

Mr. H. N. Howard

*S/P*

Miss Dorothy Fosdick

*ARA*

Mr. G. N. Monsma

*TCA*

Mr. Lawrence Cramer

*S/S-S*

E. M. Christensen, Secretary

I. *Scope of the Work Program to be Undertaken by the Working Group.*

1. The Chairman opened the meeting by noting that everyone present was generally familiar with the reason why the Working Group on Colonial Problems had been established. He requested that the group adopt a pragmatic approach and attempt to deal with specific problems while also considering long range policy questions. He suggested that each area represented prepare a list of problems which should be brought before CP. He noted that UNA would like to follow this procedure for current UN problems but that there are, in addition, problems in various areas which have not yet reached the UN stage which could profitably be raised. He suggested that each member of the working group submit to the CP Secretary by Tuesday, June 24, a list of immediate and long range problems in the colonial field. These lists will then be combined and distributed as a committee document. Consideration could then be given at the next meeting to what the group's work program should be.

2. With regard to the general consideration of U.S. colonial policy he suggested that further consideration of the 1950 document on U.S. colonial policy (FM D F-3/1) <sup>1</sup> should not be ruled out, noting that this document had never been finally approved in the Department. He stressed that such an overall document would not provide answers to specific colonial problems which arise, for example, in the General Assembly of the UN. Nonetheless an overall policy statement would be of considerable value to those officials not working daily with the colonial problem and for those delegates to technical conferences who are often confronted unexpectedly with colonial questions. He hoped, however, that the group would not become "bogged down" in an effort to reach agreement on a long paper setting forth general U.S. colonial policy and suggested that by the preparation of a list of the various problems a determination could be made as to what problems should be given priority consideration.

3. Mr. Monsma expressed doubt as to the value, in the ARA area, of simply listing recurring problems such as those of the Falkland Islands and Belize. The Chairman replied that the Committee might well consider not only territorial problems but the attitudes of the peoples involved and other comparable questions. He suggested that each representative attempt to include in their list an across-the-board view of present and potential colonial problems in their area. Mr. Howard said it would be very easy to prepare a long list of problems in the NEA area but that it was much more difficult to do something about them. He asked whether the working group would be responsible for preparing position papers on colonial problems for the General

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<sup>1</sup> See the editorial note, p. 1075.

Assembly or the Trusteeship Council and, if so, whether this would result in a duplication of the work usually handled between UND and the geographic areas. The Chairman said that UND was anxious to avoid any duplication, and that if positions on colonial questions for forthcoming international meetings could be determined by the CP working group it would be unnecessary to repeat this work elsewhere. Mr. Howard asked whether the list should contain issues such as those of the Sudan and Cyprus, which may be raised in the next, or a subsequent, General Assembly. The Chairman replied that he felt that such problems should be considered by the group.

4. Miss Fosdick asked whether it was intended that a paper be prepared which would raise the overall issues relating to the colonial questions. The Chairman replied that such an overall paper might be approached inductively rather than deductively since the latter approach had failed on the 1950 paper. Miss Fosdick suggested that an overall guideline paper should be prepared rather than depending upon sporadic papers to set forth our basic policy. The Chairman said that an initial step might be made through the preparation of a summary of the 1950 paper. Miss Fosdick asked whether the primary objective of the group was not to examine our entire colonial policy. Miss Bacon reminded the group of both the difficulty that had been encountered in trying to reach agreement in 1950 on an overall statement and of the detailed work which had gone into the preparation of the 1950 document. The Chairman said that it had been UNA's thought that the group would deal primarily with specific problems and that this idea was also reflected in memoranda written by the various geographic offices. Miss Fosdick expressed the view that the working group should take nothing for granted as far as previous policy was concerned and that all of the representatives should divorce themselves from their office loyalties in order to consider problems in a detached manner. If such was not to be the case, the colonial problems might as well be handled through regular channels. Mr. Meeker suggested that the members of the working group should probably read the 1950 paper and then attempt to prepare a new statement of U.S. policy.

5. Mr. Monsma noted that he had participated in the attempts to reach agreement on the 1950 paper. While this was a revealing exercise, the group could only answer such questions as "should the U.S. continue to be a 'balance wheel'?" It was impossible however to reach agreement on what such terms as "balance wheel" meant. Therefore, while a short paper outlining general policy might be helpful, even after it is prepared it will still be necessary for the working group to address itself to specific questions. Miss Fosdick asked whether it was absolutely essential that the group reach final agreement. She sug-

gested that the group would be fulfilling a purpose if it did nothing more than raise the various dilemmas in the colonial field and refer them to the Secretary of State for resolution. Mr. Pollak took the view that the group should avoid trying to settle only philosophical generalities. He suggested that in reviewing Tunisia and other North African problems which had arisen it might be possible to determine the areas and the direction in which the group should go. The Chairman said that the Department was, of course, not in a position to "let the wheels stop" on particular questions, since many specific problems are coming up or will be coming up soon in the UN. Therefore, he felt that it would be necessary to consider specific problems as well as to work on an overall policy statement.

6. Mr. Monsma noted that it was possible that issues would arise for committee consideration which are not on the General Assembly agenda. He recalled the "postmortem" which had been held in the Department on the last General Assembly. Mr. Gerig had stressed the "moderating position" which the U.S. had tried to take on each issue. In the overall review it was not clear whether the U.S. had accomplished its objective by such an approach and the Committee might well study such a question profitably. Another question which might be considered is whether we are morally bound to carry out General Assembly resolutions even though we are not legally bound to do so. He indicated that these were the type of problems that ARA would like to see considered. Miss Bacon noted that FE was also interested in working on specific problems.

7. Miss Fosdick said that she would question the objectives on which everyone usually agreed. She questioned the adequacy of the 1950 paper in view of the many new developments since that time. She urged that a statement of the issues and new tendencies be prepared and concluded that the group should concentrate more on programs than on objectives. The Chairman expressed agreement that the group should assess what has been done in the colonial field, but he said that it was also vital that the group agree to discuss specific problems not only because these problems must be met, but because they will lead the group to a discussion of the basic U.S. approach to colonial questions. He said that UND regarded the colonial issue with a sense of extreme urgency, because it is possible that the colonial problem at the next General Assembly might surpass the East-West issue in importance.

8. The group agreed to the following suggestions by the Chairman : (1) each area will submit to the Secretary by Tuesday, June 24, a list of suggestions on problems (not necessarily territorial) which should be considered by the working group ; (2) the members will review the

1950 paper and a paper summarizing its main points will be circulated for consideration at the next meeting of the group; and (3) with the two above steps as points of departure the group will consider at the next meeting its future work program.

9. The next CP meeting will be held in Room 5104, New State at 10:30 a. m. on Friday, June 27.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum on Colonial Problems for Consideration of the Working Group*<sup>1</sup>

SECRET

[WASHINGTON, June 26, 1952.]

*Immediate Problems*

1. Problems relating to the application of Chapter XI of the Charter:

a) UN consideration of the "factors to be taken into account in determining whether a territory is or is not a territory whose people have not yet attained a full measure of self-government"

b) The competence of the General Assembly in relation to changes in the constitutional position and stature of territories as a result of which information is no longer transmitted under Article 73(c) of the Charter

c) Future position of Surinam and the Netherlands Antilles in relation to Chapter XI

d) Future position of Puerto Rico in relation to Chapter XI

2. Future of the General Assembly Committee on Information from Non-Self-Governing Territories

3. Discussion by the General Assembly of political information relating to non-self-governing territories

4. Economic and Technical Assistance for colonial areas: scope of the United States Program

5. Tunisia

6. The issue of Self-Determination in the Seventh General Assembly

7. Participation of Indigenous Inhabitants of Trust Territories in the work of the Trusteeship Council and of non-self-governing territories in the work of the Committee on Information from Non-Self-Governing Territories

8. South West Africa

9. Morocco

10. The Ewe question

11. Economic Commission for Africa

12. Future of Eritrea

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-1, June 26, 1952.



*Longer Range Problems*

1. Future policy toward Italian Somaliland having regard to the decision to make it independent in 1960
2. Future of the trusteeship for British Togoland in view of the rapid development of self-government in the Gold Coast
3. Problem of Netherlands New Guinea and its relation to Australian New Guinea and Papua
4. Measures to counteract Soviet propaganda and tactics in the colonial field
5. Increasing the use of Technical Assistance programs in relation to colonial areas
6. Problem of anti-American propaganda in colonial areas based on the racial issue
7. The problem of maintaining the orientation of dependent and emergent peoples toward the West: Assessment of United States policies in the political, economic, educational and propaganda fields
8. U.S. policy toward North Africa (over the next 5 to 10 years)

*Other Problems*

1. The Cyprus question
2. The Anglo-Egyptian Sudan question
3. Analysis of developments in the 4th Committee at the 5th and 6th GAs.
  - a) Factors influencing attitudes of administering and non-administering states;
  - b) general nature of the resolutions adopted.
4. Coordination of our attitudes toward problems in Committees 2 and 4 and effect of discussions in Committee 1 on Committees 2 and 4
5. Effect of absence of any definition of non-self-governing territories on the effective scope of Chapter XI of the Charter.
6. Principle of international concern for developments in all dependent areas.
7. Self-determination issues before UN bodies.
8. Discharge by the UN and the Union of South Africa of their obligations regarding the mandated territory of South West Africa.
9. Meaning of "a full measure of self-government" for the purposes of Article 73 of the Charter, including the method of determining the territories to which Article 73 applies.
10. Continuance of the Special Committee.
11. Self-determination as a legal right.
12. Methods for associating a non-member state in the work of the Trusteeship Council.
13. Colonial clause in multilateral conventions.
14. Administrative Unions.

15. Creation of an International Development Authority.
16. Relation with Arab world in connection with the establishment of a Middle East Command.
17. General attitude of American Republics on colonial matters.
18. Alignment of underdeveloped areas of world with colonies.
19. Implementation of established U.S. policy in relation to colonies and other underdeveloped territories.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Louis H. Pollak, Office of the Ambassador at Large  
(Jessup), to the Working Group on Colonial Problems*<sup>1</sup>

SECRET

[WASHINGTON, June 26, 1952.]

I have given some thought to Mr. Cargo's request that each member of the Working Group submit a list of specific problems which might profitably be studied by the group. A number of possible topics have occurred to me as colonial problems which are in the forefront of our current foreign policy thinking. These topics will, of course, have occurred to most of the members of the Working Group independently.

Pretty clearly, the problem of drawing up a list of topics to be studied is essentially a problem of selectivity from among an enormous amount of material. Accordingly, I would like to suggest a criterion by which to measure suggested topics:

It seemed to me that our discussion last Friday [June 20] suggested that the purpose of the Working Group is not so much to redefine the U.S. position on colonial problems as to draw new equations between that position and other U.S. positions which have become increasingly important in the implementation of our foreign policy. In a general way we all know what our colonial policy is—the U.S. favors the orderly evolution of dependent peoples toward political and economic freedom, etc. Our problem is not that we have shifted our goals with respect to dependent peoples. Our problem is that in various specific situations other factors have intruded themselves, and a conflict of U.S. positions frequently results.

To my way of thinking, the problems we can fruitfully study are those which pose most sharply the interaction of two or more of these themes of contemporary foreign policy.

In Tunisia, for example, our natural sympathy for colonial peoples has been countered and to some extent overridden by urgent need for solidarity with France, one of our foremost military and political partners. We face very similar conflicts of interest in Iran and Egypt.

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-1/1, June 26, 1952 (the first of 4 attachments).

Tunisia, Egypt, and Iran are merely dramatic illustrations of a pattern which repeats itself in many forms and in many areas. Thus, for example, we have had great difficulty in maintaining a very vigorous position in the UN with respect to the shocking conduct of the South Africans; indeed, in view of the very serious turn which South African events have taken since the close of the last session of the General Assembly, I would think the Working Group could very profitably devote some attention to that whole situation. Another problem which has gotten us into even more difficulty in the UN is our attitude on economic aid through the UN to underdeveloped areas: I would suggest that some consideration of our position on the creation of an International Development Authority might be quite instructive. (It is to be noted that in this last case, the conflict is primarily with themes of domestic policy—i.e., economy, and mistrust of the UN—rather than with another theme of foreign policy.)

In reviewing our relations with the Arab world, some attention might be given to the problems posed in setting up the MEC. A closely related problem is that of strengthening our ties with the underdeveloped Arab countries and at the same time maintaining cordial relations with their relatively advanced and hence highly suspect neighbor, Israel.

The foregoing suggestions are quite random, and no special significance attaches to any one of them. Their important common characteristic, as I have indicated, is that each of them raises one or more aspects of conflict between our traditional position toward dependent peoples and other U.S. positions which have achieved some short-run or long-run urgency. Focusing on these areas of conflict, with the hope of working out intelligent methods of reconciling various types of conflict, seems to me the most fruitful point of departure for the Working Group.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by the United Nations Adviser, Bureau of Near Eastern,  
South Asian, and African Affairs (Howard)*<sup>1</sup>

SECRET

[WASHINGTON, June 26, 1952.]

NEA agrees with UND that these problems are likely to become even more dominant at the Seventh General Assembly than in past sessions. Moreover, with the exception of the Pacific Trusteeships, NEA probably has a more direct interest in all questions of this sort than other Geographic Bureaus in the Department, since, as Sir Zafrulla Khan remarked during the Sixth Session: "It so happens that the dependent

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-1/1, June 26, 1952 (the second of 4 attachments).

areas and peoples are all of Asia and Africa; the dominant peoples are all European and American.”

Bearing these general considerations in mind, and aside from the items which UND itself may list, the specific problems in the NEA area which may arise at the Seventh Session, are the following:

1. The Tunisian question
2. The Moroccan question
3. The South West African question

We should be prepared, as well, with regard to the following questions which may arise, whether at the Seventh or at some future session.

1. The Cyprus question, of which note was made at the Sixth Session for the first time, although indirectly, by the Greek Delegation, and by a member of the Soviet bloc;
2. Question of the Anglo-Egyptian Sudan.

We are all aware, of course, of the insistence throughout the NEA area on the economic development of under-developed territories and, therefore, of the expressed desire for large-scale UN technical and economic assistance. These problems have a very decided bearing on questions of trusteeship and non-self-governing territories as well as upon the NEA area generally.

As of general interest I am also sending you a comment on the overall program for the Seventh Session.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by L. W. Cramer of the Technical Cooperation Administration to the Working Group on Colonial Problems*<sup>1</sup>

SECRET

[WASHINGTON, June 26, 1952.]

1. *Alignment of underdeveloped areas of world with colonies*

In terms of world stability and the security of the Western world, the most ominous feature of the colonial problem is the fact that the underdeveloped countries of the world take sides vigorously with the colonial peoples in any of their real or supposed issues with the metropolitan powers. This is perhaps accounted for by the fact that a low standard of living, whether the result of causes internal or external to a particular territory, breeds the same ignorance, want, disease and desperation wherever it exists. This magnifies the size of the so-called colonial problem out of all proportion and tends to align most of the rest of the world into a bloc, sometimes hostile, more often neu-

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-1/1, June 26, 1952 (the third of 4 attachments).

tralist in relation to the Western powers, but always open to Soviet attempts at manipulation.

*2. Implementation of established U.S. policy in relation to colonies and other underdeveloped territories*

The U.S. Government has laid down formal and official policy lines concerning the colonial problem, as well as with respect to underdeveloped areas generally. Article 73 of the United Nations Charter spells out the policies which we agree to carry out in our own colonies and at the same time commits us to collaboration with other colonial powers in aiding them to carry out these same policies in their colonial possessions. The Act for International Development sets out policies and programs of action for the underdeveloped territories of the world, whether these be dependent or independent. With respect to dependent territories there is need to develop techniques and programs under the Act for International Development which will carry out the commitment we have made in Article 73 to collaborate with the European metropolitan powers in achieving the social, economic and scientific purposes of that article in their dependent territories. This involves a number of areas of activity including—

(a) Furnishing policy directives in detail to implement our policy to Washington and field personnel and agencies, including US-UN personnel, based on clear assignments of responsibility.

(b) Consultation with metropolitan powers to establish methods of cooperation.

(c) Development of specific programs for particular territories designed to carry out our treaty obligations and Congressional directives.

(d) Public information, including special measures to reach the populations of underdeveloped countries. (In this connection the special importance of Puerto Rico should be studied and fully exploited).

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by the Officer in Charge of International Organization  
Affairs, Bureau of Inter-American Affairs (Monsma)*<sup>1</sup>

SECRET

[WASHINGTON, June 26, 1952.]

In the Working Group meeting on colonial areas this morning each of the area representatives were asked to submit a list of the problems in the colonial field which should be considered by the Working Group. I believe that none of the individual problems or cases in the colonial field in the Western Hemisphere need be considered by the Working Group as such. The important thing as far as the American Republics are concerned is their general attitude on colonial matters, since this

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-1/1, June 26, 1952 (the fourth of 4 attachments).

has a bearing on the position they are likely to take on any colonial question that may come up in the UN. Attached is a memorandum on the "Attitude of American Republics Toward European Dependent Territories in the Western Hemisphere" citing some of the more obvious examples of interest and concern demonstrated by the Latin American countries in the problem of dependent areas, with particular reference to those in the Western Hemisphere. The paper may be of use to the Working Group in a consideration of the attitude of the American Republics, although the examples cited need not be considered except as they explain the attitude of the American Republics on the general question of colonial relations.\*

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\*This paper has been distributed as CP D-2. [Footnote in the source text.]

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"

*Memorandum Prepared in the Bureau of Inter-American Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, June 25, 1952.]

The following constitute some of the more obvious examples of interest and concern demonstrated by Latin American countries in the problem of dependent peoples, with particular reference to those in the Western Hemisphere.

The final act of the Bogota Conference of 1948 contains a resolution (XXXIII) which includes the following declaration:

"that it is a just aspiration of the American Republics that colonialism and the occupation of American territories by extra-continental countries should be brought to an end."

Although this Declaration was not supported by the Delegations of the U.S. and of Brazil, it may be taken as accurately reflecting the continuing viewpoint of most, if not all, of the other American Republics. It is interesting to note, for example, that at the 1951 Washington Meeting of Consultation of American Foreign Ministers this Declaration was mentioned in a resolution restating inter-American principles regarding European colonies and possession in the Americas (Resolution VI). In addition to the above Declaration, the action taken at Bogota provided for the creation of a special committee of the Organization of American States to study and recommend a solution to what was referred to as "the problem of the existence of dependent and occupied territories." Although participation in this committee was not unanimous, representatives of 14 of the American Republics met in Havana in 1949 and came up with a rather broad set of conclusions.

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-2, June 25, 1952.

The reasons for such Latin American demonstrations of interest and concern in the status of dependent peoples, it seems to me, are basically two:

(1) the natural reaction of governments of countries which have attained sovereignty and independence from metropolitan powers and which have been exercising that independence over a considerable period of time. It is interesting to note, for example, that among the considerations upon which the Bogota Declaration was based were the following:

*“Whereas:*

The historical process of the emancipation of America will not be complete so long as there remain on the continent peoples and regions subject to a colonial regime, or territories occupied by non-American countries;

The ideal that inspired the epic of the independence of America will always animate our peoples and governments, united in their moral pledge to strive by all peaceful means within their power to eliminate from the continent any status of dependency, whatever its form, political, economic or juridical;

Ever since they achieved their independence, the American States have had this common objective, which has lately been defined in precise terms at the Meetings of Consultation of Ministers of Foreign Affairs, held at Habana and at Rio de Janeiro; in Resolutions condemning colonial regimes in America and reaffirming the right of the peoples of this continent freely to determine their own destinies;”

Countries which regard themselves as having not only obtained independence from colonialism, but also as having spent a considerable portion of the period since gaining independence in defending themselves against encroachments upon that independence, are not likely to take what we might regard as a purely objective attitude toward what they believe to be the right of other peoples to attain the status they enjoy.

(2) The existence and long continuation of a number of instances in which the sovereignty of a particular area or region is in dispute between one or another of the American Republics and a European country. The outstanding examples of such disputes are the following:

(a) *The Belize Dispute*, largely between Guatemala and the British. In this case, Guatemala insists that it was unjustly deprived of the control of the territory known to Guatemala as Belize and to the British as British Honduras, and the British just as insistently claim that territory as theirs. Various attempts have been made to bring this dispute to a satisfactory settlement, but its continued existence is an important reason why Guatemala has continually taken every opportunity to belabor the issue of colonialism both in the Organization of American States and the United Nations. This dispute is somewhat complicated by the fact that Mexico regards itself as entitled to portions of British Honduras. Although the Mexicans have not been aggressive in raising the issue, they have made it unmistakably clear, whenever it is raised, that, should there be any change in control of the territory, Mexico would demand what it regards as its share.

NON-SELF-GOVERNING TERRITORIES

(b) *Falkland Islands*—Although the British have maintained control of the Falkland's for considerably more than 100 years, Argentina has always maintained that the islands properly belong to it. As in the case of Guatemala, the existence of this dispute undoubtedly offers the principal reason for Argentina's continually demonstrated interest in raising the issue of colonialism in international forums.

(c) *British Guiana*—Although an arbitration award in 1897, resulting primarily from the positive position taken by the United States, presumably settled the issue of the boundary between Venezuela and British Guiana, the Venezuelan government has on occasion revived the issue. This was done most recently in connection with certain "revelations" regarding the circumstances of the original arbitration. This issue was unquestionably a factor in the general support which Venezuela has given, at least in the Organization of American States meetings, to anti-colonialism. The Resolution of the Washington Foreign Ministers meeting referred to above, was, for example, based upon a proposal of the Venezuelan Foreign Minister. It is also possible that Venezuelan interest in the neighboring Dutch Islands has affected that government's attitude on the question.

(d) *Antarctica*—Although the absence of population in Antarctica eliminates the "colonial" aspect of the matter, the interest of the two Latin American countries, Argentina and Chile, which are claimants to portions of Antarctica, helps to keep alive their concern regarding the entire dependent areas problem. In spite of the fact that a fairly successful tripartite agreement among Argentina, Chile and the United Kingdom, which is renewed annually, has tended to reduce irritation, there have been incidents from time to time which threatened to cause a real flare-up in relations between the Latin American countries on the one hand and the British on the other.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"

*Minutes of Meeting of the Working Group on Colonial Problems,  
Department of State, June 27, 1952, 10:30 a. m. to 12:10 p. m.*

SECRET

WASHINGTON, July 3, 1952.

CP M-2

Present

<i>UND</i>	<i>WE</i>
Mr. William Cargo, Acting Chairman	Mr. Francis Spalding
Mr. J. R. Fowler	<i>S/A</i>
<i>EUR</i>	Mr. Louis H. Pollak
Mr. Ridgway Knight	<i>TCA</i>
Mr. W. B. Sale	Mr. Lawrence Cramer
<i>L/UNA</i>	<i>FE</i>
Mr. Leonard C. Meeker	Miss Ruth Bacon
Mr. C. Runyan	<i>S/P</i>
<i>UNP</i>	Miss Dorothy Fosdick
Mr. Eric Stein	<i>ARA</i>
Mr. Vincent Baker	Mr. Simon Wilson
<i>P</i>	<i>S/S-S</i>
Mr. Walter Schwinn	Mr. E. M. Christensen, Secretary
<i>NEA</i>	
Mr. Harry N. Howard	



I. *Approval of Minutes (CP M-1)*

1. The minutes of the first meeting were approved as issued.

II. *Future Work Program of the Working Group (CP D-1, D-1/1, D-2 and D-3)*

2. The Chairman called attention to the documents which had been prepared to assist in planning the future work program of the committee. He recalled that at the first meeting the group had agreed to adopt a dual approach and consider not only specific problems but overall colonial questions as well. The Chairman asked the group to comment on the consolidated list of suggested topics (CP D-1) and the outline summary of the 1950 paper (CP D-3).<sup>1</sup> He noted that the entire 1950 paper had been retyped and would be distributed by the Secretariat.

3. Mr. Howard asked whether it would be possible to reproduce with the reprint of the 1950 paper the various statements on colonial problems by U.S. officials which were to have been appended to the 1950 paper. He also suggested that this list of statements might be brought up to date. The Chairman expressed agreement with Mr. Howard's suggestion and indicated that UND would assume responsibility for preparing such a collection.<sup>2</sup>

4. The Chairman asked for views on what approach should be taken toward overall consideration of the colonial problem, noting that CP D-3 had been prepared only as a point of departure. Mr. Stein inquired as to the purposes behind the preparation of the 1950 paper. The Chairman replied that it had been undertaken as part of a comprehensive review of colonial problems but that in view of the impasse which had resulted, it had been taken along to the London Foreign Ministers' Conference (May 1950) for information only. In response to a question from Mr. Howard, the Chairman said that certain offices in the Department had approved the 1950 paper, but that others had suggested further changes, some of a major character. Since 1950 no further work had been done on the paper.

5. Mr. Howard said that he had reread the 1950 paper and thought that it was an admirable approach to the colonial question even though there have been many new developments in the field since 1950. He suggested that most offices should have no difficulty in accepting such a paper as an overall policy statement without committing themselves on specific problems. Mr. Meeker urged that S/P be requested to do a general paper which would contain statements of policy which could be applied to specific colonial problems. Such guidance, for example,

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<sup>1</sup> The outline of the 1950 paper is not printed (CP D-3, June 26, 1952, lot 54 D 5).

<sup>2</sup> This was done and paper became Doc. CP D-7 in the series, not printed.

would be helpful in an attempt to reconcile the underlying conflicts referred to in Mr. Pollak's memorandum (CP D-1/1, pages 1 and 2). He suggested that it would be preferable to have this paper drafted in S/P rather than in the working group, and through such a paper guidelines could be established on what the working group should do on specific problems. Mr. Pollak expressed agreement with Mr. Meeker's suggestion, but Miss Bacon asked whether the working group would continue to meet while such a paper was being prepared. She suggested that although S/P's thoughts might be helpful, CP could still examine the general approach and type of guidance needed on the colonial problem. She concluded that the group's work program might be delayed through awaiting preparation of a paper by S/P. Mr. Meeker said that he was not suggesting that the working group delay its work on specific problems. The Chairman said that in view of Miss Fosdick's absence he would contact S/P in order to see what they planned to do with reference to a study of the colonial problem. It would then be possible for the group to decide what should be done. He expressed the belief that the various drafts which could be prepared by the offices represented on CP might be very helpful in the consideration of the overall approach which should be adopted.

6. Mr. Knight said that he would like to make some general comments on the problem of colonies since he had not been present at the previous meeting. He said that in his opinion the heart of the problem as far as the State Department was concerned had been set forth in Mr. Pollack's memorandum in which he said "in a general way we all know what our colonial policy is. . . . Our problem is that in various specific situations other factors have intruded themselves and a conflict of U.S. positions frequently results." He said that it would probably be possible for the working group to agree on a general statement of U.S. policy but that such a statement would not be too helpful. He asked whether a frank approach to the underlying differences on U.S. policy in the past would not be the most helpful step. He discussed the varying attitudes of the interested areas in the Department toward the colonial problem. On the basis of the existing situation Mr. Knight made the following comments and suggestions: (1) unless underlying differences among the interested areas of the Department have been resolved the papers produced by the working group will be pointless; (2) the papers on specific problems which are prepared must be carefully written in order that they will not be rejected, for example, by the Department of Defense. He noted that in the case of Tunisia all areas in the Department and EUR had done everything possible to push the French on Tunisian reforms. He suggested that the group might discuss Morocco as a specific case since our past course on this question had been neither "orderly nor evolutionary"; the American people should be educated on the merits of an evolu-

tionary approach to the colonial question; (5)<sup>3</sup> at the same time we should develop a strong position that can be used in the UN and through which we will not be forced to try and outbid the Soviet Union for the support of the underdeveloped areas of the world; (6) he suggested that the 1926 Comintern paper on Communist strategy toward colonies could be used as a highly effective source of anti-Communist propaganda material; (7) finally, an effort should be made to get France to follow a line in the UN similar to that followed by the UK.

7. At this point the Chairman called upon Miss Fosdick, who had just arrived at the meeting, to comment on the suggestion that S/P draft a guide paper on the overall phases of the colonial question. Miss Fosdick said that S/P is now planning an extensive study of the colonial question but that it was not certain as to how soon a guide paper for CP could be prepared from this study since the colonial problem will be considered in relation to other major problems. Mr. Howard asked whether the S/P study would deal with action problems. Miss Fosdick said that it was primarily a projection for the next five or ten years and would probably not be too helpful for use in the next General Assembly. The Chairman asked how this study would be related to the 1950 paper on colonial problems. Miss Fosdick said that objectives would constitute one part of the S/P study but that this section would not constitute the main portion of the study. She suggested that the working group continue to move ahead on its own and noted that Mr. Sandifer and Mr. Ferguson had agreed that the group would have to work on specific problems. The Chairman said that it would be helpful if Miss Fosdick could keep the group informed on how best to proceed in light of the S/P study. Miss Fosdick said that S/P and the working group should conduct their studies independently but that she would keep the group informed.

8. Mr. Pollak said, with reference to Mr. Knight's comments that he agreed that seeking general conclusions would not be a fruitful experience since philosophical generalities would be of little help. Mr. Knight said that it was very vital that we examine the underlying elements and differences. In his view part of the trouble with the 1950 paper was that it was not properly balanced. The pro-independence elements of the papers had been over-emphasized and nothing had been included about the debit side of independence for colonial peoples. He concluded that unless we recognize the debit side our position will be so weak that it will be outweighed by military considerations.

9. Mr. Howard said that he agreed with Mr. Knight that it would be difficult to explore the various colonial problems but that nonetheless it might be possible to reach general agreement. He questioned

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<sup>3</sup> Numbering here according to source text.

however whether the conflict was one of semantics since, for example, we know through historical experience what "orderly evolution" is. He cited the example of the British Commonwealth as an illustration. He suggested that the examination of such examples might lead to two steps: first, the group could consider specific colonial questions; and second, the formulation of an overall program could be kept in mind as the first step was being carried out.

10. The Chairman said that he was aware that agreement on general terms would not solve the group's problems and therefore, it would be best to concentrate on specific problems. However, the idea of getting comprehensive statements of U.S. colonial policy should not be discarded in view of its helpfulness. He said that it was very important that the underlying issues of colonial policy be discussed.

11. At the suggestion of the Chairman, it was agreed that the 1950 paper should be scheduled for subsequent discussion. At that time it will be possible to see what divergencies exist and what adjustments in the paper are necessary and what new lines of investigation might be required. An attempt will then be made to reach general agreement on an overall statement.

[Here follows discussion of the Working Group's work program, on the basis of the consolidated list appearing in Doc. CP D-1. The final list of documents prepared by the Group is printed on page 1123.]

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"

*Memorandum by Louis H. Pollak of the Office of the Ambassador at Large (Jessup) to the Working Group on Colonial Problems*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, undated.]

Subject: Colonial Policy Group discussions

It is our impression that the first two meetings of the Colonial Policy Group may have narrowed the agenda problem to two chief questions: first: the relative emphasis to be given to a general policy re-examination with reference particularly to the more important specific problems (e.g., the North African) as compared with a process of combined policy discussion and application to a series of particular issues expected soon to arise in various UN organs; and second: The specific topics for discussion and their priorities under each method of approach.

In developing a work program which will be the answer to these questions, we believe it would be useful to agree rather concretely on the particular jobs the group wants to complete, thereby establishing

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<sup>1</sup> Circulated as Doc. CP D-1/1 Addendum; apparently written between the second and third meetings of the Working Group, that is, sometime between June 27 and July 11, 1952.

a frame of reference for questions of emphasis and timing. We take it as self-evident that something more is expected of a group of officers widely representative of the Department and provided with the maximum secretariat and documentation assistance than the routine discussion and clearance of compromise language for position papers on matters of relatively minor importance, or the merely passive registering of important decisions taken elsewhere without prior referral for discussion and recommendation by the group. Alternative courses have, in substance, been put forward in the individual suggestions of several members of the group and we suggest that agreement might be reached that our jobs are roughly three :

1. *Lay the groundwork for, and possibly complete, one or more papers supplementing or revising the 1950 study.*

*Comment.*

Probably the most time-consuming part of this job would be working through the multitude of problems in the colonial policy field. To this end, it has been strongly urged that the group should address itself to current draft position papers and such an approach can perhaps best be complemented by the projected reconsideration of the 1950 paper and by discussion of special studies which may be submitted, such as the long-range planning paper to be prepared in S/P.

Perhaps more thought should also be devoted to raising and organizing some basic questions which colonial problems now pose for this Government, and to this end we attach a memorandum suggesting some factors and questions that seemed important to us. A copy of this memorandum has previously been given to S/P.

2. *Assess and plan current U.S. efforts to bring the other administering powers into agreement on policies and programs which can commend themselves as consistent with U.S. objectives and as likely to maximize in the UN whatever good will is left for a course of "orderly" and non-rapid "evolution".*

*Comment.*

UND and EUR might prepare a statement for the group showing what problems have been singled out for bilateral discussion and what progress has been made and can be expected.

The group would consider whether additional items or countries should be added, new approaches made, or old ones renewed. We could explore alternative methods of persuasion and could reappraise the need for a fuller understanding by us of some of the problems of the other administering authorities.

In addition to the problems which can be expected to engender most heat at the 7th GA, the group might consider what longer-range programs can profitably be discussed in this context. Increased technical

assistance, educational exchange and a concerted counter-offensive to Soviet propaganda suggest themselves as useful subjects.

3. *Serve as a focal point for the encouragement and formulation of concrete programs in the Point IV, VOA, educational exchange, and possibly other functional fields that can be carried on and recognized as U.S. substantive contributions to the economic and political advancement of colonial peoples.*

*Comment.*

The interest of the functional offices has been evidenced by the attendance of several representatives at the first meetings, and work toward the objective stated might well be started at once by scheduling meetings devoted in whole or in part to a description of current programs and exploration of needs both as to areas and types of program, and possibilities for expansion, new emphasis, new approaches and increased public support.

The frame of reference offered, then, adds up to three objectives—reassessing and restating U.S. policy in particular and in general; seeking maximum understanding of an intelligent cooperation with our NATO friends to forward our own and their interest in the peaceful settlement of colonial problems in the framework of the United Nations; programming substantive economic and educational contributions to the eventual political stability and well-being of the peoples of the dependent areas.

These several lines of endeavor can probably best be pursued if they are taken up concurrently. Although there will be need for consecutive work in the several offices on the principal items in each line, referral to the group and reworking or supplementing can proceed with the focus of discussion shifting from meeting to meeting.

[Attachment]

SECRET

[WASHINGTON,] June 25, 1952.

RE-EXAMINATION OF U.S. FOREIGN POLICY ON COLONIAL PROBLEMS

The need for re-examining our policy on the dependent areas of other nations is pointed up by several factors in the current world situation: (1) the special relationships reflected by NATO between the United States and the principal colonial powers; (2) rising nationalism in certain dependent areas, particularly in North Africa; (3) Communist political exploitation of U.S. words as against deeds in the field of colonial policy; (4) the long-range threat of political instability in the dependent areas caused by population growth coupled with increasing disparities in per capita income.

Such a re-examination would need to frame in clear and operational terms the objectives of the United States in this field. This would necessitate consideration of such factors as :

(a) U.S. interest in fostering strength and health (economic and political as well as military) in the colonial powers which are our partners in NATO and the defense of Western Europe;

(b) U.S. need for raw materials and bases in the dependent areas of colonial powers;

(c) U.S. concern with the future political orientation of the dependent areas as they evolve in the foreseeable and longer-range future;

(d) U.S. need to minimize effectiveness of Soviet propaganda aimed at winning over dependent peoples and alienating them from the U.S.;

(e) U.S. interest in preserving this country's world standing as a proponent of self-determination, democratic processes, and social and economic betterment in underdeveloped areas.

When U.S. objectives have been framed, a number of questions of policy and implementation present themselves. The significance of alternative sets of answers must be assessed in order to decide on a course that can be followed, as different immediate situations arise, in pursuit of the stated objectives. It will be necessary in establishing and carrying out policies to differentiate between dependent areas : we are obviously confronted by different problems in such disparate places as (1) Western Samoa, (2) the Cameroons, and (3) Tunisia. Some dependent areas may never reach the political stage at which the North African dependencies have arrived; others may reach it in time. The following are some of the questions of policy and implementation requiring consideration :

(a) To what extent are the strategic capabilities of the European colonial powers, in terms of European and free-world defense, enhanced, diminished, or otherwise affected by their particular colonial responsibilities?

(b) In what cases can those powers expect to succeed in the maintenance of their dependent areas by continuing to follow the policies which the metropolitan governments now envisage?

(c) What, if any, changes in those policies can help to keep events in dependent areas in the channels of evolution and prevent violent explosion?

(d) What pressures are available to the U.S. and should be employed by this Government to require such changes by the colonial powers?

(e) How much, if any, utility is there in continued reiteration by the U.S. of its well-worn generalities and clichés in the colonial field, measured in terms of whatever things we will have decided to *do*?

(f) Should the U.S. expand technical assistance (direct or through the UN) to all or some dependent areas, and institute programs of capital development? How much U.S. supervision should there be? To what extent should we insist on education (including adult education) as part of the programs?

(g) What steps can the U.S. take by way of information and propaganda to secure maximum support for U.S. policies among dependent peoples and elsewhere in the world? Some concrete suggestions: (i) attempt to avoid last-ditch and embittering fights in UN organs over colonial problems, and to use other media for pursuit and publicity of its dependent areas policies; (ii) appointment of individuals such as Luis Muñoz Marin<sup>2</sup> to GA delegations; (iii) a UN Dependent Areas Decennial Exposition in 1955 to advertise what is being done in those areas, and to stimulate trade; (iv) special recognition of dependent area contributions to collective security (Korea?); (v) employment of dependent area personnel in UN Secretariat; (vi) review of U.S. and UN information media, particularly radio; increased advisory activity by the Trusteeship Council and Article 73 Special Committee, on political affairs in dependent areas.

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<sup>2</sup> Resident Commissioner of the Commonwealth of Puerto Rico in the United States.

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*Editorial Note*

The 1950 paper on United States Policy Toward Dependent Territories was circulated to the Working Group on Colonial Problems as a reprint on July 25, 1952 (Doc. CP D-8, July 25, 1952). This item was put on the agenda for the Working Group's meeting on July 29. However, at that meeting the acting chairman simply called the Group's attention to the fact that the document had been received on statements of United States officials on the colonial question, 1942-1952 (Doc. CP M-5, August 1, 1952 (minutes of July 29), lot 54 D 5, not printed). The intention at that time, never carried out, was that the document on the statements would be incorporated into the 1950 Paper.

At the meeting on August 8, Mr. Cargo (the Acting Chairman) reported that the Office of Dependent Area Affairs (UND) ". . . was anxious to discuss the overall United States policy toward colonial areas. UND has been working on a statement of broad objectives over the next four or five years. He asked that all CP members consider the utility of a statement similar to the 1950 document. He indicated that this general problem would be scheduled for discussion at the next meetings." (Doc. CP M-8, September 23, 1952 (minutes of August 8), Department of State Committee files, lot 54 D 5).



Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Minutes of Meeting of the Working Group on Colonial Problems,*  
*Department of State, August 19, 1952, 10:30 a. m. to 12:15 p. m.*

SECRET

WASHINGTON, September 24, 1952.

CP M-9

Present: Mr. Benjamin Gerig, UND, Chairman  
 Miss Louise McNutt, FE  
 Messrs. Ward Allen, EUR  
     Willard DePree, RNA  
     E.L. Eberhardt, ARA  
     Nicholas Feld, NEA  
     James Fowler, UND  
     Louis J. Halle, S/P  
     William L. Hamilton, BNA  
     L. H. Pollak, S/A  
     Leonard H. Price, S/MSA  
     Douglas B. Smith, ED  
     Eric Stein, UNP  
     E.M. Christensen, S/S-S, Secretary

*Preparations for UN General Assembly*

1. The Chairman, Mr. Gerig, said that he had been following the work of CP and expressed his appreciation for the contributions the members had made.<sup>1</sup> He said that CP should begin work on a statement, perhaps several pages in length, which the Chairman of the U.S. Delegation of the UN could make to the GA on colonial problems in view of their increasing importance in the UN. Our representative in Committee IV could then elaborate on this at the beginning of the debate there and present our position in a clear and straight-forward manner. He noted that CP had concluded that the U.S. should take a middle of the road position with respect to colonial problems. Such a position will be difficult to present in a "glamorous" form. Nevertheless, the U.S. should take a more positive approach and the Delegation should "preach what we practice" in the case of Puerto Rico.

2. Mr. Allen expressed agreement that a statement of the type suggested by Mr. Gerig should be made but he warned that it would be a difficult one to prepare. He recommended that the British and French be advised of our intentions and if the statement prepared is a good one, it should be shown to them before it is presented in the UN.

[Here follows discussion of certain papers (Docs. CP D-10 and CP D-10/1, dated August 4 and August 7, 1952, respectively, "Participation of Dependent Areas in the Work of UN Organs").]

<sup>1</sup> Gerig had been attending the eleventh session of the Trusteeship Council in New York, as Acting U.S. Representative.

*Further Consideration of U.S. Policy Toward Colonial Areas (CP D-3, CP D-7 and CP D-8)*<sup>2</sup>

9. *Action:* It was agreed that papers relating to specific dilemmas in the colonial field should be prepared in order to provide a more realistic basis for future consideration for overall U.S. policy toward colonial areas. The assignments were as follows: UNP (Mr. Stein)—Tunisia and Morocco; FE (Miss McNutt)—Indonesia and Indo-China; NEA (Mr. Feld) Eritrea and Libya; and UND (Mr. Fowler)—South West Africa and Somaliland.

10. *Discussion:* The Chairman called attention to the three papers previously distributed and indicated that they might serve as a basis for preparing a new statement of U.S. policy toward colonial areas. Mr. Halle asked whether it had been agreed to use the 1950 paper as a point of departure. The Chairman said that this paper had almost completely cleared in 1950. He indicated that it had recently been reviewed in UND and most of it still seemed applicable. If the other areas agree that this is the case, then the paper might be used as the basis for preparing a new over-all statement. He noted that in the past few years a number of general principles seemed to have been accepted, e.g., the right to independence where suitable, the right of self-determination, etc. Such principles are in keeping with the historical traditions of the U.S., but they are, of course, tempered by present day considerations.

11. Mr. Halle said that he would suggest that many of the "objectives" set forth in CP D-3 are actually courses of action. Mr. Gerig said that they might better be described as political attitudes. Mr. Halle asked whether there were any conflicts with respect to these objectives. The Chairman replied that there were no essential conflicts since nearly everyone agrees on the basic goals. The essential difference is on the time factors involved.

12. Mr. Allen suggested that in addition to working on the three documents under consideration that an attempt be made to set forth an explanation of the conflicts that exist. This in turn could be used as background material in explaining, principally to the U.S. public, our position on colonial problems. Mr. Halle suggested that a listing of the main dilemmas in the colonial field might be the proper point of departure. The basic problems would then be set forth and the group could go on to a statement of overall objectives. The Chairman expressed the view that this might be a very practical way to approach the problem. With the approval of the committee assignments of

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<sup>2</sup>Doc. CP D-8 was the 1950 paper entitled "United States Policy Toward Dependent Territories"; see p. 1077. Doc. CP D-3, June 26, 1952, was an outline summary of the 1950 paper, not printed. Doc. CP D-7, July 25, 1952, "Statements by the United States on the Colonial Question (1942-52)," not printed. (The documents which are not printed are in lot 54 D 5.)

action for the preparation of papers on the various dilemmas in the colonial areas were made with the understanding that these papers would be used as a point of departure in discussing over-all U.S. colonial policy.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Eric Stein of the Office of United Nations Political and Security Affairs to the Working Group on Colonial Problems*<sup>1</sup>

SECRET

[WASHINGTON, August 26, 1952.]

CONFLICT OF UNITED STATES POLICY OBJECTIVES IN RELATION  
TO TUNISIA AND MOROCCO<sup>2</sup>

Tunisia and Morocco are French Protectorates, established in 1871 and 1912, respectively. While the treaties setting up the protectorates recognize the sovereignty of the native ruler, they transferred important powers to the protecting power, including control of foreign affairs, armed forces, finance, and a dominant position in the control of land ownership and economic development. Both Protectorates have been financial liabilities to France. On the other hand, such economic development as has occurred has resulted in numerous benefits to the ever increasing number of French settlers (there are some 150,000 Frenchmen in Tunisia and 350,000 in Morocco) and a relatively small group of investors and absentee owners in France. The Tunisian and Moroccan people have derived relatively limited economic and social benefit from this development.

Nationalism has grown in strength since the end of World War II so that it now commands broad popular support in Tunisia particularly in the well disciplined Tunisian labor organizations; in Morocco the support while substantial is somewhat more circumscribed. The rise of new states in Asia (India, Indonesia, etc.) as well as the independence of the less advanced Libya fired the nationalist aspirations. In the minds of a steadily increasing number of Tunisians and Moroccans the nationalist parties offer the only means of regaining for the local inhabitants political, economic and social control of the country. Any improvement brought about by the protecting power in the lot of the local population inevitably swells the ranks of the nationalists. If no real concessions are made to the nationalists they may turn away from their present leaders to more radical elements.

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-11, Aug. 26, 1952, entitled "Dilemmas of United States Foreign Policy Objectives with Respect to Colonial Areas". The instant memorandum was the first of five attachments; a sixth memorandum prepared in the Office of Intelligence Research was subsequently added to the group at an undetermined date.

<sup>2</sup> For documentation on French North Africa, see volume XI.

For France, it is impossible either to grant its protectorates independence or ruthlessly suppress the nationalists because of the political and philosophical cleavage among the French themselves. To maintain their position as a great power and to protect the interests of the large French colony they believe that they must cling to the *status quo*, or a reasonable facsimile of it, as represented by the French Union. This explains why their programs for the protectorates offer a shadow of reform but retain the substance of French control. The French policy appears to be to foster political progress and stability by balancing as much as possible each concession to the North Africans by formal increase of the political status of the French colonies.

The French are convinced that any concessions to the nationalists brings them a step closer to a complete loss not only of the two protectorates but of the rest of French Africa. They believe that such a development would be a first step toward the complete destruction of the present colonial system on which so much of Europe's power and civilizing influence is based. The problem has vast domestic political implications for the French Government.

The United States has conflicting interests in the area. Our long-term traditional interest leads us to sympathize with the aspirations of dependent peoples toward independence. Our shorter range policy makes it imperative for us to support France in order to create the essential area of strength in Western Europe, the keystone of the containment arch. Strategically, North Africa would be particularly important in the event of an Allied withdrawal from Europe and bases are considered necessary in that area. We have the necessary bases in Morocco. An outbreak of violent nationalist resistance would force the French to increase their military contingent in the area at the expense of Europe, Indochina, etc. In considering French reactions to our policies on Tunisia and Morocco it should always be remembered that their stakes in the defense against Soviet Russia is at least as great, if not greater, than ours.

For the United States, the problem resolves itself into the need for a moderate middle-of-the-road policy which will neither permanently alienate the good will of the North Africans by too firm alignment with French colonial policy, nor drive the French to emotional acts of desperation by the encouragement of too rapid evolution towards independence for the protectorates.

In dealing with the North Africans it should be remembered that, while the surge of nationalism has world-wide repercussions, the power of the West, if wisely used, will induce the Moslem world to accept *gradual* progress towards independence, provided such progress is continuous and real.

Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Curtis C. Strong of the Office of Dependent Area  
Affairs to the Working Group on Colonial Problems*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, August 26, 1952.]

THE DILEMMAS FOR THE UNITED STATES PRESENTED BY SOMALILAND  
UNDER ITALIAN ADMINISTRATION<sup>2</sup>

## THE PROBLEM

The problem is to ascertain the dilemmas for the United States involved in the question of Somaliland under Italian administration.

## DISCUSSION

The disposition of the former Italian colony of Somaliland after World War II is a question in the colonial field which has found certain United States foreign policy interests in conflict with certain other United States interests. The conflicts that have arisen in this case may be summarized briefly as follows.

On the one hand, it is in the interests of the United States that the former Italian colony of Somaliland be given a stable administration by a friendly power capable of insuring its security. In view of the lack of interest in administering Somaliland among other friendly powers which would meet these qualifications, the above-mentioned United States interests were factors leading the United States to support the return of Italy to Somaliland. Furthermore, with a critical struggle being waged over the allegiance of Italy, as between the free world and the Soviet world, it was in our interests to strengthen the prestige of an Italian government favorable to the free world. This was another consideration which inclined the United States to support the return of Italy to Somaliland.

On the other hand, it is in the interest of the United States to retain the sympathy and support of the many "anti-colonial" nations in Asia, Latin America and Africa. These nations tended to support the Somali leaders and the neighboring African state of Ethiopia in their opposition to Italy's return to Somaliland. There were strong reasons therefore for the United States to sympathize with their views.

It is also in the interest of the United States that there be a strong and effective United Nations. To the extent that the United Nations fails to deal with colonial questions, such as the disposition of Somaliland, in a way favored by the majority of its members, the latter will

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-11, Aug. 26, 1952 (the second of five attachments).

<sup>2</sup> For documentation on this subject, see volume XI.

tend to lose faith in the United Nations. It is therefore in the interests of the United States to see that the United Nations deals effectively with such problems in a way that will obtain majority support.

It was in part as a result of these conflicting interests that the United States supported the return of Italy to Somaliland for a period of ten years only and under the terms of the trusteeship agreement which provided also for a United Nations Advisory Council. The same conflict of interests affect United States positions in United Nations bodies on Italy's administration of the Trust Territory of Somaliland.

Further dilemmas confront the United States in the case of Somaliland in view of the fact that the territory must be made independent in less than eight years. The United States, therefore, tends to support recommendations in the United Nations urging the Italian administration to take more active steps in the direction of setting up responsible local government ready to take over increasing responsibilities in the near future. However, such proposals tend to encourage the more extreme dissident elements in Somaliland, such as the Somali Youth League, which not only makes difficulties for the Italian administration but increase their complaints to the United Nations in regard to Italian administration. On the other hand, blanket support of the Italian administration arouses the suspicions of the "anti-colonial" powers in the United Nations and makes us liable to the charge of encouraging the Italians to take undue advantage of their position to maintain a large corps of Italian officials in the territory, to squeeze the economic life of the territory in the interest of Italians, and otherwise to favor and perpetuate Italian interests in Somaliland.

A further dilemma confronts the United States in that proposals for improving the economic, social and educational status of the territory would require resources which go far beyond that which the territory could maintain and may need to maintain when it stands on its own feet. Thus the United States is torn between its desire to support needed developments in Somaliland, generally favored by a majority of United Nations members, and its recognition of the need for realism, a course favored by Italy and other administering powers but much less popular in the United Nations.

Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Curtis C. Strong of the Office of Dependent Area  
Affairs to the Working Group on Colonial Problems*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, August 26, 1952.]

THE DILEMMAS FOR THE UNITED STATES PRESENTED BY THE SOUTH  
WEST AFRICA QUESTION IN THE UN<sup>2</sup>

THE PROBLEM

The problem is to ascertain the dilemmas for the United States involved in the South West Africa question.

DISCUSSION

The question of South West Africa, which has been on the agenda of the United Nations General Assembly since its first session in 1946, is one of the many questions in the colonial field with regard to which the United States has conflicting foreign policy interests. In this case the conflicts can be stated briefly as follows.

On the one hand, the United States is interested in retaining the friendship and close cooperation of the Union of South Africa. The Union is not only strategically located athwart the sea and air lanes between the South Atlantic and the Indian Ocean but it also has mineral and other resources of great value to this country both from a security and an industrial point of view. Moreover, the Union has the only industrial plant, army and air force of any consequence in Africa south of the Sahara, and has an air squadron fighting in Korea. Thus one set of political, security and economic interests would incline us to show our solidarity with the Union by supporting her claims in regard to South West Africa.

On the other hand, the United States is interested in insuring the friendship and cooperation of the many "anti-colonial" nations in Asia, Latin America and Africa, as well as of the emerging colonial peoples. The conflict with Soviet communism is world wide and all these nations and peoples are important to us strategically and economically. Thus another set of political, security and economic interests would incline us to support these nations, which form a majority in the UN, in their view that South West Africa should not be absorbed by the Union of South Africa but should be placed under international supervision.

As the Union is a Member of the British Commonwealth the United States, in taking a position on the question of South West Africa, must

<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-11, Aug. 26, 1952 (the third of five attachments).

<sup>2</sup> For documentation on the South West Africa question, see volume XI.

not only consider its effect on our relations with the Union but also with other Members of the British Commonwealth.

The United States is also interested in a strong and effective United Nations. We are therefore greatly concerned that resolutions of the General Assembly be accorded the greatest possible respect and be implemented to the fullest possible extent. We would thus tend to support United Nations actions vis-à-vis South West Africa. At the same time we are anxious to avoid any action by the United Nations which might lead to the withdrawal of the Union from the United Nations thereby not only weakening the United Nations but also setting a precedent of great potential danger to it. We would thus tend to seek to moderate the kind of United Nations actions toward South West Africa which would probably be favored by the majority of United Nations Members.

In summary, the need of the United States for close and harmonious relations with the Union of South Africa, the other Members of the British Commonwealth, and the large group of "anti-colonial" powers, as well as our need for a strong and effective United Nations, oblige us to take a position vis-à-vis the question of South West Africa which will reconcile these various interests to the greatest possible extent and sacrifice none of them to a serious degree. It is clear that in evaluating these various interests there must be a constant reappraisal, particularly as to how the factor of time is affecting all of these interests.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Nicholas Feld of the Office of African Affairs to the  
Working Group on Colonial Problems*<sup>1</sup>

[WASHINGTON, August 26, 1952.]

Except for the two cases of Morocco and Tunisia, the dilemma facing American foreign policy in regard to colonialism is not yet very acute in Africa.<sup>2</sup> The dilemma is posed by the necessity of weighing the relatively short-term security considerations resulting from the cold war between East and West against the longer-term policy of encouraging the orderly transition from colonial status to responsible self government wherever possible. Contrary to what may be the general impression, the United States is not faced with this dilemma to any appreciable extent in Libya, Eritrea, the United Nations Trust Territory of Somaliland under Italian Administration and South

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-11, Aug. 26, 1952 (the fourth of five attachments).

<sup>2</sup> For documentation on U.S. policies with regard to African general and regional problems, see volume XI.



West Africa, all of which are areas in which the United Nations has taken or is taking action relative to their political status. Except for South West Africa the action has already been completed by the United Nations, although the federation of Eritrea with Ethiopia will not be officially consummated until September 11, 1952. In all four cases there is no basic conflict between U.S. security requirements and the present political status of these countries. The South West African case is a juridical and legal problem, without important security aspects. It involves moral issues for the international community of nations but this alone does not make it a matter which constitutes a security problem. The Union of South Africa's unilateral action in integrating the former League of Nations mandate of South West Africa into the Union, although admittedly a breach of international morality, can hardly be said to represent an example of the type of dilemma posed by Tunisia or Morocco. It is only in the North African areas where base rights and other strategic considerations complicate the picture that the dilemma is sharply posed.

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Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Memorandum by Louise McNutt of the Bureau of Far Eastern Affairs  
to the Working Group on Colonial Problems*<sup>1</sup>

SECRET

[WASHINGTON, August 26, 1952.]

COLONIAL POLICY—INDOCHINA<sup>2</sup>

## THE PROBLEM

The United States is losing the sympathy and support of the independent countries of Asia and the Middle East through the supply of American military and economic aid to French Union forces in Indochina and the support of the Associated States. It is argued by critics that the three States are not in fact independent;—that their status within the French Union makes them little more than colonies; and that action by the U.S. in support of the French Union forces and of the three governments amounts to U.S. support of French efforts to restore a colonial control against what some have believed to be the indigenous "Nationalism" of the Communist Viet-Minh forces.

## PAST SITUATION

Prior to the ratification by the French Assembly, on February 2, 1950, of the three separate agreements with Viet-Nam, Laos and Cam-

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<sup>1</sup> Circulated to the Working Group under cover of Doc. CP D-11, Aug. 26, 1952 (the fifth of five attachments).

<sup>2</sup> For documentation on Indochina, see volume XIII.

India which established those States as independent Associated States within the French Union, the U.S. extended no financial, military, economic or political advice or assistance to the French Administration in Indochina. It was our aim to avoid being involved in the re-establishment of the pre-war Indo-Franco relationship. To this end we sought to encourage the French to arrive at some *modus vivendi* with the area which would give recognition to the aspirations of the people for self-government. As the threat to the security of the area became more and more apparent, the need for agreement among the French and the three States was given even greater emphasis since it was our view that, in this area of growing Nationalism, the absence of such an agreement would make the area an untenable line of defense.

#### PRESENT SITUATION

Since the establishment of the three States as independent entities, the U.S. has vigorously pursued a policy of granting military, political and economic assistance to the three Governments and military aid to the French Union Army operating in the defense of the area.

Our motivation has been two-fold :

(a) *Security:*

We have sought to bolster by all practicable means, the strength of the region as a bulwark against Communist infiltration.

The importance of this area to U.S. security and the resulting necessity for the U.S. position can be seen from the following points :

1. The area is one in which conditions of actual warfare exist;
2. Military estimates agree that Tonkin is the tactical keystone to control of Indochina while Indochina is similarly the tactical entry into Southeast Asia;
3. The Viet Minh makes frequent and specific references in its own public statements to both its formal and working connections with world Communism; accordingly, it is not representative of a Nationalistic movement in its usual sense. Additionally, the threat of Communist China to the region and to Southeast Asia as a whole is of extremely serious proportions;
4. Should Indochina be occupied by Communist dominated forces, whether composed of indigenous Communists operating under the cloak of Nationalism or as a result of overt invasion from Communist China, it is doubtful if Thailand and Burma could long maintain themselves as non-Communist Governments;
5. There is no question in the opinions of qualified observers that the withdrawal of the hard core of French Union forces from Indochina in the near future would result in a collapse of the three State Governments and the early formation of Communist dominated Governments in their stead;
6. Communist domination of Southeast Asia would greatly enhance the military capability of Communist armies in other parts of the world through the accession of 70% of the world's natural rubber supply, 50% of the world's tin supply and the

control over the only source of food (rice) available to feed the food deficit countries of Asia.

(b) *Recognition of the Nationalism of the Area:*

Concomitantly, however, we have sought to strengthen the three Governments as independent entities both as to their internal structure and as to their relationships with the rest of the Free World. To this end, we have encouraged the French to transfer increasing responsibility to the three Governments; we have encouraged any steps which would result in political, economic and social reforms within the Governments; we have encouraged the participation of the three States in international organizations; and we have urged recognition of the three States by other nations. In this connection, the three States have been recognized by over thirty nations; they belong to several organs of the UN and their applications for UN membership have been submitted.

We have noted, in this connection, that the status of the area as a part of the French Union has been defined by the French as not a rigid one and the French Minister of the Associated States stated in a press conference that the French Union is not a prison and that membership in it is voluntary.

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ODA files, lot 60 D 257, "CP: Working Group on Colonial Problems"

*Memorandum Prepared in the Division of Research for Far East, Office of Intelligence Research, for the Working Group on Colonial Problems*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, undated.]

THE UNITED STATES POSITION IN THE NETHERLANDS-INDONESIAN  
CONFLICT 1945-1949<sup>2</sup>

At the end of the war in the Pacific, the United States had only indirect responsibility in the Netherlands East Indies. Under a civil affairs agreement with the Netherlands, the United States had permitted the early return of Dutch colonial authorities in Netherlands New Guinea and adjacent islands as these areas were regained from the Japanese. Near the end of the war, however, Indonesia was transferred from United States command to the British Southeast Asia command and it was the British, acting as the Allied agents in Indonesia, who accepted the Japanese surrender and were left to cope with

<sup>1</sup> Incorporated into Doc. CP D-11 at an unknown date subsequent to Aug. 26, 1952, but not included in the Working Group documentation in lot 54 D 5.

<sup>2</sup> For documentation on this subject, see *Foreign Relations*, 1945, vol. VI, pp. 1158-1192; *ibid.*, 1946, vol. VIII, pp. 787-860; *ibid.*, 1947, vol. VI, pp. 890-1101; *ibid.*, 1948, vol. VI, pp. 57-624; and *ibid.*, 1949, vol. VII, Part 1, pp. 119-590.

the immediate post-surrender problems involving the return of Dutch troops. British occupation troops arrived in Indonesia some six weeks after the Japanese surrender to find the Republic of Indonesia, proclaimed on August 17, 1945, apparently firmly entrenched in Java. Fearful of the reaction that an all-out military campaign to restore Dutch rule in Indonesia might produce in India and Burma, the British military command over Dutch protests dealt directly with Republican officials. Despite British efforts to avoid bloodshed, some fighting ensued. Press accounts of British action against the Indonesians served, particularly in the U.S., to focus public attention on Indonesia. On December 19, 1945 the Department of State issued a statement intended to clarify the United States position. This statement indicated that the United States could not take responsibility for the actions of the British, operating under an Allied mandate, and declared, "Our sole desire is to see such a peaceful settlement achieved as will best promote world stability and prosperity and the happiness of people."

In February 1946, in reply to a Ukrainian demand that British activities in Indonesia be investigated by the Security Council, the United States upheld the British position and suggested that any interference might jeopardize the bilateral negotiations then in progress under British auspices. The United States showed little official interest in the following year until the signing of the Linggadjati Agreement by the Netherlands and Indonesia. This agreement recognized the *de facto* authority of the Republic of Indonesia in Java, Madura and Sumatra, and called for the establishment of a federal United States of Indonesia. The United States welcomed the initialling of the agreement in November 1946 and, with its formal signature in March 1947, recognized the *de facto* authority of the Republic of Indonesia as outlined in the agreement. In the face of Dutch protests, the American Consul General was authorized to deal with Republican authorities. British troops had withdrawn from the scene in November 1946.

Negotiations aimed at implementing the Linggadjati Agreement showed little sign of success and, confronted with an imminent breakdown of the talks, the United States presented dual notes June 1947: 1) calling on the Indonesians to accept the Netherlands proposals on the implementation of the Linggadjati Agreements as offering an opportunity to form an interim government; and, 2) expressing to the Netherlands Government fear of the use of force and urging continued negotiations. Eleven days later the United States indicated to the Indonesians that economic aid might be extended to an interim government.

When these moves failed and the Netherlands initiated military action in July 1947, the United States supported the Security Council

resolution of August 1 demanding a cease-fire, and on the same date the United States offered its good offices to the disputants.

This offer was refused by the Republic of Indonesia. However, a Security Council proffer of good offices was accepted and on August 25 the United States was chosen by Belgium and Australia as the third member of a three-man Good Offices Committee (GOC). The U.S. also participated in a Consular Commission appointed by the Security Council to observe the execution of the cease-fire. Meetings of the GOC were held aboard the USS *Renville*, offered by the United States when no other meeting place could be agreed upon.

Through the assistance of the GOC, the Netherlands and the Republic of Indonesia concluded on January 17, 1948 the Renville Agreement establishing a truce and the basis for negotiating a final political agreement. However, profound reciprocal mistrust hastened the breakdown of negotiations under the Renville Agreement in May, whereupon the United States joined Australia in pressing a compromise plan as a basis for future negotiation. Both this arrangement, known as the Dubois-Critchley Plan, and the unilateral proposal in September of Mr. Cochran, the new United States representative on the GOC, called for free elections, the establishment of a constituent assembly, representative government, and the early establishment of a sovereign USI. Following the suppression by the Republic of Indonesia of a Communist uprising in September, the United States informed the Netherlands Government that it regarded a solution along the lines of the Cochran Plan as the best way to avoid the serious consequences of failure to achieve a negotiated settlement.

At the very time the United States was in the process of obtaining a conciliatory stand on the part of the Indonesian negotiations, the Dutch on December 17 delivered an ultimatum to the GOC for transmittal to the Indonesian Republic requiring additional concessions and a reply by the following morning. The United States representative refused to deliver this message and informed the Dutch that to press for a reply would be tantamount to abandoning bona fide negotiations. On December 18 the Dutch initiated their second military action. The Republican capital of Jogjakarta was seized and most of the high Republican officials interned. Three days later, acting on the recommendation of Mr. Cochran, ECA suspended authorizations for procurement of supplies to be used by the Netherlands in Indonesia on the grounds that conditions for economic recovery did not exist. Together with Australia, the United States next took the initiative in calling the Security Council into session beginning December 22, and on January 11, 1949 the United States representative on the Security Council stated in unequivocal terms that the Netherlands had violated the Linggadjati and Renville Agreements as well as the UN Charter, and declared that the U.S. desired to see the United States of Indo-

nesia as "one of the fully sovereign and independent peoples of the world."

On January 26, 1949 the Security Council adopted a resolution of which the United States was cosponsor calling on both parties to discontinue all military operations, calling on the Netherlands to release political prisoners recently seized and to facilitate the return of Indonesian officials to Jogjakarta, and recommending the resumption of negotiations looking to the completion of transfer of sovereignty by July 1, 1950. The GOC was dissolved and replaced by the United Nations Commission for Indonesia (UNCI) with broader powers of recommendation and supervision of the execution of the Security Council's resolutions. Membership remained the same.

After the Netherlands Government in February proposed the holding of a Round Table Conference at the Hague, the United States continued to work so as both to achieve a resumption of negotiations and to secure implementation of the resolutions of the Security Council. Finally, at the RTC itself, the United States member of UNCI played a principal conciliatory role in formulating the agreement that finally emerged on December 27, 1949 as the basis for Indonesian independence.

In reviewing United States policy during this period several conclusions emerge:

1) the primary motivating factor for United States policy was the desire to see established political and economic stability in Indonesia so as neither to drain further the weakened resources of the Netherlands in the postwar period nor to indicate disregard for the political aspirations of the peoples of Asia; 2) the sharpening of the East-West struggle from 1947 on necessitated concern lest a Western European power fall to Communism, but by the same token, the United States recognized that failure to support Indonesian nationalism might cause Indonesian nationalists to turn to the Communists for support. The clear-cut anti-Communist stand of the Indonesian Government in September 1948 made possible more wholehearted support of legitimate Indonesian claims to sovereignty, 3) first inclined to a policy of neutrality and dispassionate conciliation as a result of the above conflicting considerations, by mid-1948 United States policy turned to active support of Indonesian nationalist aspirations when confronted with the unreasonable character of Dutch direct action and the unyielding nature of Dutch demands.

AFTERMATH OF THE U.S. POSITION IN THE NETHERLANDS-INDONESIAN  
CONFLICT 1945-1949

The good will for the United States that accrued in Indonesia as the result of United States support for Indonesian independence has since been dissipated to a considerable extent by a number of developments.

Important among these is the belief in Indonesian political circles that the United States did not firmly support Indonesian aspirations until after the Madiun rebellion and the second Dutch police action, and that, meanwhile, U.S. material support going to the Dutch made their military actions against the Indonesian Republic possible. This belief has led Indonesian politicians to the conclusion that what support the U.S. gave Indonesia vis-à-vis the Dutch was motivated more by fear of Communism than by regard for the justice of the Indonesian cause. In addition, Indonesia's fear of involvement in the East-West struggle and the consequent adoption of a neutral position has led to further criticism of United States foreign policy as aimed only at the containment of Communism. United States policy in both Indochina and Tunisia are cited as examples of continued U.S. support for colonial powers. To some extent, the present Indonesian attitude toward the U.S. may be due to Communist propaganda.

However, it is apparent that some reservoir of good will for the United States remains. With some reservations, U.S. aid programs continue to be acceptable to Indonesia. Individual Indonesian politicians remain privately friendly to the U.S. and to U.S. aims. Americans in Indonesia are not subject to the degree of suspicion and distrust that has attached to the Dutch. United States power continues to be respected, although not without a concomitant resentment.

On balance, it would be difficult to conclude that United States policy toward Indonesia has been successful in obtaining that country's unquestioning friendship. At the same time, the United States does retain some good will and respect in Indonesia, and it is clear that, had support for Indonesia not been forthcoming before Indonesian independence, the United States would now have little or no access to that country, other than perhaps the most formal and restricted diplomatic access. There is much vocal criticism of the United States in Indonesia and inherent suspicion of American motives but much cooperation with the United States on a non-vocal level.

The head of the Indonesian State, President Sukarno, has on several occasions stated quite frankly to the American Ambassador in Indonesia that the one significant act by which the United States could win over public opinion and be assured of public support in Indonesia, would be to give Indonesia support in the Indonesian-Dutch dispute over Netherlands New Guinea.

#### THE U.S. POSITION IN THE NEW GUINEA DISPUTE

Even after the successful establishment of the Republic of Indonesia, a number of thorny questions remained to be resolved between the Netherlands and Indonesia. One such question has been the disposition of Netherlands New Guinea, called Irian by the Indonesians.

At the Round Table Conference, resolution of this issue was postponed through a formula which called for the holding of a conference to determine the disposition of the area by the end of 1950. Though this conference was held, neither it nor subsequent negotiations have solved the problem. Indonesian politicians without exception demand that the area fall under eventual full Indonesian sovereignty; some few Dutch Socialist leaders are apparently willing to acquiesce to a formula that will acknowledge Indonesian sovereignty provided that Dutch interests are duly safeguarded. To date, however, they have not been able to muster sufficient strength to reverse the official Dutch position calling for retention of sovereignty. In the most recent negotiations, which were exploratory and not binding, the Dutch indicated willingness to submit the legal question of sovereignty to an international body for adjudication. Australia has been even more adamant in demanding that Netherlands New Guinea remain under Dutch administration. The Australian position, influenced by popular acceptance of the "white Australia" policy, is based on fear that Australian security would be endangered if the area were to be occupied by a weak power.

In the face of these conflicting claims the United States has consistently maintained a neutral position and insisted that the question be worked out through bilateral negotiation. At present there seems to be no solution in the offing that could satisfy Indonesia, the Netherlands and Australia, and it is possible that eventually resource will be had to the United Nations, where the Indonesian question remains on the agenda of the Security Council.



Department of State Committee files, lot 54 D 5, "Working Group on Colonial Problems"  
*Minutes of Meeting of the Working Group on Colonial Problems,*  
*Department of State, August 26, 1952, 2: 30 p. m.*

SECRET

WASHINGTON, September 29, 1952.

CP M-10

Present: Messrs. Benjamin Gerig, UND, Chairman

Ward P. Allen, EUR

L. W. Cramer, TCA

Leo G. Cyr, AF

Nicholas Feld, AF

L. J. Halle, Jr., S/P

R. E. Hoey, PSA (FE)

Harry N. Howard, NEA

Vernon McKay, UND

Miss Louise McNutt, FE

Messrs. George Monsma, ARA

L. H. Pollak, S/A

M. Rashish, ED

F. L. Spalding, WE

Eric Stein, UNP

A. E. Wellons, AF

E. M. Christensen, S/S-S, Secretary

[Here follows a brief statement by the Chairman (Gerig) regarding Doc. CP D-12, "Surinam and the Netherlands Antilles in the United Nations", not printed.]

*Dilemmas of U.S. Foreign Policy Objectives With Respect to Colonial Areas*

2. *Action:* In the absence of any final conclusions with respect to the dilemmas in CP D-11, it was agreed to schedule further discussion of this paper at the next meeting of the Working Group.

3. *Discussion:* The Chairman called attention to the NSC Staff Study relating to North Africa and asked whether copies of the Study would be distributed. Mr. Cyr indicated that he had several copies which he could distribute to interested offices upon request and that, if necessary, additional copies could be ordered. He reported that the present draft is the fourth one and was prepared by OIR. The original draft had been prepared jointly by NFA, EUR and OIR. He expressed the view that the present draft constituted an excellent point of departure for any group concerned with the North African problem. Mr. Stein commented that the NSC Staff Study seemed to him to be a very good and fair paper and therefore suggested that this Study might provide a better basis for a discussion of the dilemmas that the

U.S. faces with respect to colonial problems in North Africa. Mr. Cyr noted that the NSC Staff paper was directed more toward the long range problems involved.

4. The Chairman then requested that Mr. Stein comment on the memorandum relating to Tunisia and Morocco included in CP D-11. Mr. Stein noted that this memorandum simply suggested some of the problems that exist in these two colonies. French North Africa is unique with respect to other colonial colonies in view of the large French settlements there. In both Tunisia and Morocco the economic and social benefits derived by the Arabs have been negligible compared to those of the French colonists. A major question concerns the dynamics of nationalism in these two areas and whether it will fall and then rise again. Nationalism now seems to have wide popular support in both places although it is somewhat stronger in Tunisia. Some of the reasons for this growing nationalism have been the granting of independence to Indonesia and Indo-China, the re-organization of the Moslem League and the increasing opportunities for education among the Arabs in these areas. It seems almost certain that the spirit of nationalism will grow, and if the nationalist leaders cannot secure concessions from the French they will probably turn to more radical solutions. The more articulate groups in Tunisia and Morocco seem to feel that nationalism is the only way to secure the economic and social gains that they desire. Mr. Stein said that the basic question seems to be, as stated in the third paragraph of his memorandum, "For France, it is impossible either to grant its protectorates independence or ruthlessly suppress the nationalists because of the political and philosophical cleavage among the French themselves." He said that it was very important to determine whether French policy is directed toward the transfer of control of the colonies from Paris to the French colonists. Apparently the French believe that the granting of any concessions to the nationalists will lead to the loss of their colonies. For the U.S. the conflict with respect to Tunisia and Morocco seems to be between our long term tradition of supporting colonial aspirations for independence and the short range problem of building strength in Europe against the USSR.

5. The Chairman said that apparently some of the points set forth by Mr. Stein applied to other areas as well. One of these is the question of white minorities in such areas as Rhodesia, Kenya and Indonesia. Mr. Cyr said the white minority problem does not really apply to Morocco and Tunisia since the French may not grant complete independence to these two areas. Mr. Wellons pointed out that NIE 69, which is currently being prepared, will be of considerable help in discussing this question since it points out that North Africa is essentially

a different problem from that of other areas and that it will always be closely tied to Europe for strategic and economic reasons. The Chairman asked whether this concept was generally accepted in the Department. Mr. Howard pointed out that NIE 69 defines the problems without providing a solution for it. The Chairman pointed out that although we might accept such a concept, the Arab states would never admit it.

6. Mr. Halle asked whether it would be fair to say that the U.S. is primarily interested in stable and cooperative governments. If this is the U.S. objective and it is assumed that there will be a trend toward independence for colonial areas then the U.S. should use its efforts to see that this trend is an orderly process. Mr. Allen said that he did not agree completely since part of the conflict for the U.S. is between long range and short range policy. He also questioned the wisdom of granting independence to such areas as Libya at a time when the older nations are moving toward increasing interdependence. Mr. Halle said that he was assuming that the UN and the trusteeship system look forward to eventual sovereignty for all areas. Mr. Howard pointed out that it was possible to criticize the whole nation state system but that this was not a sufficient argument for frustrating the desires of the nationalists in the colonial areas.

7. Mr. Cramer asked how strong nationalism was in French North Africa. Mr. Cyr said that a few years ago the Moroccan nationalists were supporting a system of local autonomy within the French Union but that they are now insisting on complete independence. Mr. Allen said that he considered some form of self-government inevitable for Tunisia and Morocco and so the question is how to deflect their immediate demands for independence.

8. Mr. Wellons asked whether CP would prepare a position paper on Tunisia and Morocco for use in the General Assembly. The Chairman said that it was too soon to say but that he hoped it would be possible for the Department to arrive at a common policy. Mr. Halle said that he would strongly urge that a common policy be adopted for all colonial areas. Instead of formulating our total policy on a case by case position, he said that what was needed was a policy. Mr. Cyr noted that it was evident from the discussion that it would be enough of a problem to get a decision on Tunisia and Morocco alone without lining up a policy which would apply to all areas. Mr. Wellons pointed out, however, that it should not be forgotten that North Africa really constitutes a separate case.

9. The Working Group then turned to a consideration of the Indo-China section of CP D-11. Mr. Hoey noted that the problem in Indo-China is different from the one faced in either Tunisia or Morocco but that by our actions in Indo-China we have alienated some of the Asian countries. Until 1950 the U.S. took no part in the problem

of Indo-China since it was regarded as an internal French matter. Since that time we have supported the experiment. Indo-China differs from North Africa in two respects. The threat of Communism represents a serious problem and the force of nationalism is clearly recognized by the French. He pointed out that the memorandum included in CP D-11 on Indo-China simply pointed out the dilemma that we face without answering the question of whether we should adopt a different course of action with respect to the Associated States. Mr. Spalding asked whether our course in North Africa is inconsistent with our policy in Indo-China. Mr. Hoey pointed out that the support of the French in Indo-China and our support of them in North Africa actually means two different things since the French are anxious to withdraw from Indo-China. Mr. Halle said that the conflict seemed to be between long range and short range objectives. He suggested that it should be possible to determine, through an overall examination, what factors the various colonies have in common.

10. Mr. Howard asked how acceptable the idea of French Union was in Indo-China. Mr. Hoey replied that in view of the incompatibility of the Three Associated States, French Union seems to be the only practical solution. Under the circumstances it seems foolish to Balkanize the three states or to federalize them. He noted, however, that if North Africa would join the French Union it might be even more practical as a solution for Indo-China. Mr. Howard asked whether it was possible that North Africa would accept the Vietnam treatment. Mr. Cyr said that Arabs seem to feel that they cannot cooperate with the French.

11. Mr. McKay said that it was entirely possible that on the basis of the examination of colonial dilemmas the group might find that there is no "colonial question" and therefore it is impossible to have a common policy. Mr. Halle said that there are 20 different Latin American states and yet we have found it possible to adopt a common policy toward all of them. Mr. Allen noted that the Latin American countries have many more things in common than do the colonial areas. Mr. Hoey added that even in the case of the Associated States it is hard to apply a common policy. Mr. Pollak noted that one common element in Indo-China and North Africa is that the U.S. must consider French interests in connection with both areas. Mr. Halle said that nationalism vs. the support of the colonial powers is always the basic problem.

12. The Chairman said that in any statement by the Secretary of State it would seem necessary to express approval of the historical policy of encouraging trends toward legitimate self-government. He suggested that it might be possible for CP to agree that we should encourage trends toward greater federation of colonial areas where economically and politically feasible.

*Editorial Note*

In a meeting of the Working Group on September 5, 1952, there was substantive discussion of two items; and then only brief consideration of Doc. CP D-11, "Dilemmas of United States Foreign Policy Objectives with Respect to Colonial Areas". "It was agreed that CP D-11 would be deferred for further consideration until a later meeting of the Working Group." (Department of State Committee files, lot 54 D 5, Doc. CP M-12, October 3, 1952 (Minutes of September 5 meeting))

The September 5, 1952 meeting was the last meeting of the Working Group on Colonial Problems except one on January 9, 1953 which was convened to deal with the Puerto Rico question (see pages 1427 ff.). Accordingly, no further consideration was given by the Working Group to the problem of general United States policy toward dependent areas.

The question of the future of the Working Group was raised in September 1953. In a memorandum of September 16, 1953 to the Assistant Secretary of State for Administration (Wailes), the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer) proposed the abolition of the Working Group (ODA files, lot 62 D 225, "Working Group on Colonial Policy, 1953"). The Director of the Office of Dependent Area Affairs (Gerig) favored reactivation of the committee (see Gerig memorandum, September 21, 1953, *infra*).

In another connection, Gerig wrote this assessment of the Working Group on Colonial Problems in terms of problems and accomplishments: "With regard to the objective of working out a general U.S. policy towards colonial questions, the Committee did make considerable progress in identifying the various elements of the problem and in bringing together relevant documentation (including previous analyses of the problem prepared in the Department). . . ." Gerig said further: "In the course of its work the Committee served as an effective means for clearing position papers on specific colonial problems arising in UN organs. And in this task its basic purpose, namely, to recommend a clear general policy on colonial questions, became more clear although the Committee did not, in the view of most of its members, complete this task. There appeared to be general agreement, however, that in colonial questions the US, because of its relations to its NATO allies who are the principal colonial powers and also because of the necessity for maintaining the sympathies of colonial peoples as well as the sympathies of other countries such as our Latin American neighbors and the Arab-Asian bloc, was bound to follow a middle-of-the-road course." (Committee Operations Report by Benjamin Gerig, Chairman, Working Group on Colonial Problems, October 1, 1953, ODA files, lot 62 D 225, "Working Group on Colonial Policy, 1953")

ODA files, lot 60 D 257, "Colonial Policy"

*Memorandum by the Director of the Office of Dependent Area Affairs  
(Gerig) to All Officers of the Office*

CONFIDENTIAL

[WASHINGTON,] September 21, 1953.

Subject: Formulating a Colonial Policy Position

As you know, we have for some years been attempting to clarify and to formulate a United States position with respect to the colonial problem, both as it affects our policy in U.S. territories and as it affects the position we should take in the United Nations with respect to the general colonial question.

Over the years we have tried to build up by an inductive process a United States position and have arrived at a description which we call "a middle-of-the-road" policy. Last year we had a Committee on "Colonial Policy" consisting of representatives of seven or eight Bureaus in the Department which did not succeed in clarifying the question very much beyond our earlier position. This Committee is still in existence but has not met in some months. The question arises whether we should not activate it again.

The change in Administration and the special interest which Secretary Dulles has displayed in the past in the colonial question affords an opportunity to re-think the question. This is the more necessary as the Secretary has himself stated that "the United States policy has become unnecessarily ambiguous in this matter". We are confronted also with the necessity of helping the new Administration find, if possible, a position which may in some respects differentiate it from the previous Administration.

It is therefore necessary for UND to go into this question again with a view to making available for top-level decision an analysis which would enable them to consider whether a different policy or a different emphasis on existing policy is needed.

I believe, therefore, that UND should immediately undertake the following steps:

1. Assemble all the relevant references to the colonial problem which Secretary Dulles has made since 1946. It would also be relevant to assemble similar statements by the President and perhaps by Ambassador Lodge. (Miss Armstrong might do this.) <sup>1</sup>

2. Assemble any important unofficial opinion or views of prominent Americans or organizations—church, labor, Negro, etc.—which might have relevance to the question. (Mr. Nosiglia and Miss Sawyer.) <sup>2</sup>

3. I believe that in the near future we should re-convene the Colonial Policy Committee in order to consult the other Bureaus as to whether further meetings would be profitable or whether any conclusions or

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<sup>1</sup> This project was initiated, but not completed until 1955.

<sup>2</sup> There seems to have been no followthrough on this.

recommendations might be drawn from previous meetings. (Mr. Robbins and Mr. Strong might explore this question, using such records of the Committee as might be useful.)<sup>3</sup>

<sup>3</sup> The Working Group on Colonial Problems was not reactivated.

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ODA files, lot 62 D 225, "US Representative in the Trusteeship Council"

*Memorandum by the United States Representative on the Trusteeship Council (Sears)*<sup>1</sup>

[NEW YORK?,] August 18, 1953.

Subject: United States Policy on Colonial Issues

Last spring, Secretary Dulles, following his journey to South Asia and the Near East, emphasized two points in connection with colonial issues.<sup>2</sup>

1. He said that our colonial policy had become "unnecessarily ambiguous" and that it would be far better to maintain a "frank and open" disposition and not to attempt as a tactical matter to keep Arabs and Asiatic countries guessing.

2. He also stressed the "orderly development of self-government", and warned that "the Kremlin uses extreme nationalism to bait the trap by which it seeks to capture dependent peoples."

The following conclusions are based on the above two points:

Obviously, we cannot support extreme colonialism any more than we can support extreme anti-colonialism since both are made to order for communist exploitation. This means that we must take a middle ground position as there is no other choice. But the trouble has been that we have been taking this middle ground position without any enthusiasm, even almost apologetically, when there appears to be no reason for such an unconfident approach. The contention is that because we must enlist allies from both sides of the colonial question, we are thereby required to carry water on both shoulders. But that is not so. The middle ground position is right because it is the only position that is always damaging to Soviet operations. This being the case, we should come out and say so and give our reasons affirmatively.

Up to the present our policy, publicity-wise, appears to be putting too much emphasis on the material as opposed to the moral approach. In so doing we overstress our NATO alliance with colonial powers which makes it look as if our traditional interest in political liberty

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<sup>1</sup> Mason Sears, of Massachusetts. Sears assumed this position on June 15, 1953. The position had been vacant since the resignation of Francis B. Sayre, June 1, 1952; Sayre had held the position from the beginning of U.S. participation in the Trusteeship Council in 1946.

<sup>2</sup> For documentation on the Dulles visit to the Near East and South Asia, May 1953, see volume IX.

has been weakened. It has dwelt too much on the mechanics of defense while somehow failing to get across with equal emphasis the reasons why we build for defense. Perhaps we have assumed too much that most other peoples are equally conversant with the true nature of the danger of international communism, but unfortunately many of them are not, and this should be corrected. We, therefore, should change our emphasis from the material side of defense to the moral issues behind the necessity for defense. We should emphasize not how we get defense so much as why we must have defense, why communism is so repugnant to national freedoms everywhere. After all, communism and its global objectives are the Root Evil, so we should stress first things first, after which we shall find that our policy can free itself of all of its so-called "policy conflicts" and become entirely clear.

The threat of world communism being what it is, we should stress the point that the continuing efforts of the Soviets to take over one small nation after another represents a policy which constitutes the greatest and only important road block to the ultimate achievement of a secure independence by any dependent or newly-liberated people.

With this in mind, the basic American approach to all colonial problems becomes quite simple to define. It is that :

"Ever since our own war for independence we have been traditionally dedicated to the idea of political liberty for all people. Unfortunately, this policy is now threatened by the known strategy of the Soviet Union, which is to infiltrate and ultimately stamp Kremlin control on every nationalist movement it can reach. In order to counteract this strategy the United States should—one, encourage any action which will help to decrease communist influence in colonial areas, and two, oppose any action which will help the communists to sow the seeds of discord."

In order to carry out this approach, it is suggested that our representatives take the following line in discussing colonial issues with members of the United Nations :

Our representatives should point out that the necessity to combat the infiltration of Soviet influence into colonial situations deserves top priority in every country which sincerely desires to promote constructively the independence of others. Unless this is done there can be no secure independence for any people struggling to attain their freedom, even though the threat of Kremlin control over their affairs appears to be only in the distant background.

A warning of what communist imperialism is like as seen through its "peoples' governments", is sharply demonstrated by the brutal manner in which it suppresses popular disturbances in its satellite "colonies" in Eastern Europe. Administration of this sort is colonialism in its most objectionable and repressive form. Colonialism is some-



times defined as the forcing of one nation into an inferior status by another. In that case the people of East Germany, Poland and Czechoslovakia might well be asked "just how inferior can a people get?"

Since the object of American policy is to prevent the Soviet subversion of nationalist movements and the liquidation of nationalist leaders, it should seek all the support it can gather to discourage the prolonging of overdue autonomy as well as the promotion of premature independence, because communist influence thrives on both extremes.

Our policy must be to promote orderly progress toward self-government. But "orderly progress" does not mean the kind of progress that is geared to the leisurely pace of pre-war colonial policy. It must recognize that a speed-up is necessary; that the growing intensity of nationalist movements will cut short the time which might otherwise have been used to accomplish the orderly development of dependent territories into self-governing nations. If communist agitation is to be prevented, the imperative necessity of today is to recognize and to provide outlets for popular pressures rapidly enough to stop communist-supported, extremist groups from seizing control of these nationalist movements.

While there is no common remedy for the relief of tensions which build up among peoples in widely differing stages of development, our policy in almost every case can and should be to encourage the enlargement of colonial training programs by the drafting of very greatly increased numbers of the local citizens into the various fields of education in the art of government. This, at least, will increase the size of responsible elements within the community and reduce the opportunities for extremists and communists to begin their operations.

Finally, so that our basic position on issues arising out of colonial relationships may never be misunderstood, our spokesmen should emphasize the simple formula by which we are guided. This is that we are traditionally dedicated to the idea of political liberty while the Soviets are equally dedicated to the idea of ultimate Kremlin control. Consequently, in view of the Soviet Union's known intention to take over every nationalist or independence movement it can reach, we will do all in our power to encourage any action which will decrease their influence and will oppose any action which will help them to sow the seeds of discord.

ODA files, lot 62 D 225, "US Representative in the Trusteeship Council"

*Memorandum by the United States Representative on the Trusteeship Council (Sears)*

[NEW YORK ?,] September 22, [1953.]

NOTES ON UNITED STATES APPROACH TO COLONIAL ISSUES

*What We Do Emphasize:*

1. We say that we are opposed to Communism.

But in so doing we give the false impression that we are more concerned about fighting Communism than promoting healthy nationalism as it emerges into self-government.

2. We say that we are opposed to extremism in any form—colonial or anti-colonial.

We state almost apologetically that we must be for a middle ground—compromise-policy in order to try and keep the free world together.

The feeling seems to be that because we must have allies on both sides of the colonial question, we are thereby required to carry water on both shoulders.

3. We take the material as opposed to the moral approach and talk too much about *how* we are going to get defense, rather than *why*.

We over-advertise our obligations under our NATO alliance with the colonial powers.

*What We Should Emphasize:*

1. What we should emphasize is that we are historically wedded to the principle of political liberty for all, and that we are so devoted to the aspirations of all constructive nationalist movements that we will do everything within our power to prevent them from being captured or distorted by the tactics of international Soviet imperialism.

We ensure freedom for tomorrow by blocking Communism today.

2. What we should emphasize is that we are for orderly progress towards self-government as disorderly progress leads directly to Communist exploitation.

By orderly progress we do not mean the kind of progress that was geared to the leisurely pace of pre-war policies.

We should recognize that a speed-up is necessary; that the growing intensity of nationalist movements will cut short the time which might otherwise have been used to accomplish the orderly development of an earlier day.

3. We should play up the moral approach by pointing out why the free world must have protection against Communist aggression and infiltration.

We should press the point that the ultimate achievement of lasting liberty for dependent or other

*What We Do Emphasize:*

This makes it look as if our traditional interest in political liberty has been weakened.

In other words, we dwell too much on the mechanics of defense instead of the human reasons behind the necessity for defense.

*What We Should Emphasize:*

newly-liberated people can never be attained unless the free world can protect itself against the spread of international Communism which proposes to stamp out Kremlin control on every nation it can subvert.

Take, for example, our Air Force bases in North Africa. We should explain at every opportunity that these bases are just as essential to the survival of the Arabs and their institutions as they are to the United States and its institutions.

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*Editorial Note*

Two basic public statements of United States colonial policy were made in the autumn of 1953: one by Secretary of State Dulles entitled "The Moral Initiative", in a speech before the Congress of Industrial Organizations at Cleveland, Ohio on November 18, 1953 (Department of State *Bulletin*, Nov. 30, 1953, pp. 741-744); the other by Henry A. Byroade, Assistant Secretary of State for Near Eastern, South Asian and African Affairs, entitled "The World's Colonies and Ex-Colonies: A Challenge to America", in an address made before the World Affairs Council of Northern California at Asilomar, California, on October 30, 1953 (*ibid.*, November 16, 1953, pp. 655-660). Both statements reflected the concern of the new Administration with "communism—the new colonialism", indicated by Sears.

In his speech of November 18, the Secretary of State placed his discussion of the colonial question in the setting of a general discussion of United States foreign policy. There were three main areas of global struggle between liberty and despotism: the home front, the free-world front and the captive-world front. "On the free-world front the colonial and dependent areas are the field of dramatic contest. Here the policies of the West and those of Soviet imperialism come into headlong collision." Dulles developed quickly the theme that it was inevitable that the 19th-century colonialism of the Western Powers "would be transitory and self-liquidating"; but that international communism in mapping a strategy for world conquest had "hit on nationalism as a device for absorbing the colonial peoples." As a result the Western Powers including the United States were faced with "a

task of infinite difficulty and delicacy" in responding to the rising tide of demands by colonial peoples for independence. "There are some who, having just gained political independence, already stand close to losing it in the way the Communists planned. Some non-self-governing peoples, if they won today what the extremists demand, would find that they had fallen into the Communist trap." To those who might feel that the United States was exercising too much restraint in its colonial policy the Secretary of State responded that "Zeal needs to be balanced by patience." He cited three examples of "orderly evolution" from colonial status to independence—Indochina, the Sudan, and the Philippines—"despite the obstacles that communism has created".

The Byroade speech of October 30, 1953 was devoted in its entirety to the United States attitude on the colonial question. In the introductory section of his lengthy talk Byroade briefly described and quickly established the legitimacy of demands of dependent areas of the world for freedom from foreign domination—"Western colonialism of the old type". He then rang the alarm-bell. Just at this time when the 19th-century colonial order was disappearing a new form of imperialism had "begun to extend a clutching hand to every quarter of the globe. I am referring to the new Soviet colonialism. This new colonialism is more subtle and more poisonous than the old, because it often masquerades under the guise of nationalism itself. . . ." The whole thrust of the lengthy speech that followed was to establish the valid conditions for United States colonial policy, for the withdrawing colonial powers, and for the peoples of the emerging new nations, to make "the real choice today" which "lies between continued progress toward self-determination and surrender to the new Communist imperialism." It was the well-established policy of the United States that all colonial peoples should be assisted in an orderly and resolute manner to attain self-government or independence under circumstances which would enable them to maintain their independence on an equal basis with the free nations of the world. This policy reflected a deep-rooted feeling on the part of the American people against alien rule of any people against its will. Byroade listed five considerations as to why in the United States interests the progress of dependent areas toward independence should be orderly and evolutionary: (1) Hasty withdrawal of the colonial power would invite internal disorder and external aggression, (2) the United States wanted independence to be real and to endure, (3) independence would not automatically be a "cure-all" for the perplexing problems of Asia and Africa, (4) the strength and stability of certain European nations—the colonial powers, "our allies"—would be adversely affected by a disorderly retreat from imperial status, and (5) it was important that the political development of the emerging nations be sufficiently advanced so that

they would be able to assume the burdens of statehood in their responsibilities toward the international order. Byroade devoted a large part of his speech to the application of these general principles of United States colonial policy to specific problems confronting the colonial powers and/or the United States in Africa south of the Sahara and in French North Africa. Finally he noted the dilemmas confronting United States policy in the Near East and South Asia, as observed by himself and the Secretary of State in the personal visit of Secretary Dulles to 13 countries of the area in May 1953 (for documentation on the Dulles trip to the Near East and South Asia, see volume IX) and as commented upon by Dulles after his return: "When disputes arise between the Eastern nations and our Western allies, we often find ourselves in sympathy with both sides." He cited the intractable Suez dispute between Egypt and Britain as an example. "In all differences of this nature, our fundamental problem is to lessen suspicion and encourage agreement between the Eastern and Western powers. By every word and action of our Government, we should make it clear that the old colonial relationship is dead and that it will stay dead. At the same time, we should encourage a better understanding of the possibilities inherent in a new relationship based on voluntary cooperation among independent nations." Earlier, in the context of his remarks about the situation in French North Africa, Byroade had put it somewhat more matter-of-factly: "It is no secret that these problems confront America with a dilemma. The present situation therefore calls frankly for a middle-of-the-road policy which will permit us to determine our position on practical issues on their merits as they arise. . . ."

## II. UNDERLYING ISSUES AT THE UNITED NATIONS AND DIPLOMATIC EXCHANGES BETWEEN THE UNITED STATES AND OTHER ADMINISTERING AUTHORITIES REGARDING CERTAIN OF THESE ISSUES

### *Editorial Note*

The underlying issues of colonial policy with which the United States was confronted at the United Nations were many and complex and rarely arose in a generalized context in which a question of general policy was readily recognizable or applicable; further, these issues almost never impinged upon an immediate and vital interest of the United States. Necessarily then, the thrust of the documentation here has been selective and illustrative rather than comprehensive and inclusive. Within the overall purpose of showing how United States policymakers viewed the issues and what they regarded as the avail-

able options, the documentation specifically centers on three main foci: Issues (1) raised for the most part on the initiative of other governments in diplomatic exchanges with the United States; (2) which loomed more prominently in United States consideration at a particular point in time of the on-going history of the issue; and (3) which came to focus in a particular organ or committee of the United Nations (the Trusteeship Council, the *Ad Hoc* Committee on Factors, the Committee on Information from Non-Self-Governing Territories, the Committee on Administrative Unions, Committee IV of the General Assembly, and the General Assembly itself). Such issues and United States policies relating thereto were definable in the limited format of an instruction to the United States Delegation concerned. Generally there is no account here of legislative proceedings at the United Nations, nor of the United States role therein, such information being already in the public domain.

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ODA files, lot 60 D 512, "Col/Pol, US Policy Dependent Areas"

*Memorandum Prepared in the Office of Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON, undated.<sup>1</sup>]

#### FOURTH COMMITTEE

##### A. THE ISSUE OF COLONIALISM

The general issue of colonialism has become an issue as dominant in the United Nations as the East-West conflict. A large majority of the members—in fact, all the members outside Western Europe, the old Commonwealths [*sic*] and the U.S.—have a strong tendency to vote against “colonialism” and for “self-determination” or “independence” whenever these issues are posed. A small but vociferous group of countries—at the Sixth Session Egypt was by far the most active—which have strong emotional feelings against “colonialism”, activate the large latent anti-colonial majority; Pakistan, India and Egypt are now pushing forward their rival efforts to organize it as a continuing tactical group under their leadership.

It must be anticipated that colonial questions will continue to be a major issue in the General Assembly for the foreseeable future and certainly an increasingly contentious subject for the immediate future. The colonial question in the General Assembly, initially largely con-

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<sup>1</sup>This memorandum, a review of matters relating to non-self-governing and trusteeship territories at the Sixth Regular Session of the General Assembly, Nov. 6, 1951–Feb. 5, 1952, is undated. It is obviously a draft of a document which was eventually completed for the Working Group on Colonial Problems (Doc. CP D-5, July 25, 1952). A commentary on the completed document by the UN Adviser, Bureau of Far Eastern Affairs (Bacon), is not printed (Department of State Committee files, lot 54 D 5, Doc. CP D-5/1, July 23, 1952).

fined to Committee Four and in special cases to the First Committee and the *Ad Hoc* Political Committee, has by now spilled over into other main Committees; for example, the Third Committee in the question of self-determination and the "colonial application" clauses, and the Second Committee in the question of an Economic Commission for Africa. However, it is in Committee Four, concerned with Trusteeship and Non-Self-Governing Territories, that colonial issues are constantly considered and the political tensions surrounding the "colonial problem" are continually evident.

#### B. FUNDAMENTAL SPLIT IN THE FOURTH COMMITTEE

Since the first session of the GA, the Fourth Committee has tended to divide on practically all questions into two groups—a small minority of powers administering trust territories or non-self-governing territories (7 states not including the U.S.) and the overwhelming majority of non-administering powers. The latter group is motivated by strong anti-colonial sentiment which has come to increasingly strong expression, and has held almost the entire initiative in determining the program and proceedings of the Committee. These two groups are attracted to opposite poles on five essential points:

1. The non-administering powers generally believe that colonialism in any form should be eliminated. The administering powers, however, start from the premise that one or another of the dependence relationships may, according to circumstances, still be useful or necessary.
2. Many of the non-administering powers maintain that the United Nations has the sovereignty or at least shares the sovereignty over trust territories. This is denied by the administering powers, who, however, do not claim sovereignty for themselves.
3. The non-administering group generally contend that there can be no final change in the status of non-self-governing territories under Chapter XI without General Assembly review and perhaps even revision. The administering powers, in general, reject this view.
4. While the majority of non-administering powers maintain that independence is the only acceptable goal for colonial territories, the administering powers see other alternatives; e.g., unity within the French Union, voluntary membership in the British Commonwealth, or statehood in the case of the United States.
5. Many of the non-administering powers contend that independence should be promised within a fixed term of years, if not immediately; the administering powers maintain that the desirable date of independence cannot generally be determined in advance.

In this situation the United States has, in practice, evolved a middle position between the extremes and has sought to develop a sizeable group of states which would also take a moderate position with respect to the various colonial issues. In this effort, the United States is assisted materially by the fact that the views of the members of the United Nations on colonial issues are diverse. The members of the administering and non-administering groups by no means share a

common viewpoint, nor do they vote identically on specific issues arising in the Fourth Committee. Among the administering powers, general positions range all the way from "ultra-conservative" to "moderate" or "liberal". In the non-administering group, there is a similar graduation ranging from "moderate" to "extreme". Thus, a moderate force exists potentially in the Fourth Committee. It is comparable in many respects to the "independent vote" in politics. It may on occasions support even the conservative administering powers, or, it may sometimes support the more extreme members of the non-administering group, but it constitutes a hard core about which a moderate position, between the two extremes, may be formulated and adopted in the Fourth Committee at the expense of more extreme proposals. While the composition of the moderate group may vary from time to time and on particular issues, it is clear that the following states are among those which normally take middle ground positions on colonial questions: Among the administering group—the United States, Denmark, and New Zealand; among the non-administering group—the Scandinavian states, Luxembourg, Iceland, Greece, Turkey, Canada, Thailand, the Dominican Republic, Peru, and certain other Latin American states.

#### C. U.S. RECORD IN VOTES

If all Committee Four resolutions approved during the Sixth Session of the General Assembly are taken into account, it is apparent that on almost every question the U.S. was able to support or to abstain on the action taken by the General Assembly. It should be noted that the U.S. participated in the sponsoring of only two of these resolutions. The U.S. Delegation, both by statements in the Committee and by informal talks with the sponsors of numerous other resolutions, was able to persuade the sponsors to accept changes which improved their resolutions. As a result, in its votes on Committee Four resolutions the Delegation opposed only two proposals which were approved by the Assembly. These were as follows:

- (1) The paragraph in the resolution on administrative unions affecting trust territories providing for the establishment of an *ad hoc* committee to give preliminary examination to the special report of the Trusteeship Council on administrative unions; and
- (2) The paragraph in the resolution on organization and methods of functioning of the visiting missions recommending that, whenever necessary to appoint to visiting missions members other than representatives sitting on the Trusteeship Council, the Council consider inviting UN Members who are not members of the Council to nominate suitably qualified persons.

After the failure to eliminate the foregoing objectionable portions of the resolutions in question, the U.S. voted against the administrative unions resolution and abstained on the visiting missions resolution. The



only other resolutions on which the U.S. Delegation abstained were the following:

(1) The Fourth Committee resolutions granting hearings to representatives of the indigenous peoples of South-West Africa and their spokesmen.

(2) The resolution on attainment by the trust territories of the objective of self-government or independence (which invited the administering authorities of the trust territories to report on the period of time in which it was expected that the trust territories would attain self-government or independence.)

(3) Part (b) of the resolution on the question of South-West Africa reaffirming that the normal way of modifying the international status of South-West Africa would be to place it under the International Trusteeship System in accordance with the provisions of Chapter XII of the Charter.

#### D. SIGNIFICANT TRENDS IN COMMITTEE FOUR

It is possible that the foregoing evaluations, based wholly upon U.S. votes on General Assembly resolutions which were actually put to the vote, may give an overly optimistic picture of the degree to which the discussion and actions of the Fourth Committee accorded with the interests and desires of the U.S. In the first place, the U.S. voted affirmatively on a number of resolutions which we would have preferred not be brought to a vote because of embarrassment to our Allies or because we do not consider helpful additions to the UN machinery and procedures. Moreover, there is no doubt that a deepening of the cleavage between the administering and non-administering members of the Committee occurred during the session. We were less successful than before in moderating the conservative approach of some administering countries, particularly the French, Belgian, British and Australian delegations, as well as the extreme approach of some of the administering group. The extremism of the anti-colonial majority increased measurably. The more radical members expressed their objective more clearly and sharply as being the grant of independence to non-self-governing areas rather than the improvement of conditions and the increase of autonomy. South Africa's refusal to carry out the advisory opinion of the International Court of Justice on South-West Africa added to the truculence of this group. When the Western powers, including the U.S., opposed the consideration of the Arab complaint concerning Morocco, the same issue broke out in aggravated form in the Committee Four debate at various points.

Experience even before the Sixth Session had shown clearly the settled technique of the anti-colonial majority of using the debates in the Fourth Committee to maintain a steady pressure against the administering powers toward an undefined or vaguely defined objective of "freedom" or "independence" for these territories. One major field of application of this increasing pressure on the administering powers

is the gradual development of machinery, in addition to the Trusteeship Council, for passing judgment on the actions of the administering powers not only in the trusteeship field but in the field of reports from non-self-governing territories under Chapter XI. Year by year the machinery in this field has been increasing. This year the Assembly added two new bodies, a Committee on Administrative Unions and a Committee on the Factors to be Taken into Account in Determining Whether a Territory is or is not Non-Self-Governing. These bodies, like the Committee on Information from Non-Self-Governing Territories and the South West Africa Committee, are inter-sessional bodies.

During the sixth session the majority in the Committee also pressed ahead with other forms of pressure. They extended the practice of hearing directly from inhabitants of territories under consideration in the Fourth Committee itself. In the case of South West Africa the attitude of South Africa gave great provocation for this. However, the Committee not only declared its intention to hear chiefs of the Herero tribes—and even before any other action had been taken—but they have heard the Rev. Michael Scott on two occasions and the challenge to this practice by South Africa may in fact encourage the extension of it in the future. The Committee also passed resolutions looking toward the adoption of continuing arrangements for confronting the representatives of administering powers in the Trusteeship Council and in the Committee on Information from Non-Self-Governing Territories with representatives of the indigenous inhabitants. Although the temper of the anti-colonial group in the Fourth Committee was greatly aggravated by the particular conditions that existed at the time, it must be assumed that the majority will in following sessions continue its pressure and move ahead from the positions achieved at this session, in the same direction.

The reaction of the principal administering powers to these developments was to increase the rigidity of their attitudes and, in general, to state or imply that the end of their patience and of their collaboration had about been reached. All of them, with the exception of Denmark, adopted a more uncompromising attitude than the United States. This is revealed in the voting record alone. The voting record of the administering powers on seventeen Committee Four resolutions approved by the Sixth Assembly is as follows:

	<i>Yes</i>	<i>No</i>	<i>Abstentions</i>
United States	12	2	3
Denmark	13	1	2
Netherlands	8	4	5
France	6	6	5
United Kingdom	6	4	7
Australia	6	3	8
New Zealand	6	3	8
Belgium	3	7	6

Many of the administering powers, not including, however, the U.S., were ready to walk out of the Fourth Committee if a resolution affirming the right of the Fourth Committee to discuss political conditions within the Chapter XI territories was adopted. Only superb conciliation moves behind the scene averted the adoption of this resolution and a consequent walk-out. Even so, members of the French Delegation in the Fourth Committee absented themselves during the discussion of the issue, which had its origin in speeches by various representatives on conditions in French Morocco.

#### E. U.S. ROLE

The GA is the forum in which the issue of colonialism is most dramatically presented to the world. Although the U.S. is not subject to the same criticisms as are the other administering powers it is, after all, an "administering authority" with not insignificant territorial responsibilities. For this reason alone the U.S. cannot completely associate itself with the anti-colonial majority in Committee Four. As indicated above, we have sought to maintain a middle position between the extreme members of both groups.

In consequence, the U.S. has attempted, through advance consultations and tactics in the GA, both to moderate the anti-colonial majority and to loosen up the rigid opposition of the administering powers. In 1951, our consultations with other governments were far more extensive than ever before, including all regions except the Soviet bloc. However, experience in the recent GA creates doubt as to whether many votes were altered by these consultations. This is probably due, at least in part, to the circumstances which aggravated the consideration of Fourth Committee questions at the very beginning of the session. Our experiences with non-administering powers shows clearly that, even though their delegates in the Fourth Committee do a great deal of "free wheeling" and spontaneous production both of speeches and resolutions, their governments generally support the anti-colonial trend in the Fourth Committee itself and will back-up even extreme positions taken by their representatives.

In the Fourth Committee, we attempt to play a conciliating role in the formulation of resolutions. We attempt to secure such modifications of majority resolutions as will enable ourselves, in the light of our substantive and political interests, and as many administering powers as possible to vote for them. We try to moderate the stand of the administering powers. On a given issue we seek to bring together a group of moderate states sufficient in size to ensure the adoption of reasonable resolutions or, as has been done on occasion, to prevent by the two-thirds rule the adoption of unreasonable or extreme resolutions. These tactics have been thus far relatively successful, having regard to the composition of the Committee. They have thus far prevented a break-

up of the Committee, and, up to the present, have largely avoided for us the stigmas attached to "colonialism" by most UN Members.

However, the sixth session showed that a crisis may be near concerning the whole work of the Fourth Committee. The majority is clearly bent on pressing forward further and faster. The administering powers are at the point of refusing cooperation. It is evident that we face formidable difficulties in the Fourth Committee in maintaining, at even the standards of past performance, a program which will be on the whole moderate in its results and an atmosphere which will permit the continued cooperation of the administering powers in the work of the Committee.

F. CERTAIN CONCLUSIONS REGARDING U.S. PARTICIPATION IN  
COMMITTEE FOUR

It is clear that the colonial problem as a whole is fast developing into a major international issue in which U.S. interests and relations with the rest of the world are vitally affected. While the ability of the U.S. to control this issue will vary from case to case, the position of the U.S. and the manner in which it exerts its influence will affect United States interests with respect to the colonial powers, the non-colonial world, our own territories and the UN as an organization. By mustering considerable effort, we managed to defeat the Arab request for considering the Moroccan item at the last session; the same thing was done concerning the Tunisian item in the Security Council. But a strong majority is determined to secure a hearing for the anti-colonial case in these and other areas. Even at the sixth session, the Moroccan problem and the other anti-colonial problems detracted considerably from the emphasis which we wished to give to East-West issues. It is quite possible that, at subsequent sessions, such anti-colonial issues may displace East-West issues at the center of the stage. Many countries—such as Iran—which have political independence have retained a degree of economic subservience to the UK, France or the U.S. and in future cases of friction such countries will find it expedient to appeal to the "colonial" issue.

On the basis of the factors which have been set out in this paper, the United States seems destined to continue to play a middle role, between extreme positions on colonial issues, both in the UN as a whole and in the Fourth Committee. The following conclusions regarding U.S. participation in Committee Four assume the continuance of this middle position:

1. The positions taken by the United States Delegation in the Fourth Committee on specific questions should be based on a comprehensive view of U.S. requirements and interests rather than on an effort merely to conciliate opposing viewpoints. Normally, however, this will place the U.S. in a middle position and will, as a result, prevent the U.S.

from being completely identified with either the extreme administering or non-administering group.

2. The efforts which U.S. delegations have made in previous Assemblies to develop a sizeable, moderate group of states on the various issues which have been presented should be continued and intensified. At best, such a moderate group can determine the action which the Committee will take. Failing that, it may be able to prevent extreme or unreasonable action.

3. Every effort should be made to ensure that the U.S. position on colonial issues is made clear both publicly and in consultations with other Members. To this end strong emphasis should be placed on statements of our position on the substance of issues, and situations in which U.S. positions can only be inferred from U.S. votes should be avoided. While it is difficult to imbue middle-of-the-road positions with "glamour" or drama, some initiative and leadership can be secured by taking a strong, plainly and fully explained position which will serve as an alternative attraction to extreme negativism on the one hand or irresponsible radicalism and innovation on the other.

4. Despite the fact that the results of pre-Assembly talks with administering and non-administering members have not been as satisfactory as we have wished, we should continue and even extend these talks in the future. We should ensure that a proper balance is maintained in these consultations so that neither group will feel that it is neglected or regarded as secondary importance, so that the U.S. will not be completely identified with either group. Careful consideration should be given to the more suitable method of carrying out consultations both prior to the Assembly and during Assembly sessions. In discussions with both groups we should continue to emphasize our hope that expressions of view and proposals for action on these issues, which understandably arouse sentiment and emotion, will be moderate and responsible and look toward the preservation of an atmosphere in which constructive action can be taken.

5. Our present policy of stressing the importance of the continuing activities of the Trusteeship Council and the Committee on Information From Non-Self-Governing Territories is well advised and should be firmly adhered to. We might develop even further the line that the effective operation of the Charter system requires that the General Assembly not interfere with the work and decisions of the Trusteeship Council except on the really major issues.

6. As one tactical device, we should try to establish definitely the principle that questions relating to Chapter XI are "important questions" and subject to the two-thirds majority requirement pursuant to Article 18, paragraph 2 of the Charter. Although most of the precedents are in this direction, practice has not been entirely uniform.

7. In some cases, consideration might be given to referring appropriate contentious issues to the International Court of Justice for advisory opinions. A case in point might be the question of the compatibility of administrative unions involving trust territories and adjacent colonies with the provisions of the Charter and the trusteeship agreements.

8. Continued study should be given to methods of restricting the influence of the Secretariat among non-administering delegations. The use by the Secretariat of these delegations to put forward speeches and resolutions as a means of promoting contentious Secretariat policies in the colonial field should be appropriately discouraged. As on all other issues, the services of the Secretariat on matters relating to the critical colonial field should be impartially rendered.

9. In determining U.S. positions on issues arising in the Fourth Committee we should, in every instance, give consideration to the desirability of the United States taking the initiative by introducing, "planting" resolutions or ideas.

10. Where advisable, major questions in the colonial field should be assigned to Committee Four as a means of forcing a concentration on significant issues rather than on the details of the operation of the Trusteeship Council and the Committee on Information From Non-Self-Governing Territories.

11. In view of the fact that colonial questions are discussed in a number of committees of the Assembly, careful coordination is required by the Assembly Delegation in order to ensure that there is identity of policy in the various forums of the Assembly and that the tactics in the various committees are mutually adjusted to accord with U.S. objectives. An important discussion or vote in Committee Three on self-determination can readily affect a decision taken shortly thereafter by Committee Four.

350/2-1552

*Memorandum of Conversation, by the Officer in Charge, Trusteeship  
Affairs (Cargo)*

CONFIDENTIAL

[WASHINGTON,] February 15, 1952.

Subject: General French Attitude toward Colonial Questions in the  
United Nations; Issues arising in the forthcoming session of the  
Trusteeship Council.

Participants: Mr. Gabriel van Laethem, Second [*First?*] Secretary,  
French Embassy  
Mr. J. Jefferson Jones, III, UND  
Mr. Benjamin Gerig, UND  
Mr. William I. Cargo, UND

At his request Mr. van Laethem called on Mr. Gerig yesterday afternoon (February 14, 1952) to discuss certain questions on the agenda of the forthcoming session of the Trusteeship Council.<sup>1</sup>

Mr. van Laethem began with a lengthy statement of his views regarding what he called the deterioration of the position of the West in Africa, the gist of which was as follows: The actions of the General Assembly, and in particular the attitudes of the Soviet, Arab, and Latin American blocs, are seriously undermining the position of the colonial powers in Africa. The granting of independence to Libya was the first unfortunate step in a chain of events which might eliminate the strategic control of the West over Africa and imperil the success of the defense measures which are being undertaken in Europe. In five years the French possessions in Central Africa, which were now peaceful, might be brought to the same situation as the North African territories. The few native leaders in African territories found it impossible to resist the temptation of possible future participation in the United Nations as representatives of independent states and, encouraged by the Arab states, were therefore unwilling to compromise or listen to reason on political issues. If the present course were to continue, a large number of new African states might be expected to arise.

Forthright leadership was required to arrest these trends in Africa. Nothing could be done with the Soviet bloc in the United Nations and little could be done with the Arab bloc. But much might be accomplished by appropriate approaches to the Latin American states. Only

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<sup>1</sup> This was the Tenth Regular Session of the Trusteeship Council which met at New York Feb. 27-Apr. 1, 1952. Unpublished documentation for this session is in Department of State central decimal file 350 and in the files of the Reference and Documents Section of the Bureau of International Organization Affairs (hereafter cited as "the IO files"). The Position Book made up for the U.S. Delegation to this Session was based directly on the projected agenda and is filed under file no. 350/2-2752. Documentation relating to this session is also in two office lot files retired by the Office of Dependent Area Affairs ("the ODA files"), lot 62 D 182 and lot 62 D 225.

the United States could do this effectively. The United States, he thought, should emphasize general security and political arguments, as the French had found from their experience on the Moroccan question<sup>2</sup> that the Latin American Governments would respond to these. The French could make the task of the United States much simpler by the formulation of their objectives in Africa on a much more comprehensive and clearer basis than had been done heretofore. Essentially, this would be an explanation and extension of the theory involved in the French Union, which had never adequately been clarified to the world. The United States should exert leadership to achieve a change of direction in Africa, and in the speeches of State Department officials and in the relations of the Department with the press great stress should be laid upon the accomplishments of the colonial powers and the substantial investments which the United States has made in recent years in the development of African territories.

In the course of his comments, Mr. van Laethem said that the colonial powers were being victimized by the distorted use of terms such as "colonialism", "autonomy", and "independence". He remarked that "we can't be the accused forever" and said that instead of "colonialism", stress should be placed on what colonial administration actually has become. Instead of "autonomy", emphasis should always be placed on the Charter objective of "political advancement", and instead of "independence", the colonial powers must stress the trend of the world toward inter-dependence. On this point he observed that just at the time when the French were in the process of giving up their independence in Europe—a lesson learned in the course of some centuries of bitter experience—the great cry in Africa was to establish independence for many small entities. He felt that the people of Africa should be forced to profit by the hard-earned experience of Europe as regards the inter-dependence of peoples. He also observed in this same connection that the British political conceptions in Africa were "out-moded", making particular reference to the recent constitutional developments in the Gold Coast.<sup>3</sup>

Mr. Gerig said that Mr. van Laethem's analysis was very far-reaching indeed, and certainly merited careful thought. He asked whether Mr. van Laethem had any details as to plans for the future development of the territories in Africa, and also whether the French expected to integrate their planning with the United Kingdom, for example, in such areas as West Africa. Mr. Jones asked whether Mr. van Laethem had any further information as to the scope of the planning which he envisaged. Mr. van Laethem made no specific reply to these inquiries.

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<sup>2</sup> For documentation on the Moroccan question, see volume xi.

<sup>3</sup> For documentation concerning U.S. interest in Gold Coast affairs, see volume xi.



Mr. van Laethem then referred to a number of resolutions on trusteeship matters adopted by the recent General Assembly which will be considered by the Trusteeship Council. He said that the resolutions on petitions, on the visiting missions, and administrative unions required study to find ways of minimizing possible difficulties. He described the resolution on the closer association of the indigenous inhabitants of trust territories in the work of the Trusteeship Council as "dangerous", and the resolution suggesting that the administering authorities formulate estimates of the time in which it is expected to achieve the objective of self-government or independence as "bad but not acute".

Mr. Gerig said that we were in the process of formulating our positions on these and other matters and that, while considerable attention had been given to them already in UND, final positions had not been taken by the Department. Mr. Cargo expressed the view that not much difficulty should be encountered in the Trusteeship Council on the resolutions dealing with petitions, visiting missions, and administrative unions. He assumed that the Council would proceed to establish a standing committee on petitions, as suggested by the General Assembly, with power to meet between sessions. However, as this committee could undertake only a preliminary examination of petitions, as the Assembly resolution noted, the Trusteeship Council would take final action on petitions as at present. The difficulties with regard to the administrative unions resolution would be expected to arise in connection with the meeting of the newly established Assembly committee on that subject rather than in the Trusteeship Council.

With regard to the resolution dealing with the closer association of the indigenous inhabitants in the work of the Trusteeship Council, Mr. Gerig stated that he did not consider it possible to establish any kind of "dual representation" in the Trusteeship Council and that this would run counter to the spirit in which the trusteeship arrangements had been established. He felt that this was a complex problem involving the local administrations, and observed that we had not yet considered the question in detail with the Department of the Interior which administers the Trust Territory for which the United States is responsible. He said, however, that it might be possible for the Council, after consideration of the Assembly resolution, to invite administering authorities, wherever practicable, to attach representatives of the indigenous population to their delegations to the Trusteeship Council. He pointed out that the French and the British had both taken steps of a comparable nature in connection with their delegations to the General Assembly. Mr. van Laethem again expressed the concern felt in Paris about indigenous participation in the Trusteeship Council, setting forth views expressed previously to the Department by the

French Embassy when this matter was under discussion in the General Assembly.

Mr. van Laethem inquired as to the views of the Department on the Ewe question. Mr. Gerig again said that the Department had not finally determined its position, but that tentatively the view was that the inquiry into the Ewe problem<sup>4</sup> would be best and most economically carried out by the regular visiting mission rather than by a special mission. He emphasized that the time factor was of importance if it were to be done by the regular mission which would have to make the visit in time to complete its survey and prepare its reports before the Eleventh Session of the Council. Mr. van Laethem also asked whether the Department had any views concerning the composition of such a mission. Mr. Gerig said that it seemed to him that Mr. Ryckmans, because of his experience in Africa and for other reasons, would be a useful member of such a mission, if he could be prevailed upon to go.

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<sup>4</sup>For documentation on the question of the Ewe peoples divided between British Togoland and French Togoland, see *Foreign Relations*, 1951, vol. II, pp. 520 ff.

700.022/2-2052

*Memorandum of Conversation, by the Director of the Office of  
Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[WASHINGTON,] February 20, 1952.

Subject: Belgian attitude toward certain Assembly resolutions relating to Non-Self-Governing Territories

Participants: Ambassador Silvercruys—Belgian Embassy  
Assistant Secretary Hickerson }  
Mr. Benjamin Gerig }UNA  
Mr. Ward Allen—EUR

At his request, Ambassador Silvercruys called upon Mr. Hickerson today to say that Foreign Minister Van Zeeland had requested him to convey to the Department the views of the Belgian Government in regard to the attitude adopted by the United States Delegation on the adoption of various resolutions introduced in the Fourth Committee of the last Assembly dealing with non-self-governing and trust territories.

The Ambassador said that his Government had noted "with surprise" that on several of these resolutions the United States Delegation had voted in favor, or at most had abstained, whereas the Belgian Government took "strong exception" to several of these resolutions and thought they were harmful and even dangerous.

There were five resolutions in particular which disturbed the Belgian Government, namely: (1) the resolution regarding participation of non-self-governing territories in the work of the Special Committee on Information under Article 73(e); (2) the resolution on the revision of the Standard Form which tended, he said, to require the submission of political information; (3) the resolution calling for the setting up of a standing committee on Petitions to meet, if necessary, between sessions of the Trusteeship Council; (4) the resolution regarding the attainment of self-government or independence by the trust territories at a particular date; and (5) the resolution on the participation of indigenous inhabitants of the trust territories in the work of the Trusteeship Council.

It was a matter of regret, he said, to the Belgian Delegation at the Assembly that the representatives of the United States "sided with the Delegates of nations which have little responsibility in the matter" and whose customary hostility toward the administering authorities was well known.

The adoption of the two resolutions pertaining to the work of the Special Committee on Information constituted an attempt to restrict the rights of the administering authorities and to drive a wedge between them and the populations. This, he said, was dangerous and harmful.

In regard to the three resolutions pertaining to trust territories, his Government had understood that the United States had earlier expressed its opposition to the setting up of a standing petitions committee. However, in the Fourth Committee the American Delegate had voted for the resolution.

In regard to the resolution on the time limit for attaining self-government or independence, his Government rested its position on Article 76 which states that the basic objectives of the trusteeship system "to promote progressive development toward self-government as may be appropriate to the particular circumstances of each territory." He particularly wished to stress the word "progressive". He thought the United States Delegation would have voted against such a resolution instead of abstaining.

The resolution providing for participation of the inhabitants of the trust territories in the work of the Trusteeship Council was even more dangerous since, as the Cuban representative had explained in introducing it, it was aimed at giving the representatives of the inhabitants "a status equal to special representation." It tended to recognize an opposition between the indigenous inhabitants and the administering authority. They were surprised, therefore, to find that the United States Delegation had voted affirmatively.

The Ambassador said that the Belgian authorities are fully conscious of their moral, social, economic and political responsibilities.

toward the populations of the Congo and of Ruanda-Urundi. They are promoting the advancement of both territories with the speed and moderation necessary to insure the well-being of the people. The Belgian Government had hoped for a better understanding on the part of the United States of the conditions which prevail in these territories and of the responsibilities assumed by the Belgian authorities.

In view of the surprise manifested by certain delegations to the United States representative in Committee 4, the latter had stated in Paris that his delegation would lend its good offices in the Trusteeship Council in the hope of seeking an application of these resolutions acceptable to all. The Belgian Government, therefore, sincerely hoped that the United States Delegation to the Trusteeship Council will be advised of the attitude of the Belgian Government and that he would receive instructions to proceed in such manner as will insure a reasonable solution in the application of these resolutions.

Mr. Hickerson said that the Department would study carefully the viewpoint expressed by the Ambassador and in a few days he would try to give the reply which the subject-matter merited. He was not prepared to go into detail now. He would say, however, that the Ambassador would understand that our approach and the Belgian approach to the general colonial question might in some respects differ. The United States regards its role as that of "honest broker" between what sometimes appears to be extreme positions taken by both the colonial and the anti-colonial groups. The United States sentiment was fundamentally in favor of making rapid advancement in the development of non-self-governing territories toward self-governing institutions and we were trying to be helpful to any situation where the rise of nationalism is one of the significant phenomena of our times.

Mr. Gerig pointed out that with reference to the five resolutions to which the Ambassador referred, all of them had been introduced in a much more extreme and unacceptable form and that the United States Delegation had succeeded in most cases in getting modifications of the language. Mr. Hickerson added that these and other points of detail would be taken up when we made our reply to the observations of the Ambassador.

Ambassador Silvercruys said that he himself was not too fully acquainted with the details of the resolutions to which his Government objected but that he believed and hoped that it would be possible to ameliorate their harmful effects if the administering authorities in the Trusteeship Council took the right line in their application. Mr. Hickerson said that there would be opportunities to discuss all these points, both before and during the session of the Trusteeship Council.

745K.00/2-2252

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] February 25, 1952.

Subject: Problems arising at the Tenth Session of the Trusteeship Council

Participants: M. Pignon, French Representative on the Trusteeship Council

M. Hure, French Delegation to the United Nations

M. Shrick, Attaché, French Embassy

Assistant Secretary Hickerson }  
Mr. Benjamin Gerig } UNA  
Mr. William I. Cargo }

Mr. Ward Allen, EUR

At his request, M. Pignon called on Mr. Hickerson to discuss certain questions which will arise during the tenth session of the Trusteeship Council.

*Organization of a Visiting Mission to Investigate the Ewe Question Pursuant to the Resolution of the General Assembly*

M. Pignon recalled that the Assembly resolution on the Ewe question gave the Trusteeship Council the option of sending a special mission to investigate the Ewe question or, alternatively, of entrusting this task to the regular visiting mission which would go to West Africa during 1952. He said that the French Government was completely in favor of the regular mission and strongly opposed the formation of a special mission for the purpose envisaged. He elaborated this point at some length, indicating French apprehension of establishing a special mission because of the precedent which this might constitute and also the view of the French Government that more local agitation would result from a special mission than from a regular mission. Mr. Hickerson indicated that the Department also favored a regular mission to carry out the study of the Ewe problem.

Turning to the question of the date at which a mission might carry out its work in connection with the Ewe question, M. Pignon said that the French Government desired the mission to arrive as late as possible. He pointed out that the elections to the Representative Assembly of French Togoland are scheduled for March 30 and said that it would be undesirable for the visiting mission to arrive during the election campaign. He then pointed out that the Assembly resolution on the Ewe question asks that the mission undertake a study of the operation of the Joint Council for Togoland affairs which is to be established. He observed also that the same resolution requires the administering

<sup>1</sup> Drafted by William I. Cargo, Officer in Charge, Trusteeship Affairs.

authorities to consult with the population regarding the composition of the Joint Council. M. Pignon said that it would not be possible to complete these consultations, to establish the Joint Council, and to have it in operation before July 1. This date, therefore, would be the earliest date that it would be possible for the Mission to be received in French Togoland. He said further that the electoral procedure in British Togoland was still more complicated and that the British, so he had been informed, would be unable to receive the Mission before September 1.

In order to avoid conflict with the General Assembly resolution, which requests the Trusteeship Council to examine the report of the Mission on the Ewe question in time to place the matter before the General Assembly at its next session, M. Pignon believed that a special session of the Trusteeship Council should be convened during the General Assembly. (Subsequently it was pointed out that this might be a second part of the eleventh session of the Council rather than a special session.) The Council would consider the report of the Mission on the Ewe question and thereafter the Assembly would consider the matter, thus complying with the Assembly resolution. In response to Mr. Hickerson's inquiry, M. Pignon indicated that the Mission would probably need to spend one month in the two Togos. It could then, M. Pignon thought, prepare its report on the Ewe question and despatch it to the United Nations, thereafter carrying out its other functions in the two Togos and the Cameroons.

Mr. Hickerson said that the French proposal seemed to him an ingenious one and noted that it arose from the desire of the French to proceed as far as possible with the organization and functioning of the Joint Council before the arrival of the visiting mission in the territory. He said that, assuming the United Kingdom was in agreement with this procedure, the United States would support it as a reasonable means of implementing the Assembly resolution.

M. Pignon asked whether the United States had any views as to the composition of the Mission. Mr. Hickerson said that we thought that Belgium and Australia would be good choices as administering members. M. Pignon expressed full agreement with this suggestion. As for the non-administering members, Mr. Hickerson said that any of the non-administering members of the Trusteeship Council, except the Soviet Union, seemed to us to be acceptable. It was pointed out, however, that Thailand and the Dominican Republic had just served on the Trusteeship Council's visiting mission to the trust territories of East Africa.

#### *Administrative Unions*

M. Pignon referred to the resolution of the General Assembly on the subject of administrative unions. He pointed out that this resolution

made specific references to the position of the trust territories of the Cameroons and Togoland within the French Union. M. Pignon said that the French Government was anxious for the study on this subject to be undertaken by the Trusteeship Council. They did not wish this to be left to the General Assembly or to the newly established Assembly Committee on Administrative Unions. Mr. Hickerson said he saw no difficulty on this point.

#### *Petitions*

With reference to the General Assembly resolution requesting the Trusteeship Council to establish a standing committee on petitions, M. Pignon said that the French would "cause no difficulty" with regard to the establishment of the standing committee. The French were of the view, however, that the committee should not be in session continually. M. Pignon also felt that it should be permitted to determine which petitions could be disposed of at once by the Trusteeship Council and which, on the other hand, should be discussed in the presence of the special representative from the trust territory concerned and in conjunction with the examination of the annual report on that territory. It was pointed out to M. Pignon that this was substantially the practice followed at the present time. However, it was also noted that the Trusteeship Council's Rules of Procedure provide for the possibility of examining petitions of an urgent character at an earlier date than would normally be the case. Mr. Hickerson indicated that the general point which M. Pignon had in mind seemed reasonable.

#### *Participation of the Inhabitants of Trust Territories in the Work of the Trusteeship Council*

Mr. Hickerson indicated that he was aware of the apprehension of the French Government in connection with the resolution on this subject adopted by the General Assembly. He stated that the United States, too, was opposed to any development in the nature of "dual representation" in the Trusteeship Council which would, in effect, provide some form of special representation for the indigenous inhabitants of trust territories in addition to the representation for France, for example, as the administering authority. The United States felt that such a procedure would be contrary to the spirit of the trusteeship arrangements. However, the United States believed that a moderate implementation of the Assembly resolution could be undertaken without endangering the position of the administering powers. It seemed feasible to the United States for the Trusteeship Council to recommend to the administering authorities that, where practicable, they attach indigenous persons from the trust territory concerned to their Trusteeship Council delegations. He observed that the French and British governments had already used indigenous persons on their delegation

to the Fourth Committee of the General Assembly. Mr. Gerig commented that the United States had had a Puerto Rican member on one of its delegations to the Special Committee on Information from Non-Self-Governing Territories. M. Pignon indicated his concurrence with what Mr. Hickerson had said and added that he found no difficulty with the formula which the United States had in mind.

*Petitions Relating to the Unification of French and British Cameroons*

M. Pignon called attention to a petition which had recently been sent to the United Nations suggesting unification of the two Cameroons. He said that this represented no substantial opinion in the territories. While he was not overly pessimistic on the matter, he feared that efforts might be made to give rise here to a new Togo problem. He observed that the General Assembly strengthened such tendencies when it became aware of them and also said that the United Nations Secretariat might well exert an unfortunate influence in the matter. Mr. Hickerson said that he recognized the danger, but that he did not know specifically what could be done except to continue, as we had done in the past, to urge a more moderate and temperate approach to such problems.

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350/2-2652

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)<sup>1</sup>*

CONFIDENTIAL

[WASHINGTON,] February 26, 1952.

Subject: GA Resolution on Associating Inhabitants of Trust Territories with Work of the Trusteeship Council

Participants: Mr. Gerald Meade, Counselor, British Embassy  
Mr. Hickerson, UNA  
Mr. Ward P. Allen, EUR

Mr. Meade referred to this resolution which the UK Delegation had opposed at the last General Assembly and which is to be considered by the forthcoming session of the Trusteeship Council, reiterating the UK view that as approved by the GA the resolution was an unfortunate one. Nevertheless, both the Colonial Office and Foreign Office realize that the Trusteeship Council should not send a report back to the next GA which would amount to an "undisguised rebuff", since this would give rise to more extreme GA action. The UK was therefore hopeful that the administering authorities would be able to agree among themselves on some type of implementation of the resolution which would not prejudice their basic position and hoped the US

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<sup>1</sup> Drafted by Ward P. Allen, UN Adviser, Bureau of European Affairs.



would agree to a resolution by the Trusteeship Council which would invite the administering authority, where possible, to include on their delegations to the Trusteeship Council persons from the trust territories themselves, by analogy to Rule 74 of Rules of Procedure of the Trusteeship Council.

Mr. Hickerson responded by reiterating our opposition to any concept of "associate membership" for the trust territories in the Trusteeship Council and stated that the UK suggestion was exactly the formula which we had had in mind in voting for the resolution and which, on February 25, had been suggested to and approved by M. Pignon, the French TC representative. It appeared therefore that the US, UK and France were in complete agreement on the implementation of the resolutions and we expressed confidence that our respective delegations to the Trusteeship Council in New York would be able to work out the solution along these lines.<sup>2</sup>

J[OHN] D. H[ICKERSON]

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<sup>2</sup> Unpublished documentation on this matter is in file 700.021. For an account of what happened at the Tenth Session of the Trusteeship Council on this question, together with relevant citations to documents, see Department of State Position Paper, June 2, 1952, p. 1192.

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745K.00/2-2952

*Memorandum of Conversation, by an Adviser of the United States Delegation to the Trusteeship Council (Cargo)*<sup>1</sup>

RESTRICTED

[NEW YORK,] February 29, 1952.

Subject: The Ewe Question

After the meeting of the Trusteeship Council on Friday, February 29, Sir Alan Burns made a point of expressing to me his appreciation for the "support and assistance" which the United States had given the United Kingdom and France in connection with their desire to have the Visiting Mission to West Africa arrive in the Togolands as late as possible. (He referred to the fact that, after the British and French delegations had outlined the various reasons why it would be impossible for them to receive a visiting mission before September 1, Ambassador Sayre had proposed that the Council decide that the visiting mission assemble at Headquarters in August, arrive in the Togolands not later than September 1, spend 30 days in investigations in the territory, and prepare their report in time for examination by the Trusteeship Council at a session to convene not later than November 7.) Although the vote on the matter was postponed at the request

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<sup>1</sup> Drafted by Cargo in Washington on Mar. 3.

of the Soviet representative, Sir Alan said he had no doubt that the Council would give broad support to the proposed time table.<sup>2</sup>

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<sup>2</sup> On Mar. 27 the Trusteeship Council decided to send a mission to visit the four Trust Territories in West Africa in 1952. British and French Togoland were visited in August and September; and British and French Cameroons in October and November.

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320.14/3-2752

*Memorandum of Conversation, by the Deputy Director of the Office of  
Dependent Area Affairs (Jones)*

CONFIDENTIAL

[WASHINGTON,] March 27, 1952.

Subject: Action of Fourth Committee of Sixth Assembly

Participants: Ambassador Silvercruys, Belgian Embassy  
Mr. Hickerson, UNA  
Mr. Allen, EUR  
Mr. Jones, UND

Mr. Hickerson commented on the various points with respect to the action of the Fourth Committee of the Sixth Assembly which Ambassador Silvercruys had raised at the previous meeting along the lines of the attached summary.<sup>1</sup>

Ambassador Silvercruys expressed appreciation for the painstaking care which Mr. Hickerson had taken in commenting on each of the questions which he had raised. He said that the Department's careful study of the questions and its willingness to take the Belgian views into consideration were indicative of their importance. He said that the Government of Belgium would be very glad to give consideration to the views which Mr. Hickerson had expressed and that he considered that the two governments were not far apart in so far as their general objectives in the colonial field were concerned. Belgium would continue to discharge its responsibilities in the Congo and Ruanda-Urundi in the same way that it had assumed these responsibilities. The Belgian objectives in these territories were to make it possible for the two races to live in peace and to promote the advancement of the two territories as rapidly as possible.

[Here follows brief remarks about two other matters.]

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<sup>1</sup> Not attached to source text; not found in Department of State files.

320.14/4-1052

*Memorandum of Conversation, by the Director of the Office of  
Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[WASHINGTON,] April 10, 1952.

Subject: United States participation in Committee 4

Participants: Sir Christopher Steel, British Embassy

Mr. John D. Hickerson—UNA

Mr. Ward Allen—EUR

Mr. Benjamin Gerig—UND

At Mr. Hickerson's request Sir Christopher came to the Department today to receive the Department's further reply to several complaints which Sir Christopher had made regarding the activities of the United States Delegation in Committee 4 of the General Assembly; in particular, the complaint that Dr. Tobias had taken a position in the Committee which was not in harmony with delegation decisions and which was inconsistent with general views expressed by United States representatives in the colonial talks.<sup>1</sup>

Mr. Hickerson said that he had looked further into this allegation and was able to say that Dr. Tobias had at all times been amenable to United States Delegation decisions and that he had faithfully and accurately represented United States views throughout his participation in the General Assembly. He had, indeed, taken these positions even though at times they may have been somewhat contrary to his own personal views and desires. Mr. Hickerson wished to add further that when Dr. Tobias made a general statement in Committee 4 referring to the Chairman's able conduct of Committee business, this customary and *pro forma* statement should not be regarded as an endorsement of all the decisions of the Chairman or as an approval of the unwarranted Guatemalan attack on the British monarchy which had just been made previously and which the Chairman was unable to prevent.

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<sup>1</sup> In a formal protest on Nov. 28, 1951 by Sir Christopher Steel, Minister of the British Embassy, the statement was made to Assistant Secretary Hickerson "that the United Kingdom Government was disturbed over recent developments in Committee 4 . . . that the whole basis of the cooperative relationship between the United States and the United Kingdom on colonial questions, which had been worked out in the colonial policy discussions in Washington and in London, was being jeopardized by the policies and attitudes of Dr. Channing Tobias, the United States Representative on Committee 4." Sir Christopher had cited particular examples. (Memorandum of conversation, by Hickerson, Nov. 28, 1951, file 320.14/11-2851) Further unpublished commentation is in the ODA files, lot 60 D 512, "Col/Pol: British Policy" (Letter, Sandifer (at Paris) to Hickerson, Dec. 5, 1951; memorandum, Gerig to Hickerson, Feb. 1, 1952).

For the colonial policy discussions held at Washington in 1950, see *Foreign Relations*, 1950, vol. II, pp. 434 ff. The 1951 London talks are documented in *ibid.*, 1951, vol. II, pp. 623 ff.

Sir Christopher said that while he was glad to have this assurance he was rather more interested in the basic differences of attitude between our two delegations in regard to the role which the United Nations could play in colonial and other matters. He thought the United States was too much inclined to recognize the United Nations as a nucleus which could oppose the administering powers and that we were too ready to come to terms with this nucleus rather than to fight it in the interest of our own rights and the rights of the free world. Mr. Hickerson replied that this description did not accurately reflect our point of view. He said, however, that in certain cases, such as Korea, we felt that it was to the interest of all of us to make it a United Nations activity rather than the activity of the several nations acting under Article 51.

Sir Christopher said he hoped that in any future colonial talks there would be included in the United States Delegation the person or persons who would represent us in the General Assembly. Mr. Hickerson said he agreed that the persons handling our affairs in Committee 4 should certainly be fully briefed on the colonial talks and this was, in fact, the case this year, since Mr. Gerig who had participated in these talks was sitting immediately behind our delegate and kept him fully informed. Mr. Gerig said that in the case of the French and Belgians their representatives in the Fourth Committee were the same as those who participated in the colonial talks, but that this was not the case with the United Kingdom, since neither Sir Alan Burns nor Mr. Mathieson had participated in the talks previously in London.

Mr. Hickerson terminated the conversation by saying that although there is a wide area of agreement on general questions in the colonial field, it would be impossible always to anticipate specific questions arising in the Fourth Committee, in which our respective delegations would have to take their positions in the light of circumstances as they developed on the spot and having in mind our respective backgrounds and domestic situations, which were not always similar.

350/6-252

*Position Paper Prepared in the Department of State for the United States Delegation to the Eleventh Session of the Trusteeship Council*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 2, 1952.

ITEM 12: REPORT OF THE COMMITTEE ON PARTICIPATION OF INDIGENOUS INHABITANTS OF TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL<sup>2</sup>

TRUSTEESHIP COUNCIL COMMITTEE ON THE PARTICIPATION OF THE INDIGENOUS INHABITANTS OF TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL. (EXPECTED TO BE MEETING DURING THE WEEK BEGINNING JUNE 2, 1952)

*The Problem:*

The problem is to determine the position to be taken by the United States Representative on the Trusteeship Council Committee on the Participation of the Indigenous Inhabitants of Trust Territories in the Work of the Trusteeship Council.

*Recommendations:*

1. The objective of the United States Representative should be the preparation by the Committee of a report or resolution which, subject to the qualifications set out in paragraph 2, is responsive to the desire of the General Assembly as expressed in Resolution 554 (VI) to have the inhabitants of trust territories associated more closely in the work of the Trusteeship Council, which would obtain broad support among Administering and Non-Administering Members of the Council, and which would provide the more moderate members of the Fourth Committee with a reasonable alternative to unacceptable proposals for direct representation of the inhabitants of trust territories in the Trusteeship Council which more extreme members of the Committee will probably advance at the Seventh General Assembly.

2. In pursuance of the foregoing objective, the United States Representative should seek to avoid action by the Committee which would:

(a) be of such a negative character as to offer moderate members of the Fourth Committee no reasonable alternative to the more extreme

<sup>1</sup> The 11th Regular Session of the Trusteeship Council met at New York June 3-July 24, 1952. The Position Book for the U.S. Delegation is filed under 350/6-252. Unpublished documentation is in file 350 and the IO files and the ODA files (lot 62 D 182 and lot 62 D 225).

On June 2, 1952 the President approved the appointment of Benjamin Gerig, Director of the Office of Dependent Area Affairs, as Acting U.S. Representative to the 11th Session of the Trusteeship Council (memorandum, Acting Secretary Bruce to the President, May 29, 1952, file 350/5-2952). This appointment was necessitated by the recent resignation of Francis B. Sayre as U.S. Representative on the Trusteeship Council.

<sup>2</sup> This matter was Item 12 on the projected agenda of the 11th Session.

proposals on this question that may be expected at the Seventh General Assembly;

(b) result in some form of "dual representation" on the Council;

(c) fail to take account of the variations in the conditions relating to the individual trust territories and the consequent need for flexibility as to the manner and timing of any steps to associate the inhabitants more closely in the Council's work.

3. If the Delegation finds that it will not be possible to obtain broad support among the Administering and Non-Administering Members of the Council for a report or resolution on this subject pursuant to the above recommendations, the Delegation should consult the Department.

*Discussion:*

At its Sixth Session the General Assembly adopted resolutions on the participation of non-self-governing territories in the work of the Committee on Information from Non-Self-Governing Territories and on the participation of the indigenous inhabitants of trust territories in the work of the Trusteeship Council. The United States voted for both resolutions. The vote on the resolution relating to the work of the Trusteeship Council was 33-4-4. Of the other Administering Members of the Council, Belgium, France and the United Kingdom voted against the resolution, while Australia and New Zealand abstained. All of the Non-Administering Members of the Council, except the Dominican Republic, voted for the resolution. The Dominican Republic abstained. Some of the proponents of the resolution, in particular Cuba, clearly had in mind the concept of associate membership in the Trusteeship Council for the inhabitants of the trust territories and the resolution commends the practice of some specialized agencies and regional commissions of the United Nations in admitting non-self-governing and trust territories as associate members. However, the operative paragraph of the resolution merely "invites the Trusteeship Council to examine the possibility of associating the inhabitants of the trust territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its Seventh regular session."

The Representative of the United States in explaining his affirmative vote on this resolution in Committee Four made the following statement:

"My Delegation interprets the amended resolution to mean a desire on the part of the Assembly that the inhabitants of the trust territories should be associated more closely in the Trusteeship Council's work but not to restrict or limit the power of the Trusteeship Council to examine all the practical possibilities of achieving this objective. In other words, our vote should not be interpreted to mean that the United

States has committed itself at this time to supporting any specific or particular form of such association of the inhabitants in the Trusteeship Council's work."

In consultations in New York and Washington before the opening of the Council's Tenth Session, representatives of the United Kingdom indicated that, in view of the situation that might arise in the Fourth Committee at the Seventh General Assembly, the United Kingdom considered that the Trusteeship Council should adopt a moderate resolution in implementation of the General Assembly's resolution. It favored a formula whereby the Trusteeship Council would ask Administering Authorities, where possible, to include in their delegations to the Trusteeship Council persons from the trust territories. (At a later date, the United Kingdom indicated informally to the United States Delegation that they had already made plans to attach Tanganyikans to their Delegation at the Eleventh Session of the Council and intended to do the same with West Africans at succeeding sessions.) Council action along these lines was also supported by the United States Delegation. The Representative of Iraq, early in the Session, introduced a draft resolution somewhat along these lines and the United Kingdom Delegation informally circulated a revision of this draft.<sup>3</sup> After consultations with other Members of the Council, in particular the United States, the Representative of Iraq later introduced a revised draft of his resolution which

"recommends that, where appropriate or upon the request of the Trusteeship Council, the Administering Authorities associate suitably qualified indigenous inhabitants of the trust territories, such as persons who have participated actively in the political, economic, social and educational life of the Territory, in the work of the Trusteeship Council as part of their delegations, or in any other form which they deem desirable."

In further consultations with the representative of Iraq the United States Delegation indicated that while the revised Iraq draft was generally acceptable to it, it could not agree to the inclusion of the phrase "or upon the request of the Trusteeship Council". Mr. Khalidy (Iraq) stated that he understood our position but that he could not agree to the elimination of this phrase. However, he would agree to a separate vote on this phrase and would be prepared to let it "meet its fate".

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<sup>3</sup> The texts of these and other drafts and the U.S. position thereon are documented in the Department of State files as follows: New York telegram 565, Mar. 4, 1952, file no. 700.021/3-452; New York telegram 566, Mar. 4, 1952, file no. 700.021/3-452; New York telegram 568, Mar. 4, 1952, file no. 700.021/3-452; New York telegram 569, Mar. 4, 1952, file no. 700.021/3-452; Department of State telegram 322, to New York, Mar. 5, 1952, file no. 700.021/3-452; New York telegram 585, Mar. 6, 1952, file no. 700.021/3-652; Department of State telegram 344, to New York, Mar. 19, 1952, file no. 700.021/3-452. The verbatim texts are printed in the *Official Records of the Trusteeship Council, Tenth Session*.

From further consultations with Administering Members it became apparent that most of them recognized the desirability of a moderate implementation by the Council of the General Assembly's resolution. Some were not convinced that the Iraq draft resolution, even with the elimination of the above-mentioned phrase, adequately safeguarded their interests. The United States Delegation endeavored to persuade them that the resolution left adequate controls in their hands and that the opportunity of adopting such a moderate resolution sponsored by a leading Non-Administering Member of the Council should be seized at the current session; otherwise such a favorable opportunity might not present itself at a later session. It appeared that the Belgians would not have been unhappy to have the modified Iraq resolution adopted over their abstention. Consideration was also being given by other Administering Members to further amending the Iraq resolution so as to render it acceptable to them. The United Kingdom Delegation, however, modified its earlier position, indicating that it could support the Iraq draft only in a considerably weakened version. Unless this could be done, the United Kingdom was under instructions to move postponement of the issue until the Eleventh Session. Mr. Khalidy (Iraq), however, could not accept further weakening of his resolution. It therefore became clear that the United States would be the only Administering Member supporting Khalidy's revised proposal. When under these circumstances the United Kingdom and the rest of the Administering Members urged postponement, the United States Delegation reluctantly agreed to this course.

The attitudes of the Non-Administering Members of the Council toward the Iraq proposal were not entirely clear. The USSR introduced a more extreme proposal according to which the Trusteeship Council would decide

“that the population of the trust territories have the right . . . to send their representatives to participate, without vote, in the consideration by the Trusteeship Council of the annual reports of the Administering Authorities and of all other questions relating to these territories.”

It is not clear therefore what position the Soviet Delegation would have taken on the Iraq draft resolution. Consultations indicated that Thailand and probably China would have supported the Iraq proposal. However, while generally favorable to the Iraq proposal, the Dominican Delegation expressed its doubts about any resolution making recommendations as to the composition of delegations of members. The Representative of El Salvador stated (T/SR.408) that he considered that neither the Iraqi draft resolution nor the USSR draft resolution exactly corresponded to the intention expressed by the General Assembly in Resolution 554 (VI). While he was sympathetic to the idea that the indigenous inhabitants of the trust territories should acquire a



greater knowledge of the work of the Trusteeship Council, he did not feel that the General Assembly resolution called for direct and immediate action by the Council. It would be more proper, he said, for the Council to appoint a committee to study the various ways in which the indigenous inhabitants might be more closely associated with its work.

In view of the doubts expressed by both Administering and Non-Administering Members, with regard to the Iraq proposal, the United States agreed to the appointment of such a committee as was proposed by El Salvador. However, in discussing the proposal of El Salvador, the representative of the United States made clear that his Delegation considered that with certain modifications the Iraq proposal might offer a satisfactory solution. He recognized, however, that the substantive action ultimately taken should be such as to command the widest possible support in the Council. Khalidy (Iraq) stated that he had made every effort to meet the Administering Authorities views and this had not proved acceptable; he thereupon withdraw his draft resolution. El Salvador's proposal for a committee was then adopted. The following Committee was appointed to "study the possibility of associating more closely in the work of the Council inhabitants of the trust territories": El Salvador, France, Iraq, Thailand, United Kingdom and United States.

While the Department still considers that a proposal along the lines of the Iraq resolution, with the modification noted above, offers a satisfactory solution. It is possible that certain Administering and Non-Administering Members may still find it unacceptable, and that other formulas may be offered.

As has been indicated in the past the United States could not accept the concept of dual representation, which it considers inconsistent with the concept of trusteeship, nor could it accept a resolution which fails to leave a reasonable degree of discretion in the hands of the Administering Authority in the view of the varying circumstances in the trust territories and of the practical administrative problems that may arise. On the other hand, there appears to be no valid reason to alter the United States position that it would be most desirable for the Council to take action providing for moderate and reasonable implementation of the objectives sought in the General Assembly's resolution. There are indications that certain Members of the General Assembly, in particular India, are preparing to press for some form of associate membership for the inhabitants of trust territories. If the United States and other Administering Members are to resist such efforts successfully they must offer to the more moderate Members of the Fourth Committee a reasonable alternative. Otherwise, for lack of such an alternative, a sufficient number of them may support a more extreme proposal to insure its adoption despite any efforts which the Admin-

istering Authorities may make to defeat it. The United States might in this case be placed in the most unfortunate position of having to join with other Administering Members in disregarding a General Assembly resolution.<sup>4</sup>

<sup>4</sup>The United States was active at the Trusteeship Council's 11th Session on this matter; and was instrumental in bringing about the committee's decision, which "recommended the adoption by the Council of a draft resolution expressing the hope that the Administering Authorities would find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Council, as part of their delegations or in any other way manner which they might deem desirable. At its 454th meeting, the Trusteeship Council adopted the draft resolution proposed by the committee [Resolution 466 (XI)]." (United Nations, *Official Records of the General Assembly, Seventh Session, Report of the Trusteeship Council Covering its Fourth Special Session and Its Tenth and Eleventh Sessions 18 December 1951 to 24 July 1952* (Supplement No. 4) (A/2150), p. 26.)

Documentation on exchanges between the U.S. Delegation in New York and the Department of State is in file 350. Regarding internal Department of State documentation, there is a memorandum significant for setting forth the general lines of the basic division between the Bureau of European Affairs and the rest of the Department on general colonial policy, in the context of this particular issue. The memorandum was drafted by Hayden Raynor on June 21, 1952, under the subject title, "USDel Position re Problem of Participation of Indigeneous Inhabitants in Work of Trusteeship Council" (350/6-2152). It said in part: "I believe that we must recognize that their [Britain, France, Belgium, the Netherlands] problems in the Trusteeship field are often much more complex and delicate than ours in our Trust Territories and that just because we can accept a given resolution it does not necessarily follow that they could also accept it and implement it in their territories. We have had intimations that a number of the other AA's are fast coming to the conclusion that the long record of recommendations of the TC and Fourth Committee, individually usually innocuous enough, are changing the constitutional concept of the UN role in Trusteeship and non-self-governing territory affairs and that they may now have reached the point where they draw the line. There is some reason to sympathize with their concern."

In connection with the "question of participation", as this problem became known, a position prepared for the U.S. Delegation to the Seventh Regular Session of the General Assembly, not printed, is useful as including a discussion of non-self-governing territories as well as trusteeship territories (IO files, Doc. SD/A/C.4/97, Oct. 5, 1952, "Participation of Dependent Areas in the Work of UN Organs").

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320.14/6-2052

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Hickerson)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 20, 1952.

Subject: Position of Administering Countries in UN General Assembly Fourth Committee

Participants: Dr. J. G. de Beus—Netherlands Embassy  
Mr. John D. Hickerson—UNA  
Mr. Louis Henkin—UNP

In the course of a conversation on another subject Mr. de Beus informed me that his Government has for sometime had the feeling that

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<sup>1</sup>Drafted by Louis Henkin of the Office of UN Political and Security Affairs.

the situation in the United Nations in regard to the administering of non-self-governing territories is getting out of hand. In the Fourth Committee the Administering Powers were becoming "defendants" and were being attacked without reason on emotional and political grounds. The Dutch Government thought that it might be desirable to have a concerted stand by the Administering Powers. It thought that the situation could be handled if the Administering Powers got together and took the line that they would reply to reasonable criticism but not to unreasonable attacks. For this purpose Mr. de Beus stated, they had prepared a tentative unofficial working paper<sup>2</sup> which he left with me. He hoped that we would study it and give him unofficial comments. He also mentioned the possible desirability of a written exchange of views perhaps in September before the General Assembly reconvenes.

I told Mr. de Beus that I agree that the situation he described was not good. I explained that the United States has tried to be a "middleman" between the Administering Powers and the others, although we are also an Administering Power and the object of criticism. As is often the fate of the middleman we had succeeded in becoming unpopular with both sides. I explained to Mr. de Beus that historically the United States was an ex-colony as were most Members of the United Nations. Also the American people are emotionally anti-colonial, and tend to sympathize with the underdog, witness the press reaction in this country on the Tunisia problem. In the circumstances we will probably have to continue to play the middle role, needling some Administering Powers to be more reasonable and needling some of the other countries to do the same.

I assured Mr. de Beus that his memorandum would receive careful study and that he would hear from us.

JOHN D. HICKERSON

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<sup>2</sup> *Infra.*

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USUN files, "Dependent Areas (DA), 1952-1957"

*Memorandum Handed to the Assistant Secretary of State for United Nations Affairs (Hickerson), by the Netherlands Minister of Embassy (De Beus), June 20, 1952*

Suggestions of the Netherlands Ministry of Foreign Affairs concerning the policy to be followed by the Administering Powers in the Committee on information from non-self-governing territories and in the General Assembly of the U.N.

The Administering Powers which have responsibilities for non-self-governing territories, have repeatedly been subject to stringent criti-

cism in the General Assembly of the United Nations. Susceptibilities with regard to the colonial problem are so acute in the United Nations that every year again political pressure is exercised on the Administering Powers, and the Charter of the United Nations is handled and applied in a manner, contrary to the decisions of San Francisco in 1945. Consequently, the question arises whether it would not be advisable for the Administering Powers to enter into joint consultations with respect to the policy to be adopted towards this attitude of the General Assembly.

This problem results in particular from the obligation of transmitting information under Article 73 which obligation has resulted in a supervision by the General Assembly, not provided for in the Charter. If this supervision has remained within certain bounds and the recommendations resulting therefrom have been of a constructive nature, this situation would be acceptable. However, the Sixth Session of the General Assembly has once more shown evidence of serious and unjustified criticism with respect to the policy of the Administering Powers. This criticism often was of an aggressive character and, moreover, based on political considerations, whereas the terms of Article 73e specifically exclude all discussion of political aspects. Therefore the Ministry of Foreign Affairs is of the opinion that the Administering Powers should consider the possibility of taking a firm and unanimous stand against this attitude of the anti-colonial Powers.

The Netherlands Government believe unanimous action of the Administering Powers to be of primary importance, as otherwise they, one after the other, will subsequently fall into trouble and will, again and again, find themselves confronted with unacceptable Resolutions of the General Assembly. This does not necessarily imply that this unanimity should apply to all issues; a certain divergency of opinions should be possible.

Neither should this co-ordination be expected to imply that in the future the Administering Powers would no longer be subject to unpleasant or unfavourable resolutions of the General Assembly, the composition of this body being such that the developed countries, responsible for the development of other countries, are in a small minority. However, the history of the U.N. shows that a group of States, acting unanimously and following a well-formulated programme, is often able to prevent resolutions which are contrary to the letter and to the spirit of the Charter of the U.N.

Consequently it would be most beneficial for the position of the Administering Powers if their mutual differences of policy were not too great. That differences of opinion such as presented themselves in the Fourth Committee of the Sixth Session of the General Assembly manifest themselves, should be avoided. In voting on resolutions in the Fourth Committee e.g. Denmark voted 14 times in favour, once against

and once abstained, whereas Belgium cast 4 affirmative and 7 negative votes and 9 abstentions. The present situation is the more unsatisfactory as in particular the standpoints regarding certain questions of principle appeared to be different.

To avoid these differences in future the Ministry of Foreign Affairs would like to give some suggestions as to a common policy to be followed with respect to a number of problems which regularly present themselves when the reports concerning the non-self-governing territories are being discussed. It would be recommendable to consider at the same time the sanctions the Administering Powers might possibly annex to their standpoint. All possible sanctions should properly be announced before being applied, in order that the anti-colonial Powers be informed of the policy of the Administering Powers.

1. The Ministry of Foreign Affairs is of the opinion that the Administering Powers should proceed on the assumption that the Special Committee for the non-self-governing territories will be maintained. It is indeed unthinkable that the majority of the Fourth Committee would be prepared not to re-establish the Special Committee. It must be admitted that in practice the Special Committee has done good and useful work. On the whole the discussions were matter-of-fact and observations were made which more than once proved to be of value to the Administering Powers. One of the advantages of the Special Committee being maintained is that the results of its activities exercise a favourable influence on the work of the Fourth Committee of the General Assembly. Till now these results have not been unsatisfactory for the Administering Powers; this is probably due to the fact that in the Special Committee the Administering Powers and the non-Administering Powers are represented in equal numbers, whereas in the Fourth Committee the Administering Powers constitute a small minority.

2. The Administering Powers should be in perfect agreement on the nature of the interference of the General Assembly in the administration of the non-self-governing territories. The principle should be strictly adhered to that the Administering Powers exclusively are competent with regard to the administration of the territories and that they are not responsible to the United Nations in respect thereto—their obligations in that regard are limited to the transmitting of information on the subjects mentioned in Article 73 (*e*).

3. The information submitted under Article 73 (*e*) of the Charter is not transmitted to be "pigeon-holed"; it may be discussed of course by the General Assembly. In general, however, the General Assembly should confine itself to "observations". In case it makes recommendations, the Administering Powers cannot be compelled to observe them; if they do observe them, they do so of their own free will. It is there-

fore unacceptable that the Special Committee, as was suggested by Cuba, should use a whole session (every four years) in order to examine to what extent the resolutions of the General Assembly have been observed. Therefore the Administering Powers should unanimously oppose the institution of a four-year Special Committee which would devote a fourth session to this special end. If this nevertheless should happen, the Administering Powers should not comply with a possible request for information on the way in which the recommendations of the General Assembly have been observed. They might also—by way of extreme sanction—consider the possibility of unanimously refusing to attend such fourth session (or such part of it as intended for this purpose). Finally they might react to this manifest abuse of power by suspending the transmission of the usual information.

4. With respect to the determination of the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government, the Administering Powers should take the view that these factors never can have any binding effect. They can only be considered as indicative, as a guide for the Administering Power itself to determine whether a territory falls outside the scope of Article 73(e) of the Charter. They may also be used as a guide in drawing up the information required by the General Assembly in compliance with Resolution 222(III).<sup>3</sup>

<sup>3</sup> In New York on June 10, the Permanent Delegation of the Netherlands had transmitted to the Mission at the United Nations (USUN) and to the Delegations of the other Administering Authorities a memorandum entitled "Non-Self-Governing Territories," dated June 10, 1952. The memorandum was transmitted subsequently by the Permanent Netherlands Representative to the Secretary-General of the United Nations on June 27.

This memorandum consisted of two parts, Parts A and B. The nine points of Part A were an abbreviated version of the instant June 20 memorandum. Part B, entitled "Factors", was a more detailed discussion of this paragraph, as follows:

*"B. Factors.*

1. There is a distinction between the general principles of Chapter XI and the specific obligation laid down in Article 73(e).

2. The "factors" merely serve to determine whether a territory has reached a stage a self-government where it falls outside the scope of Article 73(e). Such a stage has been reached as soon as the matters mentioned in Article 73(e) have been placed within the control of the Government of the territory. This is where the obligation to transmit information ends, even if the territory has not yet reached a full measure of self-government in other fields.

Under resolution 567(VI) it is recommended to study the factors determining whether or not a territory has attained a full measure of self-government *in general*. Such a study seems not to be relevant since the general provisions of Chapter XI entail no specific obligation on the part of the Administering Powers except for the obligation of Article 73(e). The question is not whether a territory falls outside the scope of Chapter XI but whether or not the transmission of information under Article 73(e) should be terminated.

3. In the introduction to the list of factors annexed to resolution 567(VI) three cases are distinguished:

- a. the attainment of independence;
- b. the union of a territory on a footing of equal status with . . . the metropolitan Power etc.;

Footnote continued on following page.

5. The discussions on the political development of the non-self-governing territories are a problem by themselves. During the Sixth Session of the General Assembly considerable difficulties presented themselves and it then appeared that there was no concord among the Administering Powers as to a common standpoint.

In general such discussions should be considered not to be allowed. In practice, however, it is not always possible to avoid them as the political background cannot always be neglected when economic, social and educational problems are discussed. It is therefore reasonable to agree to the practice the Fourth Committee has followed till now and not to rule a speaker out of order, so long as he does not exceed certain limits. It should be considered admissible that a speaker discusses politics by way of exception, in general terms, referring to the economic background and if, in any case, his speech does not assume the character of an attack on any Member's political policy in any individual territory.

If this limit is exceeded all Administering Powers might, by way of extreme sanction, leave the Committee for the time during which the item that gave rise to the discussion is under debate.

If once more a resolution should be proposed such as the one proposed by Iraq at the Sixth Session of the General Assembly—in which the statement was made that it should be considered in accordance with the Charter that the Fourth Committee deals with political matters—the Administering Powers should oppose such resolution. They might then state that, if the resolution is adopted, the abovementioned sanction will be applied.

6. Another question on which a unanimous standpoint of the Administering Powers seems desirable is that of the sending of "Visiting

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Footnote continued from preceding page.

*c.* the case of territories which have become neither independent nor fully integrated with another State but which have already attained a full measure of self-government in their internal affairs.

The list of factors is limited to the cases *a* and *b*, while *c* is said to merit further study. Case *c* should be understood as meaning the attainment of full self-government in the matters mentioned in Article 73(*e*).

4. As soon as a territory has attained the status mentioned in case *c* the provisions of Article 73(*e*) cease to apply to the (former) Administering Power, because:

*a.* constitutional considerations prevent the transmission of information by the metropolitan Power, the latter having lost competence in such matters;

*b.* full self-government in the matters of Article 73(*e*) places the territory, as far as those matters are concerned, on a footing of equal status with independent States;

*c.* the (former) Administering Power exercising no longer control over such internal affairs is not in a position to provide information under Article 73(*e*);

*d.* continued transmission of information would create a new form of dependence of the territory.

Therefore, only the competence in the matters mentioned in Article 73(*e*) should be taken into account in deciding whether the transmission of information should be continued."

Missions" to non-self-governing territories as was suggested by Pakistan and Lebanon at the Sixth Session of the General Assembly.

This ought certainly to be rejected, as it would directly prejudice the sovereignty of the Administering Powers. By way of extreme sanction all Administering Powers might refuse to participate in the Committee's activities as long as the Missions' reports are being discussed. They might also state that the Missions will not be admitted.

7. If an Administering Power has decided to cease the transmitting of information, an identical standpoint should be adopted with respect to the hearing of representatives of that territory by the General Assembly.

8. In general all endeavours to have representatives of non-self-governing territories heard by the General Assembly should be opposed. Apart from the fact that the General Assembly is unsuited for this purpose, the Charter confines this possibility to representatives of trust territories only.

If the General Assembly should nevertheless decide upon such invitation the Administering Powers might resolve to leave the Committee for the time of the hearing.

9. The Administering Powers should adopt an identical standpoint with respect to resolution 566(VI), which invites the Special Committee to examine the possibility of associating these territories in the work of the Committee in the capacity of associate members. The Administering Powers might adopt the standpoint that representatives of non-self-governing territories can participate in the work of the Special Committee only as members of the delegations of the Administering Powers. If the non-self-governing territories should be designated as associate members of the Special Committee—be it as non-voting members—this should induce the Administering Powers not to take part in the activities of the Special Committee.

The Ministry of Foreign Affairs is of the opinion that it would be most important if the abovementioned suggestions could be discussed at a meeting of representatives of the Administering Powers, at such a moment that the results thereof can be submitted to the respective Governments in order that they may be able to provide their delegations to the Seventh Session of the General Assembly with identical instructions. In this connection this Ministry would appreciate it highly if it could be informed whether a discussion of this nature is considered useful and whether the points set forth above might constitute a useful starting point. Such a discussion could perhaps take place during the session of the Special Committee for the non-self-governing territories in 1952, as at that time the experts of the Administering Powers are assembled. The Ministry would be glad to learn the comments of the Administering Powers on the above.



IO files, lot 71 D 440, US/A/3506

*Memorandum of Conversations, by the Acting Officer in Charge of  
Trusteeship Area Affairs (McKay)*

CONFIDENTIAL

[NEW YORK,] July 17, 1952.

Subject: Future of the Committee on Information from Non-Self-Governing Territories (formerly the Special Committee on Information Transmitted under Article 73e of the Charter)

Participants: Separate Conversations with:

Mr. W. A. C. Mathieson, United Kingdom Delegation

Mr. Francis Hure, French Delegation

Mr. Pierre Ryckmans } Belgian Delegation

Mr. Jacques Houard }  
Mr. Benjamin Gerig } United States Mission

Mr. Vernon McKay }

In separate conversations with the above-mentioned members of the British, French and Belgian delegations, we have raised the question of their attitude toward the future of the Article 73e Committee, the terms of reference of which expire this year. Although they indicated that their governments had not yet taken a final position on this question, they expressed the following tentative views.<sup>1</sup>

Mr. Mathieson (UK) stated that he thought his government (1) regarded the extension of the Committee's life as inevitable, (2) would participate in it in the same way as in the past, (3) would oppose any extension of its function and (4) would *abstain* on a General Assembly resolution to extend the life of the Committee with its present functions. He said that as far as he knew the French position would be the same as the British, and thought the same was true of the Belgians, although he had not heard any Belgian views on the question.

Mr. Hure (France) said that his government would participate in the 1952 session of the Committee on the same *de facto* basis and with the same constitutional reservations as in the past. He thought that the only thing which might interfere with such participation would arise if the Egyptian or other members of the Committee should launch an attack on France because of the Tunisian question. With regard to the future extension of the life and functions of the Committee, he stated that the position of his government might not be decided for some time. He felt that his government would either abstain or vote against a General Assembly resolution to extend the life of the Committee with its present functions, and would certainly vote against a resolution which would extend the functions of the Committee. He stated that it was more and more difficult for his government to reach

<sup>1</sup> For the U.S. position, see p. 1234.

decisions on colonial issues because these issues had become so important in French thinking that they frequently had to be discussed with the Foreign Minister.

Mr. Ryckmans and Mr. Houard of Belgium said that their government (1) would vote against any proposal to re-establish the Committee, whether or not its functions were extended, (2) would probably participate in the Committee if its functions are not extended but would not participate if the Committee's function are appreciably extended, (3) will oppose any discussion of or recommendation concerning any aspect of Belgium's administration of the Congo, (4) if Belgian administration in the Congo is discussed, the Belgian representative will discuss conditions of non-self-governing peoples in specific metropolitan countries even though no information has been transmitted on these peoples under Article 73e, and (5) would withdraw from the Committee if a Belgian intervention along the lines of (4) above is ruled out of order.

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USUN files, "Dependent Areas (DA), 1952-1957"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Cargo) to the Assistant Secretary of State for United Nations Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] July 23, 1952.

*The Problem*

The problem is to determine the nature of the reply which should be given to the Netherlands Embassy with regard to the memorandum (copy attached) <sup>1</sup> on non-self-governing territory questions handed to you by Mr. de Beus of the Netherlands Embassy on June 20, 1952.

*Background*

On June 20, Dr. de Beus handed to you the attached memorandum. He explained that his Government had had for some time the feeling that the situation in the UN with regard to non-self-governing territories was "getting out of hand" and that the Government of the Netherlands thought it might be desirable for the administering powers to take a concerted stand. Dr. de Beus described the memorandum as a tentative, unofficial working paper and expressed the hope that we would study it and give him unofficial comments. You told Dr. de Beus that his memorandum would receive careful study and that he would hear from us.

The memorandum left by Dr. de Beus, described as "Suggestions of the Netherlands Ministry of Foreign Affairs", relates entirely to non-

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<sup>1</sup> See the Netherlands memorandum of June 20, 1952, p. 1198.

self-governing territory questions arising in the UN. The memorandum indicates positions which the Netherlands Government believes should be taken on a number of substantive questions, including such matters as (1) the future of the Committee on Information from Non-Self-Governing Territories, (2) the role of the Assembly in relation to information transmitted under Article 73(e) of the Charter, (3) the question of implementation of Assembly recommendations relating to non-self-governing territories, (4) the issue of the discussion of political conditions in non-self-governing territories, (5) the question of visiting missions to non-self-governing territories, and (6) the issue of the cessation of the transmission of information on a non-self-governing territory.

In addition to these substantive points, the memorandum urges the primary importance of "unanimous action" by the administering powers in the General Assembly in connection with issues in the colonial field. It proposes also that the administering powers should consider the "sanctions" which they would use to defend their viewpoint, and suggests certain contingencies in which, in the view of the Netherlands Government, the administering powers should all refuse participation in Committee Four or suspend the transmission of information under Article 73(e). The memorandum concludes with the suggestion that the points contained in it be discussed at a meeting of the representatives of the administering powers which, it is further suggested, might take place during the 1952 session of the Committee on Information from Non-Self-Governing Territories (now scheduled to open on September 11). The Netherlands wishes to be informed whether a discussion of such a nature would be considered useful and whether the points set out in the memorandum might constitute a useful starting point.

#### *Recommendation*

It is recommended that Dr. de Beus be invited to the Department and that, in the conversation with him, you make the points set forth in the attached brief.

#### *Concurrences:*

This memorandum has been cleared with WE (Mr. Spalding) and EUR (Mr. Sale). The Netherlands memorandum was circulated to the Colonial Problems Committee and was discussed by that group. The suggested reply to the Netherlands is in accord with the consensus reached in the Committee.<sup>2</sup>

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<sup>2</sup> Regarding the composition and work of this committee, the Working Group on Colonial Problems, see pp. 1075 ff.

[Attachment]

CONFIDENTIAL

*Brief for use in connection with the memorandum on non-self-governing territory questions in the United Nations handed to Mr. Hickerson by Dr. J. G. de Beus of the Netherlands Embassy on June 20, 1952*

1. The Department is grateful to the Netherlands Embassy for providing us an opportunity to examine the suggestions of the Ministry of Foreign Affairs concerning policies which might be followed in the Committee on Information From Non-Self-Governing Territories and the Fourth Committee of the General Assembly.

We fully recognize the important character of the substantive points raised by the Netherlands Government and will consider them carefully in the course of our preparations for the forthcoming meetings of UN bodies.

When we have been able to prepare our positions on these various questions, we will welcome further opportunities to explain our views and to discuss these various questions in detail with representatives of the Netherlands Government.

The Department will no doubt find itself in full or partial agreement with a number of points raised in the Netherlands Embassy memorandum.

2. However, in accordance with the request of Dr. de Beus, we will be glad to make certain informal comments at this time, particularly concerning some of the procedures suggested in the memorandum.

3. We would not favor at this time a formal meeting of all administering powers to consider the various questions raised, for the principal reason that we wish to avoid, insofar as possible, any charge that the administering members are taking a broad, concerted stand against the non-administering members in the Committee on Information from Non-Self-Governing Territories and the General Assembly.

On the other hand, we will welcome, as in the past, exchanges of views as fully and as frequently as may be desired with Netherlands representatives and representatives of other administering and non-administering states. We would hope to continue full exchanges of views, so far as may be feasible, among administering members as well as with non-administering states at the time of the meeting of the Committee on Information from Non-Self-Governing Territories and during the General Assembly.

4. We have taken careful note of the suggestion in the memorandum that the administering powers should consider the "sanctions" which they would use to defend their viewpoint and, in particular, the proposal that, in certain contingencies, the administering powers should

jointly refuse participation in Committee 4 or suspend the transmission of information with regard to their territories.

It can be said at this time that the Department would strongly advise against any action by the eight administering powers which would suggest the use of "sanctions" on our part in an effort to combat extreme action by the General Assembly. The United States, for its own part, would not be able to agree to employ such "sanctions". Such a course of action, we believe, would not only greatly damage the United States position in the General Assembly but would also cause serious damage to the position of the Netherlands Government, which up to now has not experienced in the Fourth Committee the degree of criticism directed at some of the administering powers, including the United States.

Action aimed at achieving a united stand and a threat by the administering powers of non-participation in specified contingencies would, in our opinion, only serve to antagonize non-administering members and would result in strong accusations that we were following the type of tactics employed by the Soviet Union and its satellites.

5. The Department believes that the Netherlands Government has been extremely forthright to date in discussing the question of cessation of information from the Netherlands Antilles and Surinam and that on this issue it should not assume a defensive position on legalistic and jurisdictional lines.

As in the past the Department considers that every effort should be made in the Committee on Information from Non-Self-Governing Territories and the Fourth Committee, as well as the *Ad Hoc* Factors Committee, to reply to questioning as patiently and fully as possible. This, we believe, is the best way to meet anticipated criticism.

6. The Department fully appreciates the special concern of the Netherlands Government this year in relation to matters arising in the Fourth Committee and wishes to cooperate with it to the fullest possible extent in keeping matters in this field from "getting out of hand".

320/8-1852

*Memorandum of Conversation, by the Director of the Office of  
Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[WASHINGTON,] August 18, 1952.

Subject: Suggestions of the Netherlands Ministry of Foreign Affairs concerning the policy to be followed by the administering powers in the Committee on Information from Non-Self-Governing Territories and the General Assembly of the United Nations

Participants: Dr. J. G. de Beus, Minister } Netherlands  
Baron C. W. Boetzelaer, First Secretary } Embassy  
Mr. Durward V. Sandifer, UNA  
Mr. Ward Allen, EUR  
Mr. Benjamin Gerig, UND

Mr. Sandifer explained that he had invited the Netherlands representatives to come in today in order to reply to two of the questions raised by the Netherlands Government some time ago. The other specific questions, he said, we would be ready to reply to in the near future. He added that on a number of these specific suggestions the United States was in general agreement but that our reply would be given more in detail later, perhaps around the middle of September.

On the first of the two general questions raised in the Netherlands memorandum, namely, the desirability of a formal meeting of all the administering powers to consider various questions raised in the United Nations, it is our feeling that a meeting of this kind would be inadvisable, since we wished to avoid, as far as possible, any charge that the administering Members are taking a concerted stand against the non-administering Members in United Nations bodies. While informal and irregular meetings of the administering group have from time to time taken place on specific questions during meetings of the General Assembly, we have wished to avoid giving the impression that the administering Members as a group were concerting all their actions. Such a position, he said, would tend to develop group action on the other side, which might be to our disadvantage. Mr. Sandifer added that we were, of course, anxious to consult with individual Members, including the Netherlands, at any time that any matter of common interest arises.

On the second broad suggestion in the Netherlands memorandum, namely, that the administering powers should consider the "sanctions" which they would use to defend their viewpoint, particularly that in certain contingencies they should jointly refuse further participation in Committee Four or suspend the transmission of information with regard to their territories, Mr. Sandifer said that the Department would strongly advise against any such use of sanctions and that we would not be able to agree on such a course of action. It was our feel-

ing, he said, that such sanctions would not only greatly damage our respective positions in the General Assembly but would only serve to antagonize still further non-administering Members who would accuse us of following the type of tactics employed by the Soviet Union and its satellites.

Mr. Sandifer said that the position of the Netherlands in United Nations bodies on the colonial question has been forthright and we did not see that it was necessary for the Netherlands to assume a defensive position on legalistic and jurisdictional lines. It was our hope that the Netherlands, like the United States, would continue to work for the formation of a body of moderate opinion among a majority of the Members of the United Nations so that our positions on the colonial and other questions would come to be accepted by a wider group of opinion in the United Nations.

Mr. de Beus said he was grateful for this reply to the memorandum which he would transmit immediately to his Government. On the remaining specific questions, he expressed the hope that we could have further talks regarding them before the General Assembly met.

Mr. Sandifer said that Mr. Gerig and others would be prepared within a short time—at any rate before the middle of September—to discuss the remaining specific questions with the Netherlands Delegation, and that we would get in touch with them about it later. It was then suggested that possibly such talks should be held in New York, and it was agreed that either in New York or Washington further discussion would be held before the middle of September.

As Mr. de Beus left, Mr. Sandifer handed to him the rough notes which he had used for his remarks, for Mr. de Beus' information.<sup>1</sup>

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<sup>1</sup> Presumably a copy of the "brief" attached to the Cargo memorandum of July 23, 1952, *supra*. A copy of the same notes was used by an officer of the Mission at the United Nations, Charles D. Cook, in a meeting with an officer of the Permanent Danish Delegation to the United Nations, Christian D. Holten-Eggert, at New York, on Aug. 13 (USUN files, "Dependent Areas (DA), 1952-1957").

320/8-1852

*Memorandum of Conversation, by Claude G. Ross of the Office of  
Dependent Area Affairs*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 27, 1952.

Subject: Netherlands Memorandum concerning the policy to be followed by the Administering Powers in the Committee on Information from Non-Self-Governing Territories and in the General Assembly.

Participants: Mr. Gabriel van Laethem, First Secretary, French Embassy  
Mr. Benjamin Gerig, UND  
Mr. Ward Allen, EUR  
Mr. Claude G. Ross, UND

Mr. van Laethem explained that he had called to inquire whether we had answered the memorandum from the Netherlands Embassy containing suggestions of the Netherlands Foreign Office concerning the policy to be followed by the Administering Powers in the Committee on Information from Non-Self-Governing Territories and the General Assembly and, if so, what answer we had made.

Mr. Gerig stated that we had replied to two of the tactical questions raised by the Netherlands Government but that we had not replied to the other specific questions as our positions were still being examined within the Department. We had indicated to the Netherlands Embassy that the United States was probably in general agreement with a number of the specific suggestions but that our reply would be given in more detail later. The two questions which we had answered were those concerning (1) the desirability of a formal meeting of all the administering powers to consider various matters that would [be] raised in the United Nations and (2) the desirability of considering the use of "sanctions" by the administering powers to defend their viewpoint.

With regard to the first point Mr. Gerig said that we had expressed the view that a meeting of the kind suggested would be inadvisable at this time as it might easily create the impression among non-administering Members that the administering powers were preparing to take a concerted stand against them in United Nations bodies. Such an impression would tend to stimulate group action among non-administering Members which could easily be to our disadvantage. We had, of course, emphasized to the Netherlands Embassy that we desired to consult with the Netherlands, as well as with other Members, as fully and frequently as in the past on matters of common interest and that we looked forward to continuing full exchanges of views at the time of the meeting of the Committee on Information from Non-Self-Governing Territories and during the General Assembly.

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<sup>1</sup>This memorandum was drafted on Aug. 29.



In the matter of recourse to sanctions, particularly the suggestion that in certain contingencies the administering powers should jointly refuse to participate further in the Committee on Information from Non-Self-Governing Territories or the Fourth Committee of the General Assembly, Mr. Gerig stated that we had strongly advised against the use of sanctions as an effective or desirable course of action. The use of sanctions would only prejudice our position in the General Assembly, antagonize still further non-administering Members and expose us to accusations that we were adopting the kind of tactics employed by the Soviet Union and its satellites.

Mr. van Laethem said that the French Government had acknowledged the Netherlands memorandum in somewhat similar fashion, indicating general agreement with some of the suggestions contained in it but stating that replies to specific points would be made in later conversations prior to the General Assembly. He said he understood that the United Kingdom thought each administering power should circulate to the others its reply to the Netherlands memorandum but that his Government did not favor this idea. Concerning the efficacy of sanctions Mr. van Laethem agreed that a walkout by one power would accomplish nothing but he felt that there might be a case where a walkout by all the administering powers could be most effective. He admitted, however, that it would be difficult to foresee or plan for such a situation in advance.

Mr. Gerig and Mr. Allen both emphasized that the administering powers should not adopt a defensive attitude in the United Nations but should present their arguments fully and firmly. Mr. van Laethem agreed with Mr. Allen that the French Government had on occasion been needlessly defensive in the past. In this connection Mr. van Laethem said that if his Government agreed to the inscription of the Tunisian issue in the agenda of the General Assembly, it would then make the most vigorous case possible. He then went on to stress the paramount importance of the Tunisian question. The Western Powers might be able to make mistakes in Indonesia and Libya, but we could not afford to do so in Tunisia. "Tunisia was the test case" which posed the important question of whether there was to be "orderly and scientific progress" in the achievement of self-government by dependent territories. The Tunisian case would have profound repercussions throughout Africa and Asia.

IO files, SD/A/AC.58/1<sup>1</sup>

*Position Paper Prepared in the Department of State for the United States Delegation to the General Assembly Ad Hoc Committee on Factors*<sup>2</sup>

RESTRICTED

[WASHINGTON,] September 2, 1952.

GENERAL ASSEMBLY AD HOC COMMITTEE

(“to carry out a further study of the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government”)

THE PROBLEM

The problem is to determine the position of the United States Delegation to the General Assembly’s *Ad Hoc* Committee on Factors.

RECOMMENDATIONS

[*Note*: Recommendations on the specific questions of (a) Cessation of Submission of Information on the Netherlands Antilles and Surinam and (b) Future Cessation of Submission on Puerto Rico, are contained in separate position papers which should be utilized in conjunction with this paper.]<sup>3</sup>

1. In view of the complexity and emphasized importance of the problem to date in the United Nations, the United States Representative should favor full discussions in the *Ad Hoc* Committee as the United States has previously done in the Special Committee and Committee IV.

2. The United States Representative should bear in mind that the most desirable outcome of the discussions, in view of the exhaustive treatment the factors question has received in the last four years, would be a report by the *Ad Hoc* Committee which would sum up previous considerations and set forth the conclusion that any definition or list of factors which finally might be formulated can only be useful as a guide in determining when a territory ceases to become non-self-governing.\* In this connection the United States Representative should

<sup>1</sup>This was one of three papers in a Position Book entitled “General Assembly *Ad Hoc* Committee on Factors” and dated Sept. 4, 1952. Copies of this and Position Books for other Committee sessions are also in the ODA files, lot 62 D 182.

<sup>2</sup>Regarding the membership and function of the *Ad Hoc* Committee on Factors, see the text of General Assembly Resolution 567 (VI) in Annex E of this paper, p. 1227.

<sup>3</sup>Brackets throughout this document are in the source text. The position paper on the Netherlands Antilles and Surinam is not printed; for the paper on Puerto Rico, see p. 1427.

\*If the *Ad Hoc* Committee decides to take up the question of competence, see the previous position paper (Annex F). [Footnote in the source text.]

be guided by the position taken repeatedly by the United States that neither a definition nor a list of factors could be flexible enough to take account of the complexities of constitutional forms and usages in the wide variety of territories and at the same time specific enough to be definitive. In discussions on this point the United States Representative may take occasion to point out that the careful and exhaustive consideration which the factors question has received to date in the United Nations and the divergencies which have characterized the consideration of this question by various Members have amply demonstrated the soundness of the United States position.

3. Should the *Ad Hoc* Committee desire, in response to General Assembly Resolution 567 (VI), to submit to the Assembly a list of "factors which should be taken into account" elaborating the list contained in the Annex to the resolution, the United States may agree to such a list, provided that no one factor or combination of factors is presented as determining in any given case the status of a territory in relation to Chapter XI. In this connection, the factors emphasized previously by the United States are contained in Annex A.

4. The United States Representative should support the principle that the General Assembly may examine information submitted to it regarding the cessation of information but should oppose any proposed resolution or language which implies that it is the prerogative of the General Assembly ultimately to decide when a territory ceases to become non-self-governing or even the General Assembly and the Administering Authority to decide. We might, however, express the hope that any actions leading to the cessation of reporting under Article 73(e) would be such as to meet with the general satisfaction of UN Members.

5. In formal or informal consultations with representatives of other powers in the *Ad Hoc* or Fourth Committee, the United States Representative should

(a) Express appreciation for the substantive contributions they have made to the discussions of the "factors question" and the wisdom of their efforts to maintain a cooperative atmosphere in this regard;

(b) Urge the administering powers to exercise the utmost patience in order to maintain a friendly and cooperative atmosphere and, despite whatever the majority conclusions of the *Ad Hoc* Committee and Committee IV may be, not to exacerbate the situation by any suggestions of non-participation in activities under Chapter XI or disregard for recommendations in the field of non-self-governing territories. We should invite them to interpret in the broadest practicable sense their obligation to transmit information under Article 73(e) of the Charter on economic, social, and educational conditions in non-self-governing territories.

(c) Share fully and frankly with them [as well as the non-administering Members] the United States position on substantive questions.

6. Should a point of order be raised in regard to views of the Belgian Government which stress the fact that many Members have not reported on the aboriginal peoples living within their jurisdictions, the United States Representatives should take the position that such views may legitimately be placed before the *Ad Hoc* Committee and the General Assembly since neither are bound by the terms of reference of the Committee on Information from Non-Self-Governing Territories which do not entitle it to apply its conclusions to any specific territory. The United States Representative should not initiate discussions on this matter, but in the course of their development, should take the following position :

(a) Express appreciation to the Belgian delegation for the important and impressive data which they have presented for the information of the Committee and the General Assembly;

(b) Indicate that concern for the welfare and development of all aboriginal peoples ought, on the one hand, to enhance appreciation with the United Nations of the general problem of promoting self-government and, on the other, by virtue of their participation in the work of the United Nations to increase the awareness of Member Governments who administer such peoples of their responsibilities in regard to them;

(c) Point out, however, that the absence of territorial identity outside the territorial limits of the Member Governments who administer such peoples would seem to preclude them from the reporting provisions of Chapter XI of the Charter;

(d) Present the view that the matter of reporting on aboriginal peoples within the boundaries of Member States would depend upon the present provisions of the Charter being reviewed and, therefore, extended consideration of this question could only lead the Committee into difficult discussions in the political field which would be beyond the competence of the General Assembly to decide under its present terms.

In discussing the Belgian views, care should be exercised to avoid any statement which might be prejudicial to the position of the United Kingdom with respect to the South African protectorates of Bechuanaland, Basutoland, and Swaziland, the administration of which is desired by the Union of South Africa.

7. If it seems appropriate at the early stages of the *Ad Hoc* Committee's deliberations, the United States Representative should make a general statement along lines of the attached draft (Annex B).<sup>4</sup>

#### BACKGROUND

Under Chapter XI of the United Nations Charter "Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government," undertake certain responsibilities in

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<sup>4</sup> Not printed.

regard to these territories. The Charter does not, however, undertake to define the term "a non-self-governing territory."

At the First Session of the General Assembly, after some discussion of the problem, the Assembly merely "noted" the list of 74 territories on which eight members had transmitted, or declared their intention of transmitting information.

By 1948 the General Assembly had before it information on only 62 of the 74 territories listed in the 1946 resolution. The Assembly then adopted a resolution proposed by India (and considerably modified) which affirmed the principle that the United Nations should be informed of such changes in the constitutional position and status of certain territories as had led the responsible Government to discontinue transmission of information, and requested the Members concerned to furnish the Secretary General with the relevant documents relating to the new status of the territory and its constitutional relationship to the metropole. (GA Res. 222 (III), Annex C).<sup>6</sup>

At the Fourth Session of the General Assembly a resolution on "Territories to which Chapter XI of the Charter Applies" was adopted. In this resolution the General Assembly considered that it was within its responsibility "to express its opinion on the principles which have guided or may in the future guide the Members concerned in enumerating the territories for which the obligation exists to transmit information under Article 73(e) of the Charter." The Assembly further invited the Special Committee "to examine the factors which should be taken into account in deciding whether any territory is or is not a territory whose people have not yet attained a full measure of self-government." (See GA Res. 334 (IV), Annex D).<sup>5</sup>

In 1951 the Special Committee undertook an examination of the factors. The Committee's report on this problem noted that there are numerous elements which should be taken into consideration in determining if a territory is or is not self-governing and that it did not consider that "any single factor or any particular combination of factors can be regarded as prominent or decisive in every case, except that the will of the people of the territory concerned properly and freely expressed, would in all cases be the paramount factor in deciding whether a relationship between the administering authority and a non-self-governing territory has evolved to a stage where that territory could be said to have attained a full measure of self-government." The report listed a number of factors of a geographical, political, economic and cultural nature which in the opinion of the Committee should be taken into account in determining if a territory has achieved a status of full self-government, stressing that the list is not to be considered as being exhaustive. In "a spirit of seeking understanding rather than

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<sup>5</sup> Not printed.

marking [*sic*] controversies” the Special Committee did not enter into the question of competence, that is, who should determine when a territory is no longer non-self-governing.

After receiving the report of the Special Committee, the Fourth Committee of the Sixth General Assembly appointed a sub-committee to study the basic and general factors to be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government and to consider the advisability of establishing procedures for the further study of the problem.

This sub-committee drew up a list of factors as well as a draft resolution which the Fourth Committee submitted to the General Assembly. The Assembly adopted the sub-committee's resolution (see GA Res. 567 (VI), Annex B) and thereby: decided to take as a basis for the future study of the factors the list drawn up by the sub-committee; invited the Members of the United Nations to transmit to the Secretary General by May 1, 1952, a statement of their views on the factors; appointed an *Ad Hoc* Committee of ten members (Australia, Belgium, Burma, Cuba, Denmark, France, Guatemala, Iraq, the United States, and Venezuela) to carry out a further study of the factors and to report to the Seventh General Assembly; and invited the Secretary General to convene the *Ad Hoc* Committee in order that it might complete its work one week before the opening of the 1952 session of the Committee on Information from Non-Self-Governing Territories. The Committee is to convene in New York September 4.

To date seventeen Member Governments have provided statements of their views on the factors question in accordance with the request contained in para. 2 of GA Res. 567 (VI)—Belgium, Burma, Byelorussian Soviet Socialist Republic, Denmark, Egypt, El Salvador—Guatemala (joint reply), France, Greece, Indonesia, Iraq, the Netherlands, Pakistan, Philippines, USSR, the United Kingdom and Yugoslavia.<sup>6</sup> The United States response to this request was as follows:

“The United States assumes that the General Assembly Resolution of January 18, 1952, inviting Members to submit their views on this question by May 1, 1952, is primarily intended for those Members who have not participated in the General Assembly's Committees dealing with this question. The United States has already made known its

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<sup>6</sup> These replies are printed in U.N. Doc. A/AC.58/1 and additions 1-6, dated variously from May 22, 1952 to Aug. 20, 1952, and entitled “*Ad Hoc* Committee on Factors (Non-Self-Governing Territories) Replies of Governments indicating their views on the factors to be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government”. These documents are filed (item 10) in the Position Book for the U.S. Delegation to the 1953 Session of the *Ad Hoc* Committee on Factors (IO files and ODA files, lot 62 D 182). (This item also includes replies filed by Chile and New Zealand subsequent to Aug. 20, 1952.)

Relevant documentation relating to “the factors question” is also in the ODA files, lot 60 D 257, “NSGT: Factors, etc.”

views through active participation in these Committees and has nothing to add to these views at this time. Any further comments which the United States may wish to present will be made in the *Ad Hoc* Committee of the General Assembly . . .”

The Committee is to take into account all the information available, including that transmitted to the Secretary General on the reasons which have led certain Administering Members to cease to transmit information on certain of their territories.

*Past United States Position*

In a note of August 19, 1946 transmitting copies of the latest annual reports of the Governors of Alaska, Hawaii, and Puerto Rico, the Virgin Islands and Panama Canal Zone, Guam and Samoa, the Department of State suggested that Chapter II of the Charter “would appear to apply to any territories administered by a Member of the United Nations who do not enjoy the same measure of self-government as the metropolitan area of that member.” The Department of State added that for 1946 the United States had used a purely pragmatic approach in selecting the territories on which it should transmit information on the hope that the experience of the various Members would perhaps reveal more clearly the kind of criteria, if any, which could eventually be agreed upon in making the selection. The United States ceased transmitting information on the Panama Canal Zone after 1946, having received a protest from the Republic of Panama, and indicated subsequently that this was a matter for consultations between the United States and the Republic of Panama. The United States voted for GA Res. 222 (III) and stated that even had this resolution not been adopted the United States would expect to inform the Secretary General if for any reason it ceased to transmit information on one of its territories. The United States recorded its understanding, however, that the transmission of the information requested in the resolution did not alter the right of each administering state to determine the constitutional position and status of any particular territory under its sovereignty. The United States restated this understanding when the Special Committee was entrusted with the task of studying the factors. The United States position at that time was that the General Assembly had the right to compile a list of factors for the guidance of Members but that no definition or list of factors could be flexible enough to take account of the complexities of constitutional forms and usages in the wide variety of territories involved and at the same time specific enough to be definitive.

At the Sixth General Assembly during the discussions in Committee IV on the Report of the Committee on Information from Non-Self-Governing Territories, the Alternate United States Representative,

Dr. Channing Tobias, included in his statement on November 21, 1951 the following comments on the factors question :

“ . . . A special section of the Report contains a carefully studied analysis of the factors which should be taken into account in determining whether or not a territory has become self-governing within the meaning of the Charter. This report results from an Assembly resolution of two years ago and it reflects, in the view of my Delegation, a great deal of wisdom and intelligence. Undoubtedly some Delegations here may think that they could add other factors to this list and some may think that certain factors appearing there should be eliminated. My Delegation has always taken the position that the circumstances of the various non-self-governing territories are so different that no single factor or combination of factors would necessarily apply in all cases. We have studied this document most carefully and we believe that the Fourth Committee should accept it as a guide to be seriously taken into account in determining when a people have reached the point when it has become self-governing or when it has attained a status whereby it need no longer be reported upon under Chapter XI.

“The United States Delegation believes that territories should be encouraged and assisted to become self-governing as rapidly as possible and we would not wish such a development delayed as a result of laying down so many complex factors to be met that the people might become discouraged in their onward progress toward self-government. We believe it is the duty of this Committee not unnecessarily to complicate the progress or to place too many difficult hurdles in the way. As I look over this list of factors, I could not help but think that a number of so-called independent countries might find it difficult to qualify on all the points mentioned in this list.

“Mr. Chairman, my delegation believes that what we must always strive for is that non-self-governing peoples may be placed in a position where they can freely choose their destiny. It is this element of freedom of choice which in our view is the keystone of the whole question. Non-self-governing peoples should not be coerced against their will to assume a status which they do not desire. Such a relationship is almost certainly bound to make trouble and will usually create deep-seated resentments. And when I say that these peoples should be free to choose, I mean that they should be able freely to decide the nature of the relationship which they wish to maintain with any other country. History has shown that this relationship has sometimes taken the form of independence. In other cases it has taken the form of some degree of association with the mother country and other countries, and in still other cases, it has taken the form of complete assimilation or integration with another State. All these are possibilities, and it would be a wise man indeed who would undertake to forecast which is the most desirable form of self-government for peoples who are now not fully self-governing.”

*Application to Territories Administered by the United States*

Under Article 73(e) the United States reports on Alaska, Hawaii, Puerto Rico, Virgin Islands of the United States, Guam and American Samoa. It also reports to the Trusteeship Council on its adminis-



tration of the Trust Territory of the Pacific Islands. These seven territories are at widely varying stages of political, as well as economic, social and educational development. On the one hand, Hawaii and Alaska are on the threshold of statehood in the Union while Puerto Rico has as of July 25, 1952 achieved the status of an autonomous Commonwealth under a constitution drafted by the people of Puerto Rico and approved by the United States Congress. At the other extreme is the Trust Territory of the Pacific Islands composed of 96 distinct island units composed of 2,141 individual islands scattered over an ocean area of approximately three million square miles and with a combined land area of only 687 square miles. The United States has placed on record in the Security Council the statement that despite the fact that no people are more consecrated to the principle of independence than the people of the United States, such status for the Trust Territory could not be achieved within any foreseeable future. The territories of the Virgin Islands, Guam and American Samoa enjoy varying intermediate stages in the development of local self-government and no one can foretell what their ultimate political status will be.

It is obvious, however, that in taking positions in the United Nations on the factors question, the United States must bear in mind that all territories under its jurisdiction are not likely to achieve statehood as an ultimate status and that our present new relationship with Puerto Rico calls for a broader interpretation of "self-government" than simply membership in the Federal Union.

It is assumed that, in view of the changed status of Puerto Rico as a result of the promulgation of its new Constitution on July 25, 1952, it will no longer be appropriate or advisable for the United States to submit information on Puerto Rico in accordance with Article 73(e) of the Charter.<sup>7</sup> Such action on the part of the United States will depend upon a definition by this Government as to the new relationship between it and the Commonwealth of Puerto Rico. However, since information remains to be transmitted for the period July 1, 1951 to June 30, 1952, it is assumed that the cessation of submission of information would not become effective until a year hence.

*Administering Authorities Which Have Ceased to Transmit Information*

*France:* The French Government in 1949 maintained that the territories on which no information was transmitted (Martinique, Guadeloupe, Reunion, French Guiana, St. Pierre and Miquelon, French Oceania, New Caledonia and Dependencies, French Establishments in India and the Associated States of Indo-China) were no longer non-self-governing by virtue of having become departments of France

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<sup>7</sup> See documentation on Puerto Rico, pp. 1427 ff.

“with a regime which is largely identical with that of the Departments of Metropolitan France,” or overseas territories “with a regime which on the whole closely resembles that of the Overseas Departments of Metropolitan France as regards the status of the inhabitants and their method of political representation” or associated states with “freedom of self-government to the extent of independence within the framework of the French Union.”

*United Kingdom:* The British position with respect to Malta in 1947 as stated by the United Kingdom Representative, was that Malta on September 5, 1947 “had attained full responsibility for local self-governments” and while not yet in full control of its external affairs was nevertheless fully responsible for the conduct of its internal affairs. In 1949, the United Kingdom Representative invoked “constitutional consideration” from the phrase “subject to such limitation as security and constitutional considerations may require” in Article 73(e) as a reason for the United Kingdom’s ceasing to transmit information on Malta. The United Kingdom Representative stated that “since under the 1947 constitution Malta was responsible for its own internal administration, including the matters mentioned in Article 73(e) the United Kingdom Government was not concerned with these matters for constitutional reasons and could not, therefore, supply any information regarding them”.<sup>8</sup>

*Netherlands:* On June 29, 1950 the Government of the Netherlands informed the Secretary General of the United Nations that the Netherlands Government would from the current year on no longer present a report on Indonesia since the sovereignty over these territories, with the exception of Netherlands New Guinea, was formally transferred to the Republic of the United States of Indonesia on December 27, 1949. The note of the Government of the Netherlands continued as follows:

. . . “in all probability no further report on the Netherlands West Indies and Surinam will be submitted after 1950 since both these territories will then have acquired an autonomous status and a full measure of self-government placing them outside the scope of Chapter XI of the Charter. It is, however, the intention of my Government in that case to present to your Excellency a report pursuant to paragraph 2 of Resolution 222 (III) of the General Assembly.”

On August 31, 1951 the Netherlands Government advised the Secretary General that in the opinion of that Government, the Netherlands Antilles and Surinam have now ceased to be Non-Self-Governing Territories within the meaning of Article 73(e) of the Charter and that consequently the Netherlands Government had decided to terminate

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<sup>8</sup> Marginal notation beside this paragraph: “would resume reporting, with approval of Malta, if anyone should raise question.” (Source text for this notation is from the paper filed in the Position Book in the ODA files, lot 62 D 182.)

the transmission concerning these territories. The Special Committee considered the communication from the Netherlands Government and adopted a resolution which noted the information made available by the Netherlands Government relating to Surinam and the Netherlands Antilles and the fact that a conference among representatives of the two territories and the Netherlands on an equal footing was to be held in March 1952 to decide upon a system of cooperation for the common affairs of the three countries and the establishment of a new constitutional order to replace the present interim arrangement. The concluding paragraph of the resolution "Takes note of the communication of the Government of the Netherlands with reference to the cessation of the transmission of information on these territories, and transmits this information, together with its Special Committee report on General Assembly Resolution 334 (IV) and the summary records relating to these questions, to the General Assembly, for any necessary action." The General Assembly decided (Resolution 568 (VI)) that in 1952 it should examine the communication of the Netherlands Government in the light of any report prepared by the *Ad Hoc* Committee and take into account whatever new arrangements as to common affairs may be developed by the 1952 conference of representatives of the Netherlands and of the Netherlands Antilles and Surinam. The resolution concludes with the decision "to include in the agenda of the next regular session of the General Assembly the question of the cessation of the transmission of information under Article 73 (*e*) of the Charter as regards the Netherlands Antilles and Surinam."

[See separate paper covering U.S. position on the question of Cessation of Information on the Netherlands Antilles and Surinam]

#### *Views of the Non-Administering Members*

The records of debates show that many non-administering members hold that the General Assembly has final authority to decide, or that this authority is to be exercised jointly by the General Assembly and the respective administering authorities. The replies of the non-administering members who have given views on the factors question are difficult to summarize. It is apparent that a sincere attempt has been made on the part of these members to give careful and objective consideration to the factors question. Their replies, as might well be expected, reflect that they take their own particular political situations and outlooks as the principal point of departure. One recurring theme of the replies has been the question of the competence of the General Assembly to apply any one list of factors to specific territories with the corollary that the cessation of the transmission of information under Article 73 (*e*) of the Charter should depend on a separate investigation of each particular case. Another recurring theme calls for the

application of the principle of self-determination. It is significant that of all the non-administering members which have submitted their views only Burma, while agreeing that it would be advantageous to have a list of factors laid down, believe strongly that the list should merely serve as a guide and not be applied rigidly.

*Views of the Administering Members*

The attitude of the administering authorities likewise reflects their individual political situations as well as their colonial responsibilities. They all hold the general view that, in the final analysis, the decision as to when a territory ceases to be non-self-governing rests with the metropolitan government, and that Chapter XI of the Charter does not provide the basis for maintaining that the General Assembly has the power to decide the question of the cessation of the application of Article 73(e) to a particular territory. Some of them have even threatened to cease to participate in the work of the Committee on Information from Non-Self-Governing Territories and Fourth Committee work as it pertains to Chapter XI of the Charter. While maintaining that the list of factors can only be of value as a guide to Members responsible for transmitting information under Article 73(e), they have participated in the discussion of this question and five Members (Belgium, Denmark, France, the Netherlands, and the United Kingdom) have presented detailed and constructive sets of comments for consideration by the *Ad Hoc* Committee.

*Special Views of Belgium:*<sup>9</sup> The Belgium views contain the theme upon which the Belgians have spoken for some time, namely, that there exists in the Americas and Asia peoples with a lower degree of civilization for whom no information has yet been transmitted. There are many examples of the formal establishment through laws and decrees of a special system taking into account their particular status or giving to the State some form of trusteeship over such peoples. The areas in which they live may be regarded as vast reservations in which they are more or less completely outside the laws in force for the rest of the State. In elaborating upon this theme, the Belgian Government lists, from ILO publications, 27 Members of the United Nations who administer sizeable groups of indigenous peoples concerning whom information has not been transmitted in accordance with Article 73(e). The important point is not that the Belgians have now provided elaborate documentation of their theme that reporting on non-self-governing peoples is incomplete. It is to be noted that previous efforts on their part to expand upon this theme have been ruled out of order in the Special Committee and Committee IV on the ground that such information was not before the Committees for consideration. The

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<sup>9</sup> The Belgian position is set forth at length in the Belgian reply to the Secretary-General, which is incorporated into UN Doc. A/AC.58/1, May 22, 1952, pp. 3-14. See footnote 7, p. 1217.

important question which now arises is whether or not the views submitted by Belgium are properly before the *Ad Hoc* Committee. These are legitimate views and if the Belgians are not ruled out of order, (and they have informed us that they will walk out if ruled out of order) a new factor of broad significance may have to be considered by the *Ad Hoc* Committee and possibly the General Assembly. In this connection it should be pointed out that the terms of reference of the Committee on Information from Non-Self-Governing Territories which do not entitle the Committee to apply a definition or list of factors to any specific territory for the purpose of determining its status are not binding upon the *Ad Hoc* Committee.

#### Annex A

#### U.S. POSITION ON THE FACTORS QUESTION FOR THE 1950 AND 51 SESSIONS OF THE SPECIAL COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

[Extracted from ODA-630 August 9, 1950, S/NSGT D-37/50 revised as of October 1951]<sup>10</sup>

#### RECOMMENDATIONS

1. In view of the complexity and importance of the problem the United States Representative should favor full discussion in the plenary sessions of the Committee, but may support the appointment of a subcommittee once the subject has been thoroughly explored.

2. The United States Representative should be guided by the consideration that the most desirable outcome of the discussions in the Special Committee (and later in the Fourth Committee) would be a recognition of the difficulty or even the impossibility of formulating either a definition or a list of factors which would be presented as determining in every case whether a territory is or is not "a territory whose people have not yet attained a full measure of self-government". Neither a definition nor a list of factors presumably could be flexible enough to take account of the complexities of constitutional forms and usages in the wide variety of territories involved and at the same time specific enough to be definitive.

3. In the event that the Committee reaches a conclusion along the lines of Recommendation 2 above the United States Representative should consider seeking the co-sponsorship of a non-administering

<sup>10</sup> Entitled "Position Paper on Resolution 334 (IV) : Examination of Factors To Be Taken Into Account in Deciding Whether a Territory Is or Is not a Territory Whose Peoples Have not Yet Attained a Full Measure of Self-Government"; not printed. This was a document of the Department of State Committee on Problems of Dependent Areas; it was also serialized in a second documents series, that of the Interdepartmental Committee on Non-Self-Governing Territories (Department of State files, lot 54 D 5, Colonial Policy Committees). Regarding the Committee on Problems of Dependent Areas, see pp. 1427 ff.

Member for a resolution which would recommend to the General Assembly that it take note of the difficulties encountered by the Special Committee, express the view that it is not possible to formulate a definition or a list of factors which would be determining in all cases, and invite administering Members to interpret in the broadest practicable sense their obligation to transmit information under Article 73(e) of the Charter on economic, social, and educational conditions in non-self-governing territories.

4. If, however, the Committee should desire, in response to General Assembly Resolution 334 (IV) to submit to the Assembly a list of "factors which should be taken into account" the United States Representative may agree to a list along the lines of Recommendation 5(a) below provided the list is not presented as a definition and no one factor or combination of factors is presented as determining in every case the status of a territory in relation to Chapter XI.

5. In any discussion of the "factors which should be taken into account" the United States Representative:

*a.* May, as appropriate during the discussion, advance some or all of the following as factors which might be taken into account, pointing out, however, their varying degrees of significance and the difficulty of using them individually or in combination as a test:

(1) Whether the inhabitants of the territory are represented in the metropolitan parliament on the same basis as the inhabitants of the metropole.

(2) Whether incorporation in the metropolitan area assures to the inhabitants of the territory rights and privileges equal to those enjoyed by the people of other component units of the metropole.

(3) Whether the territorial legislature is locally elected.

(4) The respective powers of the territorial legislature and the metropolitan legislature in relation to the territory.

(5) Whether the Governor is appointed by the metropole or elected by the inhabitants of the territory.

(6) Whether the ministers or heads of departments are inhabitants of the territories, and whether they are appointed by the metropole, chosen by the Governor, chosen by the majority party in the territorial legislature, or elected by the people.

(7) The extent of the Governor's veto, reserve, or decree powers.

(8) Whether universal adult suffrage exists in the territory.

(9) Whether the inhabitants possess metropolitan citizenship.

*b.* Should oppose, as factors determining the status of territories in relation to Chapter XI, control of external affairs or eligibility for membership in the United Nations.

6. If the question arises, the United States Representative should recall the terms of reference of the Special Committee, which do not entitle the Special Committee to apply a definition or list of factors

to any specific territory for the purpose of determining the status of that territory in relation to Chapter XI of the Charter.

7. If, through consultation, it appears that the United Kingdom maintains its intention to seek Special Committee agreement that an administering Member may invoke the phrase "subject to such limitation as security and constitutional considerations may require" to cease reporting on a territory which, although admittedly not fully self-governing in the sense of controlling its external relations, is fully responsible for its internal affairs including the economic, social, and educational matters specified in Article 73(e), the United States Representative should seek informally to dissuade the United Kingdom Representative from raising this point in the Special Committee except insofar as he might consider it necessary to make a reservation on the point on behalf of his Government.

Extract from the discussion section of the paper dealing with the distinction between self-government and independence.

There is a distinction drawn between self-government and independence in Article 76 of the Charter. Since control of its external relations is generally accepted as an attribute of a state, the framers of the Charter meant to imply, in making the distinction between self-government and independence, that a territory might be fully self-governing short of having obtained control of its affairs in this sphere. Moreover, Article 76 speaks of development toward self-government or independence "as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned", and, in Article 73(b) administering Members undertake "to take due account of the political aspirations of the peoples". Finally, the inclusion of this factor as a determining factor would cast doubt on the right of a territory to be considered self-governing for the purposes of Article 73(e) even if the people of the territory should choose incorporation into a larger unit or a special form of relationship with the metropole whereby, by mutual agreement, the metropole conducted the external relations of the territory.

See also Department of State Legal Adviser's "Interpretation of Article 73(e) of the United Nations Charter" annexed to CDA-630.<sup>11</sup>

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<sup>11</sup> Annex A of Doc. CDA-630, Aug. 9, 1950 was a 10-page document which included a summary at the beginning as follows:

"The question has been raised as to the meaning of the phrase "subject to such limitations as security and constitutional considerations may require" which appears in Article 73(e) of the United Nations Charter. In particular, it has been suggested that this phrase may be so construed as to permit a Member of the United Nations to cease reporting with respect to a territory, on the ground that changes in the territory's status make it constitutionally inappropriate for the

## Annex E

567 (VI). FUTURE PROCEDURE FOR THE CONTINUATION OF THE STUDY OF FACTORS WHICH SHOULD BE TAKEN INTO ACCOUNT IN DECIDING WHETHER A TERRITORY IS OR IS NOT A TERRITORY WHOSE PEOPLE HAVE NOT YET ATTAINED A FULL MEASURE OF SELF-GOVERNMENT

*The General Assembly,*

*Recalling* that, in resolution 334 (IV) adopted on 2 December 1949, the General Assembly invited any special committee which might be appointed on information transmitted under Article 73(e) of the Charter to examine the factors which should be taken into account in

metropolitan state to transmit information to the United Nations under Article 73(e), and, further, that the General Assembly would not be competent to review this action and pronounce upon whether such action is justifiable.

"Examination of the pertinent provisions of the Charter, the proceedings of the San Francisco Conference, and applicable rules of international law, leads to the following conclusions:

"1) The meaning of the phrase in question is not clear and precise, nor can the exact intent of the negotiators be ascertained. Nevertheless the San Francisco records indicate that many delegates would not have agreed to the insertion of this language in the Charter had they considered that this language could be construed so as to permit a metropolitan state to relieve itself arbitrarily and unilaterally of its reporting obligation under Article 73(e).

"2) Under general rules of international law governing interpretation of treaties, it is believed that the reasonable and natural interpretation of the language in question, in the light of the general objective of Article 73, is as follows:

"The Members of the United Nations which are administering non-self-governing territories undertake by Article 73(e) to report to the United Nations with respect to economic, social and educational conditions in such territories. This undertaking is subject to "limitation" (in legal parlance, the term "limitation" is used in the sense of "qualification" or "restriction"), i.e., a Member may *qualify* or *limit* the information transmitted where security or constitutional considerations so require. To qualify or to limit information transmitted obviously is not substantively the same as to withhold information absolutely. Only under the most exceptional circumstances, such a threat to or breach of international peace which directly endangers the security of the territory or of the metropolitan power, could withholding of all information conceivably be justifiable."

"3) It is clear that the administering Member could and would determine in the *first* instance what security and constitutional considerations may require in connection with its reporting obligations.

"4) In a case where an administering Member has been reporting with respect to a territory, pursuant to Article 73(e), and ceases to report on the ground of changes in the constitutional status of such territory, the General Assembly would, and is competent to, review this action, at least to the extent of determining for itself that the territory in question is no longer a "non-self-governing" territory within the meaning of Article 73 and that consequently the administering Member has not violated its obligations under Article 73(e). The General Assembly's competence to do so is based upon its broad powers to discuss and recommend contained in Article 10, in conjunction with the particular provisions of Article 73.

"5) If the General Assembly were to refer these questions to the International Court of Justice for an advisory opinion, it is believed that that tribunal would consider itself fully competent to pass upon them, since that tribunal has jurisdiction, by its Statute to "give an advisory opinion on any legal question at the request of" an authorized United Nations organ. Obviously a question involving an interpretation of a treaty, as with Chapter XI of the Charter, falls within the Court's advisory jurisdiction under Article 65 of its Statute." (Department of State Committee files, lot 54 D 5, "Committee Documents")



deciding whether any territory is or is not a territory whose people have not yet attained a full measure of self-government,

*Having examined* the report on the matter prepared by the Special Committee on Information transmitted under Article 73(e) of the Charter,

*Having undertaken* a revision of the above-mentioned factors,

*Considering* that the production of a more definitive list of factors involves protracted and complex studies on the basis of more complete information than was available in 1951,

1. *Decides* to take as a basis the list of factors drawn up at the sixth session of the General Assembly, which list is annexed to the present resolution;

2. *Invites* the Members of the United Nations to transmit in writing to the Secretary-General, by 1 May 1952, a statement of the views of their governments on the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government;

3. *Appoints* an *Ad Hoc* Committee of ten members comprising Australia, Belgium, Burma, Cuba, Denmark, France, Guatemala, Iraq, the United States of America and Venezuela, in order to carry out a further study of the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not attained a full measure of self-government;

4. *Invites* the *Ad Hoc* Committee to take into account all information available, including that transmitted to the Secretary-General on the reasons which have led certain Administering Members to cease to transmit information on certain of these territories, and to submit a report to the General Assembly at its seventh regular session;

5. *Invites* the Secretary-General to convene the *Ad Hoc* Committee in order that it may begin its work one week before the opening of the 1952 session of the Committee on Information from Non-Self-Governing Territories.

361st plenary meeting,

18 January 1952.

**ANNEX TO RESOLUTION 567 (VI) FACTORS WHICH SHOULD BE TAKEN INTO ACCOUNT IN DECIDING WHETHER A TERRITORY IS OR IS NOT A TERRITORY WHOSE PEOPLE HAVE NOT YET ATTAINED A FULL MEASURE OF SELF-GOVERNMENT**

INTRODUCTION

1. The territories which are covered by Chapter XI of the Charter are these territories whose people have not yet attained a full measure of self-government. It may be noted that the expression "self-government" is qualified in the Charter by the words "full measure" in the English text, "*completement*" in the French text, and "*plenitud*" in the Spanish text.

2. The task of the General Assembly, at present, is to indicate the factors which should be taken into account in determining whether the result of the advancement of the people of any given territory is such that that territory has reached a stage of self-government where it falls outside the scope of Article 73(e) of the Charter.

3. The condition under which the provisions of Chapter XI of the Charter cease to apply will be that the inhabitants of the territory have attained, through political advancement, a full measure of self-government. The fulfillment of this condition may be achieved by various means, involving in all cases the expression of the free will of the people. The two principal means are (a) the attainment of independence and (b) the union of the territory on a footing of equal status with other component parts of the metropolitan or other country or its association on the same conditions with the metropolitan or other country or countries. The extent to which the provisions of Article 73e continue to apply in the case of territories which have become neither independent nor fully integrated within another State but which have already attained a full measure of self-government in their internal affairs is a question which merits further study.

4. The two principal forms of political advancement mentioned in the above paragraph, call for the consideration of different factors in determining whether a territory has or has not reached a stage of self-government where it falls outside the scope of Article 73(e) of the Charter.

5. Accordingly, the General Assembly lists under two separate headings below the factors to be taken into account, stressing that the list cannot be regarded as exhaustive or definitive, and that a single factor or particular combination of factors cannot be regarded as decisive in every case. Whether the peoples of a territory should be regarded as having reached a stage of self-government where there is no longer any obligation to transmit information should be solved in the light of the conditions enumerated under either of the two headings, taking into account the circumstances of each particular case, which will need to be studied separately.

6. Nevertheless, the General Assembly considers that the essential factors to be taken into account in deciding whether a Non-Self-Governing Territory has attained a full measure of self-government are the following :

(i) *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge;

(ii) *Opinion of the population*: The opinion of the population of the Territory, freely expressed by informed and democratic processes as to the status or change in status which they desire.

7. These factors apply both to Non-Self-Governing Territories which have achieved independence and to Non-Self-Governing Territories which have freely united or associated themselves on a footing of equal status with other component parts of the metropolitan or other country or countries. In the latter case, however, the following factors are also essential and should be taken into account:

(i) *Legislative representation*: Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions;

(ii) *Citizenship*: Citizenship without discrimination on the same basis as other inhabitants.

#### I. FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE OR OTHER SEPARATE SYSTEM OF SELF-GOVERNMENT

##### A. *General*

1. *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population*: The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

##### B. *International Status*

1. *Independence*: The attainment of independence by the territory, or complete control over its external relations and internal affairs.

2. *Eligibility for membership in international organizations*: Eligibility for membership in the United Nations or for membership or associate membership in other international organizations; representation by delegates selected by the territorial government.

3. *General international relations*: Power to enter into direct relations of every kind with other governments and with international institutions, and to negotiate, sign and ratify international conventions.

4. *Voluntary limitation of sovereignty*: Degree to which the sovereignty of the territory is limited by its own free will when that territory has attained independence or other separate system of self-government.

##### C. *Internal Self-Government*

1. *Territorial government*: Freedom from control or interference by the government of another State in respect of the internal government (legislature, executive, judiciary) and administration of the territory.

2. *Participation of the population*: Effective participation of the population in the government of the territory by means of an adequate electoral and representative system.

3. *Economic and social jurisdiction*: Complete autonomy in respect of economic and social affairs.

II. FACTORS INDICATIVE OF THE FREE ASSOCIATION (WHETHER IN A FEDERAL OR UNITARY RELATIONSHIP) OF A TERRITORY ON EQUAL STATUS WITH OTHER COMPONENT PARTS OF THE METROPOLITAN OR OTHER COUNTRY

A. *General*

1. *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population*: The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

3. *Geographical considerations*: Extent to which the relations of the territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles.

4. *Ethnic and cultural considerations*: Extent to which the population are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

5. *Constitutional considerations*: Association (a) by virtue of the constitution of the metropolitan country or (b) by virtue of a treaty or bilateral agreement affecting the status of the territory taking into account (i) whether the constitutional guarantees extend equally to the associated territory, (ii) whether there are constitutional fields reserved to the territory, and (iii) whether there is provision for the participation of the territory on a basis of equality in any changes in the constitutional system of the State.

B. *Status*

1. *Legislative representation*: Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions.

2. *Citizenship*: Citizenship without discrimination on the same basis as other inhabitants.

3. *Government officials*: Appointment or election of officials from the territory on the same basis as those from other parts of the country.

C. *Internal Constitutional Conditions*

1. *Suffrage*: Universal and equal suffrage, free periodic elections by secret ballot, freedom of choice of electoral candidates.

2. *Local rights and status:* Equal rights and status for the inhabitants and local bodies of the territory as enjoyed by inhabitants and local bodies of other parts of the country.

3. *Local officials:* Appointment or election of officials in the territory on the same basis as those in other parts of the country.

4. *Internal legislation:* Complete legislative autonomy of the territory, by means of electoral and representative systems, in all matters which in accordance with the normal terms of association are, in the case of non-unitary systems, not reserved to the central government.

#### Annex F

EXTRACT FROM POSITION PAPER CLEARED FOR ITEM III, A, 3 OF THE  
AGENDA FOR THE COLONIAL POLICY DISCUSSIONS IN 1950 ENTITLED  
"PROBLEMS IN CONNECTION WITH THE DEFINITION OF THE CONCEPT  
OF 'NON-SELF-GOVERNING'"

The following extract (p. 3 of the paper) deals with the question of competence:

"1. The United States agrees that each administering Member has the right to determine the constitutional position and status of any particular territory under its sovereignty. The United States also considers that the decision with a respect to specific territories rests with the administering Members concerned. It is assumed that administering Members and all other Members of the United Nations would wish to respect any opinion or judgment handed down by the International Court of Justice with respect to Chapter XI of the Charter. The United States does not consider, however, that the interpretation of the expressions "non-self-governing territories" and "territories whose peoples have not yet attained a full measure of self-government", since they appear in the Charter, is a matter for unilateral determination by individual administering Members. The United States considers, therefore, that in view of Article 10, the General Assembly would not be exceeding its authority in discussing and attempting to define these expressions, in recommending to administering Members generally the consideration of any definition the Assembly might be able to arrive at, or even in expressing its opinion in general terms, on the principles which have guided or may guide Members in determining on which of its territories it will transmit information. The United States believes that the General Assembly would be unwise to recommend to individual administering Members that they should transmit information on a specific territory or territories."

IO files, A/AC.58/SR.2

*Opening Statement Made to the General Assembly Ad Hoc Committee  
on Factors by the United States Representative (Gerig)*<sup>1</sup>

[NEW YORK, September 4, 1952.]

Mr. Gerig (United States of America) said that important preparatory work had been done by the two committees which had already studied the subject. Consequently, all that the *Ad Hoc* Committee had to do was to review the work already done and, possibly, to amend the list of factors in the light of the comments made by governments. On certain points those comments would be very valuable.

His delegation was prepared to examine all the comments with a view to perfecting the list of factors, even though it was generally satisfied with the list which had been submitted to the sixth session of the General Assembly.

In any event, the final list would only serve as a guide for the States which had to supply the information provided for under Article 73e of the Charter. No single factor could be regarded as decisive in every case, except perhaps the freely expressed opinion of the populations concerned, which was the one overriding factor.

If the Committee were to consider all the territories about which information should be submitted, including those about which there was no information and those which had lost their independence, it would become apparent that they differed so much in their constitutional structure that one factor could not be of equal value in each individual case. Nevertheless, the *Ad Hoc* Committee would be doing useful work in perfecting the list of factors, which should serve as a general guide.

He, too, considered that it was not for the Committee to discuss what authority should finally decide which territories should be the subject of information to be supplied under Article 73e of the Charter.

On the general question of the development of Non-Self-Governing Territories towards self-government, his delegation was convinced that the need to prepare a list of factors was the logical outcome of the actual provisions of Chapter XI of the Charter, which the United States had helped to draft at San Francisco. His country was still fully prepared to carry out the obligations it had undertaken and to implement the provisions of Article 73e and of General Assembly resolution 551 (VI), regarding the supply of information on Non-Self-Governing Territories.

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<sup>1</sup> Extracted from the Summary Record of the second meeting of the Committee, New York, Sept. 4, 1952, 2:30 p. m. Gerig, Director of the Office of Dependent Area Affairs, was assisted by three advisers in his capacity as U.S. Representative on the *Ad Hoc* Committee: William I. Cargo, Deputy Director of the Office of Dependent Areas; Mason Barr, Caribbean Division, Office of Territories, Department of the Interior; and Claude G. Ross, Office of Dependent Area Affairs.

He suggested that the *Ad Hoc* Committee could submit preliminary remarks to the General Assembly, based on an analysis of the work done thus far. It might also prepare a more complete list of factors, on the understanding that the list could not apply strictly and uniformly in every case.

Regarding the agenda, he agreed with the view expressed by the Venezuelan representative at the previous meeting that the Committee should confine itself to a study of the principal factors; otherwise it might be unable to complete its work within the required time.<sup>2</sup>

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<sup>2</sup> The Committee held six meetings between Sept. 4 and Sept. 9, 1952. Records of the proceedings are in UN Docs. A/AC.58/SR.1. Sept. 15, 1952, through A/AC.58/SR.6, Sept. 22, 1952 (IO files and ODA files, lot 60 D 257, "NSGT: Factors, etc."). The draft report of the working subcommittee of the Committee is in UN Doc. A/AC.58/L.1, Sept. 8, 1952. The Committee's Report is in UN Doc. A/2178.

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IO files, SD/A/AC.35/34<sup>1</sup>

*Position Paper Prepared by the Department of State for the United States Delegation to the Third Session of the Committee on Information From Non-Self-Governing Territories*<sup>2</sup>

CONFIDENTIAL

[WASHINGTON,] September 8, 1952.

ITEM 9: FUTURE OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

THE PROBLEM

The problem is to determine the position of the United States Representative to the Committee on Information from Non-Self-Governing Territories on the Future of the Committee.

RECOMMENDATION

The United States Delegation should support and/or initiate a proposal for the continuation of the Committee for an additional three-year period under its present terms of reference.

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<sup>1</sup> This was one of 15 papers in a Position Book entitled "Committee on Information from Non-Self-Governing Territories (Third Session) 1952". This and the Position Books for other sessions are found in the IO files and in the ODA files, lot 62 D 182 (for the First through Ninth Sessions, 1950-1958).

<sup>2</sup> For the background of this Committee, see below, "Background". The Committee's Third Session extended from Sept. 11 to Oct. 7, 1952; it met at the Headquarters of the United Nations, New York. The U.S. Representative on the Committee was Benjamin Gerig, Director of the Office of Dependent Area Affairs; the Alternate U.S. Representative was William I. Cargo, Deputy Director of the Office of Dependent Areas.

Documentation relating to this Committee and issues considered by it (not just the 1952 session) is in file 320.14, the IO files, and the ODA files (particularly lot 62 D 182 and lot 62 D 225).

## BACKGROUND

The Charter makes no provision for a body to examine and make recommendations on the information which administering Members transmit on non-self-governing territories under Article 73(e). But by resolution the General Assembly in 1946 voted to establish a Committee for this purpose, composed of eight administering and eight elected Members, and in 1947 and again in 1948 voted to re-establish the Committee, for one year. In 1949 the Assembly established the Special Committee on Information Transmitted under Article 73(e) of the Charter for a three-year term and provided for the re-consideration of the future of the Special Committee and its terms of reference in 1952. The United States initiated this proposal as an alternative to establishing a permanent Committee.

When the Committee first met in 1947, it was governed by terms of reference which empowered it to examine the Secretary-General's summaries and analyses of information transmitted, but to make, with respect to this information, recommendations only of a procedural character. The 1948 and 1949 session of the Special Committee, however, operated under new terms of reference which empowered the Committee to make, in addition to procedural recommendations, recommendations of substance provided these were limited to economic, social, and educational matters and were not directed to particular territories. Not until the 1949 session, however, did the Special Committee, or, indeed the General Assembly, venture to make substantive recommendations. In establishing the Committee in 1949 for a three-year term the General Assembly gave it substantially the same terms of reference as those enjoyed by the Committee of 1948 and 1949, maintaining the previous limited recommendations on substantive recommendations.

In 1949 the Assembly also adopted a joint United States-Mexico Resolution to have the Committee give particular attention to one aspect of conditions in non-self-governing territories each year during its three-year tenure. In 1950, the Committee discussed educational conditions in non-self-governing territories and prepared a report which was favorably received. In 1951 the Committee gave major emphasis to economic problems and development. At its present session the Committee will give major attention to social conditions.

The Committee in 1951 also completed work on the revision of the Standard Form, which is the "topical outline for the guidance of members in submitting information under Article 73(e)."

In addition to discussions on the educational, economic and social conditions, the Committee has dealt with problems with political implications. Among these are "the application of the Declaration of Human Rights in Non-Self-Governing Territories"; "the factors



which should be taken into account in determining if a territory is or is not a territory which has not achieved a full measure of self-government"; and "the question of the cessation of information on Surinam and the Netherlands Antilles."

#### ATTITUDE OF THE ADMINISTERING AUTHORITIES

The United Kingdom, Belgium and France have participated in the work of the Committee only with considerable reservations. They have consistently advocated a very narrow interpretation of the functions of the Committee, insisting that they should remain procedural. Their representatives have stated their reservations as to the legality of the Committee at each of its past two sessions.

Recent conversations with representatives of these three members have indicated their tentative views in regard to the extension of the Committee's life. The United Kingdom has stated that it considered the extension of the Committee inevitable. It would participate in the same way as in the past if the Committee's life is extended but would oppose any extension of the Committee's functions, and would abstain on a General Assembly Resolution to extend the life of the Committee with its present functions.

The French representative has stated that its Government has not decided its position. He feels, however, that the Government would either abstain or vote against a Resolution to extend the life of the Committee with its present functions, and will certainly vote against a Resolution which would extend its functions.

The Belgium representatives have said that their Government would vote against any proposal to re-establish the Committee whether or not its functions were extended. They would probably participate if the Committee's functions were not extended but would not participate if the Committee's functions were appreciably extended, or if any aspects of Belgium's administration of the Congo were discussed.

The Netherlands Government in a recent note to the Department stated its opinion that the Administering Powers should proceed on the assumption that the Committee will be maintained. It considers that the Committee had done good and useful work and that on the whole the discussions in the Committee were matter of fact and observations were made which more than once proved to be of value to the Administering Powers. The note further stated that one of the advantages of the Committee, probably due to its balanced membership, is that its activities exercise a favorable influence on the work of the Fourth Committee.

#### ATTITUDE OF NON-ADMINISTERING MEMBERS

Non-Administering Members, who, in the General Assembly, outnumber administering Members in a ratio of 52-8, have generally

avored making the Special Committee a permanent organ. There have also been attempts on the part of some to give the Committee wider powers, including the right to receive petitions and send visiting missions to non-self-governing territories and generally to make the Special Committee as far as possible the counterpart of the Trusteeship Council.

#### PAST UNITED STATES POSITION

The United States originally opposed, in 1946, the establishment of the *Ad Hoc* Committee. The United States supported its continuance in 1947, and, in 1948, was the author of a compromise proposal adopted by the Special Committee and by the General Assembly that the Committee meet again in 1949 "without prejudice as to the future".

In 1949 the United States Delegation to the Special Committee was instructed to "initiate or co-sponsor and actively support" a proposal for the establishment on a three-year basis of a Special Committee similar to the 1948 Committee. This was to be without prejudice to the re-examination of the whole issue in 1952. The United States should, however, vote against any proposal to make the Committee permanent or to alter its previous balanced composition and terms of reference.

The United States position was based on the following consideration:

1. Since General Assembly consideration of, and recommendations concerning, the information transmitted under Article 73(e) could not be prevented in any case, there was an advantage to administering Members in having this information considered in the first instance by a balanced Special Committee.

2. In view of this anticipated pressure for the establishment of a permanent Committee, the three-year proposal seemed the best compromise and the one most likely to command the necessary support. Denmark and New Zealand, among the administering Members, were reported ready to support this compromise.

It was agreed further that the United States, in the interests of directing the Committee away from purely propaganda speeches should take the leadership in promoting constructive substantive discussion and to this end might explore with other delegations the possibility of the Committee's concentrating, during each of the next three years on one of the three functional fields—economic, social, or educational conditions—covered by the Article 73(e) information.

#### DISCUSSION OF RECOMMENDATION

Sufficient support for this proposal might be obtained from the more moderate non-administering Members to make this an acceptable alternative to the establishment of the Committee on a permanent basis over the objections of the Administering Members. This proposal would enable the Committee to continue its procedure of examining

one major aspect of conditions in non-self-governing territories at each of its sessions. The proposal would have the added advantage of providing a further trial period as a basis for recommendations at such time as the General Conference for the review of the Charter is convened (1955).<sup>3</sup>

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<sup>3</sup>The Committee on Information at its Third Session discussed at considerable length the question of its future; and finally adopted by a vote of 13-3 (Belgium, France, United Kingdom)-0 a resolution proposed by the United States to extend the Committee for an additional 3-year period under its current terms of reference. An Egyptian amendment to the U.S. resolution which would have added a fourth year was defeated by a vote of 8-8(US)-0. Earlier a proposal to reconstitute the Committee on a permanent basis was defeated by a vote of 7-8(US)-1, Cuba having chosen to abstain rather than support the resolution because it had been initiated by the Soviet Union. (Position Paper for the U.S. Delegation to the Seventh Regular Session of the General Assembly, "Question of the Renewal of the Committee on Information from Non-Self-Governing Territories", Oct. 28, 1952, Doc. SD/A/C.4/114)

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UNP files, lot 58 D 742, "Cessation of Transmission of Information by the Netherlands—Section 1 (1952-1953)"

*Memorandum of Conversation, by the Deputy Director of the Office of Dependent Area Affairs (Cargo)*

SECRET

[WASHINGTON,] September 8, 1952.

Subject: Possibility of postponing the item on the agenda of the forthcoming General Assembly relating to cessation of the transmission of information on Surinam <sup>1</sup>

Participants: Baron van Boetzelaer, Netherlands Embassy  
 Dr. Durward V. Sandifer, UNA  
 Mr. William I. Cargo, UND

Baron van Boetzelaer called at his request and left the attached *aide-mémoire* with Mr. Sandifer. The *aide-mémoire* refers to the item on the agenda of the forthcoming General Assembly concerning the decision of the Netherlands Government, announced during 1951, to terminate the transmission of information to the United Nations under Article 73(e) of the Charter about Surinam and the Netherlands Antilles. The Netherlands Government states the view that it would be preferable to postpone the discussion of this item until next year and inquires whether the United States would be prepared to initiate action in the General Assembly leading to possible postponement.

Baron van Boetzelaer emphasized that his Government felt that a discussion on Surinam and the Netherlands Antilles in the General Assembly at this time might have a disturbing effect on political conditions in Surinam and might also jeopardize the further progress

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<sup>1</sup> Unpublished documentation on this subject is in the ODA files, lot 62 D 225, "Surinam/Neth. Antilles". This includes a useful Office of Intelligence Research report, Intelligence Report 5974, "The Situation in Surinam", July 28, 1952.

of the roundtable conference, the resumption of which is anticipated in the near future.

Mr. Sandifer said that the possibility of postponing the Surinam item had not been taken into account in the preparations thus far undertaken in the Department on this subject. He said that, among other factors, this question would need to be studied in the light of other agenda items and the over-all situation in the General Committee. Mr. Sandifer observed that, as the Netherlands Government had already ceased transmitting information on Surinam, a good case would need to be made if a proposal for postponement were to be successful in the Assembly.

In response to questions as to the public arguments which the Netherlands Government thought might be used to justify postponement, Baron van Boetzelaer said that he would make inquiries and supply information to the Department on this point, but that he thought the situation was simply that the Netherlands Government had decided that the development of self-government warranted a cessation of the information and that the competence to make this decision rested with them.

Mr. Sandifer said, while we wished to be as helpful as possible to the Netherlands Government, the Department would need to study the *aide-mémoire* and that the Netherlands Government would be informed of our views. He observed that the Department would need to consider specifically whether the United States would be able to take a lead in the matter as requested by the Netherlands Government.

[Enclosure—Copy]

#### AIDE-MÉMOIRE

1. The Netherlands Government has given serious consideration to the question whether the temporary interruption of the RTC between the Netherlands, Surinam and the Netherlands Antilles should influence the Netherlands policy of terminating the transmission of information about the areas concerned to the United Nations.

It maintains the view that already now the West-Indies parts of the Realm should not any longer be considered to be non-self-governing territories, about which information should be transmitted under Article 73(e) of the United Nations Charter, these territories having attained autonomy in internal affairs since the Interim Order of Government came into force.

Moreover it has always maintained that it is the exclusive responsibility of the Administering Power to ultimately decide whether it should discontinue the transmission of information about certain areas. This responsibility does not rest with the General Assembly.

Finally it is the opinion of the Netherlands Government that the General Assembly mistakenly saw a connection in the termination of the transmission of information on Surinam and the Netherlands Antilles and the RTC. The only remaining issue to be dealt with at the RTC is the establishment of a system to manage the collective interests of the Realm. The right of self-government, granted by the Interim Order of Government, is not in any way affected thereby.

The Netherlands Government has therefore reached the conclusion that its policy of terminating the transmission of information to the United Nations about Surinam and the Netherlands Antilles is not to be modified on account of the interruption of the RTC.

2. One of the reasons why the RTC did not immediately lead to the desired results is to be found in the complexity and magnitude of its task: to lay down in constitutional form the management of the collective interests of the different partners forms a problem for which speedy solutions cannot be expected. A major difficulty confronting the Conference in this connection was the great difference in resources between the three participants. This difficulty stood in the way of reaching a solution whereby the smaller participants would feel that they had been allotted a fair share in the management of the collective interests.

Moreover the approach of such problems by the Latin American peoples often has an emotional character whilst the Dutch prefer discussions on the basis of constitutional law.

Nevertheless the Netherlands Government is confident that a resumption of the Conference will lead to agreement and that this resumption will take place in the near future.

The Secretary General of the United Nations is to be informed to that effect in due course.

It is therefore the considered opinion of the Netherlands Government that a discussion of the cessation of the transmission of information on Surinam and the Netherlands Antilles is inopportune at this juncture and that it would be preferable to postpone it until next year.

3. There is an additional reason why postponement would be desirable. The American Embassy at The Hague has brought to the attention of the Netherlands Government that an American consular officer at Surinam has informed the State Department of his uneasiness about the activities of certain extremist groups in that territory. A discussion of item 38 of the agenda of the General Assembly might activate these circles in causing further disturbances of the political balance in Surinam, thus hampering its economic progress.

4. A discussion of item 38 of the agenda of the General Assembly might further aggravate the many existing controversies in the Fourth Commission. The remaining issues of the RTC might be drawn into a debate, leading to arguments about the right of self-determination.

This could not only give rise to heated discussions in other Commissions but would also certainly jeopardize the solution of the remaining problems before the RTC.

5. A proposal to postpone discussion of item 38 might already be made in the Steering Committee of the next General Assembly in order to attain that it be removed from the agenda on the basis of the information received by the Secretary General as indicated under 2. This attempt should however, only be made if there is a reasonable chance of success. If and when this would not seem to be the case it would be preferable if the Fourth Commission would move to postpone discussion until next year through a short resolution.

The Netherlands Government considers that, if it would itself take the initiative in a move for postponement, the impression might be created that it has something to conceal. In order to obviate possible suspicions to that effect it would prefer such a move to be made by another power. It would therefore greatly appreciate to know whether the Government of the United States would be prepared to initiate action leading to a postponement of the discussion of item 38 of the agenda of the General Assembly of the United Nations.

WASHINGTON, September 8, 1952.

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ODA files, lot 60 D 512, "Col/Pol, Bilateral Talks (Non-Administering, '52)"

*Memorandum by the Director of the Office of Dependent Area Affairs  
(Gerig)*<sup>1</sup>

RESTRICTED

[WASHINGTON,] September 18, 1952.

Subject: Talks on Fourth Committee Matters with Non-Administering United Nations Members

Pursuant to the plan discussed in the Working Group on Colonial Problems it is proposed to hold discussions before the opening of the Seventh Session of the General Assembly with selected Non-Administering Members of the United Nations on the more important items on the agenda of the Fourth Committee. Such discussions would be held in New York or Washington, depending in each case on the availability of suitable representatives of the Governments concerned. In addition to these talks it is planned to send a circular airgram to

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<sup>1</sup> Addressed to the UN Advisers of the following bureaus of the Department of State: Ruth Bacon, Bureau of Far Eastern Affairs; Harry Howard, Bureau of Near Eastern, South Asian and African Affairs; and George Monsma, Bureau of Inter-American Affairs. These officers were representatives of their bureaus in a Departmental committee known as the UN Liaison Committee, which also included membership from the UN Affairs (the steering group) and from the Bureau of European Affairs. A copy of this memorandum was sent also to Ward Allen, UN Adviser, Bureau of European Affairs; this bureau's relationship was wholly with Administering Members. The airgram was sent subsequently Oct. 18, 1952, not printed (320/10-1852).

United States Missions in nearly all non-administering countries so that an exchange of views on important Fourth Committee items may be arranged with the various Foreign Offices. Talks with certain administering powers either have been held or are planned for Washington and New York.

It is proposed that the following list of topics be sent to each non-administering state with whom it is intended to hold discussions, along with an invitation to participate in such talks. The invitation would also ask the Government concerned whether it has any other topics to suggest. The topics we would propose are: (1) Administrative Unions; (2) Ewe and Togoland Unification; (3) Participation of Inhabitants in the Work of the Trusteeship Council and the Committee on Information from Non-Self-Governing Territories; (4) Future of the Special (Non-Self-Governing Territories) Committee; and (5) Factors which should be taken into Account in deciding whether a Territory is or is not Self-Governing.

The following countries, listed by area, are those with which UND would suggest talks. We should like the advice of each geographic bureau as to the composition of this list for countries in its area, and as to the level of representation and the location of each talk. UND believes that the talks will be most beneficial when they are held with individuals familiar with Fourth Committee matters, preferably representatives on the Fourth Committee.

*Far Eastern Countries:* Burma, China, Philippines, Thailand.

*Near Eastern and African Countries:* India, Pakistan, Iraq, Lebanon, Syria.

*Latin American Countries:* Brazil, Chile, Dominican Republic, Ecuador, El Salvador, Mexico, Uruguay, Venezuela.

It is expected that the airgram on Fourth Committee matters to our Missions in non-administering countries, which will form the substantive basis for the above talks, will be sent to you shortly for clearance. Meanwhile, however, it is hoped that agreement can be reached promptly as to the agenda and arrangements for these talks in order that they may be initiated in the near future.<sup>2</sup>

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<sup>2</sup> Conversations with delegates from the non-administering countries to the Seventh Regular Session of the General Assembly took place principally in New York. Ambassador at large Philip C. Jessup, a representative on the U.S. Delegation, was U.S. Member on the Fourth Committee, and participated prominently in these conversations. A complete file of Jessup's conversations at this General Assembly is in the UNP files, lot 60 D 268, "Seventh General Assembly, Memoranda of Conversations" (5 folders).

UNP files, lot 58 D 742, "Cessation of Transmission of Information by the Netherlands—Section 1 (1952-1953)"

*Memorandum of Conversation, by the Deputy Director of the Office of Dependent Area Affairs (Gerig)*

SECRET

[WASHINGTON,] September 19, 1952.

Subject: Postponement of the item on Cessation of the Transmission of Information on Surinam from the forthcoming General Assembly agenda

Participants: Dr. de Beus, Minister, Netherlands Embassy  
Mr. Durward V. Sandifer, UNA  
Mr. Benjamin Gerig, UND

Following a conversation on this subject on September 8, Dr. de Beus came to the Department today to learn whether the United States could take some initiative in the forthcoming General Assembly in order to secure postponement of the subject item from the Assembly agenda because of the Netherlands' fear that existing internal political conditions in Surinam would be worsened by a discussion of this point in the Assembly at this time. (An *aide-mémoire* on this subject was presented to the Department on September 8.)

Mr. Sandifer said that the Department had given consideration to this subject and while agreeing that it would probably be desirable to secure postponement of this item for the reasons given, the Department did not see clearly what initiative the United States could take which would secure the desired action by the Assembly. He pointed out that other so-called colonial questions will be on the agenda this year and any moves which the United States or other administering Members might take could have unfavorable repercussions. He believed, therefore, that the United States should not, in any case, take any initiative alone in securing postponement. He further raised the question of any convincing arguments which might be used.

Dr. de Beus said that the best argument would be that the round-table discussions on the future relations of Surinam to the other members of the Dutch Commonwealth were suspended and that since this argument was contained in the joint resolution of last year which the Assembly adopted, it could be used again. He pointed out, however, that the Dutch would not wish to use it since they did not agree that there was any necessary relation between their right to cease reporting on Surinam, in view of its new status, and the round-table discussions. His government agreed, however, that third parties could use this argument and thought that the best place to bring about a postponement of the item would be in the General Committee.

Mr. Sandifer thought that several of the Members who sponsored the joint resolution for postponing this item in the last Assembly, namely, Denmark, India, the Philippines and the United States, might take



the initiative but it was not clear how many of these would be in the General Committee. Another alternative would be to leave the item remain on the agenda and secure postponement of its consideration in the Fourth Committee by putting it down to the end of the list and perhaps not getting around to it by the time the Assembly is ready to adjourn. Dr. de Beus felt that as between the two alternatives, the best would be to get it postponed in the General Committee.

Mr. Sandifer said that we would make some further inquiries as to whether some of the sponsors of last year's resolution would not think that since the round-table conferences were not completed, a further postponement was desirable. He repeated that the United States itself would not wish alone to take this action. Dr. de Beus agreed with this suggestion.

Dr. de Beus then said that since the Netherlands Ambassador would be seeing Secretary Acheson on Tuesday, he hoped that they could agree on the course of action to be taken, probably along the foregoing lines.<sup>1</sup>

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<sup>1</sup>Dr. J. H. van Roijen, the Netherlands Ambassador, had already spoken to Secretary of State Acheson on Sept. 10 on the occasion of calling on Acheson with Dr. J. M. A. H. Luns, Netherlands Minister Without Portfolio, who was visiting in the United States. Acheson summarized what he understood to be the Netherlands position "with respect to this specialized problem", and asked the Assistant Secretary of State for European Affairs (Perkins), who was present, "to have the Department study the matter". (Memorandum of conversation, drafted by R. D. McClelland of the Office of Western European Affairs, Sept. 10, 1952, UNP files, lot 58 D 742, "Cessation of Transformation of Information by the Netherlands Section 1 (1952-53)") No record has been found of any subsequent Acheson-de Beus conversation on this matter.

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USUN files, "Dependent Areas (DA), 1952-1957"

*The Department of State to the British Embassy*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 20, 1952.

AIDE-MÉMOIRE

The Department of State expresses its appreciation to the British Embassy for that Embassy's *aide-mémoire* of September 3, 1952, conveying the views of Her Majesty's Government on items proposed for United States-United Kingdom discussions of colonial questions in the United Nations.<sup>2</sup> In response to the Embassy's request for comments on

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<sup>1</sup>Approved by the Deputy Assistant Secretary of State for UN Affairs (Sandifer) on Friday, Sept. 19, 1952, and handed to Michael Wenner, Second Secretary, British Embassy, on Sept. 20, by the Director of the Office of Dependent Area Affairs (Gerig). Drafted by Vernon McKay of UND.

<sup>2</sup>The referenced *aide-mémoire* of Sept. 3, and its annex entitled "Colonial Questions in the United Nations, 1952," are not printed (645K.51T3/9-352).

these views, the Department of State has, in the attached memorandum,<sup>3</sup> presented its comments on each item.

The Department of State agrees with the view of Her Majesty's Government that the items "Membership of Visiting Missions" and "Economic Commission for Africa" do not appear to call for discussion at present. The Department suggests that they be dropped from the agenda, and that the items on Tunis, Morocco and Cyprus be discussed during the general discussions prior to the colonial talks.

The Department of State welcomes the opportunity for a further discussion of colonial questions with representatives of Her Majesty's Government.

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<sup>3</sup> Not attached to the source text; see memorandum of Sept. 20, 1952, *infra*.

330.14/9-2052

*Memorandum Prepared in the Bureau of United Nations Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, September 20, 1952.]

COLONIAL QUESTIONS IN THE UNITED NATIONS, 1952

OBSERVATIONS OF THE DEPARTMENT OF STATE ON THE AIDE-MÉMOIRE FROM  
THE BRITISH EMBASSY DATED SEPTEMBER 3, 1952

(The numbers in parentheses refer to paragraphs in the memorandum appended to the British *aide-mémoire*.)

*General Policy*—(paragraphs 1-6)

The United States agrees with the view of the United Kingdom Government that the interest of the world in the affairs of non-self-governing territories, springing from a variety of motives, is a legitimate interest which finds an opportunity for expression in the United Nations. We agree wholeheartedly that the United Nations also provides an excellent opportunity for administering authorities to publicize their policies and achievements, to expound on the complexities of the problems they face, and to allay anxiety and prejudice in world opinion concerning colonial affairs.

We are pleased to note that the United Kingdom seeks to avoid retreating into negative arguments, and we agree that the administering authorities have made too little use of the strong case inherent in their record of achievement. We agree further with the view of the United Kingdom that certain non-administering delegations are be-

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<sup>1</sup> This paper was prepared for the forthcoming colonial policy talks with the British; and was a reply to the British *aide-mémoire* of Sept. 3, 1952. The paper was cleared on Sept. 19 in a meeting of representatives of the Bureau of UN Affairs, the geographic bureaus, and the Assistant Legal Adviser for UN Affairs. The memorandum was transmitted to the British Embassy on Sept. 20 under cover of the Department of State *aide-mémoire*, Sept. 20, *supra*.

ginning to adopt a more mature approach to colonial questions, and that this tendency should be encouraged. We believe that the cooperative and restrained attitude which the United Kingdom plans to adopt in the 1952 Assembly will assist materially in enlisting the sympathy and support of moderate elements.

With regard to the five limitations in paragraph 5 which you would wish to place on United Nations action, we feel that a distinction must be made between what is desirable and undesirable in practice and what is legal and illegal under the Charter. As you are aware, our interpretation of the Charter would not provide a legal basis for your view that you cannot concede the right of the United Nations to discuss political affairs of non-self-governing territories, and that you cannot recognize the right of the United Nations to make recommendations relating to *particular* non-self-governing territories. We do believe, however, that the proper and most orderly way to initiate a discussion of political affairs of non-self-governing territories would be to have such items placed on the agenda in the normal manner. And as a practical matter we consider that, in general, action by the United Nations along these lines should be discouraged. We do not believe, however, that discussion of political affairs of non-self-governing territories would necessarily have such far-reaching consequences as you anticipate. With regard to the despatch of Visiting Missions to non-self-governing territories and the holding of United Nations plebiscites in non-self-governing territories, we share your view that such action should not be taken except with the consent of the administering authority. With regard to the right of petition in matters relating to non-self-governing territories, and the granting of oral hearings, we believe there is no legal basis in the Charter for extending to non-self-governing territories the system of oral hearings and petitions established in the international trusteeship system, and we think that proposals to this effect should be opposed.

We are gratified to note the large measure of agreement between the United States and the United Kingdom on the positive and constructive approach which should be made in the Fourth Committee. As you will note from our comments on specific issues, however, we are concerned lest the limitations which you wish to place on United Nations action might jeopardize the success of your tactics.

*Administrative Unions—(paragraph 8)*

We note that the United Kingdom is reasonably satisfied with the operation of the Trusteeship Council's Standing Committee on Administrative Unions and is prepared to accept the Committee's reports as a basis of discussion in the Fourth Committee. The United States shares this view. Furthermore, we hope that the United Kingdom is correct in the belief that the Fourth Committee will in time tend to

follow the Trusteeship Council's lead in accepting the administrative unions while maintaining a close watch on their operation in practice. In the General Assembly's Committee on Administrative Unions, which is to present its observations to the Assembly on the Special Report on Administrative Unions (T/1026) prepared by the Trusteeship Council, the United States will attempt to persuade the Committee to present favorable observations on this report. We note that the United Kingdom is prepared to appear before the Committee, but we hope that the Committee will limit itself to examining the Special Report of the Trusteeship Council, and will not attempt to question the Administering Authorities concerned, as we believe that this function should be performed by the Trusteeship Council. We share the view of the United Kingdom that the General Assembly's Committee on Administrative Unions is superfluous, and we should take the position that it should not be reconstituted for another year.

*Ewe and Togoland Unification—(paragraph 9)*

We are in general agreement with the view of the United Kingdom that the future of British Togoland lies with the Gold Coast. The views of the inhabitants of the two Togolands are in a state of flux, however, and we do not feel it possible to prophesy at this time the outcome of the Ewe and Togoland unification problem. The wishes of the inhabitants might be realized, for example, if all or part of British Togoland should unite with all or part of French Togoland and the larger area become a part of the Gold Coast. We are not suggesting this as a solution of the problem. We are merely stating that while we share your views as to the ultimate future of British Togoland, we feel that the problem is somewhat more complex than your memorandum indicates. We note, moreover, that you make no mention of French Togoland, although developments in that territory are an inextricable part of the problem.

We are disturbed by reports of incidents in French Togoland which might be interpreted as efforts to interfere with the free expression of the views of pro-unification groups to the Visiting Mission. We feel that such reports make it difficult to avoid extreme action by the General Assembly. In general, we feel that the Assembly will desire convincing evidence of the real wishes of the inhabitants of the Southern as well as the Northern sections of both Togolands. It would probably not be sufficient, for example, to demonstrate that a majority of the inhabitants of British Togoland desired association with the Gold Coast unless it were also clear that such a majority included a majority of the inhabitants of Southern Togoland. In this connection we have been puzzled by reports of resistance on the part of inhabitants of Southern Togoland to a recent visit to that area by the Prime Minister of the Gold Coast. We would appreciate any further information on

this matter which might clarify the situation. With regard to French Togoland we also feel that the views of the inhabitants of the Southern section have an importance somewhat greater than the proportion of the total population of the territory that they represent.

It is not clear to us that the Ewe and Togoland unification movements are "necessarily abortive", at least in the long range, and we cannot therefore support your efforts to discourage further United Nations interest in this matter. In our view the General Assembly has thus far acted with considerable moderation. It has limited itself to efforts to ascertain the state of public opinion in the territories and to encourage the development of machinery for cooperation between the two territories on their common problems. The Assembly has come to recognize the complexity of the question, and we feel that a frank discussion of its continuing complexities is more likely to lead to moderate action by the Assembly than would efforts to discourage further consideration of it. Nor do we feel that the former course of action would add any obstacle to the closer association of British Togoland with the Gold Coast, a process which we agree is already demonstrating its advantages to the former.

*Cameroons Unification—(paragraph 10)*

We agree with the view of the United Kingdom and are satisfied with the action of the Trusteeship Council, which felt that no recommendations on the unification of the two Cameroons was necessary and limited itself to expressing the hope that the measures being taken by the Administering Authorities will eliminate frontier difficulties. The Cameroons unification movement does not appear to have obtained substantial popular support in either territory. In view of the rapidly changing political situation in West Africa, however, it seems likely that the Trusteeship Council will wish to continue to keep this matter under review. In this connection, it could be pointed out in the Fourth Committee, if necessary, that the 1952 Visiting Mission will presumably give attention to the views of the inhabitants of the two territories on the unification question. It would be premature, therefore, for the General Assembly to go into the matter until the Trusteeship Council has had an opportunity to examine the Visiting Mission's Report.

*Participation of Indigenous Inhabitants of Trust Territories in the work of the Trusteeship Council—(paragraph 11)*

The United States considers that the basic approach embodied in the Trusteeship Council's resolution, by which indigenous inhabitants would be attached, where appropriate, to the Delegations of Administering Authorities, represents the most practicable and satisfactory means of providing for the closer participation of the inhabitants of trust territories in the work of the Council. In principle, we consider

it undesirable to provide for representation in United Nations bodies for the inhabitants of trust or non-self-governing territories apart from the representation of the responsible administering authorities or their territorial administrations. Nonetheless, in view of the widespread opinion in the General Assembly that a closer association of the inhabitants in the work of the Council is desirable and in view of the value which such closer participation, appropriately brought about, might have, not only for indigenous populations and the United Nations, but also for the administering authority concerned, the United States believes that the best course of action in the Seventh General Assembly will be to support the Trusteeship Council's action as a practicable and positive alternative to other more extreme proposals which may be forthcoming. While certain methods for bringing such association about are already in operation, the United States will give careful consideration to any proposals which may be made with respect to further methods for achieving such association, to the practical and legal problems which they may raise, to the advantages which they may offer, and to any suitable variations in phrasing of the resolution adopted by the Trusteeship Council which might make it acceptable to a larger number of United Nations Members without altering the principles involved. The United States will actively oppose any proposal which would advocate or attempt to establish associate membership or other forms of dual representation for trust territories or their inhabitants in the Trusteeship Council.

In connection with this question, we should like to discuss with the United Kingdom the steps which might be taken to implement the Trusteeship Council's resolution. We are giving consideration to attaching a suitably qualified inhabitant of the Trust Territory of the Pacific Islands to the United States Delegation, and we understand that at one time the United Kingdom was considering attaching inhabitants from trust territories under United Kingdom administration to its delegation.

*The problem of time-tables or schedules for the attainment of self-government or independence—(paragraphs 12-13)*

The United States believes that no useful purpose will be served by setting strict and detailed time-tables in accordance with which all Trust Territories would be expected to achieve self-government or independence. The United Kingdom will recall that the United States abstained at the Sixth General Assembly on Resolution 558(VI) in which the Assembly requested information on this matter. The basis for the United States abstention was our opposition to the rigid language of sub-paragraph (e), which asked for information on "the period of time in which it is expected that the Trust Territory shall attain the objective of self-government or independence."

We believe that the information requested in sub-paragraphs (a) through (d) can be supplied by administering authorities and that an appropriate answer can be made to sub-paragraph (e) explaining in detail the reasons why a rigid statement cannot be made as to the period in which it is expected that a territory will attain self-government or independence. We intend to supply this information in relation to the Trust Territory of the Pacific Islands in as great detail as possible since we feel that a full and frank presentation of the problems involved will assist administering authorities in rallying responsible opinion in the Assembly to support their view that, in general, specific time-tables are impracticable. We consider, however, that in certain cases in which a territory is nearing the goal of self-government or independence, there may be advantages in announcing a date for the achievement of the goal as the United States did in the case of the Philippines.

*Future of the Committee on Information from Non-Self-Governing Territories—(paragraphs 14-17)*

The United States recognizes the practical advantages of having the information transmitted under Article 73(e) of the Charter discussed initially in the balanced Committee on Information from Non-Self-Governing Territories, and we believe that the Committee serves a useful purpose. A continuation of the practice of giving major consideration annually to one of the functional fields covered by information transmitted under Article 73(e) can result in a substantive contribution by the Committee. We do not believe that changes in the terms of reference of the Committee are either necessary or desirable.

The United States hopes that, despite the wide degree of sentiment which may be present in the Committee and the Assembly for the establishment of the Committee on a permanent basis, it may be possible to reconstitute the Committee for an additional three year period.

In view of Article 22 of the Charter, we cannot agree that the establishment of the Committee on a permanent basis would be tantamount to an amendment of the Charter by resolution. Our reason for favoring a three-year extension of the Committee is based on pragmatic rather than constitutional grounds. We believe that if the tenure of the Committee is subject to periodic review, it will be easier to divert efforts to extend the functions of the Committee.

*Discussion of political information—(paragraphs 18-20)*

The United States believes that it would be unwise for the General Assembly to state explicitly that it has the right to discuss political conditions in non-self-governing territories and hopes that a situation can be avoided where the General Assembly would undertake to do so. However, we believe that a certain amount of "political" discussion is inevitable even in connection with economic and social questions, and

that it will be difficult if not impossible to draw a sharp line. When such discussion is believed by an administering authority to have serious effects on the internal situation of a territory it would be appropriate to appeal to the common sense of delegates.

While the United States maintains the view that the transmission of political information is not required under Article 73(e), the United Kingdom is aware that the United States has voluntarily transmitted such information without serious effects. The transmission of such information does not, of course, prejudice the right of administering members to determine the status of their territories under Chapter XI.

We believe that the transmission of political information can in certain instances be beneficial to the administering authorities since it may prevent unjustified suspicions and give the administering authorities an opportunity to publicize the political progress made in their territories.

*Factors determining whether or not a Territory is Non-Self-Governing—(paragraph 21)*

The United States agrees that each administering Member has the right to determine the constitutional position and status of any particular territory under its sovereignty. The United States also considers that the decision with respect to specific territories rests solely with the administering Members concerned. It is assumed that administering Members and all other Members of the United Nations would wish to respect any opinion or judgement handed down by the International Court of Justice with respect to Chapter XI of the Charter. The United States does not consider, however, that the interpretation of the expressions "non-self-governing territories" and "territories whose peoples have not yet attained a full measure of self-government", since they appear in the Charter, is a matter for unilateral determination by individual administering Members. The United States considers, therefore, that in view of Article 10, the General Assembly would not be exceeding its authority in discussing and attempting to define these expressions, in recommending to administering Members generally the consideration of any definition the Assembly might be able to arrive at, or even in expressing its opinion in general terms, on the principles which have guided or may guide Members in determining on which of its territories it will transmit information. As for a General Assembly resolution concerning the decision of an administering authority to cease transmission of information, we believe that such a resolution should not be worded in a manner which would imply that the decision of the administering authority is subject to approval or disapproval by the General Assembly.

With regard to the general problem created by the cessation of transmission of information, we find it understandable that certain



United Nations Members may be concerned lest Chapter XI be circumvented by premature cessation, and we believe that the administering authorities should seek to avoid arousing apprehensions on this point.

*Central African Federation—(paragraphs 22-26)*

With regard to the possibility of a Central African Federation, we note the statement of the United Kingdom that it is by no means certain that a Federal Authority will in fact be set up. This being the case, we agree that the General Assembly should not discuss such hypothetical issues when it has so many real issues to consider. Because of our view of the General Assembly's wide powers under Article 10, however, we could not support the United Kingdom's views that the establishment of the federation is a constitutional subject and thus outside the competence of the General Assembly, or the United Kingdom view that this question is a matter of domestic jurisdiction. We appreciate the fact that the three Central African territories might derive economic benefits from a federation, and we assume that the United Kingdom's traditional respect for the will of the indigenous inhabitants of its territories would prevent it from establishing a federation against the wishes of these inhabitants. We believe that such a step might damage the United Kingdom's reputation for wisdom and justice in its relations with dependent peoples, and might jeopardize efforts of the West to maintain the friendship of Africans.

*Kenya Land Question—(paragraphs 27-32)*

We share your hope that discussion of the Kenya land question can be confined to the corridors. However, it is not clear to us on what legal basis we could prevent it from being referred to the Second, Third, or Fourth Committee. It is our feeling that if reference should be made to this question in one of the above committees in connection with related agenda items, a brief moderate reply on the substance by the United Kingdom representative would be the best tactic to avoid building this matter up into one on which the Assembly might feel called upon to express itself.

With regard to the possibility of a request for an oral hearing for anyone claiming to represent the Kenya Africans, we feel that such hearings should be granted only in exceptional circumstances. We hope that discussion of this question can be avoided or kept to a minimum in the United Nations at this time.

*Racial Discrimination—(paragraphs 33-35)*

The United States is in general agreement with the United Kingdom's approach to United Nations discussion of race relations in non-self-governing territories. Full and free discussion on this difficult sub-

ject can only be valuable to the extent that it is conducted in an objective and dispassionate manner.

We believe that the wisest course for the administering authorities in the Committee on Information from Non-Self-Governing Territories would be to present their experiences in a free and frank manner and to invite non-administering Members to make available their best thought and experience on the subject.

While recognizing that the practice of racial discrimination is not restricted to any particular group, we are not yet convinced of the wisdom of an "attempt to demonstrate that anti-white discrimination constitutes a potential menace to international peace and a serious bar to the economic and social development of mankind". Such an attempt would undoubtedly provoke a strong reaction from certain Members of the United Nations and would have the effect of provoking that type of discussion which we seek to avoid.

With regard to your suggestion that this question might be referred to ECOSOC, we think it might be feasible, after the question has been adequately discussed, to refer the records of the discussion to ECOSOC, if such a proposal is made. We do not wish to create the impression that we are attempting to prevent a discussion of the problem.

*Human Rights and Non-Self-Governing Territories—(paragraph 36)*

The United States notes that arrangements are going forward with respect to the application of the European Covenant on Human Rights to all British non-self-governing territories. It is to be hoped that the principles embodied in this Covenant and in the Universal Declaration of Human Rights will be increasingly observed in all non-self-governing territories.

We share the view of the United Kingdom that the Universal Declaration of Human Rights is intended to be a goal of achievement toward which the people not only of non-self-governing territories but of all nations should strive. We believe that constructive results can be achieved in the furtherance in all countries of the principles of the Declaration through the provision of information regarding its implementation in all countries, including non-self-governing territories. The United States will continue to report on significant developments in this field, and hopes that all administering Members will do so in respect of their own territories. In this connection, the United States intends to submit to the United Nations a report supplemental to its 1951 report on the application of the Universal Declaration of Human Rights. This report deals almost entirely with those articles of the new Puerto Rican Constitution which pertain to Human Rights. On balance, we believe that the administering authorities, particularly the United Kingdom, would gain far more by meeting the General Assembly's reasonable wishes on this question than by any other attitude.

*British Honduras—(paragraphs 37-40)*

The United States Government agrees with the United Kingdom Government that it is not possible to forecast the specific combination of circumstances which might provoke discussion at the United Nations on the question of British Honduras. We believe that there are two distinct parts of the Problem: (1) the competence of the General Assembly to discuss conditions in individual non-self-governing territories, including information transmitted under Article 73(e) of the Charter, and (2) the question of sovereignty over British Honduras.

We agree that the question of sovereignty over British Honduras is a legal issue which is not an appropriate matter for discussion in the Fourth Committee. We agree, moreover, that it would be desirable to keep discussion of individual territories and of political conditions to a minimum, and to endeavor to ensure that the recommendations of the Assembly in this field are couched in general terms which do not refer to any particular non-self-governing territory. We cannot find a basis for eliminating discussion of such matters as British Honduras any more than we have been able to find a basis for preventing the Soviet Union from discussing conditions in Puerto Rico.

We believe that the remarks of the Representative of Guatemala concerning British Honduras at the last session of the General Assembly were quite ill-advised. We have been impressed by the fact that none of the other non-administering Members have shown any sympathy or support for the Guatemalan position. We hope that the poor reception of his remarks last year will induce the Guatemalan representative to speak with greater moderation at this Assembly. In any case, we hope it will be possible for the United Kingdom to handle this question in such a way as to avoid generating support for Guatemala.

*Participation of Non-Self-Governing Territories in the work of the Special Committee—(paragraph 41)*

The United States considers that, in general, the same approach should be followed in dealing with this question as was followed in the Trusteeship Council. At the 1952 meeting of the Committee on Information from Non-Self-Governing Territories the United States intends to support action which will endorse the practice of some administering Members in attaching qualified persons from their territories to their delegations to the Committee and will favor the continuation and increase of this practice where appropriate and practicable. We would oppose in the Committee any proposals which would establish separate or dual representation for dependent territories through associate membership or by other means.

The United States considers that the participation in the work of the United Nations through service on the delegations of administering

authorities provides an opportunity for bringing dependent areas into closer contact with the work of the United Nations; similarly, their participation in this form can be of value not only to the United Nations body concerned, but to the administering Member of whose delegation they form a part. This is particularly true in the case of responsible indigenous leaders and qualified indigenous experts in various fields. Even in the absence of indigenous personnel suitably qualified for such an assignment, there would be advantages both to the United Nations and the administering Member from such participation by non-indigenous personnel from territorial administrations. To secure these advantages, however, there is no need to create a new status of "associate membership" for the territorial administration. The creation of such a status for territorial administrations would no doubt lead to increased pressure to make the representation of associate members completely separate from that of the administering authority, and to provide that the representative in each case should be chosen directly by the people. Since the United States is opposed in principle to dual representation—that is to representation of the responsible government, on the one hand, and of the people governed, on the other—it believes that it would be wise to try to avoid creating a situation which might lead to increased pressure to bring about that end.

On the assumption that the Committee's action on this subject at its present session will be basically the same as that taken by the Trusteeship Council, the United States will take the position in the Assembly that such action represents the most practicable and satisfactory means of providing for closer participation for non-self-governing territories in the work of the Committee, and will actively oppose any proposals in the Assembly which would advocate or attempt to establish associate membership or any other form of dual representation for non-self-governing territories or their inhabitants in the Committee.

*Human Rights: Resolutions on Self-Determination of Peoples and Nations—(paragraphs 49-53)*

We agree that the General Assembly is not likely this year to be concerned in detail with the article on self-determination drafted by the Human Rights Commission for inclusion in the Human Rights Covenants. We are prepared, if necessary, to point out that, in view of the fact that the Commission has been asked to complete the draft Covenants for submission to the Eighth General Assembly, it would be desirable to defer consideration of a draft article for those Covenants at the forthcoming Seventh Session. If, nevertheless, there is general debate on this draft article, we would make clear that the United States supports the principle of self-determination and intends to promote its realization in accordance with its constitutional processes and the provisions of the Charter. We would, however, reserve our right to

propose changes when this Article is considered in detail. Such a course might avoid precipitating a controversial debate on the draft article in the Third Committee, which might prejudice our efforts subsequently to eliminate certain objections which we, too, find in the present draft.

With regard to the two resolutions on self-determination adopted by the Human Rights Commission we should like to point out that they were not "endorsed" by the Economic and Social Council; they were transmitted by ECOSOC to the Assembly "without comment". You may recall that in these circumstances the United States Representative in ECOSOC indicated that, despite certain objections to both resolutions, we would support their transmission "without comment" to the Assembly and would again set forth our position on their substance in the latter body.

Our substantive position on the two resolutions remains the same as that expressed in ECOSOC. We consider that Resolution A can be rendered acceptable by amendments such as those we introduced in ECOSOC, which would: (a) eliminate the phrases characterizing the colonial relationship as "slavery", (b) make more flexible the means provided for ascertaining the wishes of non-self-governing peoples (i.e. permit the use of means in addition to United Nations plebiscites), and (c) provide that actions in this field be in conformity with the provisions of the United Nations Charter. We are prepared to introduce or support amendments along these lines in the Third Committee.

Resolution B is not interpreted by us as bearing any relation to the self-determination article of the Covenants. We agree, however, that it is in effect a recommendation to transmit political information on non-self-governing territories. While the transmission of such information is not specified as an obligation under Article 73(e) of the Charter, you will recall that the United States has voluntarily transmitted such information on the governmental institutions of its territories. We expect to continue to do so in the future. However, we believe that the omission of political information from the categories specified under Article 73(e) was deliberate, and we therefore have opposed, and in this instance will oppose, resolutions which "recommend" the transmission of such information. In our view Resolution B falls in this category despite its use of the word "voluntarily", as that word is deprived of much of its significance both by the use of the words "recommends" and by the cumulative effect of resolutions on this subject.

*Preparatory and Ancillary Measures—(paragraphs 54-55)*

(i) *Diplomatic Approaches*

The United States, like the United Kingdom, is undertaking consultations with many Members of the United Nations in respect to items on the Fourth Committee agenda.

(ii) *Inter-delegation Contacts before and during the Assembly*

With respect to the suggestion of the Netherlands Government for a meeting of all administering powers prior to the opening of the Assembly to consider the various questions which may arise and to concert their action in respect thereto, we have informed the Netherlands Government that we would not favor at this time a *formal* meeting of all administering powers. We wish to avoid, in so far as possible, any charge that the administering Members are taking a broad, concerted stand against the non-administering Members in the Committee on Information from Non-Self-Governing Territories and the General Assembly.

On the other hand, we will welcome, as in the past, exchanges of views as fully and as frequently as may be desired with the delegations of administering and non-administering states. Such exchanges would be useful both before and during the Assembly. In this connection, however, the United States cannot agree that an informal but regularized procedure whereby a particular grouping of Members would meet from time to time to discuss Fourth Committee matters would be desirable. Whether such meetings were limited to administering members or broadened somewhat, as suggested in the United Kingdom memorandum, the United States considers that such an arrangement, which would inevitably become known, would intensify the "bloc" sentiment in the Fourth Committee.

As the United Kingdom is aware the United States has for some time exerted its efforts to minimize this tendency and to develop a moderate and reasonable body of opinion in the Fourth Committee which would not be identifiable as either administering or non-administering, colonial or anti-colonial, western or eastern. The United States does not share the view expressed in the United Kingdom memorandum that irresponsible elements in the Fourth Committee have enjoyed easy successes mainly as a result of the divisions between administering Members. A perusal of the resolutions adopted by the Fourth Committee in recent sessions and the voting records thereon does not indicate that the extreme and irresponsible elements in the Fourth Committee have enjoyed easy successes. In any event, the United States doubts that concerted action by administering Members on a regular and continuing basis would substantially improve Fourth Committee decisions; it might well result in a crystallization of sentiment in support of the extreme anti-colonial point of view. Such a development would jeopardize efforts to minimize the bloc approach and secure support for compromise measures, which by avoiding negativism, serve as a counter attraction to irresponsible radicalism. We believe that the administering members can play their most useful role in the Fourth Committee if they retain a certain independence and flexibility. Even some diversity of view may be advantageous. Therefore we feel

that it would be unwise to set up such an organized group as is suggested in the United Kingdom memorandum.

The ability of administering members to secure the support of moderate and friendly delegations lies more in the merits of the case which administering authorities espouse than in the unanimity with which they act. Furthermore, an assumption that even the most uninformed criticism, aside from that emanating from the Soviet bloc, stems from sincere motives will, we feel, help to keep the tone of Fourth Committee discussions moderate. Conversely, a rigid, uncompromising and legalistic attitude on the part of administering members engenders suspicion and antagonism in all quarters and makes it difficult to appeal to moderate sentiment in the Fourth Committee.

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ODA files, lot 60 D 512, "US-UK Colonial Talks, 1952"

*Informal Minutes of Colonial Policy Talks With the United Kingdom, Washington, September 25, 1952, 10 a. m.-1 p. m.*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 30, 1952.

*United Kingdom*

Sir Gladwyn Jebb  
(UK Delegation to UN)  
Sir John Martin  
(Colonial Office)  
Mr. Dennis Laskey  
(UK Delegation to UN)  
Mr. A. C. Mathieson  
(UK Delegation to UN)  
Mr. Robert H. Fowler  
(UK Delegation to UN)  
Mr. J. K. Thompson  
(British Embassy)  
Mr. Michael Wenner  
(British Embassy)

*United States*

Mr. John D. Hickerson, Assistant  
Secretary of State for United  
Nations Affairs  
Mr. Benjamin Gerig, Director of  
the Office of Dependent Area  
Affairs  
Mr. Haydon Raynor, Director of  
the Office of British Common-  
wealth and Northern Euro-  
pean Affairs  
Mr. Robert R. Robbins, UND  
Mr. Ward P. Allen, EUR  
Miss Ruth Bacon, FE  
Mr. Harry Howard, NEA  
Mr. James R. Fowler, UND

*Mr. Hickerson:* Mr. Hickerson opened the meeting and recalled that there had been an exchange of memoranda between the British Embassy and the Department on the various items to be discussed. He suggested that the discussion might begin with the first subject dealt with in these memoranda under the heading "General Policy".

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<sup>1</sup> The United States-United Kingdom talks on the United Nations were held in Washington Sept. 23-26, 1952 (with social preliminaries on Sept. 22). Regarding the talks on general UN affairs, see pp. 1 ff. The so-called colonial talks were held on Sept. 25. The record of the morning session only is printed here, pertaining to general colonial policy. A complete set is in ODA files, lot 60 D 257, "1952 Colonial Policy Talks". The minutes printed here were prepared by James R. Fowler of the Office of Dependent Area Affairs on Sept. 30.

*Agenda Item 1: General Policy*

*Sir John Martin:* Sir John Martin recalled that following the colonial discussions with the United States in 1950, the UK had changed its general attitude in the UN and followed a more positive approach. He felt that the experience of the last two years had shown this to be a profitable decision. The UK acknowledged the legitimate interest of the world in the affairs of non-self-governing territories and recognized the continuing interest of the UN in these affairs. He felt that perhaps the UK had still not fully exploited the tactics which they had adopted; however, they intended to continue along the same line.

Sir John pointed out, however, that there were certain limits which the United Kingdom placed on UN activities in the colonial field. These limits were briefly discussed in the UK memorandum but he wished to review them briefly. If these limits were over-stepped he felt that the UK position in their territories would be undermined. The UK was convinced that its fears on this score were real, not imaginary nor exaggerated. In particular they felt that the discussion of political affairs of non-self-governing territories by the UN and the extension of the concept of accountability by the examination of conditions in particular territories, or of petitions from the territories or the despatch of visiting missions to the territories would have ruinous consequences. He felt that it was with respect to these limits that the basic disagreement existed between the UK and US. He recalled, however, that in the previous discussion the US had indicated that it did not consider the discussion of political conditions in non-self-governing territories to be desirable.

*Mr. Hickerson:* Mr. Hickerson stated that this was not exactly the US position. We felt that the UN was competent to discuss political conditions. In the case of Tunisia, however, we felt that the UN could not settle the matter in any event, and that discussion of the issue in the present atmosphere would probably not facilitate a settlement by the two parties. We did not feel that the discussion of political conditions would have the ruinous consequences which the UK anticipated. He recalled that the US submitted political information on its territories. We had not found that this action nor the discussion of the information had led to any difficulty. Mr. Hickerson thought that if the UK had from the start submitted political information voluntarily and had not made an issue of this matter, it would have avoided a lot of trouble.

*Sir John Martin:* Sir John pointed out that US territories were not in the limelights as were the UK territories. Africa was the center of interest at the present time. World opinion was not anxious to annoy the US whereas other countries did not worry about annoying the UK. With respect to the basis for the UK position, he felt that they had a



legal case but their practical reasons were primary. Chapter XI of the Charter was a new idea—administration was not to be carried out behind closed doors and a system of reporting had been evolved to insure this. It was clear, however, that a system of control had not been set up by Chapter XI. The Administering powers were not answerable to the Assembly; in this respect the situation differed as between trust and other non-self-governing territories.

Turning to the practical arguments, Sir John reviewed briefly the situation in Kenya and the difficulties the UK faced there. He pointed out that the local administration was faced with the growth of an African secret society. The situation was very delicate, and the UK felt that the discussion of conditions in Kenya with perhaps a hearing for an African and a resolution on the subject would greatly weaken the local authorities in handling the matter properly. In the Gold Coast the situation was simple in comparison to many other territories, but even here there was a danger that sectional and special interests would appeal to the UN with dangerous and difficult consequences. He felt that continued pressure might lead the UK to pull out of Africa prematurely, leaving the African to slip back into chaos and confusion.

*Mr. Hickerson:* Mr. Hickerson said that, legalities aside, he felt we agreed almost entirely with the UK view. The fact that we felt that it was not illegal to discuss political conditions in the territories did not mean that we favored such discussion. In the case of Cyprus and Kenya we would work behind the scenes to avoid such a discussion. We do not feel that an open attempt to stop discussion would be helpful. With respect to the other limitations mentioned by the UK, we agreed that visiting missions and UN plebiscites should not be held without the consent of the administering authority and we agreed that there was no legal basis in the Charter for a system of petitions and oral hearings such as existed in the Trusteeship System.

*Sir John Martin:* Sir John said that he felt that US position would be most helpful. He felt that it would be wise for us both to undertake a clear exposition of our positions in the corridors and behind the scenes, not in an aggressive manner, but with the hope of avoiding precipitate action. The whole matter had been given consideration at a very high level in London, and it was felt that the UK position must be upheld. If a resolution were passed which invaded the limits set by the UK, they would consider seriously withdrawing from the particular UN body concerned.

*Mr. Mathieson:* The UK felt that the practical grounds for its position were the primary ones. For purely political reasons, the UK was determined that discussions of political affairs in non-self-governing territories should not take place.

*Mr. Hickerson:* If the issue was placed on legal grounds as a matter of competence, he was sure we would lose; therefore, every effort should be made to discourage the discussions behind the scenes.

*Mr. Allen:* Mr. Allen pointed out that it did not necessarily follow from the US position on the matter of competence, that we felt that the Fourth Committee was competent to discuss political issues in non-self-governing territories. We felt that the normal way to bring about such discussion would be to place the items on the agenda in usual manner.

*Sir John Martin:* Sir John felt that this was a better way to go about it. Furthermore, other Committees might be better balanced organs in which to have such a discussion. The UK would not feel there was such a problem if the land problem in Kenya were discussed in connection with other land problems of the world. The UK would not rigidly insist that no political matter could ever be mentioned in the Fourth Committee; if such a discussion were not pressed and if a resolution were not put forward, the UK would not oppose.

*Mr. Mathieson:* The UK has decided that if its bounds are overstepped, it will consider withdrawing. He asked what would be the US position if the UK took such action?

*Mr. Hickerson:* Mr. Hickerson stated that the US would not withdraw.

*Sir Gladwyn Jebb:* Sir Gladwyn asked if the US would participate in the debate in the event that the UK withdrew.

*Mr. Hickerson:* Mr. Hickerson stated that our action would depend upon the nature of the debate and the particular issue. In general, the US would try to exercise a moderating influence. If a discussion of political affairs arose we would seek to make such a discussion helpful rather than harmful.

*Sir John Martin:* Sir John asked whether the US would consider a recommendation by the General Assembly concerning political affairs in a non-self-governing territory to be legitimate.

*Mr. Hickerson:* Mr. Hickerson replied affirmatively although he pointed out the exact position might depend upon the nature of the recommendation. Some recommendations might be considered out of order.

*Mr. Mathieson:* Mr. Mathieson stated that the UK was considering making a major opening speech at the next Assembly in which it would review its policies generally, point to its record of achievement and express its desire to be left alone to continue its work without irresponsible criticism from the UN. Such a speech would be moderate in tone and would not contrast too vividly the conditions in British territories with conditions in other countries.

*Mr. Hickerson:* Mr. Hickerson felt that considerable caution should be used in such an approach. He pointed out that we do not yet know the situation which will develop.

*Sir Gladwyn Jebb:* Sir Gladwyn felt there was a need for an opening statement to make the situation clear at the outset.

*Sir John Martin:* The UK was not considering an aggressive speech but one whose mood could best be described as "rebuffed".

[There followed a brief discussion of the order of agenda items during which it was decided to discuss items number 17 and 16 at once before Sir Gladwyn Jebb's departure.]<sup>2</sup>

*Agenda Item 17: Inter-Delegation Contacts*

*Mr. Mathieson:* Mr. Mathieson stated that the UK was concerned about the US refusal to participate in regular machinery for consultation with respect to colonial problems at the Assembly. The UK wished to establish periodic and regular meetings of the administering Members to consider the problems they face in the Fourth Committee. He felt that the bloc approach was universally accepted at the UN and he urged that the US participate with the other administering Members in consideration of matters which were of great importance to it.

*Mr. Hickerson:* Mr. Hickerson pointed out that the US did not participate in any of the blocs at the UN. We would not be able to join the grouping which was suggested by the UK.

*Sir John Martin:* Sir John pointed out that the UK was not suggesting a formal arrangement.

*Mr. Hickerson:* Mr. Hickerson stated that the US could not agree to an informal but regularized procedure. We could not be in a position where we could be accused of being a member of the colonial bloc.

*Mr. Mathieson:* The UK would concert with other administering members as a colonial power. In such consultations it was necessary and helpful to have the views of the US.

*Mr. Hickerson:* The US will always be glad to discuss its views with other Members of the UN, both administering and non-administering, but we will not be able to join an organized group for the purpose of such consultations. The US has been re-examining its over-all position on colonial questions in the UN, and while no final decisions have been made, we were about to conclude that there was no other role we could play in this matter other than the one we have followed in the past. It should be remembered that the US was trying to bring 80 million people to the side of the West.

*Sir John Martin:* Sir John pointed out that the US was already, in effect, a member of the administering bloc, both because of its own

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<sup>2</sup> Brackets in the source text.

responsibilities in the administration of territories and because of close ties with the other Western European colonial powers. It would seem that it would be in the interest of the US to recognize its position and join with the others to prevent chaos in the non-self-governing territories of the world.

*Mr. Hickerson:* We agree fully that it is in our interest to prevent chaos wherever it might occur; however, we believe we can help most by staying outside any regular group and exerting our influence independently. He reiterated that the US will always welcome the views of the UK and others on colonial matters.

*Self-Determination*

*Mr. Mathieson:* Mr. Mathieson noted from the US memoranda that the US was in favor of the principle of self-determination. He was puzzled by this statement since he did not know the meaning of that principle.

*Sir Gladwyn Jebb:* Sir Gladwyn referred to the question of secession as it related to self-determination and to the difficulties which self-determination poses in specific cases.

*Mr. Hickerson:* Mr. Hickerson reviewed the US position on this matter as stated in the memorandum given to the British Embassy. With respect to Resolution A he pointed out that the US would oppose the resolution unless we obtained amendments eliminating the reference to slavery and providing more flexible wording with respect to the use of UN plebiscites. With respect to the amendment which would state that UN actions in this matter should be in conformity with the Charter, the US position was not yet finally determined. It was possible that we would only insist upon the first two amendments and not insist on stating explicitly the need for conformity with the Charter.

*Sir Gladwyn Jebb:* Sir Gladwyn asked if there were any chance that the US would merely vote against the resolution as it stood.

*Mr. Hickerson:* Mr. Hickerson replied negatively, stating that it was the objective of the US to improve the resolution so that it could support it. Mr. Hickerson then reviewed the US position with respect to Resolution B.

*Mr. Mathieson:* Mr. Mathieson stated that it appeared that the US and UK agreed completely on Resolution B.

320/9-3052

*Memorandum by the Director of the Office of United Nations Political  
and Security Affairs (Wainhouse)*<sup>1</sup>

SECRET

[WASHINGTON,] October 3, 1952.

US-FRENCH TALKS ON THE UN SEPTEMBER 30—MORNING SESSION

*Participants:*

*France:*

Ambassador Henri Hoppenot

*United States:*

Mr. John D. Hickerson  
Mr. David W. Wainhouse  
Mr. Ward P. Allen  
Mr. John Utter  
Mr. Robert McBride

TUNISIA

1. *United States Position and French Tactics.*

Mr. Hickerson, after reviewing the Secretary's discussion last summer with members of the French Cabinet and our general views on this matter as outlined in previous instructions to Paris, informed Ambassador Hoppenot of our position on inscription of the item as set forth in Deptel 1780, and as had been conveyed by Ambassador Dunn to Foreign Minister Schuman a few hours before.

Ambassador Hoppenot expressed his understanding and said he thought the position a reasonable one for us to take. Emphasizing again that the French Cabinet had not reached a final decision on the matter, Ambassador Hoppenot stated he felt there was a good chance they would not resist inscription and outlined for our comments the following possible courses of action which the French Delegation might take thereafter:

a) Make a statement to the effect that they do not recognize the competence of the United Nations to consider or deal with this matter and that therefore they will not take any account of any resolution which the Assembly might adopt and thereupon proceed to a general statement of their program and objectives in Tunisia. Mr. Hickerson strongly urged that the French Delegation not state in advance that they will refuse to take any account of any resolution, since such a statement at the outset would infuriate the Arabs and Asians and only have the effect of an embittering debate and provoking more extreme resolutions. It would certainly be appropriate for the French Government to state that they have felt and continue to feel that the United Nations is not competent to deal with this matter and that they fully reserve their position on this point. If the Assembly passes a resolution which the French find unacceptable they could at that time determine their attitude toward it and make such statement as they may then find necessary.

<sup>1</sup> This memorandum was a joint effort; the codrafter was Ward P. Allen, UN Adviser, Bureau of European Affairs.

b) Ambassador Hoppenot indicated that consideration was being given as an alternative to introducing a resolution under which the General Assembly would declare itself incompetent to consider the matter. We replied that in our view this also would be unwise and counter-productive and that we ourselves could not vote for it. It was a foregone conclusion that such a resolution could obtain no more than four or five favorable votes and could serve no useful purpose.

c) Ambassador Hoppenot raised as a third alternative tactic the introduction of a resolution requesting the International Court of Justice for an advisory opinion on the competence question. We replied that such a proposal would be more logical and defensible than the other two alternatives but it seemed also highly unlikely that it would receive a majority. We pointed out that it would be regarded by the Arabs and Asians as still another device to muzzle them and prevent them from stating their case in the United Nations and we thus seriously doubted that the requisite majority could be obtained. We also suggested it might be tactically unwise since if, as the United States Legal Adviser believes, the International Court of Justice should decide against the French contention, the French would be in a worse position and the role of the United Nations in the problem would be materially strengthened. Moreover, by leaving the matter thus in suspense in United Nations forums such a move would make bilateral discussions with the Tunisians more difficult since they would be more likely to remain intransigent pending the outcome of the Court's decision.

## 2. *Participation in the debate.*

In response to our question as to the extent of French participation in the debate, Ambassador Hoppenot said he felt beyond the initial exposition of their program and objectives the French Delegation would not participate because that would constitute a surrender of their position that the General Assembly is not competent. We took the view that it would be far preferable for the French to participate wholeheartedly in the debate throughout, reserving, if they desired, at the beginning of each intervention their position on the competence issue. We suggested that their refusal to participate in the debate would leave the field to the other side, make it more difficult for France's friends to help her and would mean that only the unfavorable charges would receive publicity in the world press. We felt it would be much wiser for the French to make replies to incorrect statements during the debate by setting forth the real facts of the matter.

## 3. *General Assembly Resolution.*

Turning to a discussion of the nature of the resolution which might emerge from the General Assembly, Mr. Hickerson stated that we cannot now think of any resolution we could vote for except one which would call upon the parties to resume negotiations. We would, of course, oppose any resolution condemning France or seeking to interject United Nations machinery in the solution of the question. In re-

sponse to Ambassador Hoppenot's question, Mr. Hickerson stated we would oppose any provision in the resolution which would result in automatically placing this item on the agenda of the next session of the General Assembly. We will have to consider what our position should be on a provision in the resolution which would ask the French Government to report to the Secretary General or to Members of the United Nations on the matter in the future, a provision which Ambassador Hoppenot was confident would be strongly resisted by the French Government.

#### 4. *Hearing Tunisian Representatives.*

We discussed at some length the difficult problems raised by the certain desire on the part of a majority of the Assembly to invite some Tunisian representative or representatives to be heard. Ambassador Hoppenot initially expressed himself most strongly (as did Ambassador Bonnet at a later luncheon conversation) that the French Government would not countenance the granting of a hearing to any Tunisian representatives and would not participate in the discussion should a representative be invited to appear. We indicated that since an invitation to some Tunisians appeared as certain to us as inscription on the agenda, our present thinking is to support granting a hearing to "a representative of the Bey". We felt this would probably, from the point of view of the French, be the less undesirable of two evils, and that if, as Ambassador Hoppenot indicated, the French Government would refuse to permit any representative of the Bey to leave Tunis, the repercussions would be very serious indeed. If this were the case the Assembly would certainly proceed to invite other Tunisians to appear, very likely Salah Ben Youssef, an ex-Minister in the Bey's Cabinet, now in Cairo, and perhaps Ladgham and others. Both Ambassador Hoppenot and Ambassador Bonnet remain extremely skeptical that their Government would consent to the appearance of any Tunisian representative but felt that the only possibility of their doing so would be the realization that to permit the presence of a properly selected representative of the Bey was the lesser of two unhappy choices.<sup>2</sup>

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<sup>2</sup> A second session was held with Ambassador Hoppenot on the afternoon of Sept. 30, which dealt with noncolonial subjects except for a brief exchange on Morocco, in part as follows: "Ambassador Hoppenot said that with respect to Morocco the problem is the same as Tunisia and the French have the same approach to it. Mr. Hickerson stated that . . . we have not taken a final decision on our position. In general, we believe the Moroccan and Tunisian cases to be similar and we will probably take the same position on Morocco as we are taking on Tunisia." (320/9-3052)

IO files, SD/A/AC.57/1

*Position Paper Prepared in the Department of State for the United States Delegation to the General Assembly Committee on Administrative Unions*<sup>1</sup>

RESTRICTED

[WASHINGTON,] September 22, 1952.

GENERAL ASSEMBLY COMMITTEE ON ADMINISTRATIVE UNIONS

THE PROBLEM

The problem is to formulate the position of the United States Delegation in the General Assembly Committee on Administrative Unions with regard to the Special Report on Administrative Unions (T/1026, T/1026/Corr.1, T/1026/Add.1) adopted by the Trusteeship Council at its Eleventh Session on July 23, 1952. The General Assembly Committee is to meet on September 23, 1952.

RECOMMENDATIONS

1. The Delegation should support the special report adopted by the Trusteeship Council as a carefully prepared and detailed analysis of the problem of administrative unions.

2. The Delegation, in supporting the special report, should make a statement in the Committee recalling the particular importance which the United States has consistently attached to the problem of administrative unions, recalling the extensive Trusteeship Council documentation on the subject which shows that the Council has thoroughly studied and restudied the problem, recalling the substantive achievements of the Council, and recalling that the Council established in 1950 a Standing Committee on Administrative Unions which regularly examines the operation of administrative unions and reports to the Council at each session on any Union in which a Trust Territory under review participates.

3. The Delegation should introduce in the Committee, if appropriate, a draft resolution along the lines of Annex A for the Committee to recommend for adoption by the Assembly.

4. If a proposal is made in the Committee that the General Assembly should re-establish the Committee for another year, the Delegation should take the position that this would be undesirable because it would result in the unnecessary duplication of United Nations activities, which the General Assembly is trying to avoid.

5. If the other three members of the Committee wish to have the General Assembly request an advisory opinion of the International Court of Justice as to whether existing administrative unions are within the scope of and compatible with stipulations of the Charter

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<sup>1</sup> The Committee on Administrative Unions met at New York from Sept. 23 to Oct. 7, 1952. The U.S. Delegation consisted of William I. Cargo, U.S. Representative, and D. Vernon McKay, Deputy U.S. Representative.



and the terms of the Trusteeship Agreements, the Delegation should support such a request. If the Committee is divided on such a proposal, the Delegation should consult the Department.

6. The Delegation should hold individual consultations with the other three delegations on the Committee (Belgium, Brazil, and India) before the opening of the Committee in order to explain United States objectives, and to establish such harmonious working relationships as may enable the Delegation to achieve these objectives.

#### DISCUSSION

##### *A. Background of the Problem*

The problem of administrative unions between Trust Territories and adjacent territories under the sovereignty of the Administering Authorities concerned has been one of the major problems before the Trusteeship Council and the Fourth Committee for more than four years. It should be noted that the Trusteeship Agreements for all the Trust Territories except Nauru and Western Samoa authorize the Administering Authorities concerned to constitute customs, fiscal or administrative unions or federations, and to establish common services between the Trust Territory and adjacent territories under the sovereignty or control of the Administering Authority where such measures are not inconsistent with the basic objectives of the International Trusteeship System and the terms of the trusteeship agreements. It should also be recalled that the General Assembly approved these agreements upon the assurance of the Administering Authorities that they did not consider the relevant terms of the agreements as giving them powers to establish any form of political association between the Trust Territories and adjacent territories which would involve annexation of the Trust Territories in any sense or would have the effect of extinguishing their status as Trust Territories.

The most recent action of the General Assembly on this subject was the adoption of Resolution 563(VI) of January 18, 1952, which asked the Council to submit a special report containing a complete analysis of each of the administrative unions to which a Trust Territory was a party, and of the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union. The Council was asked to give special attention in this analysis to

(a) The five considerations enumerated in paragraph 1 of Resolution 326(IV) of the General Assembly, and

(b) The compatibility of the arrangements already made with the provisions of the Charter of the United Nations and the Trusteeship Agreements.

The report to be examined by the General Assembly Committee on Administrative Unions, which is to meet three weeks before the Assem-

bly's Seventh Session, is the special report adopted by the Trusteeship Council on July 23, 1952 in compliance with General Assembly Resolution 563 (VI).

It is important to note, however, that this special report is only the latest of numerous studies of administrative unions made by the Trusteeship Council. In order to make this point clear, it is necessary to summarize the action taken by the Trusteeship Council and the General Assembly on the problem of administrative unions since the Second Session of the Trusteeship Council (1947-1948).

1. *Trusteeship Council, Second and Third Sessions.*

At its Second Session the Trusteeship Council undertook a preliminary examination of the Annual Report by the Government of Australia on the Trust Territory of New Guinea, and at its Third Session, in the summer of 1948, the Council adopted certain observations, conclusions, and recommendations concerning the administrative unions affecting New Guinea, Ruanda-Urundi, and Tanganyika. (See A/603, Report of the Trusteeship Council Covering its Second and Third Sessions.) Since the Annual Reports on British Cameroons, British Togoland, French Cameroons, and French Togoland were not received in time for examinations at the Third Session, they were postponed until the Fourth Session.

2. *General Assembly, 1948.*

At its Third Session in 1948 the General Assembly considered the observations made by the Trusteeship Council on administrative unions and endorsed the observations of the Council that such administrative unions must remain strictly administrative in nature and scope and must not have the effect of creating any conditions which will obstruct the separate political, economic, social, and educational development of the Trust Territory. The Assembly recommended that the Council investigate the question in all its aspects and report to the Fourth Session of the Assembly. The Council was also asked to recommend any safeguards considered necessary to preserve the distinct political status of the Trust Territories and to enable the Council effectively to exercise its supervisory functions; to invite the Administering Authorities concerned to furnish additional information; and to seek, where appropriate, an advisory opinion of the International Court on whether such unions are within the scope of and are compatible with the Charter and the Trusteeship Agreements.

3. *(Ad Hoc) Committee on Administrative Unions, 1949-1950.*

In accordance with General Assembly Resolution 224(III) the Trusteeship Council at its Fourth Session adopted Resolution 81(IV) establishing a six-member Committee on Administrative Unions (China, France, Mexico, New Zealand, USSR, and United States) to undertake preparatory work in connection with the investigation re-

requested by the Assembly. The Committee was to draw up an outline, collect information, and report to the Council on the various administrative unions. In addition, the Council adopted Resolution 82(IV) instructing the Committee to make a study of the relations between France and the Trust Territories administered by France. This Committee after ten meetings submitted an Interim Report (T/263) to the Council on March 1, 1949 and after seven additional meetings submitted its report (T/338) to the Council on June 6, 1949. At its Fifth Session, in Resolution 109(V) the Council decided that it would continue to study and examine the operation of existing or future administrative unions in order to safeguard the identity and status of the Trust Territories. The Administering Authorities concerned were requested to furnish in their annual reports separate records and statistics on each Trust Territory. The Council transmitted to the Assembly the reports of its Committee on Administrative Unions and the information furnished by the Administering Authorities. At its Sixth Session the Council adopted Resolution 129(VI) requesting its Committee on Administrative Unions to continue its study and report to the Council July 1950. Argentina was appointed to take the place of Mexico on the Committee and the Philippines was designated to serve in the absence of the USSR. After fifteen additional meetings the Committee transmitted its report to the Council. This report, which was unanimously approved by the Council, is an important study of the problem of administrative unions, and it was printed as an Annex to A/1306: Report of the Trusteeship Council Covering its First Special Session, its Second Special Session, and its Sixth and Seventh Sessions. In preparing the above-mentioned reports the *Ad Hoc* Committee on Administrative Unions examined a large number of Conference Room Papers and more than thirty valuable memoranda prepared for the Committee by the Secretariat. The latter documents were circulated as official documents of the Trusteeship Council in the T/AC.14 series; this series of documents, it should be noted, is no longer available except in the archives of the United Nations and in the files of individual delegations.

#### 4. *General Assembly, 1949.*

At its Fourth Session the General Assembly adopted Resolution 326(IV) which recommended that the Council complete its investigation and present a report to the Fifth Session of the General Assembly with special reference to any safeguards the Council may consider necessary. The Assembly further recommended that in completing its investigation the Council pay particular attention to the following:

(a) the desirability of having the Administering Authorities inform the Trusteeship Council beforehand when they propose to create

new administrative unions of Trust Territories with adjacent territories, or extend the scope of any existing union or federation;

(b) the desirability, should it be impossible as a consequence of the establishment of an administrative union to furnish clear and precise separate financial, statistical, and other data relating to a Trust Territory, of the Administering Authority concerned accepting such supervision by the Trusteeship Council over the unified administration as the Council may consider necessary for the effective discharge of its high responsibilities under the Charter;

(c) the desirability of establishing a separate judicial organization in each Trust Territory;

(d) the desirability of establishing in each Trust Territory a separate legislative body with increasing powers and with headquarters within the Trust Territory, and of eliminating any type of legislative action originating in any other legislative body with headquarters in a Non-Self-Governing Territory;

(e) the desirability of taking into account, before any administrative, customs, or fiscal union is established or extended in its nature or scope, the freely expressed wishes of the inhabitants of the Trust Territories concerned.

It should be noted that the words "the desirability of" in these five considerations were the subject of considerable discussion in the Fourth Committee, and that the United States and other Administering Authorities interpret them to mean "the question of whether it is desirable".

##### *5. Trusteeship Council, 1950.*

The Trusteeship Council at its Seventh Session in the summer of 1950 adopted Resolution 293(VII). This important resolution was based upon the report submitted to the Council on July 11, 1950 by the *Ad Hoc* Committee on Administrative Unions referred to in paragraph 3 above. In this resolution the Council addressed itself to the five considerations of General Assembly Resolution 326(IV) in so far as they applied to the administrative unions affecting the Trust Territories of the Cameroons under British administration, New Guinea, Ruanda-Urundi, and Tanganyika. With regard to Togoland under British administration the Council expressed the opinion that in view of the fact that various proposals concerning the administrative arrangements affecting the Trust Territory of Togoland under British administration are under consideration, further examination of the administrative union of Togoland under British administration and the Gold Coast could not usefully be undertaken at this time. Furthermore, Resolution 293(VII), in compliance with the request in General Assembly Resolution 326(IV) established and drew to the attention of the administering authorities concerned four safeguards which the Council considered necessary in order to assist it in the discharge of its functions and to avoid the possibility of any administrative union

operating in such a manner as to prejudice the outcome of the objectives of the Trusteeship System. These safeguards are :

(a) That the Administering Authorities furnish clear and concise financial, statistical, and other data relating to Trust Territories participating in administrative unions;

(b) That the Administering Authority facilitate the access of Visiting Missions to such information on an administrative union as may be necessary to enable the Mission to report fully on the Trust Territory concerned;

(c) That the Administering Authorities continue to maintain the boundaries, separate status, and identity of Trust Territories participating in administrative unions;

(d) That the Administering Authorities ensure, with regard to Trust Territories participating in administrative unions, that expenditures on the administration, welfare, and development of any such Trust Territory for a given year be not less than the total amount of public revenue derived from the Territory in that year.

Finally, in Resolution 293(VII) the Council decided to establish a Standing Committee on Administrative Unions which shall regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participates.

6. *Standing Committee on Administrative Unions, 1951.*

In accordance with Resolution 293(VII) the Council appointed Argentina, the Philippines, New Zealand, and the United States to the Standing Committee on Administrative Unions. This Committee held two organization meetings in 1950, and six meetings in 1951 during which it adopted reports on Tanganyika (T/915), New Guinea (T/916), British Togoland (T/917), British Cameroons (T/918), and Ruanda-Urundi (T/919). In 1951 China and Thailand were appointed to replace Argentina and the Philippines on the Standing Committee.

7. *General Assembly, 1951-1952.*

At its Fifth Session the General Assembly adopted Resolution 443(V) which postponed the item on administrative unions until its Sixth Session.

At its Sixth Session the Assembly, despite the work already done on the subject as described above, adopted Resolution 563(VI) requesting the Trusteeship Council to submit to the Seventh Session of the Assembly a special report containing a complete analysis of each of the administrative unions to which a Trust Territory is a party, and of the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union with special reference to

(a) the five above-mentioned considerations in Resolution 326(IV) of the General Assembly, and

(b) the compatibility of the arrangements already made with the provisions of the Charter of the United Nations and the Trusteeship Agreement.

Furthermore, in Resolution 563 (VI) the General Assembly established its own Committee on Administrative Unions, composed of Belgium, Brazil, India and the United States, to meet three weeks before the Seventh Session of the Assembly, to make a preliminary examination of the special report prepared by the Trusteeship Council, and to present its observations thereon to the Assembly at its Seventh Session. The operative paragraph establishing the Assembly Committee on Administrative Unions was an amendment proposed by Brazil, and opposed by the United States and other delegations on the grounds that it would result in a costly and unnecessary duplication of work. The Brazilian amendment was adopted in the Fourth Committee by 29 votes to 10 with 8 abstentions, and in the Plenary by 30 votes to 14 with 11 abstentions.

8. *Standing Committee on Administrative Unions, 1952.*

In 1952 the Standing Committee on Administrative Unions not only had its regular reports on each administrative union to prepare, but the Council adopted Resolution 420 (X) requesting the Standing Committee to draft also the special report for the Assembly. In 1952, therefore, the Standing Committee held 34 meetings during which it adopted its regular reports on New Guinea (T/969), Ruanda-Urundi (T/1011), Tanganyika (T/1017), British Togoland (T/1020), British Cameroons (T/1022) and its special report (T/1026 and T/1026/Add.1). The Committee had before it in preparing these reports many new Conference Room Papers, and 26 new working papers prepared by the Secretariat in the T/C.1/L series.

B. *Discussion of Recommendations*

*Recommendation 1.*

The special report on administrative unions (T/1026) and (T/1026/Add.1) is a carefully prepared and detailed analysis in eight chapters totaling 162 pages, which was adopted by the Trusteeship Council on July 23, 1952, by 7 votes to 1 (USSR), with three abstentions (Australia, Belgium, United Kingdom), and Iraq not voting. The report had been prepared and adopted unanimously by the Standing Committee on Administrative Unions (China, New Zealand, Thailand, and United States) under the chairmanship of the United States. The report would have been considerably longer except for a decision of the Committee to delete from the report whenever practicable such subject matter as was readily available in other official documents of the United Nations. This practice gives parts of the special report a skeleton appearance which caused the Committee some concern. The Committee made this decision, however, after a Secretariat called to

its attention General Assembly Resolution 593 (VI) on the control and limitation of documentation, one paragraph of which invites the Governments of Member States to refrain "from requesting the repetition or reissuing of material readily available in other United Nations documents."

The problem of organization of the special report was a complicated one. Chapter I reviews the resolutions adopted by the General Assembly and the Trusteeship Council on the general question of administrative unions, but not with regard to specific territories. Chapter II summarizes the provisions of the trusteeship agreements concerning administrative unions and the interpretations of these agreements which the various administering authorities have given. The remaining six chapters deal with particular territories and are subdivided, with one exception, into four parts as follows: Part A summarizes the historical events preceding the present administrative unions; Part B summarizes the laws establishing the various administrative arrangements; Part C reviews the recommendations and observations made by the General Assembly and the Trusteeship Council and its subsidiary organs on the territories concerned and, wherever appropriate, the observations of the administering authorities concerned; Part D gives the Council's observations and conclusions on the two matters to which the General Assembly in Resolution 563 (VI) asked the Council to give special attention, namely, (a) the five considerations enumerated in paragraph 1 of Resolution 326 (IV) of the General Assembly, and (b) the compatibility of the arrangements already made with the provisions of the Charter of the United Nations and the Trusteeship Agreements. It is this Part D, and particular Section (b) of Part D, which is of special importance because it contains the Council's observations and conclusions.

The conclusions adopted by the Council in Section (b) of Part D differ in the case of the various territories even though the provisions of the various trusteeship agreements authorizing the establishment of administrative unions are generally similar. The Standing Committee on Administrative Unions was well aware of this fact, but it was of the opinion that it could not reach any realistic and satisfactory conclusions concerning the questions raised in General Assembly Resolution 563 (VI) without paying in its analysis due regard to several other factors. These other factors were the differing ethnic, geographical and historical factors in the territories concerned, the differing degree of political advancement in these territories, the practical operation of the administrative arrangements, and the individual laws establishing these administrative arrangements. In those cases where the conclusions of the Committee differ for various territories, the Committee believed that such differences resulted not from any in-

consistency on the part of the Committee but rather from these differing factors.

In view of the thorough quality of the special report, and in view of the fact that only the USSR voted against it in the Council, it is recommended that the Delegation give its full support to the report in the General Assembly Committee on Administrative Unions.

*Recommendation 2.*

Despite the effort and care of the Trusteeship Council in dealing with the problem of administrative unions, certain non-administering Members of the United Nations continue to be concerned with the possibility that administrative unions may become disguised forms of annexation resulting in the extinguishment of the political identity of the trust territories and accordingly to believe that intense and continuous review of the administrative unions is essential. These Members of the United Nations have been generally unwilling to launch direct attacks on the various administrative unions in the General Assembly, but at the same time they have seemed unwilling to acknowledge that the Trusteeship Council has done as thorough a job as possible in its study of the problem. It seems likely that Brazil and India, the two non-administering members of the General Assembly Committee may hold this view. Possibly they are not fully aware of the extensive Trusteeship Council documentation on the subject, which shows that the Council has studied and restudied the problem. The United States, as a member of the Council's Committee on Administrative Unions from the beginning, is in a position to point out the extensive work which the Council has done. It is therefore recommended that the Delegation should make a detailed statement at the opening of the Committee along the lines suggested. Such a statement should, among other things, recall the particular importance which the United States has consistently attached to the problem of Administrative Unions, recall that the extensive Trusteeship Council documentation on the subject shows that the Council has thoroughly studied and restudied the problem, recall the substantive achievements of this study, and recall that the Council has established a Standing Committee on Administrative Unions to regularly examine the operations of the administrative unions and report to the Council at each session on any union in which a trust territory under review participates.

*Recommendation 3.*

If the tactical situation in the Committee seems appropriate, it might be advantageous for the Delegation to introduce in the Committee a draft resolution for the Committee to recommend for adoption by the Assembly. Such a resolution should be a balanced resolution which would commend itself to both administering and non-administering members of the Committee and the General Assembly. A draft resolu-



tion along these lines is attached as Annex A which the Delegation should use if it seems appropriate.

*Recommendation 4.*

It is possible that Brazil or India may suggest in the Committee that the General Assembly should reconstitute the Committee for another year. Such a suggestion would be in line with a noticeable trend on the part of certain non-administering members to consider Trusteeship Council problems in the Fourth Committee where the non-administering members outnumber the administering members by 52 to 8 rather than to rely on the Council which has a balanced membership of six administering and six non-administering members. At the Sixth Session of the General Assembly the United States opposed the Brazilian amendment providing for the General Assembly Committee on Administrative Unions and tried unsuccessfully to muster enough votes to defeat it in plenary, where it was adopted by 30 votes to 14 with 11 abstentions. The Delegation should oppose such a proposal because the reconstitution of the Committee would inevitably result in the repetitious, unnecessary, and costly type of work which the General Assembly in other resolutions is trying to prevent (See Annex B covering the four General Assembly resolutions which are pertinent in this regard).<sup>3</sup>

*Recommendation 5.*

The General Assembly on November 18, 1948, adopted Resolution 224(III) which, *inter alia*, requested the Trusteeship Council to request, whenever appropriate, an advisory opinion of the International Court of Justice as to whether such unions are within the scope of and compatible with the stipulations of the Charter and with the terms of the trusteeship agreements. It is possible that one of the members of the Committee may suggest that the problem of whether such unions are compatible with the Charter and with the trusteeship agreements is a legal problem with which the Trusteeship Council is not qualified to deal, and which, therefore, should be referred to the International Court of Justice. If the other three members of the Committee favor such a proposal the United States Delegation should also support it. If the Committee is divided regarding such a proposal the Delegation should consult the Department for further instructions.

*Recommendation 6.*

It seems likely that the United States objectives set forth in the preceding recommendations are more likely to be achieved if the Delegation holds individual consultations with the other three Delegations on the Committee before the Committee's first meeting. It is therefore recommended that the Delegation hold such consultations

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<sup>3</sup> Not printed.

with the other three Delegations in the attempt to establish harmonious working relationships. The Delegation should seek to dissuade any of the other three Delegations from advancing extreme proposals which would be likely to precipitate extreme counterproposals and thereby jeopardize the attainment of the objectives of the United States Delegation.

## Annex A

## RESTRICTED

## DRAFT RESOLUTION ON ADMINISTRATIVE UNIONS FOR POSSIBLE INTRODUCTION BY THE UNITED STATES DELEGATION IN THE GENERAL ASSEMBLY COMMITTEE ON ADMINISTRATIVE UNIONS

*The General Assembly,*

*Recalling* that by its Resolution 224 (III) of 18 November 1948 the General Assembly recommended that the Trusteeship Council should investigate the question of administrative unions in all its aspects, and that by its Resolution 326 (IV) of 15 November 1949 it recommended that the Trusteeship Council should complete its investigation,

*Recalling* that by Resolution 326 (IV) the General Assembly noted that the trusteeship agreements do not authorise any form of political association which would involve annexation of the trust territories in any sense, or would have the effect of extinguishing their status as trust territories, and affirmed the view that measures of customs, fiscal or administrative union must not in any way hamper the free evolution of each trust territory towards self-government or independence,

*Recalling* that by its Resolution 563 (VI) of 18 January 1952 the General Assembly requested the Trusteeship Council to submit to the General Assembly at its Seventh Regular Session, a special report containing a complete analysis of each of the administrative unions to which a trust territory is a party, and of the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union,

*Recalling* the studies of administrative unions undertaken by the Trusteeship Council's *Ad Hoc* Committee on Administrative Unions in 1949 and 1950, and by its Standing Committee on Administrative Unions in 1951 and 1952,

*Expresses* its appreciation to the Trusteeship Council for the Special Report submitted by the Council in compliance with General Assembly Resolution 563 (VI), and endorses the observations and conclusions contained in the Special Report,

*Notes that* the Trusteeship Council's Standing Committee on Administrative Unions will continue its regular examination of each administrative union affecting a trust territory, and requests the Council to instruct the Standing Committee to study these administrative

unions not only with regard to the four safeguards enumerated in Trusteeship Council Resolution 293 (VII) but also with regard to any other matters which the Standing Committee deems appropriate,

*Calls* to the attention of the Administering Authorities the observations and conclusions contained in the Special Report to the Trusteeship Council and the observations thereon made by the General Assembly's Committee on Administrative Unions,

*Requests* the Administering Authorities to furnish promptly to the Trusteeship Council as complete information as possible concerning the operation of the administrative unions affecting trust territories under their administration,

*Expresses* the hope that the Administering Authorities concerned will notify the Trusteeship Council promptly of any change in or extension of existing administrative unions, or of any proposal to establish new administrative unions.

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IO files, SD/A/C.4/99<sup>1</sup>

*Draft of a Position Paper Prepared in the Department of State for the United States Delegation to the Seventh Regular Session of the General Assembly*<sup>2</sup>

RESTRICTED

[WASHINGTON,] October 6, 1952.

TRANSMISSION AND DISCUSSION OF POLITICAL INFORMATION UNDER  
ARTICLE 73(e)<sup>3</sup>

THE PROBLEM

What position should the United States take with respect to the discussion of political conditions in particular non-self-governing terri-

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<sup>1</sup>This was one of 16 papers in a Position Book entitled "Instructions to the United States Delegation to the Seventh Regular Session of the General Assembly Committee 4 (Trusteeship)". This and the Position Books for other Sessions of the General Assembly are in the IO files.

<sup>2</sup>The Fourth Committee had a continuous existence going back to 1946 and coterminous with that of the General Assembly itself. Likewise its legislative life was coterminous with the sessional life of the General Assembly, in the case of the Seventh Regular Session, from Oct. 14, 1951 to Dec. 21, 1952. Unpublished documentation relating to Fourth Committee matters is principally in file 320 (General Assembly and its Committees), file 320.14 (non-self-governing territories subjects), and file 350 (trusteeship matters), in the Department of State central decimal files; in the IO files proper and in IO files, lot 71 D 440 (files pertaining to U.S. Delegations to the General Assembly, 1946-1965); and in the ODA files (lots 60 D 512, 62 D 182, 62 D 225, and 62 D 228).

The U.S. Delegate on the Fourth Committee was always a Presidentially appointed member of the U.S. Delegation to the General Assembly, who, at the Seventh Regular Session, was Philip C. Jessup, Ambassador at Large. Jessup was closely assisted by Ambassador John J. Muccio, a senior adviser to the Delegation. Other advisers included Benjamin Gerig, Robert R. Robbins and Eric Stein, all from the Office of Dependent Area Affairs, of which Gerig was Director.

<sup>3</sup>Marginal notation at top of the page: "Subject to final clearance". In this instance the paper never did receive final clearance, an unusual occurrence. See the Oct. 23 memorandum, *infra*.

tories when such a specific item has not been placed on the agenda, and to the related problem of the transmission of political information under Article 73(e) ?

#### RECOMMENDATIONS

1. In view of the divisive effect of previous debates on this issue, the Delegation should seek to avert a discussion in the Fourth Committee which would tend to establish or lead to the introduction of a resolution explicitly stating the Committee's competence to discuss political affairs in particular non-self-governing territories. Should such a resolution nevertheless be introduced, the Delegation should exert every effort to secure its withdrawal.

2. The Delegation should be guided by the view of the United States that the General Assembly is competent, under Article 10 of the Charter, to discuss and make recommendations on conditions in non-self-governing territories generally, including political questions arising out of Articles 10, 14, and 73.

3. The Delegation should bear in mind that the proper and most orderly way to initiate discussion of political conditions in non-self-governing territories is the placing of such items on the Fourth Committee's agenda in the normal manner.

4. With respect to the related question of the transmission of political information, the Delegation should maintain the position that the transmission of such information is not obligatory under Article 73(e), but that the United States voluntarily submits political information and hopes other Administering Authorities will do so.

#### COMMENT

The question of the Competence of the Fourth Committee to discuss and make recommendations on political conditions in particular non-self-governing territories was, until 1951, associated with the more specific question of the transmission of political information under Article 73(e). During the Sixth General Assembly, however, the disposition of the Moroccan question in the General Committee and the Plenary Assembly led in the Fourth Committee to references to political conditions in Morocco and in turn to acrimonious debate of the broader competence issue. In light of the strong views of the Arab-Asian bloc, therefore, the question of the General Assembly's competence to discuss political conditions in non-self-governing territories may well arise again.

#### *Recommendation 1*

The circumstances under which the question of the Fourth Committee's competence arose at the Sixth Assembly and the bitterness of

the ensuing debate clearly indicates the desirability of forestalling, if possible, its recurrence this year.<sup>4</sup>

The Guatemalan delegate commented on political and other conditions in British Honduras, as did the Egyptian delegate with respect to Morocco. On points of order, the delegates of the United Kingdom and France protested the discussion of political conditions in non-self-governing territories. Following the French intervention, the Iraqi delegate proposed that the Fourth Committee vote immediately on a draft resolution which "resolves that it is empowered to discuss political matters and political aspects in regard to non-self-governing territories". The French Delegation shortly afterwards withdrew from the meeting. During the course of the debate it was evident that the Iraqi proposal received considerable support, and that its adoption with minor amendments proposed by Ecuador was virtually a certainty. Subsequently, the Iraqi resolution was withdrawn and the United Kingdom, French, and Iraqi Delegations agreed to a ruling by the Chair that the discussion of political subjects be closely correlated with economic, social and educational conditions in the territories. Thus, a middle position between the extremes taken by some administering powers—i.e., that the discussion of political conditions amounts to an amendment of the Charter (UK), that it is unconstitutional (France)—and on the other hand, by certain non-administering Members—who believe that the right of the Fourth Committee to do so should be asserted—served to prevent a decision by vote which most probably would have gone in favor of the latter.

In the event that a resolution is introduced affirming the competence of the Fourth Committee, the Delegation should bear in mind that a decision against the administering Members as represented by the United Kingdom, France and Belgium would most likely harden their views on this issue and perhaps prejudice their willingness to cooperate with the Fourth Committee. The Delegation should therefore utilize every appropriate means to ensure the resolution's withdrawal.

#### *Recommendation 2*

Under Article 73, administering members undertake to ensure the political, economic, social and educational advancement of the inhabitants of non-self-governing territories. They "accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end . . . to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions. . . ." By the inclusion

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<sup>4</sup>For documentation on this subject, see *Foreign Relations*, 1951, vol. II, pp. 655 ff.

of these provisions in the Charter, the international community has registered its concern, in a multilateral contractual undertaking, for the welfare, including the political advancement, of the inhabitants of non-self-governing territories. The obligations undertaken as a result of the provisions of Article 73 differ in no way from other obligations imposed upon Members by the Charter. It follows that the General Assembly, acting in conformity with Article 10 of the Charter, "may discuss any questions on any matters within the scope of the present Charter . . . and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters."

There would seem to be no doubt that the General Assembly, under Article 10, has the right to discuss and make recommendations on political conditions in particular non-self-governing territories and, without question, the General Assembly would so decide. The Delegation might bear in mind, however, that the United States has consistently taken the view that it would be unwise for the General Assembly or Fourth Committee to make recommendations with respect to specific territories, since such recommendations would undoubtedly provoke a degree of friction detrimental to constructive work by the Fourth Committee.

*Recommendation 3*

There has been a tendency in the past for some delegations to use the Report of the Assembly's Special Committee on Information as a point of departure for the discussion of political conditions in particular territories. Such action serves to reduce the effectiveness and to obscure the purpose of the Assembly's agenda. The Delegation should bear in mind, therefore, that the proper and most orderly way to initiate discussion of political conditions in non-self-governing territories is the placing of such items on the agenda of the Assembly and their allocation to the Fourth Committee.

*Recommendation 4*

The United States has consistently maintained the position that the transmission of political information is not required under the provisions of Article 73(e). At the same time, the United States *voluntarily* transmits political information on its territories, and hopes other administering Members will do so with respect to their territories. Although Denmark regularly transmits comparable data, the voluntary submission of political information by Australia, New Zealand, the Netherlands and France has been sporadic. Both the United Kingdom and Belgium oppose the provision of such information on either a mandatory or voluntary basis, maintaining *inter alia* that to do so would constitute an extra-legal amendment of the Charter.

The General Assembly has, however, on several occasions expressed itself on the question. At its second session, it noted the voluntary submission of political information by some Members, considered this to be in conformity with the Charter and, therefore, to be encouraged (Res. 144(II)). In Resolution 327(IV), the Assembly expressed the hope that information on government would be voluntarily submitted.

The Assembly will consider at the present session a resolution on this subject adopted by the Human Rights Commission and referred by ECOSOC without comment to the General Assembly. (For position in Resolution B in Self-Determination of Peoples and Nations, see document SD/A/277 included in the Plenary Book of Instructions.) Should this or other resolutions bearing on the question of the submission of political information be debated in the Fourth Committee, the Delegation should take the position that it would be unwise to place such submission on other than a voluntary basis. Accordingly, a resolution which would "recommend" the voluntary transmission of political information would be unacceptable and would undoubtedly elicit a strong reaction on the part of some administering powers.

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S/A files, lot 53 D 65, "UNGA 1952—4th Committee"

*Memorandum by the Deputy Legal Adviser (Tate) to the Deputy Director of the Office of Dependent Area Affairs (Cargo)*<sup>1</sup>

[WASHINGTON,] October 23, 1952.

Subject: Revision of Position Paper: "Transmission and Discussion of Political Information under Article 73(e)"

This is to confirm the conversations which members of the Legal Adviser's Office have had with you concerning the revision of the General Assembly position paper, "Transmission and Discussion of Political Information under Article 73(e)", (SD/A/C.4/99, October 6, 1952). As this paper itself indicates, it has not received final clearance in the Department; and this office cannot give its clearance until some modification is made in Recommendation 2 which reads:

"2. The Delegation should be guided by the view of the United States that the General Assembly is competent, under Article 10 of the Charter, to discuss and make recommendations on conditions in non-self-governing territories generally, including political questions arising out of Articles 10, 14, and 73."

This office objects to the present phrasing of this recommendation because it may reasonably be implied that the United States does not consider that the General Assembly has competence under Article 10

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<sup>1</sup> Sent to New York for the Assistant Legal Adviser for UN Affairs (Meeker), an adviser-member of the U.S. Delegation staff, who in turn transmitted it to Ambassador Jessup.

to discuss and make recommendations on political conditions in particular non-self-governing territories. Such an implication is inconsistent with the Comment on Recommendation 2 which appears upon page 5 of this position paper, and is most certainly inconsistent with the United States position on the items of Tunisia and Morocco which have been assigned to Committee 1. Regarding the Tunisian and Moroccan questions, the United States position is that the General Assembly is competent to discuss and make recommendations relating to these items; and that this competence is not restricted to recommendations generally, but extends to whatever type recommendation the General Assembly may decide upon.

This office therefore proposes that Recommendation 2 of this paper be clarified so as to reflect accurately the United States position on the competence of the General Assembly, as follows:

- (1) Delete the word "generally" from the recommendation; or
- (2) Add new language, so the text will read as follows:

"2. The Delegation should be guided by the view of the United States that the General Assembly is competent, under Article 10 of the Charter, to discuss and make recommendations on conditions in non-self-governing territories, including political questions arising out of Articles 10, 14, and 73, both generally and also with respect to particular non-self-governing territories."<sup>2</sup>

<sup>2</sup>The Department telegraphed the following instruction to the Delegation on Oct. 29:

"Re: Comite 4 Political Discussions.

"Dept has decided not to complete clearance draft position paper on transmission and discussion of polit info under Article 73 (e) sent to Del as SD/A/C.4/99. Question of competence GA consider polit questions in colonial field may not arise Comite 4 in form requiring statement US views. Question of transmission polit info under Article 73 (e) is dealt with in position paper SD/A/277.

"If competence issue raised Del shld seek to discourage discussion in order avert repetition of situation precipitated Sixth GA by Iraq draft res. If situation arises requiring US take position on substance of issue either in gen or specific form, Dept shld be consulted." (Telegram Gadel 26, Oct. 29, 1952, 4:08 p. m., 320/10-2952)

S/A files, lot 53 D 65, "UNGA 1952—4th Committee"

*Memorandum of Conversation, by Philip C. Jessup of the United States Delegation to the Seventh Regular Session of the General Assembly*

CONFIDENTIAL

[NEW YORK,] November 4, 1952.

Subject: Committee Four Items

At lunch today, Bunche discussed a number of questions in the Fourth Committee. He considers the Wameru issue to be one that can cause a lot of trouble. He hoped that the British might be able to make some conciliatory gesture or statement which would help to soften the attack of the anti-colonial group.



On the question of Southwest Africa, he said that everyone seemed to have exhausted their ingenuity in thinking up anything which could profitably be done. However, he had asked Wieschhoff (Secretariat) to work on an idea which he expected to have in a day or two and which he promised to show me.

We discussed at length the question of the difficulties posed by the number of requests for oral hearings. Bunche agrees with our views on this point and talked about various ways in which it could be solved. He thought an *ad hoc* committee to study procedures might be useful and agreed that the work might be done by a subcommittee of the Fourth Committee which could report back to the full Committee during this session. He agreed with my suggestion that a Committee of this type should deal with the matter solely in terms of general procedure and not in terms of the specific petitions or requests currently received. As to an eventual solution, he thought it might be possible for the Fourth Committee to appoint a subcommittee to hear the applicants and to report to the full Fourth Committee, but he was not at all sure this would be accepted by the anti-colonial groups. He did think we could get acceptance for a proposal to the effect that in hearing the petitioners the Fourth Committee would allow them to make a single statement after which the Committee would proceed with other business. In the interval, members of the Committee would be given say 48 hours to submit questions in writing which would be transmitted to the petitioners who would in turn submit their answers in writing. He felt that a procedure of this kind would eliminate much of the waste of time experienced in the cross-examination of the Ewe representatives in Paris last year.

In general, Bunche thinks that the administering powers would be in a very much stronger position if they from time to time take the initiative in introducing proposals instead of always sitting back and waiting until their opponents put them on the defensive in regard to a resolution they don't like. I told him I had urged this point of view for some time.

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ODA files, lot 62 D 225, "Visa Applications—Oral Hearings"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Cargo) to an Adviser of the United States Delegation to the General Assembly, at New York (Gerig)*

CONFIDENTIAL

[WASHINGTON,] November 7, 1952.

Subject: Oral Hearings in Committee 4 of Inhabitants of Trust Territories

It is clear from your memorandum of November 1, 1952<sup>1</sup> and from the recent meetings of Committee 4 that the question of oral hearings

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<sup>1</sup> Not found in Department of State files.

by individuals and groups before the Committee is bound to become an increasingly troublesome problem. This memorandum contains some observations on the situation in relation to hearings of people from the trust territories. We are preparing a paper, which we will clear, on the particular issue you raise in your memorandum, namely the possibility that a Puerto Rican independence group may request a hearing in the Fourth Committee in connection with the factors question.

In the present mood of Committee 4, it is already quite evident that it will be difficult, if not impossible, at this session to get the Committee to decide not to hear individuals from trust territories who express a desire to be heard. Our Delegation in the Fourth Committee has on various occasions offered reasonable arguments as to why a hearing should not be granted in a particular case, but the Committee has not responded to the reason and logic which has been advanced, nor do I think it is likely to do so at the present time. I think, therefore, we are bound to have great difficulty at this session in achieving what I assume to be our general objective in respect of these requests for hearings—namely, while admitting and supporting the right of petition in relation to the trusteeship system, to seek to prevent the hearing of individuals and groups from being extended to become a major if not *the* major activity of Committee 4. Since there is no basis for contending that the Assembly is not legally competent to hear petitioners from trust territories, the achievement of the objective of limiting the number of hearings must be obtained with the support of a majority of the members of the Committee. For this reason, and because the majority at the moment is obviously intent on hearing almost everybody from the trust territories who expresses a desire to be heard, I think our best hopes for the future lie in the fact that the Fourth Committee at this session appears to be committing itself to a series of hearings which will almost inevitably consume a great deal of time and possibly will make the more moderate members realize that some other course must be followed than a simple agreement by the Committee to hear everybody who seeks to be heard. If this situation of “saturation and confusion” should materialize, perhaps at the next session of the Fourth Committee arguments such as those we have made on occasion this year may prevail in individual cases. If this general approach is valid, I believe that efforts by the administering powers at this session to rationalize the procedures of Committee 4 in relation to these oral hearings might give the Committee the feeling that it could from now on give attention to all who apply for hearings without jeopardizing its larger work program. Thus, a study of procedures at this stage might stimulate the establishment by Committee 4 of additional and even permanent machinery for oral hearings.

I believe that the Delegation has already used in relation to individual cases the principal contentions which we feel here might from

time to time be advanced against an oral hearing. With appropriate adaptation to a specific case, the principal possible contentions seem to be: (1) that the applicant for a hearing should bring his case first to the Trusteeship Council; (2) that, where a visiting mission is in the area, the report of the visiting mission should first be received and examined before a hearing is granted to an applicant from that area; (3) that the request for a hearing should indicate the nature of the problem which the applicant wishes to discuss and that the problem should be of major importance; and (4) that the applicant should submit written documentation on the basis of which a judgment could reasonably be made as to the desirability of granting him a hearing. It is true that these arguments do not seem to attract much support in the Committee this year. However, as I have suggested above, if the Committee has a bad experience with the question of oral hearings at this session, more attention may be paid to such views next year.

I am afraid that this is not a very optimistic analysis, but I am sure you agree that as is the case with most problems in the colonial field there is no easy solution to this one either.

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320/11-1752: Telegram

*The Secretary of State to the Department of State*

NEW YORK, November 17, 1952—6: 17 p. m.

Delga 208. Re approval by 4th Committee of GA of requests for hearings. The SYG UN has officially informed USUN that 4th comite approved on Oct 22, 1952 requests for hearings submitted by the Meru Citizens Union (Tanganyika), the "Union des Populations du Cameroun" (Cameroon under French administration) and the all-Ewe Conference (Togoland), and on Nov 6 approved requests for hearings submitted by the Somali Youth League (Somaliland), the Unione Nazionale Somala (Somaliland), the "Assemblee Traditionnelle du Peuple Douala" (Cameroon), the "Parti Socialiste Camerounais" (Cameroon) and the "Groupements Musulmans du Cameroun" (Cameroon). On Nov 4 approved request of Togoland Congress (Togoland).

The SYG UN has also advised of the designation of reps by the following orgs: Union des Populations du Cameroun (Ruben Um Nyobe), Somali Youth League (Abdullahi Issa), Unione Nazionale Somala (Sallah Scek Omar) and Groupements Musulmans du Cameroun (Duala Manga Bell). It is understood that these reps have applied or will apply for visas to come to New York. Reps of Meru Citizens Union and Togoland Congress are presently in New York.

The SYG UN has informed USUN informally that Um Nyobe has advised of difficulty in securing visa Paris and that Issa has advised of failure obtain visa Cairo despite visa application Oct 20. According to Stavropoulos (UN legal dept) it is UN position that 4th comite approval of requests for hearings constituted invitations by UN and that designated reps of above-mentioned orgs entitled admission US under provisions sec 11 (5) of Hdqrs Agreement.<sup>1</sup>

ACHESON

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<sup>1</sup> The Headquarters Agreement between the United States and the United Nations, June 26, 1947, defined the relations between the two in terms of the rights and obligations of the United States as the host state and the United Nations as an international organization situated within territory under U.S. sovereignty. For documentation on the negotiation of the agreement, see *Foreign Relations*, 1947, vol. I, pp. 22 ff. For documentation on questions arising between the United States and the United Nations under this agreement, see *ibid.*, 1948, vol. I, Part 1, pp. 34 ff.; *ibid.*, 1949, vol. II, pp. 38 ff.; *ibid.*, 1950, vol. II, pp. 46 ff.; and *ibid.*, 1951, vol. II, pp. 46 ff.

In telegram Delga 272, Nov. 26, 1952, 8:16 p. m., the Mission at the United Nations informed the Department that the Fourth Committee expected to begin oral hearings of petitioners from trust territories on Nov. 29, beginning with the Wa-Meru petitioners (320/11-2653). All in all, the Fourth Committee granted eleven oral hearings concerning four trust territory problems: the Wa-Meru land problem in Tanganyika, the Ewe and Togoland unification problem, the Cameroons unification and other problems, and certain general problems in Italian Somaliland. Although oral hearings were granted to representatives of five African political organizations in the French Cameroons, only two of the groups actually sent spokesmen: the *Union des Populations du Cameroun* (UPC), which sent Ruben Um Nyobe, and the *Parti Socialiste Camerounais*, which was represented by Charles Rene Okala.

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320.14/11-2552

*The Embassy in the United Kingdom to the Department of State*

CONFIDENTIAL

LONDON, November 25, 1952.

No. 2466

Subject: Mr. Henry Hopkinson's<sup>1</sup> Reported Views on the UN's Work on Colonial Questions

There is enclosed a copy of a memorandum of an informal conversation between Mr. Peter Smithers, M.P. and officers of the Embassy on the subject of Mr. Henry Hopkinson's reported views on the work of the UN on Colonial Questions. Mr. Smithers is Mr. Hopkinson's Parliamentary Private Secretary (unpaid, unofficial personal assistant) and takes a keen interest in colonial affairs.

MARGARET JOY TIBBETTS  
*Second Secretary of Embassy*

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<sup>1</sup> Henry Hopkinson was Minister of State for Colonial Affairs and Member of the UK Delegation to the General Assembly.

[Enclosure]

## MEMORANDUM OF CONVERSATION

Participants: Mr. Peter Smithers, M.P.  
Mr. B. M. Hulley  
Miss Margaret Joy Tibbetts

Mr. Smithers said "off the record" that Mr. Hopkinson had personally enjoyed his stay in New York at the UN but had been much perturbed at developments in the Fourth Committee, particularly with the United States' attitude on colonial questions. He said that the British "rather expect" a critical approach on the part of the Latin American and Asian-Arab nations because of the past history and the presently ill informed nature of opinion, both official and unofficial, in those countries. The United States is, however, in a completely different category, and it was inexplicable to Mr. Hopkinson how the United States could expect nations like France and Britain "to put themselves on the block every year" in these Fourth Committee discussions. Mr. Hopkinson had, according to Mr. Smithers, been completely unable to understand the basis of the United States attitude on the competence of the UN to discuss Tunisia and had wondered if the United States had thought through all the implications of its failure to support France on a major issue of this nature.

Mr. Smithers continued that Mr. Hopkinson would certainly not blame France if she walked out of the Fourth Committee and that it was questionable whether the United Kingdom should continue to participate in UN colonial matters. In response to an inquiry as to whether that would not be a far too drastic step, Mr. Smithers said that there was no reason why Britain should have to go on "putting up with this sort of thing" and that "a lot of us" (presumably other Tory M.P.s) feel that the UK should just refuse to have anything to do with the work of the UN in colonial affairs. In any case, he concluded, Mr. Hopkinson had found the attitude of the Guatemalans and the Egyptians, for example, more consistent and easier to understand than that of the United States.

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320.14/11-2552

*Memorandum by the United Nations Adviser, Bureau of Far Eastern Affairs (Bacon), to the Officer in Charge of Indonesian and Pacific Island Affairs (Coerr)*

CONFIDENTIAL

[WASHINGTON,] November 25, 1952.

Subject: Visiting Mission to the Trust Territory of the Pacific, 1953.

The Trusteeship Council, on November 20, selected the members of the Visiting Mission which is to go to the Trust Territories in the

Pacific: i.e., the Trust Territory of the Pacific Islands, New Guinea, Nauru and Western Samoa. Members selected for the Mission are: UK, France, Dominican Republic and Syria. The Mission is to depart about February 9 and return about May 20. The itinerary is to be worked out by the Mission in consultation with the Secretariat and the Administering Authorities concerned. The Mission will probably spend about two weeks in our Trust Territory.<sup>1</sup>

*Comment:* The composition of the Mission is not ideal from the U.S. point of view. The UK has designated as its representative Mathieson, who has been unfriendly in his attitude both to the U.S. and to American personnel in New York. It is probable that he will have considerable influence with his French colleague also. For this reason FE believed it to be desirable to have as friendly non-administering members as possible such as China or Thailand in preference to Syria. Syria has not yet served on the Trusteeship Council and accordingly would not have adequate background for asserting a strong position in the Mission in support of U.S. policy even if the Syrian representative should wish to do so. FE attempted to have the draft position paper amended so as to advise our Delegation for its background information and for such use as it might appropriately make of the Department's preference in the composition of the Mission. UND was, however, opposed to giving any guidance to our Delegation and it was not until Sandifer had discussed the matter with Mr. Johnson that UNA was willing to do anything in this direction. Mr. Johnson suggested that we might reasonably suggest if opportunity offered that as the Mission was going to the Pacific at least one Far Eastern state might be included. On the morning of November 20 Mr. Sandifer telephoned this suggestion to Mr. Gerig. It was, however, apparently too late to influence the situation. It is unlikely that the Mission composed as indicated above will present as favorable a report upon our administration of the Trust Territory as did its predecessor.

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<sup>1</sup> Consideration of arrangements for sending a visiting mission or missions to the Trust Territories in the Pacific in 1953 was the sole substantive item taken up by the Trusteeship Council at the second part of its 11th Session, which sat at New York from Nov. 19 to Dec. 3, 1952. See United Nations, *Official Records of the General Assembly, Seventh Regular Session, Report of the Trusteeship Council Covering Its Eleventh Session (Second Part)* (Supplemental No. 4 A). Unpublished documentation is in ODA files, lot 62 D 225, "Visiting Missions."

*Press Release No. GA/T/244 Issued by the Secretariat of the United Nations, New York, November 18, 1952.*<sup>1</sup>

FOURTH COMMITTEE ADOPTS NINE-POINT RESOLUTION ON FACTORS;  
RECOMMENDS THAT 10-MEMBER SPECIAL COMMITTEE MAKE FURTHER  
STUDY

The Fourth (Trusteeship) Committee today recommended that a 10-member special committee be set up to carry further the study on factors which determine whether a territory is fully self-governing.

The recommendation of the Committee formed part of a nine-point resolution which will come before the General Assembly in plenary session.

The resolution represented a proposal introduced originally by Burma, Cuba, Egypt, Guatemala, Iraq and Venezuela (Doc. A/C.4/L.231), to which an amendment by the Dominican Republic and Peru (Doc. A/C.4/L.234) was introduced. In its final form, the text incorporated amendments by Argentina, Ecuador, the Netherlands, Poland and the USSR.

The resolution was adopted at the close of a three-and-a-half-hour session involving a 90-minute discussion of procedure and 24 separate votes. The resolution was finally adopted as a whole by 34 to 12, with 8 abstentions. Six of the 60-member Committee were absent when the ballot was taken.

The resolution asks the Assembly to:

(1) Approve provisionally "as a guide" the factors listed in the report of the *Ad Hoc* Committee on Factors (Doc. A/2178).

(2) Consider individual cases individually, taking into account the right of self-determination of peoples.

(3) Declare that the list of factors should in no way be interpreted to hinder the attainment of self-government.

(4) Declare that "for a territory to be deemed self-governing in economic, social or educational affairs, it is essential that its people shall have attained a full measure of self-government as referred to in Chapter XI of the Charter."

(5) Recommend that the list of factors be taken into account provisionally in cases examined by the General Assembly concerning cessation of transmission of information on territories or the obligation to transmit information.

(6) Decide to set up a new *ad hoc* committee of 10 members with instructions to continue and carry out a more thorough study of the factors.

(7) Invite the new committee to take into account also earlier statements by governments as well as the following "additional elements," in relation to Chapter XI of the Charter:

(a) the possibility of defining the concept of self-government;

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<sup>1</sup> Source text from the ODA files, lot 60 D 257, "NSGT: Factors, etc."

- (b) the features guaranteeing the principle of the self-determination of the peoples;
- (c) the manifestation of the freely expressed will of the peoples.

(8) Invite members to transmit by 1 May 1953 a statement of their views on "the subjects contained in the terms of reference of the committee."

(9) Convene the committee four weeks before the opening of the next General Assembly.

The 12 members voting against the resolution as a whole were: Australia, Belgium, Colombia, Denmark, France, Luxembourg, the Netherlands, New Zealand, Sweden, Union of South Africa, the United Kingdom and the United States.

The eight abstaining were: Canada, Dominican Republic, Greece, Israel, Nicaragua, Norway, Peru and Uruguay.

The six absent when the ballot was cast were: Costa Rica, Honduras, Iceland, Panama, Paraguay and Turkey.

Chairman Rodolfo Munoz (Argentina) announced at the close of today's vote that the choice of members to form the special committee would be made after the resolution had been considered by the General Assembly.

The Committee decided, after a lengthy debate this morning, that it would vote first on an amendment by Argentina (Doc. A/C.4/L.237) which proposed, among other things, that provisions of an amendment by the Dominican Republic and Peru (Doc. A/C.4/L.234) should be added to—and not substituted for—the provisions of the six-power draft resolution. By this decision, the six-power draft resolution was made the basis of the Committee's voting.

In a series of votes, the Committee then incorporated the amendments by the USSR (Doc. A/C.4/L.233), Poland (Doc. A/C.4/L.235), Ecuador (Doc. A/C.4/L.239) and the Netherlands (Doc. A/C.4/L.236), as well as amendments by Argentina and joint amendments by the Dominican Republic and Peru.

During the voting, the representatives of the Dominican Republic and Peru withdrew a provision of their amendment which would have the Assembly take note of the report of the *Ad Hoc* Committee on Factors.

In explanation of vote, Benjamin Gerig (United States) stated that two theories underlying the resolution had led the United States to vote against its adoption as a whole. The first of these was the concept of the indivisibility of autonomy, which was embodied in the resolution. The second, he said, was the idea that the General Assembly was the authority which was competent to decide when a territory was fully self-governing.

Dr. Brita Skottsberg-Ahman (Sweden) gave similar reasons for her delegation's negative vote.



Carlos Peon del Valle (Mexico) reserved the position of his delegation.

Dr. Enrique de Marchena (Dominican Republic) and Dr. Carlos Salazar (Peru) said that their delegations had abstained in the vote on the resolution as a whole because of the inclusion of two paragraphs which dealt with autonomy and which they could not accept.

Emile Najjar (Israel) said he believed that the Committee had not been successful in reconciling diverging views.

The Committee adjourned until tomorrow at 10:30 a. m., when it is expected to begin consideration of the Report of the Trusteeship Council (Doc. A/2150).

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S/A files, lot 53 D 65, "UNGA 1952—4th Committee"

*Memorandum by an Adviser of the United States Delegation to the General Assembly (Cargo)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK, December 9, 1952.]

Subject: Composition of the *Ad Hoc* Committee on Factors

In a meeting of the Administering Powers, called by Australia and the United Kingdom, held on December 5, 1952, the United Kingdom strongly urged that since difficulties were being encountered in finding a fifth administering member for the Factors Committee, all administering members should agree to refuse to serve on the Committee. In the ensuing discussion Ambassador Muccio expressed opposition to this suggestion. Ryckmans also recognized that, if such an attitude of non-cooperation were adopted the Administering Powers would be in an indefensible position since that would be, in effect, refusing a balanced committee after this had been freely offered to them by the non-administering members. Australia also opposed the suggestion. It was evident that Denmark and New Zealand were not much in sympathy with the proposal for non-cooperation, although they were prevented from saying so directly by the fact that the instructions which they had precluded them from serving on the Committee. The issue was left unresolved, with the understanding that the Administering Powers would consult their governments further on the basis of the factors which had emerged at the meeting. The New Zealand representative who was *rapporteur* of Committee 4, reported that the Chairman of Committee 4 also rather hoped for an opportunity to nominate an unbalanced committee and to break the precedent which he apparently regards as unfortunate.

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<sup>1</sup> Addressed to Philip C. Jessup and Charles A. Sprague of the U.S. Delegation to the General Assembly and the following advisers to the Delegation: Ambassador John J. Muccio, O. Benjamin Gerig, Curtis C. Strong and E. P. Noziglia. Ambassador at Large Jessup was the U.S. spokesman in the Fourth Committee, with the assistance of Ambassador Muccio.

Subsequently, on December 8th Dr. Lannung told Mr. Cargo that he had discussed the situation with both New Zealand and the United Kingdom on the day following the meeting, and that the United Kingdom had agreed to serve as the fifth administering member. This decision was announced by the Chairman of Committee 4 at the meeting of the Committee on the morning of December 8th.

This episode seems to illustrate rather clearly the desire on the part of certain Administering Powers to find a basis for non-participation in colonial questions in the United Nations and, in particular, their strong desire to associate the United States in such efforts.

W[ILLIAM] I. C[ARGO]

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IO files, US/A/3549

*United States Delegation to the General Assembly Plenary Position Paper*<sup>1</sup>

CONFIDENTIAL

[NEW YORK, December 9, 1952.]

DRAFT RESOLUTION VI: FACTORS WHICH SHOULD BE TAKEN INTO ACCOUNT IN DECIDING WHETHER A TERRITORY IS OR IS NOT A TERRITORY WHOSE PEOPLE HAVE NOT YET ATTAINED A FULL MEASURE OF SELF-GOVERNMENT

1. UNITED STATES POSITION

The United States should vote against the resolution on this subject (Resolution VI) in the form recommended by the Fourth Committee.

This resolution provisionally approves an annexed list of factors to serve as a guide both for the General Assembly and for the Administering Members in deciding whether a territory has or has not attained a full measure of self-government. It also provides for a new *Ad Hoc* Committee on Factors to carry on a further study.

The United States voted against this resolution in Committee Four because the resolution contained two principles which we could not accept. The first of these is the clear implication in the resolution that the Administering Authority and the General Assembly jointly decide when a territory is no longer non-self-governing. The other is the principle of the indivisibility of autonomy. That is the concept that in order to qualify as self-governing, a territory must have achieved a

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<sup>1</sup> Plenary position papers were always prepared for the instruction of the U.S. Delegation's voting. They were drafted by the delegation staff in consultation with the delegation members, in light of the situation obtaining after final action had been taken on a given agenda item by the appropriate committee, in this case the Fourth Committee. This documentation ordinarily is found only in the documentation of IO file, lot 71 D 440, "General Assembly Delegations (1946-1965)".

full measure of self-government in all fields, i.e., in social, economic, educational and political affairs, including, presumably, responsibility in relation to defense and foreign affairs.

If this resolution is voted paragraph by paragraph, the United States should vote as follows:<sup>2</sup>

1st	preambular paragraph	-	Yes
2nd	" "	-	No
3rd	" "	-	Yes
4th	" "	-	Yes
5th	" "	-	No
6th	" "	-	Yes
1st	operative paragraph	-	No
2nd	" "	-	Yes
3rd	" "	-	Yes
4th	" "	-	No
5th	" "	-	Abstain
6th	" "	-	Yes
7th	" "	-	Abstain
8th	" "	-	Yes
9th	" "	-	Yes

It will not be necessary for the United States to make a statement on this resolution or to explain its vote.

## 2. HISTORY IN COMMITTEE

This resolution was introduced in connection with the Fourth Committee's discussion of the report of the *Ad Hoc* Committee on Factors. After several amendments were accepted and following a paragraph by paragraph vote, the resolution was adopted by a vote of 34-12 (U.S.)-8.

## 3. POSSIBLE DEVELOPMENTS IN PLENARY

It is anticipated that this resolution recommended by the Fourth Committee will be adopted without difficulty and without discussion.

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<sup>2</sup> With reference to the *operative* paragraphs listed below, see the nine paragraphs enumerated in the UN Secretariat's Press Release GA/T/224, Nov. 18, p. 1290.

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ODA files, lot 62 D 225, "Committee 4"

*Memorandum Prepared in the Office of Dependent Area Affairs*

[WASHINGTON,] January 9, 1953.

## FOURTH COMMITTEE ITEMS AT THE SEVENTH GENERAL ASSEMBLY

The Fourth Committee of the Seventh General Assembly held 65 meetings and adopted 15 resolutions. In the Committee the United States voted for 9 of these, against 5, and abstained on 1. In the

Plenary the United States was able to support 11 out of the 14 resolutions finally adopted, as 2 of those against which it had voted in Committee Four (the Ewe resolution and the resolution on the renewal of the Non-Self-Governing Territories Committee) were satisfactorily amended, and 1 (the Wa-Meru resolution) was rejected, failing to obtain the necessary two-thirds majority.<sup>1</sup>

#### PRINCIPAL ISSUES IN COMMITTEE IV

1. *Renewal of the Committee on Information:* Sentiment in Committee Four was sharply divided between the majority who preferred the renewal of the Committee for an indefinite period and those Administering Authorities who were opposed to the continuation of the Committee. At the Committee stage, the United States and Venezuela took the lead in endeavoring to secure a compromise between the 2 extremes by seeking to renew the Committee for successive three-year periods. The advocates of an indefinite continuation of the Committee were successful in Committee Four (40-12(U.S.)-2). However, strong statements by the United Kingdom, Belgium and France, pointing out that they could not participate in such a Committee, led the Plenary to reject the idea of a permanent Committee by a vote of 11-18(U.S. Administering Authorities)-30 and approve a simple continuation of the Committee for three years.

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<sup>1</sup> The summary records of the Fourth Committee and the General Assembly are published by the United Nations at New York in the *Official Records of the General Assembly* (session as appropriate; in this case the Seventh Regular Session). A rich source is the *Annexes* which are printed for each General Assembly session. These include individually printed fascicules of as many pages as required to set forth a complete legislative history of each agenda item, with texts of important documents and a check list of all relevant documentation. Taking the subjects reported in the instant document as an example, the reference source for paragraphs numbered 1, 2, and 3, would be United Nations, *Official Records of the General Assembly, Seventh Session, Annexes*, fascicule for agenda item 33. This was a composite of 17 pages covering agenda items 33-36, all relating to information from non-self-governing territories under Article 73(e) of the United Nations Charter; there was additionally a second fascicule for agenda item 36 containing the Report of the *Ad Hoc* Committee on Factors (Non-Self-Governing Territories). Continuing with the subjects of the instant document, there were fascicules in the 1952 *Annexes* for numbered paragraphs 6, 7, and 8, as follows: agenda item 32 (Ewe and Togoland unification question), agenda item 31 (administrative unions), and agenda item 38 (South West Africa). There were none for numbered paragraphs 4 and 5, as these were not inscribed items on the agenda.

Many of the events relating to non-self-governing territories and trusteeship question, at this as at other General Assemblies, were not reported separately by the U.S. Delegation and were included in the mass of detail making up the daily telegraphic summaries from the delegation to the Department of State. These are divided in the Department of State files between classified and unclassified summaries, are located in file 320, and include reporting on public events at the United Nations and official conversations between members of the U.S. Delegation and advisory staff and their counterparts in other national delegations. In respect of this particular General Assembly, there is also a complete collection of memoranda of conversations in which Ambassador Jessup was engaged or in which he had a direct interest, in the UNP files, lot 60 D 268.

2. *Factors and Cessation:* The Assembly has long considered itself competent to formulate guidance for Administering Authorities on the factors to be taken into account in the determination of when a territory ceases to be non-self-governing. The question of the General Assembly's competence and role in relation to such a decision had been avoided until this session. The resolution adopted by the Fourth Committee (34-12 (U.S.)-8) on the report of the Factors Committee clearly implies that the General Assembly shares with the Administering Authority competence to decide whether a territory is or is not non-self-governing. This resolution was adopted in Plenary by a vote of 36-15 (U.S.)-7. On a related subject, the question of the cessation of transmission of information on Surinam and the Netherlands Antilles, the Fourth Committee referred the matter to the new Factors Committee (29-0-13 (U.S.) to consider in the light of the Factors resolution. The Plenary vote was (55-0-4 U.S.). The United States abstained because of the unacceptable principles embodied in the Factors resolution.

3. *Participation of Indigenous Inhabitants:* Committee Four adopted 2 resolutions on this subject, 1 applicable to the Non-Self-Governing Territories Committee (40-10 (U.S.)-4) and the other to the Trusteeship Council (25 (U.S.)-1-24). The United States voted against the first of these resolutions because it refers to "direct participation" of "representatives" of non-self-governing territories in the work of the Committee. The United States believes that the best means of associating non-self-governing and trust territories more closely with the work of the United Nations is by expanding the practice of attaching suitably qualified indigenous persons to the delegations of Administering Members. The United States was able to support the resolution directed to the Trusteeship Council because it reflected this position. The Plenary vote on the Non-Self-Governing Territories Committee Resolution was (43-11 (U.S.)-4) and on the Trusteeship Council Resolution 36 (U.S.)-1 (Belgium)-19).

4. *Oral Hearings:* The question of the granting of oral hearings in Committee Four to petitioners from trust territories became acute at the Seventh Session when the Committee indiscriminately granted hearings to all who applied, in most cases without first examining the credentials of the petitioners or determining the nature of their complaint. The United States took the position that an orderly procedure should be established for granting such hearings and that in general oral hearings should be dealt with at least in the first instance, by the Trusteeship Council. Some Administering Authorities maintained that the way in which oral hearings were conducted by the Fourth Committee this year constituted participation by indigenous inhabitants of the trust territories in the work of the General Assembly. An additional problem for the United States involved the issuance of

visas to the invitees, some of whom were ineligible for admission to the United States as ordinary visitors.<sup>2</sup>

5. *The Wa-Meru Question:* The most difficult of the oral hearings involved a section of the Wa-Meru tribe of Tanganyika which was forcibly evicted from its land by the Government of Tanganyika as part of the implementation of a land re-allocation scheme in that territory. This group petitioned the Trusteeship Council, were granted an oral hearing and appealed to Committee Four when they considered that the Trusteeship Council Resolution had not given them full satisfaction. The discussion of this petition in Committee Four was conducted in a very emotional atmosphere, frequently critical of the Trusteeship Council. The Committee adopted a resolution by a vote of (32-17(U.S.)-3) inviting the Administering Authority to return the lands. In the Plenary this resolution, as well as a substitute resolution supported by the U.S., which expressed regret at the action taken by the Administering Authority and emphasized the need for full compensation and other ameliorative steps, without asking for the restoration of the land, each failed to achieve the necessary  $\frac{2}{3}$  vote. The Committee text failed by a vote of (28-20(U.S.)-10) and the substitute text was thereafter defeated by a vote of 21(U.S.)-21-16).<sup>3</sup>

6. *Ewe and Togoland Unification Question.*—The United States introduced a resolution on this question in the Committee the principal objective of which was to bring about the re-establishment of a Joint Council for Togoland Affairs in which all local political groups would participate. Several amendments to the United States draft were adopted which rendered the final Committee draft unacceptable to the United States. The most extreme of these, introduced by Guatemala, provided for negotiations by the United Kingdom and France to establish a single trusteeship for a unified Togoland. The Committee

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<sup>2</sup> As this item was not originally on the General Assembly's agenda, no Department position paper was prepared on the subject; a plenary position paper, Doc. US/A/3572, Dec. 20, 1952 (IO files, lot 71 D 440) relates to a specific rather than a general question, that of hearings of petitioners from the Trust Territory of the Cameroons under French administration.

Regarding the visa aspect of the question, the U.S. Government from the outset sought to speed up the processing of visa applications of those who had been granted oral hearings by the Fourth Committee and a rather extensive exchange of cables resulted on this between the Department of State and the field (Accra, Paris, Rome, Dakar, Lagos, Addis Ababa, Cairo, Leopoldville, Dar es Salam, Nairobi, and the Mission at the United Nations). For certain details on this problem, see the Gerig memorandum of Mar. 13, 1953, p. 1307. Rather full documentation is found in the ODA files, lot 62 D 225, "Visa Applications—Oral Hearings". There is a scattered documentation on this subject in the S/A file, lot 53 D 65, "UNGA 1952—4th Committee".

<sup>3</sup> A useful file of published and unpublished documents is in the ODA files, lot 62 D 225, "Wa-Meru." Telegraphic reporting is in the daily unclassified summaries; see particularly an extended report of Committee 4 meetings on Dec. 3, 1952, daily unclassified summary No. 117, telegram Delga 311, Dec. 3, 1952, 11:40 p. m. (320/12-352). A useful document in ODA files, lot 62 D 225 is the Office of Intelligence Research's Report No. 5946 of Feb. 24, 1953, entitled "*Native Interests and Land Distribution in East Africa: A Case Study.*"

adopted this resolution by a vote of 29-10 (U.S. Administering Authorities) -10. In the plenary the Guatemalan paragraph was deleted by a vote of 18-22 (U.S.) -18, and the text was otherwise improved by amendment. As a result the United States, as well as the United Kingdom and France, supported the amended resolution, which was adopted by a vote of 55-0-3 (Belgium, Norway, Peru).

7. *Administrative Unions.*—This question, which has been a troublesome one in a number of previous sessions, had a most satisfactory outcome this year. Largely due to US initiative the resolution proposed by the General Assembly's Committee on Administrative Unions was comprehensive, reasonable, and acceptable to us. This resolution, with minor modifications, was adopted in the Fourth Committee by a vote of 43-5 (Soviets) -3 (Belgium, Luxembourg, South Africa) and in the plenary by a vote of 49-5 (Soviets) -1 (Belgium). The controversial proposal initially made by Brazil to refer the question of administrative unions to the ICJ was not pressed to a vote.

8. *South West Africa.*—Consideration of this controversial question was, as the result of a suggestion made by Brazil, postponed until the Eighth Session and life of the *Ad Hoc* Committee on South West Africa was extended. The postponement resolution, which the U.S. and El Salvador joined Brazil in sponsoring, was adopted in Committee by a vote of 27-8-5, and in plenary by a vote of 45-2-8.

#### OTHER ISSUES

Assembly action on other issues is summarized below. The U.S. voted for all of these resolutions.

a. Social Conditions in Non-Self-Governing Territories (resolution approving the NSGT Committee's report on social conditions)—adopted in plenary by a vote of 45-5 (Soviets) -2 (Belgium, France).

b. Racial Discrimination in Non-Self-Governing Territories (resolution recommending steps to abolish all discriminatory practices in such territories)—adopted in plenary by a vote of 51-0-1 (South Africa).

c. Educational, Economic, and Social Policies in Non-Self-Governing Territories (resolution involving reporting by the Administering Authorities on their implementation of NSGT Committee reports)—adopted by a vote of 47-2 (Belgium, France) -8.

d. Report of the Trusteeship Council (resolution noting this report)—adopted by a vote of 46-0-5 (Soviets).

e. Hearing of petitioners from the Trust Territory of Cameroons under French Administration (resolution referring action on this matter to the Trusteeship Council)—adopted by a vote of 38-0-6 (Soviets, France).

f. Hearing of Petitioners from the Trust Territory of Somaliland under Italian Administration (resolution referring action on this matter to the Trusteeship Council)—adopted by a vote of 47-1 (Belgium) -10.

## GENERAL CONCLUSIONS

While it is difficult to generalize as to the trends which characterized the Fourth Committee this year, it is clear that the U.S. has found it increasingly difficult to persuade the Committee to take moderate "middle ground" action. On many Fourth Committee issues the middle ground between the traditional colonial powers and the more critical non-administering members has diminished, sometimes practically to the vanishing point. The moderate group in this Committee, which fluctuates in composition, is frequently neither sufficiently large nor well organized to carry moderate or compromise proposals. Furthermore, it generally emerges only during the course of the session in reaction to extreme proposals. The Charter requirement of a two-thirds majority for plenary decisions on trusteeship questions acts as a restraining factor and at this session was a vital element in preventing the adoption of certain proposals highly prejudicial to the Administering Members, which might well have restricted their further participation in this aspect of UN work. It is evident that efforts must be made to strengthen this safeguard and extend its application to the increasingly important questions arising in the field of non-self-governing territories. In conclusion, however, it can be said that a number of difficulties foreseen for this session of the Fourth Committee were avoided and that the U.S. middle position achieved certain successes in terms of the resolutions finally adopted. The U.S. also succeeded in retaining a considerable degree of prestige and sympathy among a large number of the non-administering countries.

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320.14/1-2053

*The Secretary-General of the United Nations (Lie) to the Secretary of State*<sup>1</sup>

No. TRI 135/01

UNITED NATIONS, NEW YORK.

The Secretary-General of the United Nations presents his compliments to the Secretary of State of the United States of America and, in accordance with the resolution adopted by the General Assembly on 10 December 1952, has the honour to invite His Excellency's Government to transmit to him in writing, by 1 May 1953, a statement of the views of the Government on the subjects contained in the terms of reference of the *Ad Hoc* Committee which is instructed to continue and carry out a more thorough study of the factors which will have to be taken into account in deciding whether a territory has or has not attained a full measure of self-government.

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<sup>1</sup> Forwarded to the Department by the Mission at the United Nations in its despatch 472, Jan. 20, 1953; not printed (320.14/1-2053).



A memorandum setting forth the details relating to the problems on which statements are invited is attached.

15 JANUARY 1953.

[Attachment]

MEMORANDUM ON THE FACTORS TO BE TAKEN INTO ACCOUNT IN DECIDING WHETHER A TERRITORY HAS OR HAS NOT ATTAINED A FULL MEASURE OF SELF-GOVERNMENT

By resolution of the General Assembly adopted on 10 December 1952 an *Ad Hoc* Committee of ten members, comprising Australia, Belgium, Burma, Cuba, Guatemala, Iraq, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela, was appointed in order to continue and carry out a more thorough study of the factors which will have to be taken into account in deciding whether a territory has or has not attained a full measure of self-government.

In its terms of reference the *Ad Hoc* Committee is invited to take into account, *inter alia*, the list of factors (A/2178) prepared in 1952 by the *Ad Hoc* Committee set up under General Assembly resolution 567 (VI) and the statements transmitted by governments in compliance with the aforementioned resolution and, further, to take into account the following additional elements:

- (a) The possibility of defining the concept of a full measure of self-government for the purposes of Chapter XI of the Charter;
- (b) The features guaranteeing the principle of the self-determination of peoples in relation to Chapter XI of the Charter;
- (c) The manifestation of the freely expressed will of the peoples in relation to the determination of their national and international status for the purposes of Chapter XI of the Charter.

Paragraph 8, of the resolution of 10 December 1952 invites the Members of the United Nations to transmit in writing to the Secretary-General, by 1 May 1953, a statement of the views of their Governments on the subjects contained in the terms of reference of the Committee.

Paragraph 9, of the resolution of the General Assembly also requests the Secretary-General to convene the *Ad Hoc* Committee so that it may begin its work not later than four weeks before the opening of the 1953 session of the Committee on Information from Non-Self-Governing Territories. The Secretary-General will accordingly send in due course a notification informing the Governments concerned of the date and place of the meeting of the *Ad Hoc* Committee.

Attention is also drawn to the resolution adopted by the General Assembly on 20 December 1952 as regards the cessation of the transmission of information under Article 73e of the Charter in respect of

the Netherlands Antilles and Surinam. This resolution in its operative part decides that the *Ad Hoc* Committee should examine carefully in 1953 the document submitted by the Netherlands Government relating to this matter, in the light of the aforementioned resolution on factors, and report to the Assembly at its eighth regular session.

The text of both of the above-mentioned General Assembly resolutions is enclosed.

As may be noted, to the resolution of 10 December 1952 (document A/2296) an annex is attached containing (a) a list of factors indicative of the attainment of independence, (b) a list of factors indicative of the attainment of other separate systems of self-government, and (c) a list of factors indicative of the free association of a territory with other component parts of the metropolitan or other country.

Other documents which may be found relevant are the following:

(i) part four of the report of the Special Committee on Information transmitted under Article 73 *e* of the Charter (Document A/1836);

(ii) the report of Sub-Committee 9 appointed by the Fourth Committee at the sixth regular session of the General Assembly to study the question of factors and the report of the Fourth Committee to the General Assembly at its sixth regular session (Document A/2057);

(iii) the report of the *Ad Hoc* Committee on Factors (Non-Self-Governing Territories) (Document A/2178) which records the views expressed by various members of this Committee in 1952 and lists a number of factors which will have to be taken into account in deciding whether a Territory has or has not attained a full measure of self-government;

(iv) the replies of the Governments laid before the 1952 *Ad Hoc* Committee and the working papers prepared by the Secretariat (documents A/AC.58/3, A/AC.58/4 and A/AC.58/5).

It may be recalled that the Special Committee on Information examined during its 1951 session the documentation on the subject of factors submitted for its consideration and comprising:

(v) documents A/AC.35/L.8 and A/C.4/L.112 which are now incorporated in Chapter III of Volume I of the Summaries and Analyses of Information transmitted to the Secretary-General during 1950, and

(vi) documents A/AC.35/L.30 and A/AC.35/L.30/Add.1, including a summary of the points raised in the determination of a Non-Self-Governing Territory from the San Francisco Conference to the fourth session of the General Assembly and of citations from commentaries made by various authors on the interpretation of the Charter of the United Nations.

ODA files, lot 62 D 225, "Colonial Policy, General, 1953"

*Memorandum by Edward P. Noziglia of the Office of Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON,] January 19, 1953.

#### THE COLONIAL ISSUE AND THE UNITED NATIONS

Belgium is very sensitive regarding the effect that statements made in the United Nations and actions taken by that Organization may have on the Belgian Congo and the Trust Territory of Ruanda-Urundi. This is understandable in terms of the vast importance of the Congo to the Belgian economy. It is 80 times the size of metropolitan Belgium and one-fourth the size of Europe. It is rich in copper, cobalt, palm oil, gold, industrial diamonds, tin and uranium.

The colonial policy of Belgium is, however, frequently criticized for being out of step with what is considered by many to be an enlightened colonial policy. The Belgian policy lays greatest emphasis on the social and economic development of the territory and very little emphasis is placed on political development and education for administration and management. To the critics of Belgian policy this contrasts unfavorably with the situation in most British territories where the development of self-government is encouraged. The Belgians are convinced of the wisdom of their policy, but this conviction has not made them less sensitive to criticism. In defense of their policy they assert that it has contributed to the economic and social betterment of the inhabitants and has enabled Belgium to keep its territories freer from internal disorders than any other part of Africa.

Although good working relations between the Belgian and United States Delegations to the United Nations are maintained, Belgian public opinion is often critical of United States positions in the United Nations discussions of colonial problems. Belgians are quick to point out the critical importance of the Congo's raw materials to the defense of the free world and to the economic stability of Belgium. It appears to many Belgians that United States support of United Nations action in the dependent area field is incongruous with its efforts to build up a strong, free Europe.

1. Belgium is regarded as the most conservative of the eight colonial powers in the United Nations.

*a.* Of 10 resolutions before the 1952 General Assembly relating to Non-Self-Governing and Trust Territories, on which the United States voted affirmatively, Belgium voted affirmatively on only 4. The only other colonial power with as negative a voting record was France; however, its position was in some cases more flexible. The United Kingdom voted affirmatively on 8 of these 10 resolutions.

*b.* For example, re higher education, while hundreds of inhabitants of British colonies in Africa attend foreign universities (outside of the

metropolitan country), none of the inhabitants of the Belgian territories do so and only a handful study in Belgium, and this is a part of a deliberate policy. Following the recent announcement of a U.S. offer of fellowships and scholarships for inhabitants of trust territories, made pursuant to a General Assembly resolution, officials of the colonial administration in the Belgian Congo have indicated to United States officers that they do not wish the offer to be publicized in the Belgian trust territory.

2. The Belgian Government is particularly sensitive to anything that appears like United Nations interference or criticism of their administration of the Congo and of the Trust Territory of Ruanda-Urundi, and interpret their obligations under the Charter in a very restricted manner.

*a.* A two-day talk on colonial policy was held with the Belgians in 1950 in which an attempt was made to persuade them to follow a more positive and cooperative line in United Nations Committees. These talks were not as productive as similar talks with the French and British. Subsequent talks have been held with the British and French but not with the Belgians.

*b.* The Belgian Government tends to give only the minimum of information in their reports to the United Nations required under Chapter XI of the Charter. In particular, the Belgian view of the requirements of Article 73(*e*) of the Charter is very narrow. They maintain that technical information is all that is required to be submitted to the U.N. and that for information purposes only. They have consistently opposed the Committee on Information from Non-Self-Governing Territories established by the General Assembly to discuss the information transmitted. At a dinner conversation with Ambassador Jessup during the Seventh General Assembly the Belgian Representative stated that his Government now considered it a mistake to ever have participated in the Committee. On the specific issue of renewing the Committee he hoped that the Assembly would adopt an unacceptable resolution so that Belgium could more easily take the decision not to continue their participation. This attitude was characteristic of the Belgian Delegation in regard to other proposals before Committee Four.

*c.* The Belgian Government is particularly sensitive regarding any resolution which would give the indigenous inhabitants of the territories greater participation in the work of the United Nations Committees. The Belgian Representative in Committee Four took a serious view of the granting of oral hearings by the Fourth Committee, maintaining that it constitutes participation of indigenous inhabitants in the work of the General Assembly.

*d.* The Belgian Government also fears any move in the United Nations which would stress a time period within which independence might be achieved.

3. The attitude of the Belgian authorities is well exemplified in a speech given on February 12, 1952 by Mr. Fernand Van Langenhove

at the Belgian-American Association in Brussels. In this speech the following points *inter alia* were made :

- a. The importance to the Belgian economy of the Belgian colonies.
- b. That many anti-colonial countries with large unassimilated indigenous peoples continue to criticize Belgium and other colonial powers while their own native populations are less well treated.
- c. That there is a tendency for liberal United Nations Members to fall unwittingly into allies of Soviet imperialism, which is paradoxical.

4. The Belgian Representative in Committee Four has recently been employing a tactic of counterattack. He maintains that the scope of Article 73 of the Charter should be widened to include the aboriginal populations in many countries who have not achieved the same degree of civilization as the rest of the population. This has proved to be an unpopular thesis among those Members of the United Nations, chiefly Latin Americans, which include such populations within their territory. It is difficult to determine to what extent, if any, Mr. Ryckmans' efforts to have this thesis accepted has led to the abatement of anti-colonial criticism, which is its obvious purpose.

5. The importance which Belgium attaches to colonial problems in the U.N. is testified to by the assignment of such an important figure as Mr. Pierre Ryckmans, formerly Governor-General of the Belgium Congo and presently Director of Belgium's Atomic Energy Commission, to be its representative on the Trusteeship Council and in the Fourth Committee. Although Mr. Ryckmans' position with respect to colonial issues is very unpopular among the non-administering Members of the United Nations, he is held in high respect. His working relations with United States Delegations have always been most cordial and friendly.

6. Although the Belgian Ambassador took an occasion to approach the Department to note "with surprise the attitude adopted by the United States Delegation at the Sixth Assembly of the United Nations on the adoption of various resolutions . . .", it is not expected that a similar *démarche* will be forthcoming as a result of the Seventh General Assembly. Close working relations with the Belgian Delegation at the Seventh General Assembly indicate that they appreciate the reasons for the position on colonial problems which the United States has pursued.

ODA files, lot 60 D 257, "Colonial Policy"

*Memorandum Prepared in the Office of Dependent Area Affairs*

RESTRICTED

[WASHINGTON, February 17, 1953.]

UNDERLYING ISSUES IN UNITED NATIONS CONSIDERATION OF  
COLONIAL QUESTIONS

1. What are the respective basic assumptions of the principal administering and non-administering powers as they emerge in United Nations consideration of colonial questions?

2. To what extent have the colonial powers become accountable to the United Nations for their colonial administrations?

*a.* Has Chapter XI modified the constitutional relationship of administering authorities to their colonies?

*b.* "Political information" question (transmission of, discussion of, recommendations concerning).

*c.* Force and effect of "recommendations" of UN bodies.

3. To what extent do the powers which have not reported under Chapter XI nevertheless have responsibilities to the United Nations for population groups under their control who do not participate in their political processes (i.e., who are not fully self-governing)?

*a.* What constitutes a non-self-governing people under Chapter XI?

*b.* What attitude should the U.S. adopt toward the Belgian thesis?

4. To what extent is it proper for the United Nations to involve itself in the decision of the administering (colonial) power to shift one of its territories from non-self-governing (colonial) status to self-governing status and consequently to cease transmitting information on it to the United Nations?

*a.* "Factors" and "cessation" question

*b.* "Puerto Rico" question

*c.* Hawaii and Alaska

5. What is the proper role of the UN in promoting international respect for the concept that all peoples have the right to determine their own destinies?

*a.* Self-determination question.

6. How can the U.S. reconcile its security interest under NATO with its traditional policy of sympathy for the aspirations of non-self-governing peoples for self-government, and our need to retain the friendship and support in the East-West struggle of the anti-colonial states and peoples of the world?

*a.* Tunisia

*b.* Morocco

*c.* Cyprus

7. To what extent should the U.S. exercise pressure on the European states administering Caribbean territories to improve conditions in nearby areas in order to avert dangerous subversive movements there?

8. What is the U.S. interest in the present condition and future development of the Melanesian and Polynesian peoples of the South Pacific, e.g.

- a.* Question of Netherlands New Guinea
- b.* Use of South Pacific Commission

9. To what extent and in what manner shall the colonial population play a part in UN consideration of colonial questions?

- a.* Participation in TC, NSGT Committee, etc.
- b.* Oral hearings

10. What is the appropriate role of the General Assembly in relation to the Trusteeship Council?

*a.* Should the principle of balance in the Trusteeship Council be rendered nugatory by the General Assembly?

*b.* What should be the respective roles of the Trusteeship Council and the General Assembly in matters of oral hearings?

*c.* To what extent should the General Assembly make recommendations directly to the administering authorities of Trust Territories instead of through the Trusteeship Council?

11. To what extent shall UN machinery not provided in the Charter be established to deal with colonial questions?

- a.* Renewal of NSGT Committee
- b.* UN plebiscites in non-self-governing territories and trust territories re self-determination
- c.* Visits to non-self-governing territories

12. What policy should the U.S. follow toward the integration of colonial areas with special reference to:

- a.* The Ewe question
- b.* The Cameroons unification question
- c.* Administrative unions affecting trust territories
- d.* Integration of Guam and the Trust Territory of the Pacific Islands
- e.* Unification of the Samoas
- f.* Federation of British Caribbean areas
- g.* South West Africa question
- h.* Central African Federation
- i.* Integration of the Somali Areas of East Africa
- j.* Integration of French territories in West and Equatorial Africa

13. What position should the U.S. take regarding the development of multi-racial societies in colonial areas?

- a.* French North Africa (Arab, Berber, European)
- b.* East and Central Africa (African, European, Asian)

- c. Malaya (Chinese, Indian, Malay)
- d. Fiji (Indian and Fijian)

14. To what extent is it feasible for the U.S. to go beyond the strict requirements of the Charter re colonial questions in order

- a. to win the sympathies of the colonial peoples,
- b. to move the colonial powers to make more rapid progress in orderly development self-government,
- c. to have more influence in the UN majority, and
- d. to take the initiative away from the Soviets?

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ODA files, lot 62 D 225, "Visa Applications—Oral Hearings"

*Memorandum Prepared in the Office of Dependent Area Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, March 13, 1953.]

PROBLEM

The problem is to explore possible ways for speeding up the processing of visa applications of individuals who have been granted oral hearings by United Nations bodies.

BACKGROUND

During the Seventh Session of the General Assembly the Fourth Committee granted oral hearings to representatives of eleven groups of petitioners from trust territories in Africa, inviting them to present their cases in the Committee during the course of the session. Most of the petitioners who appeared before the Fourth Committee had no difficulties in securing the regular United States non-immigrant visa 3(2); however, the issuance of visas to Ruben Um Nyobe, representative of the *Union des Populations du Cameroun*, and Abdullahi Issa, of the Somali Youth League, was delayed for a considerable length of time. This was because these two representatives, or their respective organizations, had in the past been associated with communist organizations and therefore were not eligible to enter the United States under the Internal Security Act of 1950, then in force. The following paragraph discusses these two cases in some detail.

*Union des Populations du Cameroun*

On October 22, 1952, the Fourth Committee agreed to an oral hearing for the *Union des Populations du Cameroun*, which subsequently designated Mr. Ruben Um Nyobe as its representative. Upon receipt of this information, the Department sent a telegram (no. 45, September 27 [October 28], 1952) to the Consulate General in Leopoldville,

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<sup>1</sup> Transmitted by the Director of the Office of Dependent Area Affairs (Gerig) to the Chief of the Division of International Administration (Henderson), under cover of a memorandum of Mar. 13, 1953.



Belgian Congo, informing it of the Committee's action and stating that the Department "was anxious to avoid any responsibility for delay." On November 10 the Embassy in Paris (telegram no. 2871) informed the Department "was anxious to avoid any responsibility for delay". that ninth proviso action be sought. However, it was considered that no action could be initiated by the Department until the United States received from the Secretary General of the United Nations official notification of the Committee's invitation of Nyobe. Such notification, dated November 10, 1952, was received at USUN on November 15, 1952; however, its form was not entirely satisfactory since it did not indicate that Nyobe was considered by the Secretariat as an "invitee" within the meaning of section 11(5) of the Headquarters Agreement. It was only by the Secretariat note of November 18 that the United States was definitely advised that Nyobe was considered to be covered by section 11(5).

Upon receipt of the official confirmation by the Secretariat, on November 18, UNI initiated a security check through SY, the purpose of which was to enable the Department to determine definitely whether the visa applicant was admissible under present immigration statutes. The check was completed on December 4, 1952, and a letter to the Attorney General requesting ninth proviso action was dispatched on December 5. Action was taken by the Attorney General on December 9, 1952 and Nyobe's visa issued on December 11. On December 17 Nyobe appeared before the Fourth Committee.

#### *Somali Youth League*

The Somali Youth League was voted an oral hearing by the Fourth Committee on November 6, 1952 and designated Abdullahi Issa as its representative. On November 15 the Embassy in Cairo (OMV 34) informed the Department that Issa might require ninth proviso action. However, as in the above case of Ruben Um Nyobe, it was deemed that no action could be taken until the United States received official confirmation of the invitation from the Secretariat. This notification in its final form was received on November 18 and the Department's security check of Issa completed on November 28. On December 2, the letter requesting ninth proviso action was sent to the Attorney General, who approved the granting of Issa's visa on December 9. The Department transmitted this information to Cairo by telegram no. 1188, dated December 9, and the visa was issued on December 11, 1952. Issa appeared before the Fourth Committee on December 19, 1952.

#### *Difficulties encountered in the proceedings of visa applications in 9th proviso cases*

It is apparent that the Department was considerably handicapped by the Secretary General's delay in officially notifying the United States that the hearings had been granted. Most of the delay, however,

resulted from the complex procedures for the processing of visas in ninth proviso cases. The hearings for Nyobe and Issa therefore had to be repeatedly postponed, and the long delay was a source of great embarrassment to the Delegation. (USUN telegrams to Department no. 208 dated December [*November*] 17, 1952, and no. 272 dated November 26, 1952, copies of which are attached.)<sup>2</sup> On several occasions the United States representative was questioned by the representatives of Byelo-Russia and Indonesia as to the visa status of the oral petitioners. Only through the cooperation of the Chairman of the Fourth Committee (Munoz, Argentina) and the Secretary (Ralph Bunche) was the United States spared further embarrassment with attendant increased possibilities of detrimental publicity. The danger is, of course, that damaging propaganda charges may be made if the United States appears to be denying entry to a petitioner whom the General Assembly has invited to be heard. In addition, it will be recalled that the United States had set the date of December 23, 1952, as its objective for concluding the work of the Fourth Committee. If the petitioners had not received their visas, the Fourth Committee might have had to re-assemble in February, a situation for which the United States might have been held partially responsible.

*Possible Steps to Minimize Delay in Processing Visa Applications*

Set forth below are some possible suggestions to improve the procedures in the handling of visa applications of United Nations "invitees":

The Department should :

1. Immediately be informed by the Delegation of oral hearings granted to petitioners.
2. Continue its practice of sending telegrams, immediately on receipt of such information, to the appropriate consular posts advising them of invitations from the United Nations to individuals.
3. Initiate security checks of invitees immediately after receiving word of the Committee's invitation from USUN, without waiting for official notification from the Secretary General's office.
4. Consider the possibility of initiating ninth proviso action without waiting for the completion of security checks by SY in cases when there is information indicating that individuals will be found inadmissible.
5. Instruct the Delegation to keep in touch with the Secretariat to encourage prompt transmittal of the official notification of each invitation.
6. Consider the possibility of sending a letter to the Attorney General setting forth the background of the problem faced by the Department and making clear the importance of rapid action on ninth proviso cases involving United Nations invitees.

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<sup>2</sup> For telegram 208, see p. 1286; for telegram 272, see footnote 1, p. 1287.

320.14/1-2053

*Memorandum by the United States Government Addressed to the  
Secretary-General of the United Nations*<sup>1</sup>

[WASHINGTON, April 30, 1953.]

## MEMORANDUM

The United States Government takes the opportunity presented by Resolution 648 (VII), *Factors Which Should Be Taken Into Account In Deciding Whether A Territory Is Or Is Not A Territory Whose People Have Not Yet Attained A Full Measure of Self-Government*, to set forth certain views, particularly with respect to the additional elements which the General Assembly has invited the *Ad Hoc* Committee to take into account.

The United States Government considers that efforts by the General Assembly to formulate a list of factors to be taken into account can be of value to the States administering non-self-governing territories and that it can assist in determining their obligations under Chapter XI of the United Nations Charter. Such obligations have freely and voluntarily been recognized by eight Members of the United Nations and the list of factors which has been provisionally recommended by the General Assembly for consideration appears to indicate that other States might also have such obligations in relation to territories under their administration whose peoples have not yet attained a full measure of self-government. The United States wishes to call special attention to the tragic case of those peoples who enjoyed independence prior to World War II but who have since had a dependent status imposed upon them.

In United Nations discussions of the "factors" problem the United States Government has been guided by three underlying convictions which it would take this opportunity to reaffirm:

(1) It is not feasible to lay down a definition of a full measure of self-government which can be precise, absolute and all inclusive.

This conviction is based on United States experience in administering non-self-governing territories and in participation in United Nations deliberations on this subject. In the light of its own experience in administering non-self-governing territories and promoting their development towards self-government, the United States recognizes the difficulty of predicting the exact form which eventual self-government may take. In some instances complete independence is the desired goal; in others a form of integration in or association with another political entity may best accord with the freely expressed wishes of the peoples concerned. Moreover, the paths of development leading to the expressed goals of full self-government or of independ-

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<sup>1</sup> Drafted in the Office of Dependent Area Affairs on Apr. 29, 1953; forwarded to the Mission at the United Nations under instruction 240, Apr. 30, 1953 (not printed), for transmission to the Secretary-General (320.14/1-2053).

ence may vary considerably under differing constitutional systems. Even as the constitutional arrangements of sovereign States defy strict classification so the end arrangements in the evolution of non-self-governing territories cannot be predicted in terms of any particular set of factors. The record of United Nations deliberations on this subject also indicates the difficulties involved in compiling a list of factors which would be inclusive enough to take into consideration the complexities and the varieties of constitutional forms and usages extant—a list which would at the same time be definitive.

(2) No enumeration of factors can do more than serve as a guide in determining whether a territory is or is not fully self-governing and each specific case will need to be determined by the particular circumstances of that case. This conviction is borne out by the conclusion of the *Ad Hoc* Committee on Factors in 1952.

(3) Each Administering Member of the United Nations is responsible for determining the constitutional position and status of territories under its sovereignty and the decision with respect to reporting under Article 73(e) on specific territories rests solely with the Administering Member concerned.

The United States does not believe, however, that the interpretation of the expressions “non-self-governing territories” and “territories whose peoples have not yet attained a full measure of self-government” since they appear in the Charter, is a matter for unilateral determination by individual Administering Members. We believe, therefore, in view of Article 10, that the General Assembly, for example, has authority to discuss and attempt to define the above expressions, to recommend to Administering Members generally the consideration of any definition it might adopt, or even to express its opinion in general terms on the principles which have guided or may guide Members in deciding on which of their territories they will transmit information.

In its approach to the problems raised in sub-paragraphs (b) and (c) of Resolution 648(VII) the United States has always been guided by the belief that all peoples should be encouraged and assisted in developing the political, economic, social and educational bases necessary to enable them to express responsibly and freely their own views as to their destiny. The element of free choice which all peoples desire is also the paramount consideration in problems connected with the achievement of self-government. The mode of expression of the peoples' wishes may, of course, vary in accordance with existing political circumstances and constitutional arrangements and any other arrangements which the people may desire.

The United States, therefore, agrees with the conclusion of the Special Committee in 1951, that “it does not consider that any single factor or any particular combination of factors can be regarded as predominant or decisive in every case, except that the will of the people concerned, properly and freely expressed, would in all cases be the paramount factor.” Closely related to this factor is that listed as *political advancement* in Resolution 567(VI) and considered by the General Assembly in that resolution as one of two essential factors. The political advancement of the population should be sufficient to enable them to decide upon the future destiny of the territory with due knowledge. The satisfaction of these criteria would guarantee the free choice referred to, thereby assuring the exercise of the principle of self-determination for these peoples.

As to the features guaranteeing the exercise of the principle of self-determination, the United States would take this opportunity to indicate several important ones. The freedom of the individual and his ability to participate and have a voice in his government rank very high among these features. The right of an individual to freedom of speech, press, assembly, religion and the right to a fair trial are of such importance that ordinarily they should be guaranteed in basic constitutional documents. Universal adult suffrage, based on adequate educational opportunities, will enable the citizen to participate in the decisions of government. In addition to the protection of the individual afforded by constitutional guarantees, the powers of government and its procedures should be clearly defined. Free and democratic electoral processes and the independence of the judiciary are likewise important elements.

Within a nation or territory in which a *truly democratic society* exists there will prevail a climate which will nurture the healthy exercise of the principle of self-determination. At the same time that the will of the majority will prevail, adequate protection and safeguards will be maintained for minorities. Dissimilar groups living and working together will be encouraged to sublimate their differences and work out a common destiny and thereby obviate the dangers inherent in expressing the principle of self-determination in ways which might cause excessive fragmentation and consequent jeopardy to their own interest and to the security of the international community.

The will of the people of a territory in which these factors obtain can be manifested in a number of ways. The people can express their will directly through plebiscites or referenda. More often the will of the people will be manifested through the normal functioning of orderly democratic government. Political parties will make a stand on issues concerning the territories' immediate or more remote future, and the free elections of candidates to both executive and legislative offices and the consequent processes of democratic government will reflect the will of the people on this as on all other important issues. As long as a free democratic political system broadly representative of the population exists in any given territory, it will not be difficult for the people to manifest their wishes concerning their present status or even their ultimate destiny.

It will not often be necessary to have recourse to internationally supervised plebiscites when such conditions exist. In fact, overreliance on this technique might seriously impede the development of those institutions through which the wishes of a people may be expressed on the whole range of their common problems. Full encouragement should be given by the international community to the development of broadly based, democratic, domestic institutions through which the will of the people can be made known on a continuing basis. Although the development of these institutions may make resort to internationally supervised plebiscites usually unnecessary they do not preclude their use in special situations.

ODA files, lot 62 D 225, "Visa Applications—Oral Hearings"

*Memorandum by the Officer in Charge, Trusteeship Affairs (McKay)  
to the Director of the Office of Dependent Area Affairs (Gerig)*

RESTRICTED

[WASHINGTON,] May 14, 1953.

Subject: French Objections to Oral Hearings in the Trusteeship Council of Petitioners from the French Cameroons

In connection with the preparation of a position paper on the question of the hearing of petitioners from the French Cameroons at the Twelfth Session of the Trusteeship Council, I telephoned Mr. Francis Hure of the French Delegation this morning. In response to my question, Mr. Hure informed me that upon instructions from Paris the French Delegation had informed the Acting President of the Trusteeship Council, through the Secretary-General, that the French Delegation objected to the granting of oral hearings in the Trusteeship Council to representatives of the Traditional Assembly of the Douala people (T/Pet.5/L.7) and to representatives of the Bamileke people (T/Pet.5/L.9). You will recall that under Rule 80, paragraph 2, the President of the Council is authorized, between sessions of the Council, through the Secretary-General, to inform any petitioner who requests an opportunity for an oral presentation or petition that the Council will grant him a hearing at such time or place as the President may name. However, before communicating such information to the petitioner, the President "shall inquire of the Administering Authority or authorities concerned whether there are substantial reasons why the matter should first be discussed in the Council." The French notification to the UN was therefore made in response to a request from the Acting President of the Council through the Secretary-General. If the French had raised no objection, the President presumably could then have invited the petitioners to appear without consulting the Council. Since the French did object, however, the matter presumably will be discussed in the Council.

Mr. Hure said that his Government had not yet given the French Delegation detailed instructions but that, when the matter arose in the Council, he thought that his Delegation would oppose both requests for oral hearings on the grounds that the Council already has sufficient information on the subjects which the petitioners wished to discuss. In response to a further question, he stated that he thought his Delegation would be quite satisfied to have all questions relating to the French Cameroons postponed until the thirteenth session on the grounds that the next full discussion on French Cameroons problems was scheduled for that session. He hoped, however, that if the Council did take such a decision, it would not word its decision in such a way as to grant oral hearings for petitioners from the French Cameroons at the thirteenth

session. He felt that his Government would oppose such a decision as it did not want the Council to hear the petitioners at any time.

In elaborating on French thinking on the general problem of oral hearings, Mr. Hure said that his Government was increasingly concerned by the number of requests for such hearings. He implied that his Government would therefore take a more strict attitude of opposition toward oral hearings than in the past. With regard to the Cameroons unification question, for example, his Government felt that the movement was an artificial one and that the granting of oral hearings would be against the interests of the Cameroons peoples because it would only publicize the unification question and thereby stimulate further agitation and unrest in the Territory.

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350/6-253

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Cargo) to the Chief of the Division of International Conferences (Kissick)*

RESTRICTED

[WASHINGTON,] June 2, 1953.

Subject: Provision for including two inhabitants of the Trust Territory of the Pacific Islands in the U.S. Delegation to the Twelfth Session of the Trusteeship Council.<sup>1</sup>

The staff study for the Twelfth Session of the Trusteeship Council, which we sent you on April 6, 1953,<sup>2</sup> refers to the possibility of attaching a suitably qualified inhabitant of the Trust Territory of the Pacific Islands to the Delegation to the Twelfth Session of the Trusteeship Council. The staff study indicated that consideration was being given to such action pursuant to recommendations of the Trusteeship Council (Resolution 466 (XI)) and the General Assembly (Resolution 655 (VII)) and that consultations concerning the implementation of these resolutions were to be held with the Departments of the Interior and Navy.

As a result of such consultations, the Department of the Interior has by letter of May 29, 1953, from Mr. William C. Strand, Director of the Office of Territories,<sup>2</sup> nominated Mrs. Dorothy Kabua, a member of the Marshallese Congress, to serve on the U.S. Delegation. Mrs. Kabua has been recommended for this position by the High Commissioner of the Trust Territory, Mr. Frank E. Midkiff, a copy of whose letter on the matter is attached to Mr. Strand's letter.<sup>2</sup> Copies of both letters are enclosed. You will note that Mr. Midkiff considers Mrs. Kabua the inhabitant of the territory best suited to sit with the Delegation to the Trusteeship Council this year. As Mrs. Kabua does not speak

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<sup>1</sup> For documentation on the issue of U.S. nuclear testing in the Trust Territory of the Pacific Islands, see pp. 1477 ff.

<sup>2</sup> Not printed.

English, it is recommended by the High Commissioner and the Interior Department that she be accompanied to the Trusteeship Council by her son, Mr. Amata Kabua, a school teacher, who would serve as her interpreter.

For the reasons set out below, I strongly hope that it will be possible to accept the recommendations of the High Commissioner and the Department of the Interior and to attach Mrs. Kabua and her son to the Trusteeship Council Delegation for the period of the examination of this report on the Trust Territory of the Pacific Islands. All concerned recognize, of course, that the expense of attaching two inhabitants of the territory to the Delegation would be greater than anticipated. However, Mrs. Kabua and her son have been suggested for reasons cogently set forth in the High Commissioner's letter. In this connection, I should like to point out that as the Trusteeship Council did not hold a 1953 winter session the demands for funds for Trusteeship delegations this year have been considerably smaller than usual. Under these circumstances it would not appear unreasonable to devote some part of these savings on a project of such value as that recommended herein.

There are a number of reasons why the United States should implement the resolutions cited above at this time. The United States took a leading part in the Trusteeship Council and the General Assembly in securing the adoption of these two resolutions. These resolutions represent compromises between those UN Members who sought to establish some kind of separate and direct representation in the Trusteeship Council for the inhabitants of trust territories and those who opposed any closer association of the inhabitants with the work of the Council. The U.S. opposed as a matter of principle any such direct representation and strongly contended that the attaching of inhabitants to the Delegations of the Administering Members would provide a desirable kind of closer association of inhabitants of trust territories with the work of the TC without derogating from the full responsibility of the Administering Authorities for the international affairs of these territories during the period of trusteeship. If, however, no administering authority implements these resolutions at the Council's forthcoming session, the only session scheduled before the next session of the General Assembly, it is likely that further efforts will be made in the Assembly to recommend some kind of representation for trust territory inhabitants unacceptable to the U.S., thereby placing us in a difficult dilemma politically and at a disadvantage vis-à-vis a large part of world opinion.

An additional reason for implementing these resolutions at the Council's forthcoming session lies in the fact that particular attention will be focussed by the Council on the U.S.-administered Trust Territory of the Pacific Islands at this session. A UN Visiting Mission has



just visited the Pacific Islands, and its report, along with the annual report submitted by the United States, will be before the Council for consideration. There will also be a number of petitions (18) concerning the Trust Territory before the Council. Furthermore, it is expected that the United States will be represented on the Council by a new Representative and a new Special Representative. For the U.S. to include inhabitants of the Trust Territory on its Delegation to this session of the Council, in response to Council and Assembly Resolutions, would not only bring a favorable response from the majority of UN members but would also assist the new U.S. representatives in making a good first impression on the Council, the UN, and public opinion generally. Finally, direct experience with the workings of a United Nations body would, as pointed out by the High Commissioner, be valuable for qualified inhabitants of the Trust Territory, as well as a demonstration of the sincerity with which the U.S. carries out its trust in their behalf.

The High Commissioner indicates that it is his plan to leave Honolulu for Washington and New York on June 15, 1953. Presumably he would wish arrangements made so that Mrs. Kabua and her son could leave the Trust Territory in time to accompany his party. It is expected that briefing sessions will be held in the Department on June 19th and that the group from the Territory will proceed to New York on June 22 so as to complete preparations for their appearance before the Council, which is scheduled to take up the Pacific Islands on June 24, 25, and 26. Presuming this schedule is maintained, the presence of the Kabua's in New York would no longer be required after that period.

In order that the Department of the Interior and the High Commissioner may be informed as soon as possible of the Department's action on this matter, it would be appreciated if you could have it examined urgently and give us a reply in the near future.

W[ILLIAM] I. C[ARGO]

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320/8-1053 : Telegram

*The Secretary of State to the Embassy in Belgium*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, August 14, 1953—8:02 p. m.

PRIORITY NIACT

161. Dept informed Brussels despatch 169, August 10,<sup>2</sup> that Belgium has decided withdraw from UN Committee on Information from Non-

<sup>1</sup> Also sent for action (priority niact) to London (787), Paris (529), The Hague (210), Copenhagen (65), Canberra (26), and Wellington (22); and repeated for information to the Mission at the United Nations (61). This telegram was drafted by the Deputy Director of the Office of Dependent Area Affairs (Cargo), cleared in substance with the regional bureaus, and signed by the Deputy Assistant Secretary of State for UN Affairs (Sandifer).

<sup>2</sup> Not printed (320/8-1053).

Self-Governing Territories scheduled to convene UN Headquarters August 18. This decision would upset balanced membership of Committee and might cause serious difficulties for other administering members including US which has important item relating to Puerto Rico on agenda Committee.

*Action for Brussels:* Request you inform Belgian Government soonest at high level: (1) that US intends continue participation in Committee on Information; (2) that US deeply concerned over possible effects Belgian decision and urges its reconsideration and Belgian participation in Committee at least through forthcoming session; (3) that withdrawal of an administering member from Committee as contemplated by Belgium will upset balanced membership of Committee and will substantially diminish possibility of obtaining moderate resolutions for presentation to General Assembly; (4) that postponement of action by Belgian Government at least through forthcoming session of Committee would enable question of composition of Committee to be reviewed in GA with possibility that balanced membership could be retained; and (5) that US is presenting above views to other administering members of Committee.

*Action for other capitals:* You are requested to make known to Foreign Office above approach to Belgian Government and seek support soonest for US position.

DULLES

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320/S-1753 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*<sup>1</sup>

CONFIDENTIAL      NIACT      BRUSSELS, August 17, 1953—4 p. m.

127. Department telegram niact 161, August 14. In absence Foreign Minister and Secretary General sent urgent note August 15 to Foreign Office along lines reference telegram. This morning I discussed note fully with Poswick, who is in charge Foreign Office. He said Belgian intention to withdraw had been clearly stated in GA last December 10 and on several other occasions during last two years; that Belgian UN delegate had several days ago been instructed to give formal notification which undoubtedly is being done today if not sooner; that final decision on this matter was taken by Foreign Minister and Minister Colonies since at any review, decision could only be undertaken by two ministers concerned; and that Foreign Minister will not return from vacation abroad until near end of month. Poswick said Belgian rep-

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<sup>1</sup> Repeated by Brussels for information to London, Paris, The Hague, Copenhagen, Canberra, and Wellington; passed by the Department of State to the Mission at the United Nations at 5 p. m., Aug. 17; read by Cargo at 6 p. m.

representative will not participate in meeting of committee tomorrow, unless he attends merely to withdraw immediately.

When pressed for immediate action, Poswick said Foreign Office unable to postpone implementation its decision, although it fully appreciates US Government views on subject. Poswick is *Chef de Cabinet* to Van Zeeland and undoubtedly is accurate in his statement of Belgian position. He admitted that after return Foreign Minister, Foreign Minister and Minister Colonies may review decision, but said alteration decision rather remote.

ALGER

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320/8-1853 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*<sup>1</sup>

CONFIDENTIAL

BRUSSELS, August 18, 1953—6 p. m.

131. Department telegram 161, August 14, and Embassy telegram 127, August 17. In further discussion of Belgian decision withdraw from committee on non-self-governing territories Foreign Office official said this morning that French and UK Embassies have associated themselves with our representations.

While Foreign Office has not yet received word from its UN delegate confirming that notification of withdrawal has been given, Foreign Office official said that Belgian UN delegate does not possess authority to postpone action. Foreign Office official made personal comment that "strong pressure from Belgium's best friends" had been fully anticipated by Foreign Office.

ALGER

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<sup>1</sup> Repeated to London and Paris for information; passed by the Department of State to the Mission at the United Nations at 4:40 p. m., Aug. 18.

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353/8-3153

*The Counselor of Embassy in the Netherlands (Trimble) to the Department of State*

CONFIDENTIAL

THE HAGUE, August 31, 1953.

No. 251

Subject: Belgian Withdrawal from United Nations Dependent Areas Committee

Several members of the Netherlands Foreign Office, including the Secretary General Baron van Tuyll, have expressed surprise at the action of the Belgian Government in withdrawing from participation in the work of the Committee on Information from Non-self-govern-

ing Territories without advance notice or consultation with the Netherlands Government. The Netherlands reaction is not unexpected in view of the fact that the Benelux organization is supposed to further close consultation between the Benelux partners on foreign policy questions. Foreign Office officials believe that the lack of consultation in this connection can be explained by the apparently predominant influence in policy determination in dependent areas affairs exercised by the Belgian Ministry of Colonies. In both the Netherlands and Belgium the colonial ministries share responsibility with the Ministry of Foreign Affairs, but in the Netherlands the Ministry of Foreign Affairs largely determines United Nations policies.

The Netherlands is concerned at the present lack of balance in the Committee between the representatives of the Administering and the representatives of the Non-Administering Powers. This concern is prompted by the possibility that the Committee may adopt some resolutions or procedures contrary to Netherlands interests in the case of Netherlands New Guinea. Presumably difficulties might also arise with respect to the cessation of reporting on Surinam and the Netherlands West Indies. Several Foreign Office officials have suggested the possibility that further developments in the Committee could result in the Netherlands also withdrawing from participation in it. The Embassy, however, has been assured by these officials that if such action were contemplated the Netherlands would consult with the United States.

J. HAROLD SHULLAW  
*First Secretary of Embassy*

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320.14/8-3153 : Circular Instruction

*The Secretary of State to Certain Diplomatic Missions and Consular Offices*<sup>1</sup>

RESTRICTED

WASHINGTON, August 31, 1953.

CA-1159. Subject: Exchange of Views on the Forthcoming Eighth Session of the General Assembly

The Department desires at this time to exchange views with other Members of the United Nations about the work of the Fourth Committee (Trusteeship and Non-Self-Governing Territories) at the forthcoming Eighth Session of the General Assembly scheduled to be convened in New York on September 15, 1953. You are requested, in your discretion, to discuss with the Foreign Office the items on the provisional agenda dealt with in this airgram, which are among the more important issues likely to be considered by the Fourth Committee. You

<sup>1</sup> Sent to 43 diplomatic missions for action and for information to five diplomatic missions (Moscow, Praha, Warsaw, Guatemala, and Rome) and six consular posts (Nairobi, Dar es Salaam, Dakar, Leopoldville, Lagos, and Accra).

should indicate that these views are tentative and subject to modification after the Department has received the views of other Members. You are also requested to report any significant reactions from the Foreign Office to the items discussed below by cable if in your judgment they would not reach the Department before September 21 if sent by air pouch.

*FYI Only:* As was pointed out in the Department's circular airgram of October 18, 1952,<sup>2</sup> concerning preparations for the Seventh Session of the United Nations General Assembly, one of the principal difficulties that has confronted the United States Delegation in recent sessions of the General Assembly has been the fact that many representatives of the smaller countries in the Second, Third and Fourth Committees apparently have only the most general instructions and are consequently swayed by their personal ideas and the orations of their colleagues. The Department is anxious, therefore, that both the Foreign Office and the representatives on these Committees be fully informed about its views on the principal agenda items.

The Department is interested not only in having its views presented to the Foreign Office and the representatives on the Fourth Committee but also in receiving as soon as possible the views of other governments on the Fourth Committee items referred to in this airgram or any other items in which the other governments show particular interest. The Department is particularly interested in receiving information about any proposals or draft resolutions which other governments plan to introduce in the Fourth Committee.

It is apparent that certain colonial questions will be among the most controversial items before the forthcoming Assembly. Certain of the most difficult of these (i.e. Morocco, Tunisia) may not arise in the Fourth Committee. Nevertheless, the atmosphere in one Committee affects the atmosphere in other Committees, and the Department is anxious to do everything possible to keep discussion in the Fourth Committee on a moderate, reasonable and constructive basis. Those who profit most from controversies between administering and non-administering powers are the communist governments who find in them an excellent basis for endeavoring to weaken the unity of the non-communist world.

The most important item from the United States point of view which will be before the Fourth Committee of the General Assembly at its Eighth Session is that concerning the cessation of the transmission of information on Puerto Rico. The United States Delegation to the General Assembly's Committee on Information from Non-Self-Governing Territories will include Dr. Fernos-Isern, Resident Commissioner of Puerto Rico to the United States as Alternate Repre-

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<sup>2</sup> Not printed (320/10-1852).

sentative. It is expected that our delegation to the Eighth General Assembly will also include a prominent Puerto Rican. The Department's circular airgram of March 31, 1953 set forth the Department's position and indicated the tactics that would be employed on this item.

The Fourth Committee of the General Assembly will also have before it the question of the Netherlands Government's decision on the cessation of the transmission of information under Article 73(e) on Surinam and the Netherlands Antilles. While the two cases of cessation, i.e., on Puerto Rico and on the Netherlands territories, appear on the same agenda item of the General Assembly there are substantial differences between the two cases. With respect to Puerto Rico, the United States will maintain that a full measure of self-government has been achieved by the people of Puerto Rico and that therefore it is no longer appropriate to transmit information to the United Nations under Article 73(e) of the Charter. On the other hand, the Netherlands Delegation will maintain that as a result of the constitutional changes which have occurred between the Netherlands and Surinam and the Netherlands Antilles, responsibility for economic, educational and social conditions of the territories resides with the governments of the territories and that constitutional limitations preclude the further transmission of information. The Netherlands will not make the contention that a "full measure of self-government" has been achieved by the territories but rather that a "large measure of self-government" has been attained and that governments of the territories have opposed the further transmission of information to the United Nations. The question of cessation on the Netherlands territories, at the request of the Seventh General Assembly, was examined recently by the General Assembly's *Ad Hoc* Committee on Factors. Because of the divergency of views of its Members, this Committee reached no conclusion on the item and referred the matter back to the Eighth General Assembly. While the Netherlands case has been before various organs of the United Nations for three years, we hope that United Nations consideration of the Puerto Rican case, on the other hand, will be completed at the forthcoming session of the General Assembly. *End FYI.*

The unclassified material below is presented in such a form as to serve, if you desire, as the basis for a Memorandum or *Aide-Mémoire* to be handed to the Foreign Office to supplement your discussions. A Spanish translation of this unclassified section is now in preparation in the Department for the convenience of posts in Spanish speaking countries and will be forwarded to the field within one week.

#### *General Considerations*

The United States continues to be guided by the following general considerations in its approach to dependent area questions in the

United Nations. We approach these questions with a sincere desire to promote the principles set forth in the United Nations Charter. We realize that all Members of the United Nations have an interest in the affairs of non-self-governing territories, for the expression of which the Fourth Committee of the General Assembly is the logical and natural forum. We feel sure that all representatives on the Fourth Committee will be guided by the principle to which the administering Members are pledged in Chapter XI of the Charter "that the interests of the inhabitants of these territories are paramount". The most effective promotion of this principle will, we feel, arise from a cooperative spirit on the part of administering and non-administering powers alike. Many of these problems are genuinely complex and do not lend themselves to quick and easy solutions. We hope, however, that a large measure of agreement may be reached in the Fourth Committee as to reasonable and realistic steps which may be taken toward the advancement of non-self-governing territories towards the goals set forth in the Charter. It is with this objective in mind that the United States desires an exchange of views on certain of the more important questions that are expected to arise in the Fourth Committee at the forthcoming session of the General Assembly.

*Ad Hoc Committee on Factors*

The *Ad Hoc* Committee on Factors was set up by the General Assembly to study the "factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government". This study was undertaken because Chapter XI of the United Nations Charter applies to "territories whose peoples have not yet attained a full measure of self-government", but does not define this expression.

During United Nations discussions over the past five years, the United States has favored full and frank discussion on this question in the belief that from such debate fuller understanding of the issues involved would emerge. The United States has participated in the *Ad Hoc* Committee established by the Sixth and Seventh General Assemblies to carry out a further study of this question. We believe that the report of the latest *Ad Hoc* Committee has contributed toward the refinement of the list of factors and that it sheds further light on this complex question. We propose to take the same attitude towards the Committee's report as we have towards previous discussions of this question and hope that other Members follow a similar course, in order that there may be maintained in the Fourth Committee the cooperative spirit between the non-administering and administering Members which we are convinced is essential to effective promotion by the United Nations of the advancement of non-self-governing territories. The United States continues to believe that the factors listed in the

Committee's report provide a useful guide in determining when a territory ceases to be non-self-governing. It is our view, however, that no specific factor or particular combination of factors should be represented as determining the status of a territory in relation to Chapter XI of the Charter, since no formulation could be flexible enough to embrace the complexities of constitutional forms and usages in the wide variety of territories and at the same time be definitive.

As to the authority which has the competence to decide when a territory has attained a full measure of self-government, and therefore need no longer be reported on, it is the view of the United States that each administering Member has the right to determine the constitutional position and status of territories under its sovereignty. The United States also considers that the decision regarding reporting under Article 73(e) on specific territories rests solely with the administering Members concerned. The United States does not believe, however, that the *interpretation* of the expressions "non-self-governing territories" and "territories whose peoples have not yet attained a full measure of self-government", since they appear in the Charter, is a matter for unilateral determination by individual administering Members. We believe, therefore, in view of Article 10, that the General Assembly, for example, has the authority to discuss and attempt to define the above expressions, to recommend to administering Members generally the consideration of any definition it might adopt, or even express its opinion in general terms on the principles which have guided or may guide members in deciding on which of its territories it will transmit information. We believe that any resolution regarding the decision of an administering authority to cease transmission of information should not imply that the administering authority's decision requires the General Assembly's approval or disapproval. The United States finds it understandable that certain United Nations members may be concerned lest Chapter XI be circumvented by premature cessation of transmission of information under Article 73(e). We hope that administering authorities will endeavor to avoid arousing apprehensions on this point.

*Participation of Non-Self-Governing Territories in the Work of the Committee on Information From Non-Self-Governing Territories*

The Seventh General Assembly has asked the Committee on Information from Non-Self-Governing Territories to study further the question of the direct participation in its discussions of representatives of those non-self-governing territories the inhabitants of which have attained a wide measure of responsibility for economic, social and educational policies. The United States believes that, as in the case of the comparable question with respect to the Trusteeship Council, the most practicable and satisfactory means to bring about such participation



at the present time is to expand the practice of attaching suitable qualified indigenous inhabitants of territories to the Delegations of the appropriate administering authority.

The United States has followed the practice of attaching qualified leaders and experts from its non-self-governing territories to its Delegations to the Committee on Information. For example, when Puerto Rico was a non-self-governing territory the United States Delegation in 1951 included Dr. Roberto de Jesus Toro, a Puerto Rican expert on questions of economic development. Other administering authorities have from time to time attached indigenous personnel to their Delegations to United Nations meetings concerned with non-self-governing territories. The United States considers that this practice should be continued and encouraged.

The United States would feel it necessary to oppose in the Fourth Committee any proposals which would establish representation for dependent territories or the inhabitants of such territories distinct from the representation of the administering member responsible for the administration of such territories.

*Participation of Indigenous Inhabitants of Trust Territories in the Work of the Trusteeship Council*

The Sixth General Assembly by Resolution 554 (VI) invited the Trusteeship Council to examine the possibility of associating the inhabitants of trust territories more closely in its work and to report the results of its examination to the General Assembly at its Seventh Session. The Council considered the problem at its two sessions in 1952 and adopted a resolution which expressed the hope "that administering authorities would find it appropriate to associate suitably qualified indigenous inhabitants in the work of the Trusteeship Council as part of their delegations to the Council or in any other manner which they deem desirable."

During the discussion of Resolution 554 (VI) at the Sixth Assembly the sponsors of that resolution indicated that it was their desire to bring about the participation of representatives of indigenous populations in such a way that their representation would be separate and distinct from that of the administering authority. Mention was made of the concept of associate membership for the trust territories, with their representation to be chosen by the people of the territories rather than by the responsible administering authority. In the Trusteeship Council, however, the concept of separate representation was opposed by all administering authorities, as well as certain non-administering Members. The United States, while recognizing the desirability of closer association between the peoples of trust territories and the work of the Trusteeship Council, has considered that separate or dual representation for such peoples in the Council was incompatible with the

concept of Trusteeship. At the conclusion of the discussion, the compromise formula described above, proposed by Thailand and supported by the United States, was adopted by the Council.

At the Seventh Session of the General Assembly the United States supported action taken by the Trusteeship Council on this subject by voting for Assembly Resolution 653 (VII) which in effect endorsed the action of the Trusteeship Council in suggesting participation by inhabitants as members of administering authorities' delegations or in any other way which they deem desirable and requested the Council to include information in its reports to the Assembly on the action taken in implementation of the Council's resolution.

The Syrian delegation introduced a resolution at the Twelfth Session of the Trusteeship Council which proposed the establishment of a committee to further examine the question of participation of indigenous inhabitants in the work of the Council. There was little discussion on the substance of the question and the resolution was adopted in spite of reservations expressed by some of the Members who felt the resolution of the Seventh General Assembly had endorsed the Council's action and that therefore further consideration of the question was unnecessary. The United States, El Salvador, Syria and the United Kingdom were appointed to the Committee to continue the examination of the question and to report to the Thirteenth Session of the Council (January 1954).

The United States considers that action by the Eighth General Assembly on this subject would be inopportune since the question remains under active consideration by the Trusteeship Council and will be examined further by the Council at its Thirteenth Session on the basis of the report of its recently established Committee. However, in any discussion that might take place at the Eighth General Assembly, the United States would continue to give careful consideration to any proposals which might be made with respect to further methods for achieving closer association and participation by trust territory inhabitants in the Council's work. United States support of close association of these inhabitants in the Council's work is evidenced by the fact that two inhabitants of the Trust Territory of the Pacific Islands (Mrs. Dorothy Kabua, member of the Marshallese Congress, and her son, Amata Kabua) were appointed as members of the United States Delegation to the Twelfth Session of the Trusteeship Council. France also appointed an indigenous representative from a trust territory, Mr. Apedo-Amah from Togoland under French administration, as a member of its Delegation to the Twelfth Session of the Trusteeship Council. However, the United States continues to consider it undesirable to establish representation in United Nations bodies for inhabitants of trust territories apart from the representation of the responsible administering authorities or their territorial administrations.

*The Ewe and Togoland Unification Question*

This question was originally raised in the United Nations by petitions from leaders of the 800,000 Ewe people, who inhabit the coastal area of the trust territories of British Togoland and French Togoland, as well as a portion of the Gold Coast Colony. They object to being divided among different administrations and have requested unification under a single administration. Subsequently, other groups have asked for the unification of the two trust territories as a whole, rather than simply the Ewe areas. The question has been before the Trusteeship Council and the General Assembly in some form almost since their establishment. It will be before the Eighth General Assembly by virtue of a special report on the matter requested of the Trusteeship Council by the Seventh General Assembly.

The general position of the United States regarding this problem is as follows: The United States believes that, in conformity with earlier Trusteeship Council and General Assembly resolutions, advances have been made in reducing the inconveniences caused by the international boundary between the two trust territories and in increased cooperation between them in the economic, social and educational fields. It is our view that steps should be taken to preserve and develop cooperation in these fields while at the same time encouraging political advancement in each of the two territories. With regard to unification, it appears that the views of unificationists in the two Togolands are in a state of flux. In this situation it is difficult and probably unwise to recommend any drastic alteration of the present political status. However, the United States does favor full implementation of Trusteeship Council Resolution 643(XI) and General Assembly Resolution 652(VII). In supporting these resolutions the United States emphasizes that the contemplated implementation of these resolutions is to take place in several stages and urges the Council and the administering authorities concerned to concentrate their attention on the first stage as set forth in the Assembly's Resolution, namely, "carry on full and extensive consultations with the principal political parties in the two territories", with a view to reestablishing the Joint Council for Togoland Affairs, or a similar body "on a basis which will enlist the cooperation of all major segments of the population."

In considering steps to meet the wishes of certain groups in the two Togolands, it is necessary also to consider the effect of such action on the remaining inhabitants of the territories. For example, the interests of the inhabitants of the northern parts of the two territories (where the inhabitants, who form numerical majorities in both territories, have thus far been generally opposed to unification) must certainly be given proper consideration along with the interests of the predominantly Ewe-inhabited southern parts of the territories. It also seems

likely that the opinions of the peoples in both the north and the south may be materially affected if the Gold Coast achieves complete self-government in the near future.

*Educational Advancement in Trust Territories*

*FYI:* You may wish to make reference to the information in the section immediately following in any general exchange of views with the Foreign Office on the respective views of the Department of State and the Foreign Office on the work of the United Nations in the field of dependent areas. This information details a recent example of action taken by the United States to assist in the promotion of the welfare of dependent peoples through the United Nations. *End FYI.*

On January 18, 1952, the United Nations General Assembly adopted Resolution 557 (VI) on Educational Advancement in Trust Territories which invites Member states of the United Nations to make fellowships, scholarships and internships available to qualified students from trust territories. Thus far seven nations, including the United States, have made offers of various kinds for grants in accordance with the Assembly invitation. The United States announced its offer in a note to the Secretary-General of the United Nations on November 6, 1952. Four grants were made available to students from any of the trust territories except the Trust Territory of the Pacific Islands, which is administered by the United States. Students of the Trust Territory of the Pacific Islands will of course be eligible for scholarships which may be offered by other United Nations members. Applicants for United States offered fellowships and scholarships were required to be indigenous to the trust territory through which they applied, proficient in English, and to have the equivalent of an A.B. degree except where candidates had gone as far in their formal education as the resources of the countries permit. In any event the applicants had to be at the junior or senior year of college level. The scholarships include maintenance, tuitions and fees, book allowance, and costs of domestic and international travel. The American diplomatic and consular officers concerned were given the relevant information concerning these grants in a circular airgram of December 9, 1952.

Applications for the United States grants were received from students in four of the trust territories, Western Samoa, Tanganyika, British Cameroons and British Togoland. On the basis of their qualifications four students have been awarded these scholarships, one student from each of the above trust territories and are now undertaking their studies in educational institutions in various parts of the United States.

The six nations, in addition to the United States, that have made offers to students from trust territories are Yugoslavia, India, Philip-

pinus, Turkey, Norway, and Indonesia. It is anticipated that the United States will renew its offer for the school year 1953-54, and the number of grants offered may be increased.

DULLES

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ODA files, lot 62 D 225, "Visa Applications—Oral Hearings"

*Memorandum by the Officer in Charge of Trusteeship Affairs (McKay) to the Director of the Office of Dependent Area Affairs (Gerig)*

RESTRICTED

[WASHINGTON, September 2, 1953.]

BACKGROUND INFORMATION NOTE ON THE PROBLEM OF ORAL HEARINGS <sup>1</sup>

Arguments for and against oral hearings are set forth below :

ARGUMENTS FOR ORAL HEARINGS

1. The growing tendency of the Fourth Committee to grant oral hearings is a reflection of the widespread concern in the international community on the colonial question. Not only is there great public sympathy for petitioners but some observers have singled out the petitions process as the most vital and significant part of United Nations activities in the colonial field. The sessions of the Trusteeship Council and the Fourth Committee which attract the largest public interest and the greatest number of press correspondents are those at which oral petitioners appear.

2. The granting of oral hearings is an effective way of focusing world attention on colonial problems, and of making its influence felt in colonial administration.

3. Oral hearings give representatives a chance to question the petitioners, and enable the General Assembly to obtain more information as well as a better understanding of indigenous points of view.

4. Oral hearings give the indigenous inhabitants more of a chance to familiarize themselves with the nature and significance of United Nations activities.

5. The Fourth Committee in certain instances may be an effective safety valve in which discontented petitioners can let off steam.

6. The United States would derive considerable propaganda value in the cold war from a liberal position toward the granting of oral

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<sup>1</sup>This document was prepared in connection with the informative Department of State position paper on oral hearings (Doc. SD/A/C.4/120, Sept. 5, 1953. "The General Problem of Oral Hearings in the Fourth Committee", not printed (IO files)). In a note to Gerig attached to the memorandum, McKay explained that the problem had been thoroughly "worked" within the Office of Dependent Area Affairs; and that it had been decided to draft the "pro and con arguments" separately, as "they help to clarify our thinking on the problem". Gerig subsequently appended to the document's title the words "in the Fourth Committee".

hearings. This is particularly true because of the widespread attitude that our position on colonial questions is unnecessarily negative and legalistic.

#### ARGUMENTS AGAINST ORAL HEARINGS

1. It is impracticable for an organization of sixty states to grant oral hearings to private individuals or organizations.

2. The General Assembly should not unnecessarily lengthen its work by the indiscriminate granting of oral hearings when it is trying to save money and to reduce the length of its sessions.

3. If the Fourth Committee were to grant *a large number* of oral hearings concerning trust territories, or if it were to grant *any* oral hearings concerning non-self-governing territories, a number of the administering authorities might be antagonized to the point of non-cooperation in these United Nations activities.

4. Oral hearings give the Soviet Delegation and other extreme anti-colonial powers an unnecessary and undesirable opportunity to exploit the United Nations for their own propaganda purposes.

5. The granting of oral hearings unnecessarily magnifies and distorts the grievances of petitioners and sometimes actually tends to create unnecessary problems.

6. The opportunity for oral hearings before the Fourth Committee tends to encourage political irresponsibility on the part of ambitious politicians, and over-reliance on the United Nations to solve problems which can best be solved by the people of the territories themselves.

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IO files, SD/A/C.4/121

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

RESTRICTED

[WASHINGTON,] September 5, 1953.

THE EWE AND TOGOLAND UNIFICATION PROBLEM: SPECIAL REPORT OF  
THE TRUSTEESHIP COUNCIL (A/2424)

#### THE PROBLEM

The unification of British and French Togoland is being requested in petitions to the UN from political parties in both Togolands, representatives of which may be granted oral hearings by the Fourth Committee. Certain non-administering Members may renew last year's effort for a resolution recommending steps to bring about the unification of all or part of these two trust territories. Such a resolution would be adamantly opposed by the two administering authorities, the U.K. and France, and would be unlikely to win the necessary two-thirds

vote because it would fail to take into account the wishes of those Togolandese who oppose unification. This is the complex type of problem that can best be worked out by the peoples concerned, with the UN assisting by encouraging the establishment in a free political atmosphere of local political institutions in which representatives of all major groups can exchange and develop their views. The U.S. will be faced with the problem of endeavoring to have this item dealt with in such a way that it will not sharply divide the colonial and non-colonial powers but rather will permit a compromise solution acceptable to a substantial number of the non-administering Members, of the administering Members, and of the political parties in the two territories.

#### UNITED STATES POSITION

1. The Delegation should continue to support the step-by-step approach to this problem set forth in Assembly Resolution 652(VII).

2. The Delegation should oppose proposals which depart from the above approach to the extent of recommending any particular form of unification.

3. The Delegation should also oppose proposals for UN plebiscites or special UN investigative missions to the area on the grounds that insufficient time has elapsed for a fair trial of the program recommended in Resolution 652(VII), and that the Trusteeship Council's 1949 and 1952 Visiting Missions to West Africa made special studies of the problem.

4. The Delegation may, however, support a proposal for another survey of the unification question by the Trusteeship Council's 1955 Visiting Mission to West Africa.

5. The Delegation may, if appropriate, support re-emphasis by the Assembly of the importance of developing democratic institutions in the two territories, as well as the responsibilities of the administering authorities and the indigenous leaders for maintaining an atmosphere conducive to the free development of such institutions.

6. The Delegation may support requests to the administering authorities and the Trusteeship Council for full reports on the unification question before the next Assembly convenes.

#### COMMENT

In the past the U.S. position has been based on the view that the wishes of the inhabitants themselves should be the most important element in determining whether or not all or parts of the two Togolands should be unified. It has consequently supported various means of determining these wishes, including special investigations by UN Visiting Missions and the establishment of joint councils in which representatives from both Togolands could express their views. No clear-cut predominating view has emerged. In fact, considerable differences

of view have become apparent as to the extent of the areas to be unified, the territories with which unification is sought (i.e. some British Togoland prefer unification with their neighbors in the Gold Coast, rather than with their neighbors in French Togoland), and the means by which unification should be achieved.

In these circumstances the U.S. at the Seventh Assembly initiated Resolution 652(VII), which recommends that the two administering authorities "make every effort to bring about the re-establishment of the Joint Council for Togoland Affairs, or a similar body, on a basis which will enlist the cooperation of all major segments of the population." (Such a Joint Council set up in 1952 had been boycotted by the pro-unification parties in both territories.) To the end that the Joint Council be successfully re-established the resolution recommended that the administering authorities "carry on full and extensive consultations with the principal political parties in the two Territories". While the terms of reference of such a Council were to include the question of unification, the resolution specified that it should be authorized "to consider and make recommendations upon all political, economic, social and educational matters affecting the two Trust Territories". No precise procedure for selecting the members of the reconstituted Council was recommended, that being among the subjects on which consultations were to be held. However, paragraph 5 of the resolution provides that the ultimate objective should be to reconstitute the Joint Council, "as soon as possible, by means of direct elections on the basis of universal adult suffrage exercised by secret ballot". Resolution 652(VII) thus accorded with the United States view that this problem should be dealt with in stages, designed to develop both political awareness of common problems and means to enable the inhabitants to express their views.

Pursuant to Trusteeship Council Resolution 643(XI) and Assembly Resolution 622(VII) the two administering authorities reported to the Trusteeship Council at its 12th Session (June-July 1953) the steps taken by them pursuant to these resolutions. Both stated that they had publicly invited the views of all parties and sections of the population as to an acceptable basis for reconstituting the Joint Council but that the process of consultations was not yet far enough advanced to permit a report on their results. The Trusteeship Council then adopted a special report on this problem (A/2424), which recounted in detail the information given by the administering authorities. This report was supported by the U.S. and approved by a vote of 11 to 1 (USSR).

Two other aspects of this question require comment. One is the frequency and persistence of petitions to the UN charging the French with persecution of the pro-unification parties in French Togoland, which would appear to justify re-emphasis by the Assembly to the



administering authorities and the political leaders of their responsibilities for maintaining a free political atmosphere.

The other is the fact that British Togoland will presumably be called upon in the relatively near future to make some decision as to its future relationship to the Gold Coast, which suggests the desirability of not precipitating the Togoland unification question until the two questions can be considered together as interrelated aspects of the future of British Togoland.

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IO files, US/A/3596

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

RESTRICTED

[WASHINGTON,] September 14, 1953.

HEARING OF PETITIONERS FROM THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION: REPORT OF THE TRUSTEESHIP COUNCIL (RESOLUTION 655 (VII) OF DECEMBER 21, 1952)

#### THE PROBLEM

The Seventh Assembly, after the Fourth Committee had heard two petitioners from the French Cameroons adopted Resolution 655 (VII), which asked the Trusteeship Council to investigate further the questions raised by the petitioners and to report to the Eighth Assembly. As a result of a reorganization of its schedule, the Trusteeship Council postponed all French Cameroons' questions to its Thirteenth Session (January-February 1954), at which time the questions raised by the petitioners from the French Cameroons will be considered in conjunction with the 1952 Annual Reports and the 1952 Visiting Mission Report on the two Cameroons. The problem may be complicated by the fact that the Fourth Committee may decide even in the absence of a Council report on this question to deal with it substantively at this session or to grant oral hearings requested by certain groups in the Cameroons.

#### UNITED STATES POSITION

1. The Delegation should support a resolution which would postpone Assembly consideration of the substance of this question to the next session when it will have before it a report from the Trusteeship Council on this matter.

2. Inasmuch as the Council has already agreed to hear certain groups from the Cameroons next January, it would be preferable for all requests from Cameroons' groups to be brought to the attention of the Council so that there will be an opportunity for all relevant infor-

mation on the Cameroons to be placed before the Council at one time. If, nevertheless, requests from Cameroons' groups for hearings before the Fourth Committee are put to a vote, the Delegation should abstain.

3. If the Fourth Committee holds hearings or otherwise deals with the substance of this question, the Delegation should take the position that the records of any statements or debates should be transmitted to the Trusteeship Council to be taken into account in its review of Cameroons questions, and that it would be inappropriate for the Committee to arrive at any conclusions on these questions until it has before it the Council's report on them, i.e. at the Assembly's Ninth Session.

#### COMMENT

1. At the Assembly's Seventh Session the Fourth Committee granted oral hearings to five groups from the French Cameroons:

1. The NGONDO (Traditional Assembly of the Douala People)
2. The U.P.C. (Union des Populations du Cameroun)
3. The Cameroons Socialist Party
4. The Groupements Musulman du Cameroun
5. The Bloc Democratique Camerounais

Three of these were unable to send representatives, but the Committee did hear statements from the U.P.C. representative, Mr. Ruben Um Nyobe, and a representative of the Cameroons Socialist Party, Mr. Charles Rene Okala.

In the brief discussion following these statements, some Members pointed out that it was almost impossible to discuss the substance of the matters raised by the petitioners in the absence of other relevant information, including the 1952 Annual Reports on the two Cameroons and the Report of the 1952 Visiting Mission to these territories. (As the U.P.C. seeks unification of the two Cameroons, reports on both territories are relevant.) At the close of this discussion the Assembly adopted Resolution 655 (VII), which, after pointing out that the Trusteeship Council had not examined the 1952 Annual Reports or Visiting Mission Reports on the Cameroons and "that these Reports may give a fuller account of the matter," asked the Council to investigate further the questions raised by the petitioners. Thus, in this resolution the Assembly recognized the relationship between the matters raised in the Fourth Committee hearings and the 1952 Annual and Visiting Mission Reports.

At the Twelfth Session of the Trusteeship Council the Representative of France stated that he did not feel that the Council could deal effectively with this question at that time. He pointed out that there was little or no new information brought out in the Fourth Committee hearings. Moreover, the 1952 Annual Reports were not yet issued, and they and the Visiting Mission Reports on the Cameroons were scheduled to be considered by the Council at its Thirteenth Session in January 1954.

He therefore proposed that the consideration of the matters raised by the petitioners be considered at that session along with all the other information on the Cameroons. This resolution was approved by a vote of 10 to 0 to 1, and two French Cameroons' groups, who had petitioned for oral hearings before the Council (the Ngondo and the Kumzse) were informed that they would be heard at the Council's Thirteenth Session.

2. Two groups from the French Cameroons have requested hearings before the Fourth Committee this year. These are :

1. ESOCAM (Evolution Sociale Camerounaise)
2. NGONDO (Traditional Assembly of the Douala People)

It is possible that other groups will also request hearings. Since the matters on which they wish to be heard have been referred to the Trusteeship Council, which has decided to consider them at its Thirteenth Session (January 1954), it would appear to serve no useful purpose to hear additional Cameroons' viewpoints in the Fourth Committee at this time. If these requests were to be brought to the attention of the Council, which has already accorded two hearings to Cameroons' groups at its Thirteenth Session, it could decide whether or not it would be useful to hear these additional viewpoints. However, inasmuch as two groups from the French Cameroons were heard by the Fourth Committee last year, there is some merit in the contention that other legitimate groups in the Territory should be accorded the same privilege. The United States would therefore abstain on proposals to grant hearings in the Fourth Committee on the grounds that, while it is not opposed to all legitimate Cameroons viewpoints being heard, it would prefer the more orderly procedure of allowing the Trusteeship Council to consider these requests for hearings first. It is understood that the French Delegation will also abstain on requests for hearings from groups in the French Cameroons.

3. Without the report of the Trusteeship Council on its investigation of the matters raised in last year's Cameroons hearings, the Fourth Committee would find it almost impossible to reach any definite conclusion on these matters this year, even if it were to hear certain additional Cameroons viewpoints on these matters. It would appear logical, therefore, for all additional views and information brought out in this year's Fourth Committee on Cameroons questions to be transmitted to the Trusteeship Council, following last year's precedent. The Council would then be able to take all available elements into account in arriving at conclusions and formulating its report on Cameroons questions to the next Assembly.

*Press Release No. 1757 Issued by the Mission at the United Nations, New York, September 28, 1953, Regarding Requests for Oral Hearings Concerning Trust Territories*<sup>1</sup>

MR. CHAIRMAN: I would like to explain the general position of my Delegation regarding oral hearings of inhabitants of *trust territories* in the Fourth Committee. It is our view that this Committee *should* hear inhabitants of trust territories when they request an opportunity to present their views on specific problems which are of sufficient importance to merit the direct attention of the full membership of the United Nations.

At the same time we are somewhat concerned over the practical problems involved in granting numerous oral hearings in a large Committee of sixty states. We have a long agenda of important problems which cannot be effectively dealt with unless the sixty Committee members have sufficient time to express their own views on these problems. In looking over the records of last year's Fourth Committee, my Delegation has found that requests for oral hearings or the hearings themselves took all the Committee's time at 12 meetings and a large part of 13 other meetings. This was a very large proportion of the Committee's 66 meetings, and the Committee was unable to deal with every item on its agenda even though it held more meetings than in any previous year.

To my Delegation, therefore, it seems both logical and necessary for the Committee to avoid the indiscriminate granting of all requests for oral hearings. We believe that any procedural committee such as the one proposed by the distinguished representative of the United Kingdom in Document A/C.4/L.271, might give careful attention to this problem.

Mr. Chairman, may I now describe briefly some of the general principles which my Delegation believes should guide the Fourth Committee in deciding whether or not to grant an oral hearing. The *first* of these I have already mentioned. We believe that the problem raised by the petitioners should be specifically stated and should be of sufficient importance to merit a hearing. *Secondly*, we believe that the Committee should take into account the character of the petitioner and the organization he represents; the petitioner should be a person who can provide useful and relevant information and normally should be an inhabitant of the territory concerned. In the third place, we do not believe that the Committee should grant hearings to lawyers who are not residents of the territory concerned; this type of representa-

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<sup>1</sup> Source text is from ODA files, lot 62 D 228, "Background, 28". The right of petition and the problem of "oral" petitioners. This statement was made in Committee 4 on Sept. 28, 1953 by Frances P. Bolton of the U.S. Delegation to the Eighth Regular Session of the General Assembly. She was also the U.S. Member on the Fourth Committee.

tion is too susceptible of abuse which would be harmful both to the United Nations and to the petitioners themselves. Petitioners are of course free to obtain all the legal advice they want, but they should present their own problems to this Committee where, in any case, they will find numerous lawyers to help ensure that they receive a full and fair hearing. The *fourth* principle guiding my Delegation is this. We believe that petitioners from trust territories should normally be heard in the Trusteeship Council before they are granted hearings in this Committee. The petitions system of the Trusteeship Council has been carefully elaborated by a smaller body of twelve Members who have been given the specific task of devoting more time than other Members to the study of trust territory problems. We believe that the General Assembly would not wish to undermine the petitions work of the Trusteeship Council. *Finally*, my Delegation believes that in deciding whether or not to grant a hearing, the Committee should take into account the extent and character of past actions by the Trusteeship Council and the General Assembly on the problem raised by the petitioner.

These five principles, Mr. Chairman, are not applicable in every case, but they have been taken into consideration by my Delegation in deciding how to vote on each of the requests before us.

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*Press Release No. 1823 Issued by the Mission at the United Nations, New York, November 19, 1953, Regarding the Ewe and Togoland Unification Problem*<sup>1</sup>

MR. CHAIRMAN: The Ewe and Togoland unification question is completely new to me, and I have found our Discussion of it intensely interesting. I am particularly grateful to our African friends who have come such a long way to tell us what their people want. Their presence here has added a note of vitality to our discussion and, I am sure, has helped all of us to a better understanding of this important problem.

Mr. Chairman, the United States has consistently maintained that the wishes of the inhabitants themselves should be the most important element in determining whether or not all or parts of the two Togolands should be unified. For this reason we have supported the establishment of machinery to determine these wishes and to make recommendations upon political, economic, social and educational matters affecting the Territories. We hope and believe that the Joint Council for Togoland Affairs can be made to work. It has the great value of affording a democratic means for a mutual exchange of views by the principal political parties in the two territories. If democracy is to

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<sup>1</sup> Source text is from ODA files, lot 62 D 225, "Speeches/Statements 1953". This statement was made by Mrs. Bolton in Committee 4 on Nov. 19, 1953.

work, people with conflicting interests must learn to meet together, to reach decisions on points of disagreement, and to respect those decisions. For this reason my Government considers that the General Assembly and the Trusteeship Council can do most to help the peoples concerned by concentrating on the development of satisfactory machinery for the discussion of Togoland problems.

Mr. Chairman, the main issues of the problem have already been thoroughly elaborated in this Committee. I do wish, however, to take a few moments to explain the two major factors which have led my Government to take the position I have described.

Foremost of these factors is the complexity of the problem. For more than six years we have continually examined and reexamined the requests of hundreds of Togoland petitioners. As a member of the Trusteeship Council and the Council's various Committees on Petitions, the United States has carefully and sympathetically studied the wishes of the inhabitants as expressed in these petitions. One of my United States colleagues, moreover, was a member of the Council's first Visiting Mission to the Ewe area. In the course of this intensive study we have analyzed a number of alternative solutions which seem theoretically possible. Thus far, however, we have found each of these theoretical solutions impractical, primarily because it would be opposed by large numbers of the peoples concerned.

The second important factor which has influenced my Government, Mr. Chairman, is that Togoland opinion is clearly in a stage of evolution. In the beginning, a relatively small number of Ewe leaders asked us to recommend the unification of the Ewe-speaking people who live in British Togoland, French Togoland, and the Gold Coast. As time passed, however, a constructive development of major significance occurred. More and more Togolanders began to take keen interest in their political future. This new political activity, inspired by the United Nations, has already done much to accelerate the political, economic, social and educational advancement of the area. In the short run, however, the repercussions of this wider popular interest have made the task of the General Assembly infinitely more difficult. We soon learned, for example, that a number of leaders had decided to take up the banner of Togoland unification as opposed to Eweland unification.

Mr. Olympio has informed us that the All-Ewe-Conference now fully supports the idea of Togoland unification. It is nonetheless clear that the advocates of Togoland unification do not agree on exactly what kind of unification they desire. It is the feeling of my Delegation, moreover, that the tenor of our discussion this year has been somewhat misleading because we have not had an opportunity to hear representatives of the two groups which oppose Togoland unification. In the northern section of British Togoland, as the Second Visiting Mis-

sion pointed out, live many people who oppose Togoland unification and who, quite understandably, want to put an end to the boundary which separates them from their fellow tribesmen in the Northern Territories of the Gold Coast. Members of the Mission met with considerable numbers of the chiefs, elders, and peoples of this area, and I understand that the spokesmen of the Dagomba people stressed their hope that the 1952 Mission would be the last to visit them since they want to become part of the Gold Coast.

The second group which has no representatives here is of course the Togoland branch of the Convention People's Party. Their reasons for opposing Togoland unification, which have been expressed in written petitions to the United Nations, are also quite understandable. They want to participate in a political development which many representatives in this Committee consider to be one of the most promising in the continent of Africa. I speak, of course, of the impending self-government which the people of the Gold Coast are to enjoy. I am sorry to have to express at this point the regret of my Delegation at the gratuitous personal attack made by one of the petitioners on the African leaders of the Gold Coast and on its distinguished British Governor. The impatience and depth of emotion of our petitioners are readily understandable, but such intemperate allegations do their cause a disservice in this Committee and do injustice to the intelligence of their own people.

In conclusion, Mr. Chairman, it is clear to my Delegation that the conflicting and evolving opinions of the peoples of the two Togolands make it inappropriate for the General Assembly at this time to recommend any change in the international status of the two territories. We therefore believe that the Assembly at this session should urge the two administering authorities and the political groups concerned to cooperate in making the Joint Council for Togoland Affairs an effective organization for the discussion of Togoland problems.

We are also concerned over the emotional political atmosphere in the territories lest it jeopardize the orderly development of democratic institutions. My Delegation was disappointed to find that although the second Visiting Mission attended four mass meetings organized by political parties in British Togoland, it did not take part in such meetings in French Togoland. We hope that all possible steps will be taken, both by the administering authorities and by the rival political parties, to insure that the next Visiting Mission will be able to carry out its task in a calmer political atmosphere. We also hope that the administering authorities will take appropriate steps to disseminate throughout the two territories the full texts of any resolutions adopted by the General Assembly and the Trusteeship Council on the Ewe and Togoland Unification Problem.

Thank you, Mr. Chairman.

ODA files, lot 62 D 225, "General Assembly"

*Memorandum by the United Nations Adviser, Bureau of European Affairs (Allen)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON, February 19, 1954.]

GENERAL OBSERVATIONS AND COMMENTS ON THE FIRST PART OF THE  
EIGHTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY—1953

[Here follow numbered paragraphs 1 (generalities), and 2 (propaganda and the cold war) of Part A, captioned "Results of Eighth Session".]

3. In the complex of colonial and racial issues, the gulf between the colonial minority and the anti-colonial majority widened alarmingly at this session. The natural reaction to extreme positions on one side is to increase the extremist attitudes on the other. At least some UK officials, for example, seem now convinced that their temporary, US inspired campaign at the two previous sessions of a more forthcoming and conciliatory approach has not paid dividends in evoking a similar cooperative approach from the majority. Moreover, France's adamant, uncooperative stand on the North African items proved more effective, to judge by the voting results, than South Africa's more restrained and persistent efforts through continued participation to convince the members of the correctness of her case in the South African questions. It can be anticipated that this will be taken as a lesson, both by South Africa and by others who are under future attack for their colonial or racial policies.

The anti-colonial majority, on the other hand, while reasonably adroit in the wording of resolutions, was at times bolder and stronger in its attacks than previously. Even the US, for almost the first time, was the direct object of criticism and opposition in the Puerto Rico case.<sup>2</sup> It is true that we succeeded in obtaining approval of a resolution which indorses our conclusion that Puerto Rico has become sufficiently self-governing for us to cease transmitting information on it as a "non-self-governing territory". However, this was obtained only through the most strenuous efforts with other members, both at New York and in various capitals; the resolution was far from satisfactory in wording, and there was in the debate a disturbingly widespread undercurrent of anti-US sentiment. More importantly, decisions taken which extend the Assembly's role in NSGT problems beyond its originally intended

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<sup>1</sup> Source text was an attachment to a covering memorandum of Feb. 19, 1954, by Allen, addressed to the Director of the Office of UN Political and Security Affairs (Wainhouse), the Acting Deputy Director of the Office of Dependent Area Affairs (Robbins), the Planning Adviser, Bureau of United Nations Affairs (Bloomfield), and the Assistant Legal Adviser for UN Affairs (Meeker), not printed (ODA files, lot 62 D 225, "General Assembly").

<sup>2</sup> For documentation on this matter, see pp. 1427 ff.



scope and which at the same time permit decisions on these matters by a simple majority (rather than two-thirds) are disturbing developments which foreshadow intensification of these problems at future sessions.

[Here follow numbered paragraphs 4 and 5 of Part A, dealing with President Eisenhower's speech and proposal for an atomic energy pool for peaceful purposes and general observations on the lack of salient political issues for the Eighth Regular Session of the General Assembly; and numbered paragraphs 1-4 of Part B, entitled "Comments Regarding the Political Role of the GA".]

5. There is some question as to whether the General Assembly is performing as constructive a role as it should in its third major task of easing tensions and strains in the complex of changing colonial relationships.<sup>3</sup> It seems sometimes unfortunately true that the GA increases tensions by providing inviting opportunities which would not otherwise exist for the divergent anti-colonial countries to make common cause against the colonial powers regarding territories remote from areas of their direct interests or knowledge or concern. The GA does offer the non-colonial powers a mechanism to ventilate their feelings and grievances and has served as a sometimes effective prod to the administering authorities to hasten the institution of improvements in territories they administer.

On the other hand, as indicated above, the gulf between the colonial minority and the anti-colonial majority is steadily widening and compromise and accommodation seem to be more and more difficult. In general, at the Eighth Session, the US continued to maintain a balance in its position between the two groups but did not adhere consistently to a middle-of-the-road position. That is to say, the "balance" was achieved in a number of instances by taking alternately positions more favorable to one side and then to the other on succeeding questions. The inevitable consequence was that both sides felt we were not consistent and neither side was satisfied with the results. The most outstanding examples in the political field were, of course, the North African items where we sternly resisted even the mildest of resolutions and the subsequently discussed South African items where fur-

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<sup>3</sup> In the omitted portion of Part B, four major potential political roles for the General Assembly were listed, as follows:

"(a) To substitute for the moribund Security Council as the UN action body in the event of breaches of the peace and acts of aggression, such as another Korea;

"(b) To work out the peaceful settlement of political disputes, both East-West issues (Germany, Austria, Trieste, etc.) and other political questions (Palestine, KMT troops in Burma, etc.);

"(c) To ease the tensions and strains in the complex of changing colonial relationships, and

"(d) To serve as a forum and sounding board for both sides in the cold war."

ther interpretative inroads were made, with US acquiescence or support, into the classic principle of non-interference in domestic matters.

We may anticipate in the future continuing and increasingly successful efforts on the part of a confident anti-colonial majority to extend the role of the UN in colonial problems. In particular, efforts will concentrate upon extending the more limited surveillance of the UN in NSGTs to approximate the extent of UN supervision over the trust territories. This development the other colonial powers will fight bitterly, and the US too must necessarily resist as illegal from the point of view of the Charter and undesirable for the development of the UN at its present stage. The serious dilemma posed to the US by this struggle of forces is to take more forthright steps to guide and channel, and where necessary resist these efforts by the anti-colonial majority without alienating that majority, destroying their confidence in us and their support on other matters and without abandoning our adherence to the traditional principles of self-government and self-determination.

[Here follow further and extensive general remarks about the political role of the General Assembly, "as a forum for both sides in the cold war . . . ."]

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ODA files, lot 62 D 225, "Trusteeship Council"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to the Assistant Secretary of State for United Nations Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] January 29, 1954.

Subject: Questions of Particular Interest to the British at Thirteenth Session of the Trusteeship Council

Of the eighteen items on the agenda of the Thirteenth Session of the Trusteeship Council, the following questions will be of particular concern to the British.

1. *British Togoland problems*—particularly whether British Togoland shall be unified with French Togoland or integrated into the Gold Coast (some oral hearings have been granted to petitioners from British Togoland on this question).

2. *British Cameroons problems*—including petitions seeking the unification of British and French Cameroons (some oral hearings have been granted to petitioners from French Cameroons on this question).

3. *Tanganyika problems*—including the Wa-Meru land problem and possibly questions about the spread of the Mau Mau movement into Tanganyika (no oral hearings have thus far been requested concerning Tanganyika).

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<sup>1</sup> Drafted by Curtis C. Strong of the Office of Dependent Area Affairs.

A brief account of the principal issues involved in the problems follows.

*British Togoland Problems:*

The problem of the future status of British Togoland will probably be the most difficult issue before this session of the Trusteeship Council. This narrow land-locked strip of territory in West Africa which has been under British mandate or trusteeship since World War I, has been administered as an integral part of the Gold Coast. It has a population of less than 400,000 compared with almost 4,000,000 in the Gold Coast. It is the smaller portion of the former German Togoland. The other portion, now the trust territory of French Togoland, which is not integrated with the neighboring French territory of Dahomey, has a population of over one million.

A movement to unify the two trust territories, which was started by the Ewe Tribe in the south of both trust territories and the Gold Coast, has obtained increasing support in the United Nations. The Eighth General Assembly adopted three resolutions on the Togoland unification problem.<sup>2</sup> Resolution 750 A, which was adopted by a vote of 46-0-9 (US, UK), recommends the reestablishment of the Joint Council for Togoland Affairs with the power to consider and make recommendations on the question of unification and expresses the hope that a formula will be achieved acceptable to all "which will facilitate the unification of the two trust territories". Because the phrase just quoted prejudged the wishes of the inhabitants, the United States voted against its inclusion. When the phrase was retained, the United States abstained on the resolution as a whole.

Resolution 750 B, which was adopted by a vote of 52(US)-1-4 (UK), recommends the introduction of universal, direct, and secret suffrage in both trust territories.

Resolution 750 C, which was adopted by a vote of 37(US)-3-12 (UK), expresses the opinion that further changes in the constitution of the Gold Coast may necessitate revision of the trusteeship agreement for British Togoland. A paragraph whereby the Assembly would have stated that the integration of British Togoland into the Gold Coast before both Togolands had attained self-government or independence would be contrary to the principles and purposes of the International Trusteeship System was narrowly defeated in plenary by failure to obtain a two-thirds majority. It demonstrates, however, the considerable opposition in the United Nations to any plan for complete integration of British Togoland into the Gold Coast.

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<sup>2</sup> Published and unpublished documentation on the Togoland question at the Eighth General Assembly is in the ODA files, lot 62 D 225, "Ewe Problem". For the legislative history of the question and the report of the Fourth Committee, see United Nations, *Official Records of the General Assembly, Eighth Session, Annexes*, fascicule for agenda item 31. "The Ewe and Togoland unification problem: special report of the Trusteeship Council".

The near passage of the above mentioned paragraph was a great shock to Dr. Nkrumah, the Prime Minister of the Gold Coast, whose party, the CPP, ardently supports integration of British Togoland into the Gold Coast.<sup>3</sup> Since the adoption of these resolutions by the Assembly he and his party have carried on an active campaign in British Togoland to obtain support for integration. There are now a large number of petitions before the Council favoring integration, as well as a number favoring unification with French Togoland. Nkrumah has stated that the British Togoland should be allowed to decide their own future and this will apparently be the principal issue in British Togoland in the general elections to be held next summer.

The problem of the British will be to demonstrate convincingly to the General Assembly that the people of British Togoland genuinely desire integration with the Gold Coast, as such a step would involve termination of the trusteeship agreement for British Togoland, which requires General Assembly approval. The British might be asked whether, in order to strengthen their case before the Assembly, they intend to invite the Trusteeship Council to send observers to the elections in British Togoland this summer.

A source of difficulty in the United Nations will probably be the feeling of many United Nations members that both trust territories should be allowed to express their views simultaneously on unification as well as on some form of association with the neighboring British or French territories. The French will presumably object to any plebiscite in French Togoland. The British might be asked whether they know the French attitude on this point as well as what the French attitude is towards the elections which they are planning in British Togoland.

The President of the Council (Ambassador Munro of New Zealand) has, with British concurrence, granted oral hearings to three members of Nkrumah's party from British Togoland. It is understood also that the British are including some British Togoland as advisers on their delegation to the Council. These advisers will also presumably be persons who favor integration with the Gold Coast. Under these circum-

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<sup>3</sup> This reaction of Nkrumah's was briefly reported by the Consulate General at Accra in Accra telegram 45, Nov. 27, 1953, 10 a. m., not printed (320.14/11-2753). The matter was more fully reported by William E. Cole, the Consul at Accra, in his despatch 106, Dec. 8, 1953 (320.14/12-853). Cole said that in conversation with Reginald H. Saloway, Minister of Defense and External Affairs, Gold Coast Government, the information was conveyed that Prime Minister Nkrumah was "very annoyed over the resolutions about Togoland adopted by the UN Fourth Committee" and that Nkrumah had "summoned the Indian Commissioner in West Africa, Raja Rameshwar Rao, the Lebanese Consul, and the Liberian Consul General into his presence to upbraid them for the attitude taken in the UN by the delegates of their countries . . ." Cole reported that Saloway had spoken "with much appreciation" of the statement made by Frances Bolton in the Fourth Committee on Nov. 19, 1953 (see USUN's press release 1823 of Nov. 19, 1953, p. 1336).

stances it may be expected that the parties in British and French Togoland which favor unification of the two territories will also ask for hearings. The United States has in the past taken the view that these parties represented a substantial segment of the population and should be heard. However, as there have been no requests from these parties thus far, the question has not been raised in the Department at this time.

*British Cameroons Problems:*

The trust territory of British Cameroons consists of two disconnected narrow strips of territory along the eastern border of Nigeria, with a population of about one million compared with over 20 million in Nigeria. It is administered as an integral part of Nigeria and is much smaller than French Cameroons, which has a population of over three million and is administered by the French as a separate entity. The most interesting recent development affecting British Cameroons is the endorsement by the Nigerian Constitutional Conference, which reconvened this month in Lagos, of proposals whereby Southern Cameroons will become a quasi-federal territory within the new Nigerian Federation, with its own regional legislative and executive council and representation in the Nigerian Federal Legislature and Council of Ministers. Northern Cameroons is not included in the proposal but will remain a part of the Northern Region of Nigeria. While it is understood this corresponds to the wishes of the inhabitants of Northern Cameroons, the failure to include Northern Cameroons in the new separate Cameroons Region may be criticised in the Trusteeship Council and the General Assembly as failing to recognize the distinct trusteeship status of that part of the Territory.

While the desire for unification of the two Cameroons seems to have much less support than the Togoland unification movement, it has grown in recent years, possibly partly because of the attention it has received in the United Nations. The unification movement exists almost entirely in the southern part of both territories. The British might be asked how the decision to establish Southern British Cameroons as a separate Region in the Nigerian Federation may be expected to affect the unification movement.

It should be noted that the 1952 United Nations Visiting Mission concluded that there was relatively little popular interest in the unification movement in either territory. However, two groups from French Cameroons (KUMSZE and NGONDO) which, in varying degrees, favor unification, have been granted oral hearings at this session of the Council. Ruben Um Nyobe, of the extremists French Cameroons party (Union des Populations du Cameroun) has also requested a hearing but the position on his request cleared in the Department is that the United States will oppose granting him a hearing.

*Tanganyika Problems:*

The most difficult problem concerning Tanganyika to arise recently in the United Nations has been caused by the removal of members of the Wa-Meru Tribe from their land on Mt. Meru in order to make it available to modern cattle raising, which is, in practice, carried on only by Europeans. A resolution adopted by the Trusteeship Council at its Eleventh Session recommended various measures to alleviate the difficulties of the Wa-Meru and asked the Administering Authority to keep the Trusteeship Council informed of further developments in the matter of their resettlement. At the Seventh General Assembly a resolution asking the Administering Authority to restore the lands of the Wa-Meru failed to receive the necessary two-thirds vote, and no resolution was adopted. The question also received relatively little attention at the Eighth General Assembly. However, particularly in view of the fact that India has become a member of the Council, efforts may be made to raise the Wa-Meru question again at this session of the Council.

Reports that the Mau Mau movement has begun spreading from Kenya into the northern part of Tanganyika may also arouse questions in the Council. The British appear to have taken adequate measures to deal with this problem but we might wish to ask them whether there are any questions we might ask them in the Council which would assist them to place this matter in its proper perspective.

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745K.021/1-2954

*The British Embassy to the Department of State*

SECRET

1510/2/9/54

AIDE-MÉMOIRE

TOGOLAND

As the United States Government will recall, the General Assembly adopted three resolutions on the Togoland unification question at its Eighth Session. The first of these resolutions invited the Administering Authorities to re-establish the Joint Council for Togoland affairs, its member [*sic*] being directly elected by universal suffrage and secret ballot.

The Second General Assembly Resolution invited the Administering Authorities to revise the system of electoral qualifications in the Trust Territories to provide for universal adult suffrage.

The Third General Assembly Resolution instructed the Trusteeship Council, at its Thirteenth Session, to embark on a study of the problem of attaining the basic objectives of the International Trusteeship Sys-

tem (i.e. self-government or independence) in the light of the constitutional and political situation in the Gold Coast.

The issues facing the Administering Authorities at the Thirteenth Session of the Trusteeship Council are, therefore, as follows:

First to report to the Trusteeship Council on the extent to which they have been able to implement the first and second resolutions, and, secondly, the nature and content of the Trusteeship Council's study of the constitutional future of the two Togolands.

So far as the first of these resolutions is concerned, the United Kingdom Government is examining means whereby the Joint Council may be re-established. But the consultations already conducted in British Togoland during 1953 about the possibility of re-establishment have shown that the population of Northern British Togoland is strongly opposed to the recreation of the Joint Council and that, although in Southern British Togoland the main political parties appear to agree with the principle of the Joint Council, they have made their agreement subject to conditions which cannot fail to give rise to difficult political and administrative problems. Apart from these problems, the United Kingdom Government is not satisfied that the strength of the various opinions in Southern Togoland is accurately known. It is expected, provided a satisfactory agreement is reached between the Gold Coast and United Kingdom Governments in the constitutional discussions now proceeding, that a new constitution will be promulgated for the Gold Coast, in the spring of this year, providing, *inter alia*, for the creation of an All-African Cabinet. This constitution, once in being, will represent a considerable advance towards complete self-government or independence for the Gold Coast which cannot fail to have a profound effect upon the attitude of the British Togoland public to the question of their political future.

The general election to the Legislative Assembly of the Gold Coast, which will follow this new constitution, is expected to take place in May and will be conducted on the basis of a revised electoral register with full adult suffrage. The results of this election should serve to indicate what the views of the people of British Togoland are, since in Togoland the election will doubtless be fought on the integration versus unification issue. These factors have a potent bearing on consideration of the means whereby the Joint Council can be re-established and the desirability of allowing them to operate accounts for the short delay which will inevitably occur in implementing the First General Assembly Resolution.

It will be apparent from the foregoing that it is not practically possible for the Joint Council to be re-established, so far as British Togoland is concerned, until the revised electoral registers have been completed (about the end of April) since the re-establishment of the

Council has to be based on elections conducted on universal adult suffrage.

The foregoing indicates the line which the French and United Kingdom Delegations will take at the Thirteenth Session on the question of the re-establishment of the Joint Council.

So far as the Third General Assembly Resolution is concerned, the basic United Kingdom attitude to the question of the future of British Togoland is that the time is rapidly approaching when the implications for the trusteeship status of British Togoland of the constitutional advancement of the Gold Coast (in which British Togoland has shared) must be carefully examined. We, therefore, welcome the Assembly's direction to the Trusteeship Council that such an examination should take place, and even if the Assembly had not itself ordered such a study, we would have suggested it in the course of 1954. It is clear, however, that on a matter of such importance it is essential that both the Administering Authority and the Trusteeship Council should participate in this study with as clear a knowledge as possible of the state of public opinion in the Trust Territory. As indicated above, the general election, which is expected to be held in the Gold Coast and Togoland in May and June, 1954, will probably provide such an expression of opinion and enable the Administering Authority and the Trusteeship Council to embark on the study ordered by the General Assembly on the basis of a realistic impression of the strength of the various factions in the Trust Territory. For this reason it is the earnest hope of the United Kingdom that the Trusteeship Council will agree to postpone the study called for in the Third General Assembly Resolution until its Fourteenth Session.

In view of the considerations set forth above, it is the considered opinion of the Governments of the United Kingdom and France that the substantive study of the fundamental issues of the future status of the Trust Territories, and especially of British Togoland, should be deferred from the Thirteenth to the Fourteenth Session of the Trusteeship Council, and we trust that the Government of the United States will recognise the validity of these arguments.

It is the intention of the United Kingdom Government to present to the Fourteenth Session of the Trusteeship Council a memorandum setting forth its views on the content of the Trusteeship Council's study, with particular reference to the constitutional future of British Togoland.

It is probable that requests will be made by supporters of the integration of British Togoland with the Gold Coast for an oral hearing before the Thirteenth Session of the Trusteeship Council. The United Kingdom Government considers that it might be valuable to the Council to listen to the views of these petitioners so that it may be apprised of the existence of a body of opinion in the Trust Territory, not



hitherto heard at the United Nations, but which is opposed to Togoland unification.

Her Majesty's Government understands that the French Government will be making representations to the United States Government similar to those above. If the United States Government wishes to discuss this matter further it is suggested that, since the Trusteeship Council is already in session, this could most appropriately be done by consultation between the United States and United Kingdom Delegations in New York. Her Majesty's Government sincerely hopes that the United States Government will instruct their Delegate to the Trusteeship Council to support the line taken by the United Kingdom and French Delegations on all the above issues when they come up for discussion in the Council.

WASHINGTON, January 29, 1954.

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ODA files, lot 62 D 225, "Trusteeship Council"

*Memorandum by an Adviser of the United States Delegation to the Thirteenth Regular Session of the Trusteeship Council (Gerig), to the Deputy Director of the Office of Dependent Area Affairs (Robbins)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] February 1, 1954.

Subject: Meeting of Administering Authorities

Ambassador Munro called a meeting of the Administering Members of the Trusteeship Council today to consider three questions of special interest: (1) the Togoland question; (2) the request of Mr. Frazao, of Brazil, to have the status of Observer at the Trusteeship Council; and (3) the question of supplying a Vice-Chairman to replace Dr. Urquia when he leaves for Caracas about February 15.

*Togoland Question*

On the Togoland question, the French and British Members supplied the information which was contained in the *Aide-Mémoire* which Mr. Campbell and Miss Salt of the British Embassy had left with Assistant Secretary Key. Sir Alan Burns, for the U.K., explained that since there will be elections in May in British Togoland which will undoubtedly reflect the opinion of the inhabitants as to unification or integration, it is impossible before then for the British to present a clear picture of the desires of the Togoland inhabitants. Moreover, the Administering Authority is engaged in drawing up a revised electoral

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<sup>1</sup> Dictated by Gerig on Feb. 2. The 13th Session of the Trusteeship Council met Jan. 28-Mar. 25, 1954.

list for the Territory which cannot be completed before the end of April. For these reasons, the British propose postponement of the Togoland item until the Fourteenth Session of the Trusteeship Council in June, at which time they will be able to give a complete answer in the light of the intervening elections and thus enable the Trusteeship Council to prepare its reply to the next General Assembly as regards Resolution 750 C (VIII).

M. Pignon, for the French Delegation, completely supported the British explanation and in addition pointed out that it would take them somewhat longer to complete their electoral lists in French Togoland. Moreover, they would wish to see what happens in the British elections but would also be in a better position in June than they are now to deal with the problems arising out of the Assembly resolution.

All the Administering Members of this group agreed that the only practical way of dealing with this question was to postpone it until June for the very substantial reasons given. It was believed that all the Members of the Trusteeship Council would see the necessity for this postponement and that there would be no difficulty, since this would enable the Trusteeship Council to make a report in ample time for the next General Assembly with all the necessary data at hand.

[Mr. Sears and I therefore hope that the Department will respond in the same way to the British Embassy.]<sup>2</sup>

[Here follows discussion of the two other matters mentioned in the first paragraph.]

*Request of Mr. Frazao, of Brazil*

Mr. Frazao, of Brazil, has written to the Secretary General suggesting that he might be given a seat, perhaps alongside the Specialized Agencies, with a nameplate as "Official Observer". It was not known whether this was at his own request or at the request of his government, but presumably the former. It was pointed out that Article 33 and Article 89 of the Charter provide respectively for such participation in the Security Council and the Economic and Social Council but that no such provision was made in the Charter for the Trusteeship Council and no provision was made in the Rules of Procedure. It was felt that if a precedent were established in favor of Mr. Frazao, who would probably not have used the privilege, it was at the present stage not a good idea to set this precedent, since members of the Soviet group would almost certainly take advantage of it to spread more of their propaganda. It was left that Ambassador Munro would point out some of these constitutional and practical difficulties to Mr. Frazao in the hope that he would not press the point at this time.

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<sup>2</sup> Brackets in the source text.

*Vice-Chairmanship*

Ambassador Munro called attention to the situation which would exist in the month of February when he is President of both the Security Council and the Trusteeship Council if the Vice-Chairman, Ambassador Urquia, is to be absent, as planned, to attend the Caracas Conference. After some discussion it was suggested that perhaps on the days that the Security Council meets in the afternoon, the Trusteeship Council could meet in the morning. Also, the Chairman said he would speak to Dr. Urquia to see whether he could not postpone his departure from New York until the end of February. If, nevertheless, a conflict should arise, it was felt that consideration would need to be given to the election of a second Vice-Chairman.

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745K.021/1-2954

*The Department of State to the British Embassy*<sup>1</sup>

SECRET

**AIDE-MÉMOIRE**

The information contained in the British Embassy's *Aide-Mémoire* of January 29, 1954 concerning Togoland is appreciated by the Department and has been given the most careful consideration.

The Department considers that the plan to introduce a revised electoral register, with full adult suffrage, in the trust territory of Togoland under United Kingdom administration represents an important step in the political advancement of the territory which is in conformity with General Assembly Resolution 750 B (VIII) and which should be welcomed by the Trusteeship Council. The Department understands why, until the revised electoral register is completed, it is impossible for the Administering Authority to re-establish the Joint Council for Togoland Affairs on a basis of universal adult suffrage pursuant to General Assembly Resolution 750 A (VIII). It considers the Administering Authority's explanation acceptable and believes that it should be acceptable to the Trusteeship Council. It will so advise the United States Representative on the Council.

The Department also appreciates the reasons which have lead the Governments of the United Kingdom and France to seek to defer to the Trusteeship Council's Fourteenth Session the study which the General Assembly in Resolution 750 C (VIII) asked the Council to make of the future status of the trust territories of British and French Togoland, "having particular regard to the special circumstances created by the constitutional and political situation in the Gold Coast."

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<sup>1</sup> Handed by Robbins to Mr. Campbell, Colonial Attaché, British Embassy, and to Barbara Salt, First Secretary, on Feb. 12, 1954, 12:30 p. m.

It agrees that it would be impracticable for the Council to attempt at its current session any definitive re-examination of all aspects of the problem pursuant to Resolution 750 C (VIII), particularly in view of the fact that the new constitutional arrangements for the Gold Coast and British Togoland are still under discussion. There would, however, seem to be no reason why, if members of the Council desired, some preliminary consideration of the matters raised in Resolution 750 C (VIII) should not be undertaken at the Council's current session. Some members of the Council might, for example, wish to have the Council consider how it would proceed with the study and what information it would require. They might then wish the Council to adopt a resolution requesting the Administering Authorities concerned to supply to the Fourteenth Session of the Council full details as to the Gold Coast constitutional changes insofar as they affect the two Togolands, as well as their views on the future status of the two Trust Territories. A resolution along the above lines, rather than an outright proposal by the Administering Authorities to defer to the Fourteenth Session the study asked for by the Assembly would probably attract more support in United Nations bodies.

It will be recalled that the 1952 United Nations Visiting Mission to Trust Territories in West Africa in its report on British Togoland considered that "if an appreciable further measure of self-government is to be accorded to the Gold Coast and if it is considered desirable, as in the past, to apply these constitutional changes to Togoland as an integral part of the Gold Coast, the Visiting Mission considers it inevitable that the Administering Authority will feel obliged to consider whether the responsibility vested in it by the Trusteeship Agreement can be reconciled with the authority which may be transferred to the Government of the Gold Coast in respect of the Trust Territory." Moreover, the General Assembly, in Resolution 750 C (VIII), expressed the opinion "that further changes in the constitution of the Gold Coast . . . may to the extent that they provide an increased measure of self-government necessitate revision of the existing trusteeship agreement in respect of the Trust Territory insofar as concerns the existing administrative union."

It is the Department's understanding that constitutional changes providing an appreciable further measure of self-government will be introduced in the Gold Coast and applied in British Togoland between the Council's Thirteenth and Fourteenth Session. While neither the Visiting Mission nor the General Assembly took the position that the Trusteeship Council should study such changes before they were applied to British Togoland, there may nevertheless be a feeling on the part of certain Members of the United Nations that to defer the Council's study of the effect of these changes on the two Trust Territories until after they have been introduced in British Togoland would in-

volve a certain abdication of responsibility on the part of the Trusteeship Council.

In the Department's view the policy being followed by Her Majesty's Government of introducing full adult suffrage in British Togoland and providing an opportunity for the inhabitants to participate in an election, which will doubtless indicate the views of the inhabitants as to the future status of their territory, represents statesmanship of a high order and is fully in accord with the principles of the Trusteeship System. The Department is, however, concerned that the matter be handled in a way which will ensure maximum approval in the United Nations. It is with this aspect in mind that the Department has raised certain questions of procedure. The Department presumes that Her Majesty's Government is primarily concerned lest at this stage in the evolution of new constitutional arrangements the Council attempt to arrive at conclusions and recommendations as to the future status of the two Trust Territories. The Department agrees that such an attempt would be unwise and will so advise the United States Representative on the Trusteeship Council. Thus, to the extent indicated above the United States is prepared to support deferral of the study asked for in Resolution 750 C (VIII) to the Council's Fourteenth Session. Insofar as questions of procedures and tactics are concerned, the Department agrees that, as the Embassy's *Aide-Mémoire* suggests, they could most appropriately be further discussed in consultations between the United States and United Kingdom Delegations in New York.

The Department would also like to inquire what the reaction of Her Majesty's Government would be if, as appears likely, a proposal were made by a Non-Administering Member that the Trusteeship Council send an observer or observers to be present in British Togoland when the general election is held there next May and June, and to suggest that this question also be discussed by the Delegation in New York.

WASHINGTON, February 12, 1954.

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ODA files, lot 62 D 225, "Trusteeship Council"

*The Director of the Office of Dependent Area Affairs (Gerig) to William L. Yecomans, Office of Territories, Department of the Interior*

[NEW YORK.] February 11, 1954.

DEAR BILL: Enclosed is a first draft of a memorandum which, as you will see, is aimed at improving the procedure of the Trusteeship Council which in most respects, as you know, has become pretty deadly and useless.

The questions which are asked for several days are usually already answered in the reports, and the whole process has resulted in an atmosphere rather reminiscent of a criminal court procedure.

As you see from the enclosed memorandum (which is merely a first draft intended for our own thinking), I am attempting to see whether a change of emphasis in procedure could bring about a better condition in the Council. The main proposal, as you see, is to get the discussion going on a certain number of selected problems which the Administering Authority would outline, either at the end of the Annual Report or in the Special Representative's opening remarks, or both.

Now what I would like to have your help on is whether you could indicate four or five such problems in the case of the Pacific Trust Territory which would lend themselves to this form of treatment, assuming always that we would be willing to let the Council in on a consideration of such problems, with a view to inviting their assistance.

I am not sure that the other Administering Authorities would be willing to place themselves that much at the mercy of the Council, or whether they believe that the Council would have anything constructive to offer in any event. We haven't talked to the other delegations yet about this.

My main purpose, therefore, is to see whether you would be able to indicate four or five such problems in our case, and even to outline them a bit in the form of a draft sample statement which could be made along these lines.

I hope this will not be asking too much of you, and that you could dash this off rather quickly so that we can see whether the idea has any practical merit. Any comments of yours would, of course, be deeply appreciated.

Ever cordially yours,

BENJAMIN GERIG

[Enclosure]

*Memorandum Prepared by the United States Delegation to the  
Thirteenth Session of the Trusteeship Council*

[NEW YORK,] February 11, 1954.

POSSIBLE IMPROVEMENT IN THE PROCEDURE OF THE TRUSTEESHIP  
COUNCIL

I. PRESENT SITUATION IN THE COUNCIL

The question-answer method has, in the view of many Members of the Council, become stereotyped, routine, restrictive and in a large measure unproductive.

This method, moreover, has developed in a form disadvantageous to the Administering Members and not satisfactory to the non-administering.

It is disadvantageous to the Administering Members because (a) it rests on the unacceptable premise that the good faith and good intentions of the Administering Authorities must be called in question, and (b) it assumes that the Administering Authority must be held in suspicion of some kind of skulduggery for his own benefit.

The questions in nearly all cases—except when put forward by other Administering Authorities—can be reduced to a simple proposition—“Have you been a good boy during the past year?” The only obvious answer, of course, which the Administering Authority can and will give is—“Of course I have been a good boy, but conditions are such that I cannot do all I would like.”

In general this method renders the Council sterile as a medium through which a constructive and positive result can be attained. The fundamental purpose of the Trusteeship Council should be to seek, collectively and cooperatively, to find the best possible solutions for problems which inevitably arise in any country and for whose solution knowledge, experience and good judgment should combine to bring about a positive result. This purpose can hardly be achieved in a courtroom atmosphere when a half-dozen so-called “court’s prosecuting attorneys” are attempting to secure a conviction of the trustee for malfeasance or misfeasance.

## II. SUGGESTED CHANGE IN PROCEDURE

It is not suggested that the question-answer method should be or can be wholly dispensed with. This is obviously one way to bring out information. But it is here suggested that in addition to or perhaps largely in substitution of this method, the following method might be tried:

1. The representatives of the respective Administering Authorities should make an opening statement outlining in detail eight or ten of the special problems which have confronted the administration in the past year. These problems would not only include those originally presented by the Administering Authority, but also those problems which might have emerged in the effort to carry out previous Trusteeship Council or General Assembly recommendations;

2. The Administering Authority should freely invite the Members of the Council to offer any constructive and helpful advice and suggestions based on their own knowledge and experience which might assist the Administering Authority in dealing with the problem;

3. The President of the Council should aim to channel the discussion of the Council toward a consideration of the particular problem and its solution. Questions might be asked by various Members for information on the problem but the discussion should take on the character of a collective effort rather than a consecutive series of bilateral questions and answers, as at present; and

4. Each problem discussed would presumably lead to a Council recommendation and it would be understood, of course, that the Administering Authority would continue, as at present, to have the responsibility to accept, reject or modify the Council's recommendations, as may be necessary in any particular case.

### III. ADVANTAGES OF THIS METHOD TO THE ADMINISTERING AUTHORITIES

This method would give the initiative to the Administering Authorities and remove, at least in large part, the defensive posture to which they have been increasingly subjected.

The discussion, except possibly for the Soviet Member, would be kept more largely within the framework of the trusteeship agreements rather than to attack the validity of the agreements themselves or even the whole trusteeship and colonial system. If the Soviet Member would refuse to participate in this collective effort to find solutions to problems, his intervention would be exposed for what it is. It may be assumed that most of the non-administering Members would offer their advice and suggestions sincerely, and thus the Soviet Member would be segregated and largely isolated.

The proposed method would tend to bring the Council back to its original purpose, namely, to exercise a supervisory role in the form of positive and constructive assistance to the Administering Authority, instead of a kind of international criminal court where a succession of bilateral exchanges take place aimed at undermining the position of the trust power.

This method would also enable the technical and expert character of the Council to emerge as it was envisaged by those who formulated this Chapter of the Charter. It would offer possibilities where the Specialized Agencies could gear in more effectively in the search for solutions to problems.

Finally, it would avoid unnecessary repetition of answers to numerous picayunish questions, the answers to which, in most cases, are already to be found in the voluminous reports already provided by the Administering Authorities.

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350/2-1254

*Memorandum of Conversation, by the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

CONFIDENTIAL

[WASHINGTON,] February 12, 1954.

Subject: Mr. Sears Statement in the Trusteeship Council

Mr. van Laethem of the French Embassy came in to see me at his request yesterday. He started the conversation by saying that his people in Paris are working on various formulae to improve the rela-



tionship between France and its colonial possessions in Africa. He dwelt at some length but most vaguely on various formulae which the French are developing on types of federation for the various possessions.

Upon completing this rather vague and disconcerted discussion, Mr. van Laethem then said that the Ambassador had asked him to see me to convey in a friendly way—this, he said, was not a *démarche*—the views of the Ambassador regarding the statement which the United States Representative made in the Trusteeship Council on Wednesday, the tenth, concerning the Cameroons. Mr. van Laethem said that the Ambassador felt that such statements do not contribute to good relations between our countries; they are unprofitable; they are gratuitously harmful and play into the hands of our enemies. Mr. van Laethem referred to the speeches made by the Secretary and Mr. Byroade on colonialism and said that in his view what Mr. Sears stated went beyond those two speeches. Mr. van Laethem also complained that the manner in which the British deal with their colonial possessions compared with the way in which the French deal with their colonial possessions was almost always to the disadvantage of the French. I said to Mr. van Laethem that this was a matter not within my area of responsibility and that I had not seen the text of what Mr. Sears said in the Trusteeship Council. At this point Mr. van Laethem opened the *New York Times* for February 11th and drew my attention to the article dealing with Mr. Sears' statement. Mr. van Laethem also referred to the *New York Herald-Tribune* of February 11th which carried a brief account of the statement but was more harmful than the *Times* article in that the headline in that account referred to U.S. pressing for the independence of the Cameroons.<sup>1</sup>

I told Mr. van Laethem that I would call this matter to the attention of the appropriate officers in the Department.

DAVID W. WAINHOUSE

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<sup>1</sup> The *New York Times* account of Feb. 11, 1954 read:

"United Nations, N.Y., Feb. 10—The United States politely cautioned France today not to allow the development of her Cameroons trust territory to fall behind the rate of progress in other parts of Africa.

"Mason Sears, speaking for the United States in the Trusteeship Council, pointed to the signs of early nationhood for the Gold Coast and Nigeria and self-determination for British Togoland and the British Cameroons.

"'We cannot blind ourselves to the complications which could arise if self-government was being achieved by some peoples of West Africa while not yet being fully achieved by others,' he said.

"'We believe that if such a situation is allowed to drift and becomes unduly prolonged it will create many difficulties and will ultimately provide fertile territory for alien controlled agitators, disguised as local patriots, to introduce Communist activity, which officially aims to take over every nationalist movement it can reach.'"

(Source text from ODA files, lot 62 D 225, "U.S. Representative in Trusteeship Council")

ODA files, lot 62 D 225, "US Representative in Trusteeship Council"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

[WASHINGTON,] February 12, 1954.

Subject: Mr. Sears' Statement on French Cameroons in the Trusteeship Council

I am enclosing a copy of the verbatim text of the statement on French Cameroons made by Mr. Sears in the Trusteeship Council on February 10. As you will recall, AF expressed some concern about this statement as reported in the *New York Times* of February 11. Mr. Wainhouse informs me that Mr. van Laethem of the French Embassy, on the instructions of his Ambassador, raised informally and in a friendly way some question about Mr. Sears' statement. It may be that the French Embassy also was relying upon the report in the *New York Times*. As you will see from the verbatim text, Mr. Sears' statement was well balanced, a fact that was not reflected in the *Times* story. I believe that you will agree that Mr. Sears' statement accords with recent general statements of policy by the Secretary and Assistant Secretary Byroade and does not give any cause for concern.

You may be interested to know that USIA is cabling full texts of Mr. Sears' statements in the Trusteeship Council to our Public Affairs Officers in Accra and Lagos. Mr. Sears' earlier statement on British Cameroons was broadcast by the Lagos Radio Station and the Station expressed an interest in broadcasting the texts of subsequent statements by Mr. Sears. Moreover, the Middle East News desk of USIA considered Mr. Sears' statement on French Cameroons of such interest that a full story quoting liberally from it was sent by Wireless Bulletin to all thirteen posts receiving the Bulletin in the Middle East.

[Enclosure]

VERBATIM TEXT OF MR. SEARS' STATEMENT ON FRENCH CAMEROONS

Mr. Sears (United States of America) : In discussing the Territory of the French Cameroons, the main point my delegation would like to emphasize—and we think it is the overriding issue—is the rapid political and economic progress which is taking place throughout the highly populated areas of West Africa. It has become a classic example of what can be done where there is a will to co-operate between peoples of greatly differing languages and backgrounds, and we are certain that it will contribute enormously to the final settlement of the colonial issue.

But the nature of this progress is such that we cannot blind ourselves to the complications which could arise if self-government was being achieved by some peoples of West Africa while not yet being fully attained by others. We believe that if such a situation is allowed to drift and it becomes unduly prolonged, it will create many difficulties and will ultimately provide fertile territory for alien-controlled agitators, disguised as local patriots, to introduce Communist activity which, as we all know, officially aims to take over every nationalist movement it can reach.

To put it another way, it is our judgment that the expected early emergence of nationhood for the Gold Coast and Nigeria, including final self-determination for the British Trust Territories of Togoland and the Cameroons, will have a very far reaching effect upon adjoining territories. This means that as time goes on, French judgment with respect to the rate of progress best suited to the welfare of their part of the Cameroons is destined to become of greater and greater importance not only in the Trust Territory but throughout Africa. It is our opinion that it will have a profound effect upon the ability of colonial administrators everywhere to harness the process of orderly evolution to the constantly accelerating forces of African nationalism.

However, after listening to the discussion of the last few days, we are satisfied that the efficient, well-informed administrators in the French Cameroons are fully aware of the implications of forthcoming developments in neighbouring territories. We are confident that they are prepared to make sound decisions which will recognize the political realities of the times and that they will not permit the progress of the people in their trust territories to differ importantly from progress in adjoining areas.

In conclusion, we wish to congratulate the French administrators for the many fine contributions which they are making to the advancement of the people of the Cameroons.

We are happy to believe that the Cameroons, in their turn, will become self-governing at an early date, and that they too will use their self-governing powers to advance the cause of freedom in this important part of the world.

350/2-1754

*Memorandum by the Deputy United States Representative on the Trusteeship Council (Gerig) to the Assistant Secretary of State for United Nations Affairs (Key)*

CONFIDENTIAL

[NEW YORK,] February 17, 1954.

Subject: Tactics of USDel in Trusteeship Council

In order to avoid any misunderstanding, either in the Department or in French or British circles, I wish to explain the tactics which USDel has been following in the Trusteeship Council.

First of all, I should explain that Mr. Sears, Mr. McKay and I keep copies of the colonial policy statements of Secretary Dulles of November 17 and of Assistant Secretary Byroade of October 30 constantly at our elbow, and we carefully measure our statements and our questions in the Trusteeship Council against these basic documents.

It has been Mr. Sears' desire, and we have agreed, to change somewhat the nature of U.S. participation in the Council by adopting a selective rather than a comprehensive approach to the problems. In the Council the custom has been—and in the past the U.S. went along with it—to ask a number of questions under each of the four main headings—political, economic, social and educational. Then each Delegate would make a comprehensive commentary running into eight or ten pages covering each of these items in considerable detail. This time USDel decided that instead of this comprehensive treatment it would be better to select two or three of the big items to which we wished to call attention and treat them more briefly. You will see, therefore, that in Mr. Sears' statements so far made on British Cameroons, French Cameroons and British Togoland, his final statement was only about a page and a half in length and selected one or two large issues such as, for example, (1) the early attainment of self-government for British Cameroons in relation to Nigeria, (2) the impact which this development is almost certain to have in the adjoining French Cameroons and therefore the necessity for the French to be mindful of this development, and (3) the forthcoming elections in British Togoland when the people, under the principle of self-determination, will decide whether to look westward toward union with the Gold Coast or eastward toward unification with French Togoland.

These statements have in no wise, in our view, departed from the Dulles and Byroade statements. They have, of course, applied these principles to particular cases, and in that respect we were fully aware that they needed to be carefully measured. A perusal of these statements (copies attached) will show, I think, that they were couched in courteous and sufficiently general terms, and should give no real cause for criticism.

One effect of these brief statements has been that the New York papers, almost for the first time, have taken note of our positions in the Trusteeship Council. Moreover, we are informed that USIA finds them much more usable than the general comprehensive statements have been heretofore.

USDel is fully aware that the basic colonial policy position, as outlined in the Dulles and Byroade statements, stresses self-government as the objective for all non-self-governing peoples and in certain cases, where conditions are suitable, a choice of independence or some other alternative following the application of the principle of self-determination. We are also aware, as is clearly pointed out in both the basic policy statements, that there is such a thing as premature attainment of independence which would not only be unrealistic and unenduring, but would open the way for communist exploitation. I think a careful reading of our brief statements to the Trusteeship Council will indicate that we have taken all this carefully into account.

Mr. Sears feels, and we all agree here, that the colonial and trust powers should advance the territories under their charge toward self-government as rapidly as practicable, and in doing so show to all the members of the free world that the colonial question should not be a divisive issue among them, thus playing into the hands of the communists.

I trust this memorandum will suffice to clarify any misunderstanding which may have arisen in regard to our activities here. It might be well soon to have a discussion in the Department at which the Assistant Secretaries and other officers particularly concerned with colonial questions could meet with Mr. Sears and discuss our tactics further.

Mr. Sears has seen this memorandum and agrees with it.

B[ENJAMIN] G[ERIG]

350/2-2454

*Memorandum of Conversation, by Curtis C. Strong of the Office of  
Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON,] February 24, 1954.

Subject: Belgian Views on Statements by the U.S. Representative in  
The Trusteeship Council

Participants: Baron Silvercruids, Ambassador of Belgium  
Mr. Charles Muller, Second Secretary, Belgian  
Embassy  
Mr. Key, Assistant Secretary, United Nations Affairs  
Mr. Robert R. Robbins, Acting Director, UND  
Mr. Curtis C. Strong, UND  
Mr. Ward Allen, EUR

Ambassador Silvercruids said that he wished to speak in a friendly but frank manner as he had in the past regarding certain aspects of the work of the Trusteeship Council. In particular, his Government as well as the Belgian Mission to the United Nations in New York and he himself had been disturbed by the tenor of the statements made thus far by the United States Representative in the Trusteeship Council. It was true these related to British Cameroons, French Cameroons and British Togoland but they contained phrases which could be interpreted as having general application to colonial areas in Africa and which could have nefarious consequences for those areas. Speaking with considerable seriousness and intensity, the Ambassador said that the Belgians were not surprised when such statements were made by the representatives of certain states but that it came as a real shock when statements of this sort were made by the representative of a friendly power with whom Belgium shared so many interests and responsibilities of vital importance to the security of the free world. Baron Silvercruids went on to say that although the general ideals expressed in these statements were lofty ones to which we would all adhere, certain phrases could be taken out of the context by interested parties and give encouragement to subversive elements in dependent areas in Africa. He was sure that we both desired progress in Central Africa to be carried out without upsetting the stability of this important area.

He read from Trusteeship Council verbatim records such phrases as "the Colonial days of *these regions* are coming to an end with the rapid approach of full self-government" (T/PV.488); "French judgment with respect to the rate of progress . . . is destined to become of greater and greater importance not only in the Trust Territory *but throughout Africa*" (T/PV.493); and "we will soon see a very practical demonstration of *African self-determination* in action, and it

seems to us that it deserves enthusiastic support" (T/PV.498). He and other Belgian officials had been favorably impressed by Assistant Secretary Byroade's "sober" statement of U.S. policy on African problems. They found it impossible to reconcile Mr. Sears' statements with that general policy statement.

Ambassador Silvercruys stressed the community of interest of our two countries, making particular reference to NATO. He noted the importance of the Belgian Congo in our common defense arrangements. He pointed out that it was inconsistent, while working for stability in western Europe, to give encouragement to instability in the dependent territories in Africa when the stability of the two areas was so closely interrelated. He referred to the growing importance of Belgian military installations in the eastern Congo and said that in the past several years some "subversive" activities have begun to be noted in the Congo. It was no coincidence, he felt, that only after the British high command for African defense had been shifted to Nairobi, had the Mau Mau movement become active in Kenya.

The Ambassador hoped that the Department would find it possible to convey to the United States Representative on the Trusteeship Council the serious concern felt by the Belgian Government as to the unsettling consequences in Africa of the statements he had been making in the Council, particularly if the present trend of these statements continues. They were, of course, particularly concerned over the possibility that he might speak along similar lines with regard to Ruanda-Urundi.

Assistant Secretary Key expressed his appreciation for this frank expression of the Belgian viewpoint, which he said was quite understandable. He said that he had been in touch with the United States Representative on the Trusteeship Council, Mr. Mason Sears, earlier today on this matter and that Mr. Sears had assured him that the statements which he had made applied only to the Trust Territories in West Africa, that he was fully aware that the territories in Central and East Africa had not reached a similar stage of development and that he had no intention of making similar statements with regard to the latter territories. Mr. Sears had, in fact, been very favorably impressed by the record of Belgium in Ruanda-Urundi and his statement on that Territory would give every credit to the splendid achievements of the Belgian administration.

If Ambassador Silvercruys considered that it would be useful, he would be glad to suggest that Mr. Sears consult with the Belgian representative on the Trusteeship Council, Mr. Ryckmans, and give him similar assurances. Ambassador Silvercruys replied that he thought such consultation would be very useful and in fact he felt that continuing and close consultation between the two delegations was always desirable.

350/2-2454

*Memorandum of Conversation, by the Director of the Office of African Affairs (Utter)*

CONFIDENTIAL

[WASHINGTON,] February 24, 1954.

Subject: Belgian Concern over American Representative's Statement in Trusteeship Council.

Participants: Mr. Georges Carlier, Counselor of the Belgian Embassy.

Baron Dhanis, Belgian Congo Affairs Attaché, Belgian Embassy.

Mr. John E. Utter, AF.

At their request, Mr. Carlier and Baron Dhanis called on me today to express to me the concern with which the Belgian Government viewed the possible repercussions to the speech which Mr. Sears gave in the Trusteeship Council on February 10, 1954 on the French Cameroons. Mr. Carlier informed me the Belgian Ambassador had already spoken to Assistant Secretary Key on this matter but that he and Baron Dhanis felt that it was advisable and necessary to bring it directly to the attention of the African Office.

Reference was made to Assistant Secretary Byroade's speech of November 1, 1953, entitled "The World's Colonies and Ex-Colonies: A Challenge to America," before the World Affairs Council of Northern California, at Asilomar, California, and the subsequent speech of the Secretary in Detroit regarding the Colonial policy of the United States Government. Mr. Carlier stated that these speeches had been received with great pleasure by his Government and there was a feeling among the administering powers that the United States, without yielding its traditional sympathy toward the evolution of peoples to self-government, was at last becoming more realistic in its views regarding colonialism. According to Mr. Carlier the extreme language used by Mr. Sears could only lead to stirring up trouble among Africans and be used to incite revolt against the administering powers. He said that with proper encouragement it was conceivable that the troubles in Kenya could spread to Ruanda-Urundi and thence to the mining district of the Congo. The end result, he continued, would be to start a chain of events which could only play into communist hands. The stability of the Katanga area, so rich in strategic materials, he remarked, was as much the interest and concern of the United States as it was of Belgium; therefore caution should be used in public statements made by American representatives, especially since these statements were broadcast around the world. Mr. Carlier said that he had never in his experience received such an annoyed and violent message as the one from his Minister in Brussels regarding Mr. Sears' speech.



Mr. Carlier hoped that the Department might take the necessary precautions to avoid the repetition of speeches tending to inflame the passions of Africans against their Administering Powers. This he felt could best be achieved if our public utterances were guided by the policy already established by the Secretary and Mr. Byroade.

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850/2-2454

*Memorandum of Conversation, by Sheldon B. Vance of the Office of Western European Affairs*

CONFIDENTIAL

[WASHINGTON,] February 24, 1954.

Subject: Belgian Views on Statements by the U.S. Representative in the Trusteeship Council

Mr. Carlier stated that he wished to inform me that Ambassador Silvercruys had called on Assistant Secretary Key to say that the Belgian Government was disturbed by the tenor of statements made by the US Representative in the Trusteeship Council regarding the British and French Cameroons.

He added that he and Baron Dhanis had also called on Mr. Utter, in African Affairs regarding the same subject. He then told me what he had told Mr. Utter (for these remarks, see Mr. Utter's memorandum of conversation on this subject dated February 24, 1954).

Mr. Carlier emphasized that he had never in his experience received such an annoyed message as the one from the Belgian Foreign Minister on this matter.

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ODA files, lot 62 D 182, "TC—Mason Sears"

*Memorandum by the Officer in Charge, French-Iberian Affairs (McBride) to the Director of the Office of United Nations Political and Security Affairs (Wainhouse)*

CONFIDENTIAL

WASHINGTON, February 25, 1954.

Subject: Mr. Sears' Statement in the Trusteeship Council.

In addition to the complaint made by Mr. Gabriel van Laethem from the French Embassy in a conversation with you on February 11 about Mr. Sears' statement on the French Cameroons in the Trusteeship Council, it has come to my attention that Belgian representatives have also expressed their concern at the tenor of Mr. Sears' remarks at the Trusteeship Council.

The text of Mr. Sears' statement would not appear to justify the press reports in the *New York Times* and *Tribune* of February 11 and 10, but the statement nevertheless did receive unfortunate emphasis in

the press. The implication in the complaints made by the French and Belgians appears to be that Mr. Sears, in delivering his statement, may have departed from the prepared text or given particular emphasis to those portions concerning which they would be most sensitive.

I need hardly mention our desire to avoid friction with the French and Belgians over colonial issues whenever possible, especially with the French during the period when we may be leading up to the EDC ratification debate.<sup>1</sup>

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<sup>1</sup> For documentation on this subject, see volume v.

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350/3-354

*Memorandum of Conversation, by the Assistant Secretary of State for United Nations Affairs (Key)*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, March 3, 1954.

Subject: French Views on Statements by the United States Representative in the Trusteeship Council

Participants: M. Henri Bonnet, Ambassador of France  
M. Gabriel van Laethem, First Secretary, French Embassy  
Mr. David McK. Key, Assistant Secretary, United Nations Affairs  
Mr. Robert R. Robbins, Acting Director, UND  
Mr. Curtis C. Strong, UND  
Mr. Ward Allen, EUR

Ambassador Bonnet said that he wished to discuss with Mr. Key in a frank and friendly spirit the concern that had been aroused in Paris, as well as in the French Embassy and in the French Mission to the United Nations, by certain statements made by the United States Representative in the Trusteeship Council. The Ambassador wished to make clear that there was no friction between the French and United States Delegation to the Trusteeship Council; on the contrary the French Representative, M. Pignon, had emphasized his high personal regard for the United States Representative and the cordial relations between the French and United States Delegations. Both M. Pignon and he were convinced that Mr. Sears' statements in the Council had been animated by lofty motives. However, French officials, concerned with the administration of overseas territories in Africa, were seriously concerned over the harmful repercussions which they felt sure Mr. Sears' remarks would have in some of these territories. Certain

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<sup>1</sup> Drafted by Curtis C. Strong of the Office of Dependent Area Affairs.

phrases were bound to be exploited by extremists who sought to discredit the French administrations there.

The French recognized and were grateful for the fact that Mr. Sears had paid tribute to the accomplishments of French administrators in Africa. However, Ambassador Bonnet felt bound to say that he felt there was some inconsistency between these favorable remarks and the philosophy of the statements in which they appeared. Actually the policy of the French to provide a broad economic and social basis for political advancement stems from quite a different conception of colonial administration than the excellerated [*accelerated?*] political approach emphasized almost exclusively by Mr. Sears. He had in mind in particular the clear implication in Mr. Sears' statements that independence was the desirable goal for every nationalistic group in Africa seeking it. The French felt that many of the local political movements in Africa could not be dignified by the term "national" movements. Moreover, they believed that encouragement of these numerous movements could lead to the fragmentation of Africa into a large number of nonviable, weak and unstable African states. This would be contrary to French policy, and presumably not desired by the United States either. At a time when, with United States encouragement, strenuous efforts were being made to break down international barriers in Europe, he felt sure that the United States could not desire to encourage political fragmentation in Africa. The French concept was a federal one with the territories under their administration in Africa maintaining their associations not only with each other but also with metropolitan France to the mutual benefit of all parties.

Mr. Sears had suggested in effect that the French model their policy on British policy in West Africa and that they maintain the same pace of political development. Without wishing to criticize British policy in this area, Ambassador Bonnet said that the French were not persuaded that the British experiments in the Gold Coast and Nigeria would be entirely successful. They would prefer to wait and see how they worked out before imitating them. Moreover, conditions were not the same in all West African territories. French Togoland, for example, was not enjoying the kind of prosperity which had so materially helped the Gold Coast and British Togoland along the road to self-government. French policy, too, was aimed at the achievement of self-government for the territories under their administration. The French felt that their methods were in the best interests of the inhabitants and that time would demonstrate their effectiveness.

The Ambassador also pointed out that there were a number of North African nationalist propagandists in New York, as well as in Europe and Africa, who could, and undoubtedly would not hesitate to misuse phrases from Mr. Sears' statements to demonstrate American support for their cause. He felt sure that it was not Mr. Sears' intention to

provide such persons with anti-French ammunition. However, he was seriously concerned lest in this area, too, which was of particular importance to the security of the free world, Mr. Sears' statements would all too readily lend themselves to such use.

Mr. Key expressed his appreciation for Ambassador Bonnet's frank and friendly explanation of the French views concerning Mr. Sears' statements. He said that he had had occasion to talk to Mr. Sears about his statements and he was sure that Mr. Sears had not intended to be critical of French policy but simply to point out in a friendly and constructive spirit some of the factors in present day West Africa that must necessarily condition the policy of all colonial administrators in the area. Mr. Key would not deny the possibility that certain of Mr. Sears' statements might be distorted or misused by nationalist propagandists. He hoped that this would not be the case; however, if it were, it should be possible to make clear that such propagandists were guilty of distortion and misrepresentation. He would certainly pass on to Mr. Sears the apprehensions which Ambassador Bonnet had expressed and he felt sure that Mr. Sears would give careful thought to the considerations which the Ambassador had put forward and would continue his close and cordial relationship with the French Delegation.

Mr. Key informed Ambassador Bonnet that Mr. Sears hoped to pay a visit to West Africa after the close of the current session of the Council. The Ambassador expressed his pleasure at learning that Mr. Sears was planning to make such a trip. He felt that nothing but good could come from this opportunity for the United States Representative to acquaint himself with conditions in West Africa. He also agreed that, if damaging propaganda use of Mr. Sears' statements were made, it would be possible for Mr. Sears to point out that his statements had been distorted and misrepresented. He wondered if it might not be desirable for Mr. Sears to give some thought in advance to the kind of rectification he might wish to make.

DAVID MCK. KEY

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ODA files, lot 62 D 225, "US Representative in Trusteeship Council"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the Trusteeship Council (McKay)*

CONFIDENTIAL

[NEW YORK,] March 5, 1954.

Subject: French Objection to Publicity given US Delegation Statements in TC.

Mr. Huré approached me today to say that Paris had asked the French Delegation to raise an objection to the fact that Mr. Sears' statements on the French Cameroons and French Togoland in the

Trusteeship Council were being publicized in West Africa by the United States Information Officers in Lagos and Accra. Mr. Huré said that the French Delegation did not object strongly to the substance of Mr. Sears' statements but to the fact that the exploitation of such statements by hostile elements in West Africa would weaken the position of France and the United States there.

Mr. Huré said that he thought the French Ambassador in Washington would have protested against the action of the United States Information Officers when he called on the Department recently if he had known about it at the time of his call.

Mr. Huré asked if the US Information Officers could not also broadcast and otherwise publicize the statements made by Mr. Pignon in his concluding observations on the French Cameroons and French Togoland, in order to present a more "balanced" picture of French policy in the area. I replied that I would inform Mr. Sears and the Department of Mr. Huré's comments.

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ODA files, lot 62 D 225, "Trusteeship Council"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to a Special Assistant in the Bureau of United Nations Affairs (Fierst)*

CONFIDENTIAL

[WASHINGTON,] March 9, 1954.

Subject: French Objection to Publicity given United States Delegation's Statements in Trusteeship Council

Attached is a copy of the memorandum of the conversation between Mr. Hure of the French Delegation to the Trusteeship Council and Mr. McKay<sup>1</sup> of the United States Delegation on the above subject. This is the conversation summarized in the USUN unclassified summary of today's date, which we discussed at this morning's staff meeting.

Mr. Sears has made four statements in the Council on trust territories in West Africa and they have been issued as USUN Press Releases as follows: British Cameroons #1871; French Cameroons #1872; British Togoland #1873; and French Togoland #1875. Certain phrases in these statements have been somewhat more dramatic than statements of United States Representatives in the Council in the past and as you know have aroused some concern on the part of the Belgians and French. Both the Belgian and French Ambassadors have called on Assistant Secretary Key to convey this concern. For your

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<sup>1</sup> *Supra.*

background information, I am also enclosing copies of memoranda of their conversations with Mr. Key.<sup>2</sup>

Mr. Strong of this office has been in contact with Mr. Simpson of the Middle East and Africa Press Section of USIA, who has transmitted informally to UND copies of the Wireless Bulletin stories that have been sent out to the USIA posts in the Middle East and Africa. In our opinion, these stories have given a balanced presentation of Mr. Sears' statements. In addition, we understand that the full text of Mr. Sears' statements have been sent to USIA officers in Lagos and Accra.

Mr. Strong has called Mr. Simpson's attention to the sensitivities of the Belgians and French; however, it might be well if you were to pass on to USIA this additional French reaction as it relates specifically to the publicizing of Mr. Sears' statements by the Information Officers at Lagos and Accra. Perhaps USIA will wish to make the French objections known to these officers. I should add, however, that their activities in publicizing the statements of the United States Representative in the Trusteeship Council seem to us entirely normal and proper.

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<sup>2</sup> Feb. 24 and Mar. 3, respectively, see pp. 1364 and 1365.

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ODA files, lot 62 D 225, "Trust and NSGT's, General"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins)*<sup>1</sup>

[WASHINGTON, March 8, 1954.]

SUMMARY NARRATIVE—DEPENDENT OVERSEAS TERRITORIES—WESTERN HEMISPHERE

The fourteen Western Hemisphere Dependent Overseas Territories of European Countries (DOTS) are of importance to the United States because of their geographic position which has made them of vital importance in our national defense. In addition to their strategic importance, certain of these DOTS are important suppliers of bauxite and petroleum products. Surinam, British Guiana and Jamaica export to the United States approximately 80% of the total United States imports of this ore and currently produce approximately 59% of the Free World supply of bauxite. Oil from Venezuela is refined in the Dutch West Indies (Curaçao and Aruba) and the total capacity of the two large refineries there amounts to about 6% of the Free World sup-

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<sup>1</sup> Drafted by McReynolds of the Office of Dependent Area Affairs, sent to Newman of the Office of the Special Assistant for Mutual Security Affairs, on Mar. 8, 1954, in connection with material being assembled for the 1955 budget of the Foreign Operations Administration.

ply. Other strategic minerals in small quantity are produced in British Guiana—columbite and tantalite—which in 1953 amounted to 2 or 3% of the Free World supply. It is known that manganese is present in that colony. The United States has military leased-base areas until the year 2040 in Trinidad, Jamaica, St. Lucia, Antigua, the Bahamas and British Guiana—a defense of the Panama Canal.

The economies of the DOTS are almost wholly based upon agriculture. These DOTS are plagued by under-developed economies, chronic unemployment and underemployment, disease, illegitimacy, illiteracy, political immaturity, and a weak social structure. The island DOTS are heavily overpopulated and the high birth rate make some of these areas among the most densely populated in the world. On the other hand, the three Guianas and British Honduras are under-populated.

#### BRITISH GUIANA

In British Guiana, the largest of the British DOTS, the United States has leased-base areas including an important air base to which this Government retains re-occupancy rights. Its main agricultural products are sugar and rice and its main industries are extractive ones—bauxite, gold and diamonds. British Guiana came into world prominence in October, 1953 when a communist oriented government popularly elected in April, 1953 was overthrown by the British Government, troops were landed and the constitution was revoked. British Guiana is now operating under an interim government, the stability of which is maintained by the British Government. The success of the Communists there arose out of the bad economic situation—a rapidly growing population with severe unemployment, poverty, disease, bad housing, and lack of economic planning or development. The situation is complicated by the mixed racial composition containing East Indians, colored, and Amerindians.

The United Kingdom has recently announced a large scale economic development plan to be financed over a period of years. The United States programs in the field of technical assistance will supplement and complement the British economic development program and should alleviate in some measure the adverse economic conditions which feed the communist cause.

#### SURINAM

Surinam (Dutch Guiana) is the chief supplier to the United States of bauxite and was the site of a strategic base during World War II. It has huge timber resources which have not been well developed. The country is still basically agricultural in its economy, but farming is restricted to the coastal plain and not well developed even there although the rich clay-lands are suitable for producing such important export products as rice, coffee and cocoa. The only industry of export

importance, other than mining, is sawmilling and the manufacture of plywoods.

Surinam is one of the least developed of the Caribbean DOTS although it has some of the greatest potentialities of the area. It has insufficient roads, adequate irrigation and sanitation, and soil erosion control. The Netherlands and Surinam Governments have worked out a ten-year development plan and the International Bank has recently surveyed the economic potentialities of Surinam and has stated that it would consider sympathetically requests for financial assistance in connection with Surinam's economic development plans. United States technical assistance will supplement both Dutch and Surinam economic development plans.

The diversity of its population—mainly East Indian, West Indian, Javanese, Bush Negro and Amerindian (Arawak Indian) complicates both the economic and social picture. Although many of the factors that were present in British Guiana exist in Surinam, Communism has not gained a stronghold. Its government is stable and friendly to the United States.

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ODA files, lot 62 D 225, "Trust and NSGT's, General"

*Memorandum Prepared in the Department of State*<sup>1</sup>

OFFICIAL USE ONLY

[WASHINGTON, undated.]

ATTITUDES OF LATIN AMERICAN STATES TOWARD EUROPEAN COLONIES  
IN THE WESTERN HEMISPHERE

SUMMARY INTRODUCTION

The following paper summarizes the attitudes of Latin American states toward the controversial subject of European colonialism in the Western Hemisphere as expressed at various Inter-American bodies including the Meetings of the Foreign Ministers of the American Republics at Panama, 1939; Havana, 1940; Washington, 1951; the Inter-American Conferences at Bogotá, 1948, and Caracas, 1954, as well as the American Committee on Dependent Territories in 1949. It is recalled that by the terms of the Monroe Doctrine of 1823, the United States interposed no objection to European colonies in the Western Hemisphere existing as of that date. However, the American continent was declared to be henceforth ineligible for future colonization by any European power and further attempts to establish or extend such colonies to be considered as "dangerous" to the "peace and security" of the Western Hemisphere. For more than a century, the

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<sup>1</sup> This memorandum was drafted presumably in the Bureau of Inter-American Affairs. In the file it was located immediately following the memorandum of Mar. 8, 1954, *supra*.



Latin American states have demonstrated their traditional opposition to extra-continental colonialism and have missed no opportunity to agitate for the termination of European colonialism in America. Such opposition has been most vehemently expressed in Inter-American meetings, but it is also reflected in the United Nations\* where Latin American states generally take an anti-colonial position and where the states having claims to occupied territories consistently reserve their government's position with respect to the recognition of the sovereignty of the European powers over four disputed territories. However, for the purposes of brevity, discussion has been limited in this paper to the Inter-American bodies where the reaction against colonialism has been most concretely expressed.

While the Latin American states as a group have generally opposed European control and occupation of American territory and have sought to eliminate it from the Hemisphere, the degree of opposition has varied from the extremely anti-colonial states [i.e., Argentina, Guatemala, Mexico and Chile whose interests are reinforced by claims to territory occupied by the United Kingdom]<sup>2</sup> to the more moderate states [such as Brazil, Colombia, the Dominican Republic and Venezuela despite the latter's claim against the UK].<sup>2</sup> The latter group has supported the more extreme group politically and morally to the extent of urging attainment of such claims through peaceful means.

In the midst of the heated debates on colonialism at Inter-American meetings, the role of the United States has been that of moderator. While expressing the view that the United States is opposed to the extension of European political influence in this hemisphere or any expansion of the area under colonial rule, United States delegates have nevertheless reiterated the position that discussions of colonialism in the Americas were undesirable in bodies where all of the nations concerned were not represented and where certainly [sic] friendly nations were not in a position to present their side of such issues and the bases for their claims. Even though the United States has urged inaction in Inter-American bodies with respect to colonial problems in the Americas and indicated that the United Nations might be a more appropriate body for their consideration, it has done so with caution because it is unlikely we would wish to encourage discussion of this controversial subject in the United Nations.

In dealing with questions of European colonialism in the Americas the United States has found itself under pressures from two friendly groups of nations, i.e., the anti-colonial Latin American states who urge termination of extracontinental colonialism and the European

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\*See *Official Records* of the Trusteeship Committee of the General Assembly and the Committee on Information from Non-Self-Governing Territories. [Footnote in the source text.]

<sup>2</sup> Brackets in the source text.

colonial powers who have not hesitated to express their opposition to Inter-American resolutions opposing colonialism, such as the ones forthcoming from Bogotá and Caracas. At the Inter-American Meeting at Bogotá, the United States delegate abstained on the creation of the American Committee on Dependent Territories on the grounds that the Conference was not a court of law and that action appearing to support the claims of one of the parties to a territorial dispute was inappropriate for a meeting in which the other party was not represented and that means for examining the problems of dependent peoples are provided in the Charter of the United Nations.

Later, at the Tenth Inter-American Conference at Caracas in 1954, the United States abstained on inclusion of the question of colonialism on the agenda on the grounds that the status of dependent territories is a subject which involves the interests of both American and non-American states and would more properly fall within the competence of the United Nations in which all interested states are represented. With respect to the disputes between the United Kingdom and American states which have advanced claims to certain territories administered by the United Kingdom, the United States has urged that such disputes be resolved on a bilateral basis or submitted to other procedures for peaceful settlement available to all parties.

To date, the resolutions adopted by Inter-American meetings have resulted in no concrete program to terminate colonialism in the Americas but have succeeded in keeping the issue alive and bringing pressures to bear upon the European powers concerned.

[Here follows the main body of the paper, entitled "Discussion", consisting of several units devoted to inter-American meetings, 1940-1951, that addressed their attention to the colonial situation in the Western Hemisphere.]

TENTH INTERNATIONAL CONFERENCE OF AMERICAN STATES, CARACAS,  
VENEZUELA, MARCH 1-28, 1954

As a result of resolutions proposed by Argentina, Brazil, and Ecuador, the question of "Colonies and Occupied Territories in the Americas and the Report by the American Committee on Dependent Territories" was included on the agenda of the Tenth Inter-American Conference at Caracas over the objection of the United States which abstained. The United States' stand was based on the premise that interests of both American and non-American states were involved and the subject should more properly be taken up bilaterally or through the United Nations. In general the United States reaffirmed the principles it had enunciated at Bogotá in 1948 and re-emphasized its view that peoples should be helped to attain a constantly increasing measure of self-government.

The Resolution on "Colonies and Occupied Territories in America"† adopted at Caracas was based on a proposal introduced by Argentina, subsequently amended by Guatemala, which declared that the peoples of America oppose colonialism and desire an end to the occupation of American territories. Moreover it expressed their sympathy with the legitimate aspiration of now-subject peoples to obtain their sovereignty and proclaimed the solidarity of the American republics with the just claims of the peoples of America to the territories occupied by extra-continental countries. A new paragraph proposed by Guatemala was added to the original Argentine resolution reiterating "the faith of the American republics in the methods of pacific settlement set forth in treaties in effect" and repudiating "the use of force to maintain colonial systems and the occupation of territories in America". In presenting its proposal, the Argentine delegate cited various declarations, emphasizing particularly the Act of Havana of 1940, as giving juridical basis for action by the American Republics against colonialism. He stated that the continuation of the colonial system had retarded the solidarity of the hemisphere and endangered the continental system and made specific reference to the Falkland Islands and portions of the Antarctic over which Argentina exercises its sovereignty. In support of the resolution, Chile said that the present sovereign nations of America did not have as much maturity at the time of their independence as do the present colonies and territories now being discussed. He felt that if a people had a right to independence, they should have it without any qualifications and in urging adoption of the Argentine resolution, called on the colonial powers to voluntarily grant liberty to the peoples under their control thus obviating the necessity of shedding blood. He made specific reference to British Guiana stating that the British had abrogated the constitution using communism as a pretext to land troops "once again on American soil". "The use of communism as a subterfuge" was condemned and Belize was described as "not even a colony but a territory occupied by force". The Guatemalan representative demanded its return and stated his inability to accept the condition that a desire for independence must be evidenced by the people before attention would be given to their independence. He felt that, in practice, the choice given dependent peoples is not between independence and non-independence but between the "classic colonial status and something a little better". All such peoples should be given independence first and then consulted as to their preference as to forms. The Bolivian representative expressed disappointment that no new states had appeared in America after World War II and said that his country would support all declarations forming moral public opinion against colonialism.

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†See Annex 7, Resolution 96, p. 25. [Footnote in the source text.]

In a departure from its previously announced policy that Inter-American conferences were inappropriate bodies to deal with the controversial question of colonialism since the interest of countries outside the hemisphere were affected, the Brazilian delegation introduced a proposal urging extra-continental powers to "terminate the mandate given them under the terms of the United Nations Charter in order that those peoples may exercise fully their right of self-determination and the regime of subordination to extra-continental powers may be definitely eliminated". In addition, the Brazilian proposal envisaged the possibility of placing certain parts of the American territory "not prepared to exercise within a brief period of time its right of self-determination" under a trusteeship regime, "so that its progressive development toward attaining self-government or independence may be facilitated". Argentina initially opposed this resolution and sought to substitute the reference to "dependent territories" and "areas under continental control" with "colonies" and "colonialism" and to delete the provision suggesting the settlement of the colonial problem through pacific means and with the understanding and assistance of the metropolitan powers. It attempted to replace the paragraph with respect to the placement of colonies in this hemisphere under the United Nations Trusteeship system with a paragraph proclaiming the decision of the American republics to request in the United Nations the independence of the territories in this hemisphere subject to colonial rule. In the final voting, however, most of the Argentine amendments were rejected and the whole resolution, as revised, was approved 15-0-1 (US) under the heading "Colonies in American Territory".‡ The major provisions of the resolution recommended that the assistance of the extra-continental countries be sought in finding the best way possible to enable American territories under the colonial system of extra-continental nations to organize their own autonomous existence through pacific means, so that they might be converted into sovereign members of the community of nations as soon as possible. Although Colombia favored as practical and just the development of the theme of international mandates and trusteeship, the majority of states, including the United States expressed distaste for such a provision. The Chilean representative expressed this feeling when he said "there are countries in the United Nations, such as Soviet Russia, to which Chile could never agree to deliver any colony or territory in America under a trusteeship program".

The United States representative stated that he could not vote affirmatively on any of the proposals under consideration since these matters clearly involved the interests and responsibilities of friendly

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‡See Annex 7, Resolution 97, p. 26. [Footnote in the source text.]

governments not represented. The delegation therefore abstained in the vote on the Argentine and Brazilian resolution.

A proposal by Ecuador§ thanked the American Committee on Dependent Territories for its work and transmitted its report to the United Nations recommending "to the Council of the Organization of American States that in accordance with Resolution 33 of the Ninth Inter-American Conference of American states, it convoke the American Committee on Dependent Territories when circumstances make this advisable". The United States voted against the major part of this resolution concerning the reactivation of the Committee. In putting forth the resolution, the delegate of Ecuador stated that the Conference should tell the non-American powers to "keep hands off the hemisphere" and contended that colonialism was contrary to American ideals. He further stated that the Brazilian resolution did not set forth "the true American feeling" and did not go far enough because it was based on the false assumption that the colonial powers will give freedom to their colonies on a voluntary basis.

In addition to the Inter-American resolutions adopted on colonialism as such, the history of a supposedly innocuous resolution introduced into the cultural committee (Committee 4) of the Tenth Inter-American Conference at Caracas, illustrates the strong feeling of the Latin American states against control of territory in the Americas by European states. The Delegate of El Salvador introduced a draft resolution affirming the historical interest of the American Republics in the Island of San Salvador (Watling Island), 200 miles eastsoutheast of Nassau in the center of the British Bahama Islands. It proposed to erect "a simple monument to Christopher Columbus", to "place thereon a plaque commemorating the discovery of America" and to "establish on the island a library consisting of works on the discovery of America and the development of the American Republics". A further provision recommended that steps be taken to obtain the consent of the British Government in order to carry out this work.

After a purely academic discussion in the subcommittee on the method for gathering books for the library, the resolution (on March 19 in Committee 4) became the subject of a heavy politically inspired debate by Argentina, Bolivia, Guatemala and Colombia. Argentina contended that the American governments which had condemned colonialism only the day before would have to "beg permission of the United Kingdom" to erect the monument and, in the view of the Bolivian delegate, would be in the humiliating position of having to pay homage to "imperialism" before being allowed to pay homage to Columbus. Guatemala and Colombia both expressed the feeling that the Conference would be placed in a ridiculous light in passing the

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§See Annex 7, Resolution 98, p. 27. [Footnote in the source text.]

resolution as proposed. Guatemala went so far as to propose requesting the Organization of American states to take steps to remove the island from the jurisdiction of Great Britain so that the monument could be erected. When a final vote showed ten countries against consideration of the project, two for, and two abstentions (US, Venezuela), the Committee then passed a substitute motion<sup>||</sup> containing only a small reflection of the original draft and expressing the desire of the Conference to render homage to Columbus in the manner suggested "once extra-continental colonialism has wholly disappeared from America". The United States abstained on the substitute motion.

#### CONCLUSION

To date, although Inter-American resolutions have opposed colonialism, no positive program for decisive action on the overall problem of European possessions in the hemisphere has developed. The resolutions have succeeded in keeping alive the issue and bringing pressure to bear on European powers which have expressed to the United States their opposition to such anti-colonial resolutions. While the United States has continued to oppose the extension of such colonies or of European political influence in this hemisphere, it has advocated refraining from adopting any resolutions which would appear to prejudge the conflicting claims of friendly nations. It has reiterated its claim that Inter-American Conferences are not courts of law and that action appearing to support the claims of one of the parties to a territorial dispute are not appropriate for a meeting in which the other party is not represented and that means for examining the problem of dependent peoples are provided in the Charter of the United Nations.

While the most vociferous expression of opposition to colonialism and occupation of American territories by non-American states has occurred in Inter-American meetings as described above, the Latin American states concerned have, since the establishment of the United Nations, consistently their rights with respect to the "occupied territories" in the Trusteeship Committee of the General Assembly as well as the Committee on Information from Non-Self-Governing Territories and have restated their objective of bringing about the termination of colonialism in the Americas.

It should be noted that since this study has been concerned only with the attitude of Latin American States toward European possessions in the Western Hemisphere, the vital question of their attitude toward Puerto Rico has been omitted. Moreover, although little has been written concerning the attitude of the inhabitants of European colonies toward the Latin American states, such a paper might at a later date prove interesting and worthwhile.

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<sup>||</sup>See Annex 7, Resolution 23, p. 25. [Footnote in the source text.]

ODA files, lot 62 D 225, "Togoland"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the Trusteeship Council (McKay)*

[NEW YORK,] March 4, 1954.

Subject: Future Termination of Trusteeship Agreement for British  
Togoland.

Participants:	Mr. Daniel Chapman—UN Secretariat	Separately:	Mr. B. Aleksander—UN Sectr.
	Mr. Allesani } Petitioners		Mr. R. T. Miller—UN Sectr.
	Mr. Fleku } from		
	Mr. Mensah } Br. Togoland		
	Mr. D. V. McKay—USUN		Mr. D. V. McKay—USUN

Mr. Chapman and the three petitioners all emphasized to me that the trusteeship agreement must come to a complete end at the same time that the Gold Coast and British Togoland achieved self-government. Chapman said that it would be quite impossible for Gold Coast Prime Minister Nkrumah to agree to a self-governing Gold Coast becoming an administering authority. Chapman thought that it would not be difficult to terminate the trusteeship agreement at the same time self-government was achieved. It would only involve setting a date in advance and having all the necessary papers drawn up and approved by the United Kingdom and the United Nations before that date.

Mr. Chapman, an Ewe from the Gold Coast, said that he went home in December to make final arrangements with Nkrumah concerning the new job Chapman is to take in the Gold Coast Government when he leaves the United Nations in April. He is to become Secretary to the new all-African Cabinet when it comes into office. (This is the third Gold Coast job he has been offered during the past year.) Chapman said that it would be a new type of work for him and that he had suggested that perhaps he ought to take some university study of public administration before assuming his new duties. However, he said, the two European officers who are now doing the work had assured him that they could give him the necessary help and training. They are to work for Chapman when he arrives. Chapman said they were very gracious about their new relationship with him.

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In a separate conversation with Mr. Aleksander and Mr. Miller of the UN Secretariat, I found that Aleksander opposed the termination of the trusteeship status of British Togoland on the grounds that the inhabitants would be worse off under an independent Gold Coast. He thought that the Gold Coast should become the administering authority in place of the United Kingdom. Miller contended, however, that

the Gold Coast would not agree to becoming an administering authority although he agreed with Aleksander that the inhabitants of British Togoland would be better off under trusteeship.

Aleksander insisted, in any case, that it would be imperative to have a UN sponsored or observed plebiscite in British Togoland on the direct question of whether the trusteeship agreement should be terminated in favor of integration with the Gold Coast. He apparently felt this was necessary for two reasons: (1) because the United Nations would be turning the inhabitants over to a status which would be worse than their previous status; and (2) because the precedent for other trust territories would be too dangerous if there were no plebiscite on the direct question of the termination of the agreement. He contended strongly that a plebiscite was required in order to meet the Charter requirement of determining the "freely expressed wishes" of the peoples concerned.

(Aleksander seemed so emotionally attached to these views that it seems likely he will convey them to like-minded non-administering members of the General Assembly; we should, therefore, be prepared for a proposal for a UN sponsored or observed plebiscite in British Togoland at the appropriate time.)

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UNP files, lot 58 D 742, "Committee on Information, 1954,  
Report of Rapporteur, Res., etc."

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to the Director of That Office (Gerig)*

[WASHINGTON,] April 15, 1954.

Subject: Preparation for the Committee on Information from Non-Self-Governing Territories

I have had preliminary discussions of the draft agenda of the 73<sup>e</sup> Committee with officers of the Non-Self-Governing Territories Branch. As a result, it is suggested that you may wish to undertake discussions shortly with Mr. Strand, Director, Office of Territories, Department of the Interior, and certain other members of his staff, concerning preparations for the 1954 session of the Committee on Information. Inasmuch as the Office of Territories has been drastically reorganized during the past year it may be necessary for you to "sell" Mr. Strand on the importance of U.S. participation in the work of the Committee and the need for effective backstopping of the U.S. Delegation by the Office of Territories in cooperation with other agencies of the Government. It is suggested, therefore, that in your discussions with Mr. Strand you make the following points:

(1) The large majority of Members of the United Nations believe that there is no field in which the United Nations can do more impor-



tant work than in the colonial field. For that reason they are constantly urging increased UN activity in the colonial field and an extension of UN supervision over colonial territories. The General Assembly's Committee on Information from Non-Self-Governing Territories is a product of the interest of the majority in colonial problems. Through this Committee and in other ways constant pressure is put upon the UN Members which administer non-self-governing territories to account for their stewardship and accelerate the rate of development of their territories.

The United States has sought to make the Committee a constructive force and to avoid its use as a propaganda forum for the more "irresponsible" of the anti-colonials. To this end it has endeavored to channel the Committee's discussion toward a constructive exchange of experiences between administering and non-administering Members concerning common problems they may have faced in promoting the advancement of underdeveloped peoples. Maximum participation by administering authorities in the discussion of the technical aspects of economic, social and educational developments is essential, therefore, if the constructive work of the Committee is to be continued.

(2) At its forthcoming session the Committee will devote major attention to the consideration of economic conditions and problems of development in non-self-governing territories. It would be helpful, therefore, if the Office of Territories would begin the preparation of papers bearing on economic conditions in United States territories with special reference to the particular aspects of the economy listed on the Committee's agenda, a copy of which is attached. It would be especially helpful if some general papers were prepared on such topics as: The Virgin Islands Corporation and its Contribution to the Economy of the Territory; Economic Development Plans for American Samoa and Guam; The Integration of Federal Activities in Alaska; and, The Economic Development of Hawaii.

(3) It would be additionally helpful if an officer from the Department of the Interior could be assigned to the U.S. Delegation who would be able to contribute substantially to the Committee's discussion of economic problems.

(4) We also strongly urge that an indigenous inhabitant from one of our territories be appointed to the U.S. Delegation. This person should be one who could make an effective contribution to the Committee's discussions. It is especially urgent that this be done inasmuch as the United States is largely responsible for the resolution which calls for administering Members to attach such inhabitants to their delegations. We have considered in relation to the draft agenda what person might be chosen from our territories to serve on the Delegation. High Talking Chief Marioto Tuiasosopo, former Speaker of the House of Representatives and now Member of the Senate would make a favorable impression and contribution. From another area, Mr. Victor Bornn of the Virgin Islands, bank official and businessman of St. Thomas, Virgin Islands, who has developed the local cooperatives (formerly governmental but now private) would make an excellent impression. Both are dark-skinned gentlemen. If the procedure suggested by this resolution is not followed, it will become increasingly difficult for the U.S. to oppose more extreme proposals to provide more direct participation of inhabitants in the work of the Committee.

751T.00/5-1454

*Memorandum of Conversation, by Jerome R. Lavallee of the Office of African Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] May 14, 1954.<sup>2</sup>

Subject: French Togoland and French Cameroons.

Participants: Mr. John E. Utter-AF- Chairman  
 Mr. J. R. Lavallee-AF  
 Mr. Benjamin Gerig-  
 M. Jean Jurgensen, Chief of the African Section, French Foreign Office  
 Mr. Vernon McKay-  
 M. Francois de Quirielle, Assistant to M. Jurgensen  
 Mr. Curtis Strong-UND  
 M. Gabriel van Laethem  
 Mr. Nicholas Feld-AF

M. Jurgensen opened the discussion by stating that the next session of the Trusteeship Council (the Fourteenth Session, which is expected to meet in New York from June 2 to July 16, 1954) will take up the question of French and British Togoland. At some time during the session the British and French are expected to report on the steps taken by them pursuant to the three resolutions on this problem adopted by the Eighth General Assembly. On June 10, elections are scheduled to be held in British Togoland along with the Gold Coast. The results of the election in the Trust Territory should indicate whether the British Togolanders prefer unification with French Togoland or integration with the Gold Coast. Therefore, the British will have to await the outcome of these elections before they can submit their report to the Trusteeship Council.

M. Jurgensen then referred to the Bill or *Projet de Loi* concerning French Togoland, a copy of which he had handed to Mr. Utter the previous day for study.<sup>3</sup> He pointed out that the Bill, which he expected to be approved by the French National Assembly in June, has already been presented to the French Parliament and was actually under study of the General Political Committee of the Assembly of the French Union, which had brought about important changes in the initial text. These amendments portend a greater degree of decen-

<sup>1</sup> Copies of this memorandum were sent to the Embassy at Paris and the Consulates General at Dakar and Léopoldville. The source text indicates that this was an "Afternoon Meeting".

<sup>2</sup> The memorandum was drafted May 17.

<sup>3</sup> Most of the officials participating in the conversation recorded here also were present for a meeting the previous afternoon for a political discussion concerning French territories in Africa South of the Sahara; for Lavallee's record of that meeting, see volume xi.

tralization and prepare the way for reforms of even greater significance.

1. The powers of the Territorial Assembly are to be enlarged to include substantive questions.

2. The members of the Executive Council, four of whom are to be nominated by the Governor and five elected by the Territorial Assembly, are to be given specific fields of responsibility or portfolios.

M. Jurgensen added that the future of the Territory was to be settled by the establishment of more liberal institutions and not by unification. He concluded his remarks by asking our opinion as to what extent we believed it will be possible for us to support the French in the United Nations.

Mr. Gerig stated that he had read the Bill but that there were some details which were not altogether clear to him. He added that if the French could point to a substantial increase in the degree of self-government they would go a long way in getting assistance from various members of the United Nations.

M. Jurgensen stated that, in his view, the Joint Council idea was already dead in view of the proposed reforms. Further, if British Togoland votes for an integration with the Gold Coast, and the Trusteeship Council is presented with this *fait accompli*, then the French would seek to have the Trusteeship Agreement terminated. In reply to a question from Mr. Strong on this subject, M. Jurgensen replied that if the British sought a termination of the agreement at this time, the French would follow suit with a similar request.

Mr. Gerig stated that if the French could show an aspect of self-determination then, in his opinion, the Trusteeship Council would vote in its behalf. He added, however, that suspicion was so great that the Trusteeship Council will no doubt wish to oversee any elections which might be held to determine the future status of the Territory. M. Jurgensen replied that they were in accord with that idea but that, of course, he could not commit the Government on this point. Mr. Gerig then suggested that it might be well for the French to propose the plebiscite idea rather than wait until some one else proposed it. M. Jurgensen agreed.

Mr. Gerig said that it might be better for the French to prepare a report as they have been instructed, stating that the idea of a Joint Council was no longer popular or applicable in French Togoland. According to Mr. Strong the French might suggest that the Joint Council limit itself to handling customs and frontiers problems.

In conclusion, Mr. Gerig stated that, in the view of many UN members, the desired objective for all Trust Territories is independence and would probably not approve the termination of a Trusteeship Agreement on any other basis.

Mr. McKay pointed out that British Togoland, as part of the Gold Coast, will participate in making its own laws in Africa, whereas the laws for French Togoland, even under the proposed reforms, will be made in Paris. This fact will constitute another difficulty for the French in the UN. M. Jurgensen concluded by stating that the French wish to keep in step with the British in the Togoland question.

The meeting concluded with a very limited discussion on the Cameroons. It was generally agreed that the Cameroons question will not present any difficulty at the forthcoming session of the Trusteeship Council.

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ODA files, lot 62 D 225, "US Representative in the Trusteeship Council"

*Memorandum by the United States Representative on the Trusteeship Council (Sears) to the Assistant Secretary of State for United Nations Affairs (Key)*

[NEW YORK,] June 3, 1954.

Subject: West Africa

This memorandum will report some of the reactions and impressions received during a recent visit to West Africa.

My journey began at Leopoldville in the Belgian Congo and continued on through French Equatorial Africa, French and British Cameroons, Nigeria, French and British Togoland, and finally the Gold Coast. The hospitality which was extended to me by representatives of the British, French and Belgian Governments was beyond all expectation.

My principal impressions were as follows:

Although I have travelled and spent considerable time in many places throughout Asia and Europe, the people of West Africa appear to be by far the most cheerful and happy lot I have seen. One gets no feeling whatever that these people are being restrained or in any way repressed by the white man.

I was very much impressed by the amount of construction and development which was taking place on every side. Low cost, sanitary housing on a large scale is to be seen in all countries, while everywhere one goes the white administrators are engaged in building new roads, new schools, new universities and new factories. The atmosphere is charged with progress.

Progressive political advancement is also much in evidence—most of all, of course, in British areas. And there seems to be no consciousness of a color line anywhere.

Under the circumstances the term "colonialism", as generally understood, should be replaced by a new and more accurate description of the progress which is taking place in this part of Africa. I could find no sign of economic or racial exploitation in any field. In fact, it is the reverse which is the case. The atmosphere is one of emancipation from

ignorance and from uncivilized customs which have largely disappeared. Progressive measures of all kinds are being fed into the West African system as fast as they can be absorbed and one hates to think what would be the situation if the European administrators were withdrawn tomorrow. If this were to happen, and Communist organizers given a free hand, the whole area in time would undoubtedly become a vast industrial slave camp, in every respect as bad as the days of the African slave trade.

The basic problem so far as I could observe centers around the wide divergence between British and French development policies. Both countries are sincerely and successfully promoting the welfare of the people under their administrations and both aim ultimately to establish political freedom according to trusteeship obligations. The trouble comes because British policy endeavors to develop among the Africans a hard corps of responsible political leaders, while French policy concentrates on assimilating the Africans into the French cultural system and—in a sense—to develop them into the best possible Frenchmen. This is a basic policy difference which gives rise to a number of complications which will sooner or later have to be adjusted. The British, of course, emphasize self-government and from their point of view they would like to see it come as soon as possible. On the other hand, the French, although by no means laggard in developing self-governing institutions, do not place so much emphasis on it as the British do. This raises the question as to what the political repercussions will be when the Gold Coast and Nigeria become fully independent and by free choice sovereign members of the British Commonwealth, while the French areas are still in a dependent status. It is my opinion that the French are very realistic administrators and that if and when it becomes apparent the the British policy is working successfully they will raise their present sites [*sights?*] so as to speed progress toward self-government in such a way as to keep political disturbances at a minimum.

So much for general impressions. The remainder of this memorandum will touch briefly on political and economic affairs in the various French and British areas.

*French Cameroons.* The French High Commissioner provided his personal twin-motored airplane and two of the best informed officials so as to permit me to see as much as possible during my short stay in their country. I was accompanied by M. Georges Becquey, Chief of External Affairs, who was also Special Representative of the French Cameroons in the Trusteeship Council, and by M. René Tirant, Delegate of the High Commissioner for the North Cameroons. We travelled from north to south. In the north we visited the civilized and conservative Moslems as well as some of the most primitive people that it is possible to see. In the south we saw pagan and Christian peoples which are much more politically active than their neighbors in the north. Although I visited many of the traditional Mohammedan leaders, called Lamidos or Sultans, and was called upon by the paramount tribal chief in the south who happens to be President of the Traditional Chiefs Association, I was unable to observe any outcropping

of nationalism even though it unquestionably exists. The French, however, did tell me that they were aware of no desire on their side of the border for any sort of unification with the tribes in the British Cameroons.

*British Cameroons.* I spent a number of days at Buea with Brigadier Gibbons, who is the chief administrator of the territory. While there I had several talks with Dr. Endeley, leader of the Kamerun National Congress. In the elections of last December his party won all of the 13 seats allotted to the Southern Cameroons in the Eastern Nigerian House of Assembly. This has given him a government *without* a minority, which in the end may spell his downfall. At any rate, the main political fact of life in the Southern Cameroons is a widespread fear of the Ibo people who inhabit the adjoining Eastern Region of Nigeria. The Ibos are said to be the most politically aggressive people in West Africa. They are led by Dr. Azikwe and are many times more numerous than the people of the Southern Cameroons. In consequence, the politicians in the Southern Cameroons feel that if they join in any way with their neighbors in Nigeria they will lose forever all political identity. On the other hand, the Moslem people of the North are as one with the Northern people of Nigeria. This puts Dr. Endeley in a difficult position. At present he admits that because of the French policy of gradual assimilation into the French way of life, there is no immediate prospect of independence for the French Cameroons. This means that since he cannot, as a nationalist leader, advocate the placing of his people under French control, and since he is unwilling to join the Ibos to the West under Nigerian control, he has no alternative except to let the North go its own way, while he asks the South to remain under British control. His people would thus represent such a small fragmented group as to raise the question of whether he can get the necessary backing from any source to accomplish such a limited purpose.

On the other hand, Brigadier Gibbons intimated that before the next elections, two years from now, it was not impossible that a minority might develop in the Southern Cameroons which could lead to the ultimate association of the entire Cameroons as a federated part of a new and independent Nigeria.

*Nigeria.* This huge country of some 35,000,000 people is the largest remaining British colony in the world. Population-wise, it is about as large as Egypt and the Union of South Africa combined. It is divided into three regions, the Northern region, the Western region and the Eastern region. As a result of the recent constitutional conference with the British Colonial Office, each of these three regions, if they so desire, may become self-governing within a loose Nigerian federation by 1956 or shortly thereafter. This would make Nigeria a sovereign nation, and a nation which would presumably choose to be-

come a member of the British Commonwealth. On the other hand, as I understand it, the British do not wish Nigeria to be divided into fragments and do not propose therefore to permit the creation of a sovereign state until such time as all three regions agree to it. This means that if the Northern region, which is composed largely of Moslems and is very conservative, does not choose to end their association with Great Britain, the Eastern and Western regions will become self-governing areas within Nigeria, but not sovereign.

I had the pleasure of visiting the Emir of Kano and asked him how he felt about self-government for the Northern region. In reply he emphasized the word "ripen". He would not commit himself beyond the statement that his people needed time to "ripen". I was told that he is a very strict and conservative Moslem and is a disciplinarian in his administration.

I also had an opportunity to talk with Dr. Awolowo, who is the Chief Minister for the Western region. I asked him what his attitude would be in the event that the Northern region balked at self-government by 1956 and thus delayed independence for Nigeria as a whole. His answer was that he would seriously consider the question of "secession".

I did not have the privilege of meeting Dr. Azikwe, who is the Chief Minister of the Eastern region, but I understand that he is the most ambitious political leader of them all and is the chief advocate of a Nigerian federation over which he would like to become the first Prime Minister.

The Governor of Nigeria, Sir John Macpherson, was kind enough to discuss with me on a number of occasions the political progress which was taking place in Nigeria. He emphasized that it was impossible to predict what would develop within the next two or three years. He used the term "fluid" to describe the situation.

*French Togoland.* I stayed for a number of days in Lomé with M. Pechoux, the Commissioner of French Togoland. I got the reaction that he ran what the Navy would call a "taut ship". There is, however, no question about his expectation that the trust territory will be self-governing one day, although he did not seem to feel that there was any particular hurry involved. The most interesting thing he told me was that they had recently discovered very extensive phosphate deposits in the territory and that this would have revolutionary economic results. On the political side he told me that the nationalist leader, Mr. Olympio, had lost much ground and was no longer of any real influence. He appeared to me to be a very competent but conservative administrator who was determined to do his best to provide for the development and the welfare of the people under his charge.

Because I expressed an interest in seeing as much of the native customs and way of life as possible, the French administrators were good

enough to take me to call on the chiefs of a number of fairly large towns. In every case these traditional chiefs showed us the greatest hospitality and all kinds of honors, including exhibitions of dancing and drumming and gunpowder salutes. To a man they spoke of a desire to be left alone so that they might develop peacefully under the present French administrators. Every one of them expressed annoyance over the fact that during their lifetime they had gone through four or five changes in foreign administration. They told me they now wished a period of calm. Although the nationalists in French Togoland bombarded the American Consul at Accra in the Gold Coast with requests for an interview before I left British territory—on the ground that they would not be allowed to speak with me on French soil—I could detect no effort on the part of the French to restrain any political leaders from having an interview if they so desired. In Palimé, as a matter of fact, a delegation of three nationalist leaders conferred with me, but they had little to say.

While travelling through French Togoland, it was my privilege to be accompanied by Mr. Apedo-Amah, who was the very effective, Special Representative of that Territory at the last session of the Trusteeship Council.

*British Togoland.* Under the new Gold Coast constitution, on June 15, there will be an election in British Togoland, as well as in the Gold Coast, to select representatives to the new Legislative Assembly. The issue in Togoland will be whether or not to vote for candidates who favor joining the Gold Coast and ultimately becoming independent along with that country, or uniting themselves with French Togoland, even though this would entail a further period of remaining under trusteeship administration. The political parties involved are the C.P.P. (Convention Peoples Party) under the leadership of Prime Minister Nkrumah of the Gold Coast, and Mr. Antor who heads the Togoland Congress Party which favors unification of the two Togolands. Delegations from both parties came to see me to explain their position. To each I replied that the United States was only one of 60 nations in the United Nations and that our principal interest was that all people at the appropriate time—the time best suited to their interests—should have an opportunity to assert their ideas regarding self-determination. The only thing I emphasized was that American public opinion trusted that all campaigning would be conducted by the various leaders on an honest basis. In this connection I received a very poor impression of Mr. Antor. He made definite assertions which I knew personally to be untrue and I am quite certain that political morality is a subject which holds for him no interest whatever. I should judge that with him, as in the case of other less prominent nationalist leaders, the motivating force was a desire to be a large frog in a small pond rather than no frog at all. The people in the Northern



part of British Togoland will, of course, vote to a man to be joined with their families and neighbors across the Gold Coast border. This means that there is every likelihood that not more than one or two seats in British Togoland will be held by representatives who oppose joining with the Gold Coast. In the meantime, the issue of Ewe unification has reached into the background in view of the mechanical and political impossibility of devising a formula that could unite these people which are spread over Southern areas of the Gold Coast as well as across both French and British Togolands.

*The Gold Coast.* Under the new constitution which was published during my stay in the Gold Coast, the new cabinet is to be made up entirely of African ministers. The only vestige of British authority to remain will be in the reserve powers of the Governor. Inasmuch as these reserve powers, which involve the right to intervene in such matters as security and external affairs, but have seldom if ever been used, the Gold Coast, for all intents and purposes, is now self-governing.

I had a long interview with Prime Minister Nkrumah and, as I understand it from him—and this of course can be checked against the pertinent documents—the Gold Coast Legislature can at any time from now on declare itself independent and apply for membership within the British Commonwealth. On this point Mr. Nkrumah expressed some concern about the position of Dr. Malan, the Prime Minister of South Africa. It appears that Dr. Malan has recently issued a statement to the effect that he would endeavor to block the admission of the Gold Coast into the British Commonwealth. Prime Minister Nkrumah informed me that he had not yet come to a conclusion on how to handle this situation, but he intimated that he thought the question was one which should be determined between the Gold Coast and the British Government directly, and not between the Gold Coast and the various members of the Commonwealth. I found Nkrumah to be a very friendly and a very earnest, and I should suppose, a very astute man. He has spent fifteen years in the United States, five of which were during World War II, so he is well acquainted with the attitude and capacity of the American people. I also believe that he is fully appreciative of the tremendous responsibility which lies on him to introduce and lead his people successfully in their first stages of independence.

It seems to me that the British deserve the greatest credit for the way they are cooperating and assisting the government and the people of the Gold Coast to assume the responsibilities of nationhood.

#### *Conclusion*

West Africa is an extraordinary area of contrasts between very backward people and really advanced people, as well as between conservative Moslems in the interior and progressive Bantus along the coast.

Involved also are the complications arising out of the absence of a common language. There are literally hundreds of different tongues. As far as I could make out, the principal mediums of intercourse are pidgin English, and French, and the Housa language of the North. It is, however, a very thickly populated part of Africa which has no remnants of old-fashioned colonialism and where there are large territories which will almost certainly have sovereign independence within a very few years. It is an area where both British and French administrators are doing a splendid job to advance the welfare and happiness of the people. As such, it seems to me to be a part of the world which we should do everything we can to encourage, by drawing public attention to the capabilities of its people and its success in adjusting itself to the impact of modern civilization.

In conclusion it should be emphasized again that from an American point of view, West Africa is in no proper sense a "colonial" region, because in this part of the continent the seeds of self-sustaining freedom are most certainly beginning to bear fruit.<sup>1</sup>

MASON SEARS

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<sup>1</sup> Sears attached a note to this memorandum indicating his desire "to show a copy of this to the British, French and Belgian Reps on the Trusteeship Council". In a letter dated June 7, 1954 (drafted by Gerig), Key responded in part:

"As to your question about giving copies to your French, British and Belgian colleagues on the Council, I can see some advantages and also some disadvantages. On the whole, I incline toward not making it available to them, at least at the present, for the following reasons: First, the report is a very intimate and frank document which was undoubtedly written for the eyes of American officials and therefore contains some information which perhaps should make it a classified document; then, too, your rejection of the term "colonialism" as no longer applying to that area might lead them to expect a more marked change in United States policy than may actually take place; and finally, some of your comparisons between British and French policy, somewhat to the disadvantage of the latter, might be badly received by the French who are particularly sensitive just now in view of what we are urging them to do at Geneva and elsewhere. However, if you feel strongly that you would like to hand it to them, we might look at it again, or perhaps you might wish to eliminate one or two paragraphs." (ODA files, lot 62 D 225, "U.S. Representative in the Trusteeship Council.")

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Hickerson-Murphy-Key files, lot 58 D 33, "9th General Assembly Session"

*Memorandum by the Deputy United States Representative at the United Nations (Wadsworth) to the Assistant Secretary of State for United Nations Affairs (Key)*

[NEW YORK,] June 10, 1954.

Subject: Possible General Assembly Item on Communism—the New Colonialism

It has been suggested to Cabot that one subject which might be exploited during the 9th General Assembly is "Communism—the New Colonialism". He likes the idea and thinks it would be worthwhile for the Department to study the possibility of having it as a new item.

If such an item were debated in one of the political committees, it would give us an excellent counter to the Soviet Big Lie that the United States is the number one colonial power.

Equally, it would afford the Delegation the opportunity to underline the imperialistic character of the world communist conspiracy, showing that the peoples' democracies are simply colonies which are compelled to adjust to the military and economic desires of the imperial power in Moscow. The item would also permit us to point out that national communist parties represent a form of colonization—strictly controlled and submissive to the policies of Moscow and dedicated to the overthrow of their own national governments in order to install a form of government designed by and submissive to Moscow.

In view of events in Southeast Asia and related matters, you might want to consider the merits of having such an item. I understand the matter was discussed June 8 by the OCB Working Group on the United Nations, which is chaired by Harold Moseley.<sup>1</sup>

Any thinking the Department has on the above will be appreciated by Cabot.<sup>2</sup>

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<sup>1</sup>This was the Working Group on the United Nations of the Operations Coordinating Board, an arm of the National Security Council. This working group was activated initially in June 1953 pursuant to a decision of the Psychological Strategy Board "in order to give Ambassador Lodge the psychological support he desires", at the Eighth Regular Session of the General Assembly. Documentation of the OCB is in the S/S-OCB files, lot 62 D 430. With specific reference to the subject at hand, relevant documentation is in folders "Soviet Imperialism & Communist Conspiracy" and "UN General Assembly".

<sup>2</sup>Marginal notation by Assistant Secretary Key: "I trust that conclusions will be reached at an early date on this suggestion."

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ODA files, lot 62 D 225, "United Kingdom"

*The British Embassy to the Department of State*

CONFIDENTIAL

1510/2/29/54

AIDE-MÉMOIRE

TOGOLAND

It will be recalled that Togoland was the subject of Her Majesty's Embassy's *Aide-Mémoire* 1510/2/9/54 of the 29th of January, and of the Department of State's *Aide-Mémoire* of the 12th of February.

2. Now that the Gold Coast is moving toward self-government, Her Majesty's Government have decided that the time is ripe for consideration of the future of Togoland under United Kingdom Trusteeship. British Togoland is a narrow landlocked strip of territory on the eastern border of the Gold Coast with a population of about 400,000; it is too small and poor to stand alone and has close economic and ethnic

ties west and east with the neighbouring Gold Coast and French Togoland. British Togoland is administered under a Trusteeship Agreement which is a bilateral agreement between Her Majesty's Government in the United Kingdom and the United Nations. Any decision on the future of Togoland involving a change in the Agreement is therefore the joint concern of Her Majesty's Government and the United Nations.

3. Article 5 of the Trusteeship Agreement provides that Her Majesty's Government shall administer British Togoland as an integral part of their territory. When the Agreement was signed, the United Kingdom representative explained that this meant that British Togoland was to be administered as an integral part of the Gold Coast. The new Gold Coast Constitution formally preserves the responsibility of Her Majesty's Government as administering authority for Togoland. It leaves the Governor responsible in his discretion for Togoland and provides that any functions relating to Togoland exercised by Gold Coast Ministers shall be subject to the Governor's directions.

4. On the 28th of April last a declaration was made in Parliament that the Gold Coast would, at the appropriate time, be granted self-government, and the territory is now entering the last stage of constitutional development before attaining this status. When the Gold Coast becomes fully responsible it will no longer be constitutionally possible for the United Kingdom to administer the Trust Territory as an integral part of the Gold Coast. Nor, in the opinion of Her Majesty's Government, would it be possible for them at that stage to administer the Territory independently of the Gold Coast. After forty years of common administration, Gold Coast and Togoland affairs are so closely mingled that the separate administration of this inland territory would be against the interests and also the wishes of its peoples. Such an arrangement could not be effective, and would therefore destroy the hope of any further progress in realising the aims of the Trusteeship system.

5. There has been some agitation in recent sessions of the United Nations General Assembly for the unification of British and French Togoland in one separate state. This has been stimulated largely by the desire for tribal unity of some groups of the Ewe tribe living in the southeastern corner of the Gold Coast and in the southern parts of both Trust Territories. In the opinion of Her Majesty's Government, unification of the two Togolands would solve nothing but would, on the other hand, create fresh difficulties: it would cut off the Ewes in the Gold Coast from those in Togoland and the tribes of the northern section of British Togoland from their kinsmen in the northern territories of the Gold Coast.

6. Her Majesty's Government have therefore no alternative but to seek the termination of the present Trusteeship Agreement when the

Gold Coast assumes full responsibility for its own affairs and, together with the General Assembly, must consider what other arrangements should be made for the future of Togoland. As this situation may well come about within a measurable period and as the United Nations will probably require about two years to reach a final conclusion on the future of British-administered Togoland, it is considered necessary to put the problem to the United Nations forthwith in order that they may start without delay to consider what that future should be. A Memorandum has accordingly been prepared on the subject for transmission to the Secretary-General of the United Nations, which indicates that in our view the basic objectives of the Trusteeship System will best be fulfilled by the integration of British-administered Togoland with the Gold Coast.

7. The Memorandum will be transmitted to the Secretary-General on the 21st of June under cover of a letter which will request him to include the following item in the Agenda for the Ninth Session of the General Assembly: "The future of the Trust Territory of Togoland under United Kingdom Trusteeship". A copy of the Memorandum will be sent simultaneously to the President of the Trusteeship Council for the consideration of the Council at its Fourteenth Session, which began on the 2nd of June.<sup>1</sup>

8. The Memorandum, a copy of which is attached,<sup>2</sup> has been discussed with the French Government as part of the normal procedure of Anglo-French consultation on colonial questions of mutual concern.

9. Her Majesty's Government would be grateful for the support of the United States Government in the General Assembly and the Trusteeship Council. They would also be glad if the whole matter could be treated as confidential until the 21st of June, in courtesy to the Secretary-General and the Trusteeship Council.

10. A communication in similar terms is being addressed by Her Majesty's Representatives at Brussels, Oslo, Copenhagen, Stockholm, and The Hague, to the Governments to which they are accredited.

WASHINGTON, June 17, 1954.

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<sup>1</sup> The 14th Session of the Trusteeship Council met June 2-July 16, 1954.

<sup>2</sup> Not attached; not found in the Department of State files.

350/6-2854 : Telegram

*The Secretary of State to the Mission at the United Nations*

OFFICIAL USE ONLY

WASHINGTON, June 28, 1954—7:34 p. m.

681. Department approves proposal resolution on following lines:

*“Trusteeship Council,*

Informed by the United Kingdom of the impending constitutional developments in the Gold Coast which affect the future of the Trust Territory of British Togoland;

Having regard to the terms of the trusteeship agreement, and to the relevant resolutions of the General Assembly and of the Trusteeship Council relating to this question;

Noting that it is the intention of the United Kingdom to place on the provisional agenda of the next General Assembly the question of ‘the future of Trust Territory of Togoland under United Kingdom Trusteeship’;

Considering that it is the duty of the Trusteeship Council to assist the General Assembly in its consideration of this question;

Recognizing also that the free and democratic general elections recently held in the Gold Coast and in British Togoland, based on the principle of universal suffrage, have given a significant indication of the wishes as well as the political maturity of the people of British Togoland;

Convinced, however, that before a final determination of the future of this territory can be made it will be necessary, as the Charter provides, and as the Administering Authority recommends, to establish the ‘freely expressed wishes of the peoples concerned’;

Noting that the Administering Authority proposes that the United Nations itself should arrange to ascertain, by whatever means it considers desirable and appropriate, the wishes of the inhabitants of the Trust Territory as to the status to be enjoyed by them when the present arrangements for administering the territory become inoperable;

1. *Expresses* the Council’s gratification that the initial step in the process of self-determination has been taken through the general elections for the Legislative Assembly;

2. *Commends* the UK for the efforts it has made in cooperation with the peoples of the Gold Coast and British Togoland to chart a course leading to the establishment of arrangements which will accord with the wishes of the people concerned and the principles of the Charter;

3. *Commends* also Prime Minister Nkrumah and his government for the statesmanship and wisdom which they exercised in the administration of Togoland, and especially for the manner in which the recent elections were conducted;

4. *Recommends* that the forthcoming General Assembly place the proposal of the United Kingdom early on its agenda so that its gen-

eral guidance in this important matter can be developed with due deliberation on all the issues involved;

5. *Agrees* if the General Assembly so desires, at its Fifteenth and Sixteenth Sessions, to formulate such methods and procedures for ascertaining the wishes of the inhabitants, and for terminating the trusteeship, so that the General Assembly at its Tenth Session can set in motion the approved machinery in the course of 1956."<sup>1</sup>

DULLES

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<sup>1</sup> This resolution was passed by the Trusteeship Council with several amendments, one of which recommended that the General Assembly consider the item along with the unification problem. At the conclusion of the 14th Session, the Council submitted a special report to the Assembly, "The Togoland Unification Problem" (UN Doc. A/2669, July 23, 1954), which thoroughly described the implementation of Resolutions 750 A, B, and C (VIII) of the Eighth Session of the General Assembly, at the 13th and 14th Regular Sessions of the Trusteeship Council in 1954.

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Hickerson-Murphy-Key files, lot 58 D 33, "9th General Assembly Session"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Key) to the Deputy United States Representative at the United Nations (Wadsworth)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 30, 1954.

Subject: Possible General Assembly Item on Communism—the New Colonialism.

We have been giving considerable thought to the suggestion in your memorandum of June 10, that we introduce the above subject as a new item for exploitation at the Ninth General Assembly.

The idea has been discussed with appropriate political and intelligence officers in the Department and they have all expressed a willingness to contribute in the preparation of suitable material. With respect to the parliamentary technique of introducing a new item, however, it is our feeling that it would be more effective to present the data as a suitable occasion presents itself. As you well know the word "colonialism" is anathema to many of our Asian and Latin friends, and it is thought that we might well have difficulty in gaining their support in this endeavor. They might use a formal item on this subject to attempt to embarrass the so-called "colonial" powers.

Our specialists indicate that they already have considerable material already prepared on this general subject and have asked that we give them more specific guidance as to the scope of the project. They have suggested that communism be attacked on three broad points: intervention, imperialism and exploitation. The attack might

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<sup>1</sup> Drafted by Harold W. Moseley, Department of State representative on the OCB's Working Group on the United Nations, for the Ninth General Assembly.

begin with a general revelation of international communism as a far-flung clandestine political organization operated from Moscow as was done by the Secretary in his March 8 speech at Caracas—with the addition of specific facts. Soviet imperialism then could be exposed, as countries have fallen under its control and have in fact become colonies. Soviet and possibly Chinese Communist exploitation could then be shown in some detail, pointing out how the economies of these unfortunate countries have been warped to fit the Communist requirements. A special case, with an eye to land reform in Southeast Asia and the Far East, might be made of exposing the failure of collectivisation in Russia. The attendant loss of freedom, of course, could be shown.

It is suggested that you may wish to have George Betts let Harold Moseley or Olcott Deming know if the above approach is satisfactory to you in order that the details may be ironed out at the working level and the preparation of the material begun.<sup>2</sup>

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<sup>2</sup>The Working Group was formally reactivated on July 23, 1954, in order to coordinate the provision of certain interdepartmental support for U.S. activities at the Ninth Regular Session of the General Assembly, "particularly with respect to exploiting the vulnerabilities of the international Communist conspiracy . . ." This was in pursuance of President Eisenhower's policy to use the United Nations as "the only real world forum where we have the opportunity for international presentation and rebuttal . . ." (S/S-OCB files, lot 62 D 430, "UN General Assembly," a memorandum for the Operations Coordinating Board by George A. Morgan, Acting Executive Officer, July 26, 1954, entitled "Terms of Reference for OCB Working Group on the United Nations".)

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ODA files, lot 60 D 257, "US-UK Colonial Policy Talks, July 26, 1954"

*Memorandum Prepared in the Office of Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON, undated.]

US-UK COLONIAL TALKS HELD IN THE DEPARTMENT OF STATE  
JULY 26-27, 1954<sup>1</sup>

*Participants:*

*United Kingdom:*

Mr. Bourdillon, Assistant Secretary of State for the Colonies  
Mr. Ramsbotham, United Kingdom Delegation to the United Nations  
Mr. Gidden, United Kingdom Delegation to the United Nations  
Miss Salt, British Embassy  
Mr. Balmer, British Embassy

*United States:*

Mr. Wainhouse, Acting Assistant Secretary of State for United Nations Affairs

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<sup>1</sup>Arrangements for these talks, in continuation of the earlier 1950, 1951, and 1952 rounds, had been effected in a series of meetings between officers of the Department of State and the British Embassy, extending over a period of some months (320 and 700.022 files).



Mr. Jernegan, Deputy Assistant Secretary, Bureau of Near Eastern, South Asian and African Affairs  
 Mr. Elbrick, Deputy Assistant Secretary, Bureau of European Affairs  
 Mr. Gerig, Director, Office of Dependent Area Affairs  
 Mr. Utter, Director, Office of African Affairs  
 Mr. Raynor, Director, Office of British Commonwealth and Northern European Affairs  
 Mr. Robbins, Deputy Director, Office of Dependent Area Affairs  
 Mr. Jamison, Deputy Director, Office of Regional American Affairs  
 Miss Bacon, United Nations Adviser, Bureau of Far Eastern Affairs  
 Mr. Allen, United Nations Adviser, Bureau of European Affairs  
 Mr. Feld, Officer-in-Charge, West, Central & East African Affairs, Office of African Affairs  
 Mr. Withers, Acting Officer-in-Charge, Trusteeship Affairs, Office of Dependent Area Affairs  
 Mr. Ross, Acting Officer-in-Charge, Non-Self-Governing Territories Affairs, Office of Dependent Area Affairs  
 Mr. James Barco, United States Mission to the United Nations  
 Mr. Runyon, Office of Assistant Legal Adviser for United Nations Affairs  
 Mr. Fensterwald, Office of Assistant Legal Adviser for United Nations Affairs  
 Mr. Spiegel, Office of Special Assistant for Atomic Energy Affairs  
 Mr. Hamilton, Office of Special Assistant for Atomic Energy Affairs  
 Mr. Strong, Office of Dependent Area Affairs  
 Mr. Noziglia, Office of Dependent Area Affairs  
 Miss Hill, Office of British Commonwealth and Northern European Affairs  
 Mr. Mangano, Office of United Nations Political & Security Affairs.

The following is a summary of the significant points of view exchanged between the United States and the United Kingdom during the Colonial Policy Talks held on July 26-27, 1954.<sup>2</sup>

<sup>2</sup>The British Embassy submitted a proposed agenda to the Department on July 13, 1954, not printed (memorandum entitled "Tentative Suggestions from H. M. Colonial Office for Bilateral Talks on Colonial Questions in the United Nations to start Monday, July 26, 1954", attached to memorandum of conversation dated July 13, 1954, not printed, file 700.022/7-1354). There is printed here the final agenda, dated July 26, revised in accordance with U.S. suggestions for additions (indicated by italics). There also was prepared a Department of State position paper for each agenda item, none printed.

#### PART I

"1. Review of the attitude of 'blocs' in the United Nations on colonial questions, including consideration of diplomatic action on particular issues: *possibilities of bringing about a larger bloc of moderate opinion.*

"2. Review of the basic principles motivating our respective attitudes to colonial questions in the United Nations.

"3. Possibility of discussion *in the Fourth Committee* of the political affairs of particular territories:

- (a) Cyprus
- (b) Kenya
- (c) Central Africa
- (d) Greenland
- (e) Surinam

*Review of the attitude of "blocs" in the United Nations on colonial questions, including consideration of diplomatic action on particular issues; possibilities of bringing about a larger bloc of moderate opinion.*

The UK informed us that it intended to make approaches to the Latin American countries, as it had in the past, for the purpose of gaining wider understanding and support among these countries for British colonial policy and to develop a greater "bloc" of moderate opinion in the Fourth Committee. In these approaches the United Kingdom stressed (1) that its colonial policy was not imperialistic but that it was dealing with problems (of economic and social development) which in many respects were not too different from those which the Latin Americans had to face domestically and; (2) the underlying concept of the Commonwealth, i.e. a fraternity of free peoples which makes a large contribution to world stability. We were also told that the United Kingdom planned to announce its recognition of the new Guatemalan Government that afternoon (July 26). The United Kingdom told us further that they had had some success in lobbying with members of delegations other than those who sit in the Fourth Committee and that during the forthcoming session of the General Assembly they planned to approach heads of delegations on specific items. They might also follow the procedure of making direct approaches to foreign offices of members on certain items. With respect to the Arab-Asian bloc little prospect was seen for moderating the views of this group. A UK representative (Gidden) stated his opinion that

(f) *Tunisia*

(g) *French Morocco*

"4. *Togoland.*

"5. *Attitude to be taken with regard to Report of Committee on South West Africa.*

"6. *Future composition of Committee on Information.*

"(1) *Possible withdrawal of Denmark*

"(2) *Future Belgian participation*

"7. *Application of the two-thirds voting rule in Plenary Assembly to questions affecting non-self-governing territories.*

"8. *Participation of indigenous inhabitants in the work of the Trusteeship Council (Syrian resolution, Doc. T/L.458), and other United Nations bodies, including question of granting oral hearings.*

"9. *Development of intervention in colonial and domestic matters in Committees other than the Fourth Committee.*

"10. *Self-determination.*

"11. *Chairmanship of Fourth Committee.*

"12. *India's proposed move to have General Assembly seek ICJ opinion on the legality of United States nuclear tests in the Trust Territory of the Pacific Islands.*

#### PART II

"13. *Review of current and future developments in the major colonial territories—West, East and Central Africa; Malaya, the West Indies."*

(USUN files, Dependent Areas: Conferences; the indicated position papers are in the same file.)

India's influence in the Fourth Committee might be on the wane because of Mrs. Menon's undignified behavior at the Eighth General Assembly and also because India's assumption of leadership was resented among the Arab-Asians. The United Kingdom, we were told, was consistently working through the Commonwealth "network" to "improve" India's attitude toward the colonial problem. In general, however, the United Kingdom had not found Commonwealth ties to be effective in the colonial field. With respect to the possibility that the Soviets might moderate their very doctrinaire approach to colonial questions and thereby develop influence among the non-administering members of the Fourth Committee, Mr. Gidden thought that their attitude at the Fourteenth Trusteeship Council discussion of the nuclear tests in the Trust Territory of the Pacific Islands indicated that they hadn't changed much. He pointed out that the Soviets could have caused trouble had they supported the Indian resolution which was not too different than their own. In response to our question whether it would be useful to point to the various manifestations of Soviet imperialism in the Fourth Committee the British replied that it was their policy not to focus attention on Soviet statements in the Fourth Committee and that they thought such references would be out of order in the Fourth Committee. They had, however, found that references to Soviet imperialism in other Committees could be made with good effect.

We told the United Kingdom that we had made a general approach to the foreign offices of Latin American countries on colonial problems prior to the last two sessions of the General Assembly but that we felt that the "free-wheeling tendencies" of some Delegations partially nullified the effect of advance approaches to Ministries of foreign affairs. We had not decided whether we would make a general approach this year.

*Review of the basic principles motivating our respective attitudes to colonial questions in the United Nations*

The United Kingdom told us that their basic policy with respect to United Nations activities in the colonial field had not changed. Although they opposed the existence of the Committee on Information from Non-Self-Governing Territories, they had cooperated with it to the extent of having an educational expert on their delegation to the last session and planned to bring an economic expert to the forthcoming session. They thought that there was a great danger that if the emotional attitude of the Fourth Committee got out of hand it could prejudice the development of sound, democratically oriented governments in the colonial territories. Their position that Article 2(7) precluded the discussion of internal political affairs in territories was firm and unchanged and would be pursued even at the risk that British

colonial achievements would not be fully advertised and appreciated. Mr. Gidden expressed doubt that too many members of Committee Four had the interests of the indigenous inhabitants at heart and he believed that their real motive was to extend the supervision of the United Nations over non-self-governing territories. Members of the United Nations did not suffer from a lack of information he said, but from a doctrinaire approach to colonialism and he thought they would seize upon any opportunity to discuss the internal affairs of a territory not to praise but to criticize.

During a review of progress and plans for political development of the British colonies in the various areas of the world the United Kingdom was asked to divulge the circumstances under which it would cease transmitting information on a particular territory to the United Nations. We were informed that United Kingdom policy is not to cease reporting on a territory until the case for self-government is so clearly made that there can be no question about it. The United Kingdom did not expect this policy to weaken the case of other Administering Authorities who might cease transmitting information on territories before independence was achieved because this policy would not be admitted publicly. In fact, the legal position of the United Kingdom was the same as that of the Netherlands, i.e. that when a territory gains complete control of its internal affairs there is no longer a requirement to transmit information on it.

We reviewed the basic attitudes motivating our participation in United Nations colonial activities and stated that in our view the question of the timing of the various steps which must be taken in the transition from a dependent to a self-governing status is of vast importance. Such steps must be taken fast enough to meet the reasoned and legitimate demands of the dependent peoples, while at the same time not exposing them to Communist infiltration or to outright aggression. If progress were too slow the danger of Communist exploitation of the legitimate nationalist movements existed; if premature self-government were granted the danger of Communist subversion or aggression would be increased. We stated that in the United Nations we would continue to exercise our influence toward moderation and we hoped that other Administering Authorities would avoid taking too negative or too rigid positions with respect to proposals which may be made. We hoped that without sacrificing principle, a degree of flexibility and moderation in debate might help contribute to an improved atmosphere in the Fourth Committee and to an increased possibility of achieving moderate action. We also urged the United Kingdom to review its position of not disclosing more fully to the United Nations the significant achievements it was making in developing self-government in its colonies in the hope that an understanding of this

development would make UN members less critical of British colonial policy.

*Cyprus*<sup>3</sup>

We were told by the UK that for security reasons Cyprus must remain British for the foreseeable future. In this connection the following points were made: (1) with the withdrawal from Egypt and the Suez Canal importance of Cyprus to United Kingdom increases; (2) United Kingdom cannot count indefinitely on a friendly Greek Government; (3) possibility exists that United Kingdom's enemy may not be Greece's enemy and; (4) there are limitations which would make the idea of leasing bases on the island impractical. Another factor which had to be considered was the reaction of the Turkish population of Cyprus and of Turkey to any change of sovereignty. The Turkish inhabitants of the island were quite content with the present situation.

We were told that in 1948 a liberal constitution had been offered to the Cypriots but that it was rejected by the Communist and Nationalist Parties who adopted Enosis. That constitution had not been withdrawn but had been left open for the people to accept. The British Government had now decided that the situation of no constitutional progress must be ended and that a modified constitution would be enacted. While this constitution would have some more advanced features than that of 1948, it would not be as liberal as the latter in that the unofficial members of the legislature will be in a minority. The modifications in the constitution were necessary because under the provisions of the 1948 constitution the Communists are strong enough to be able to take control of the government. It is the United Kingdom view that despite Enosis agitation Cyprus was a stable territory, but that external pressure might cause difficulties. Although there had been "sounding out" of sections of the population on the proposed constitution the people had not been consulted on its provisions. The United Kingdom emphasized that they would point to this constitution as a first step in constitutional development which must be given an opportunity to succeed.

The United Kingdom considers that the Cyprus questions would be the "touchstone" of their participation in the Ninth General Assembly. Their attitude on all other questions as well as their ability to be of assistance on such questions would depend on whether or not this item were inscribed. Because they viewed the discussion of political affairs in Cyprus by any Committee of the General Assembly as a violation of Article 2(7) of the Charter they would not condone the inscription of this item on the agenda. In their view discussion in the United Nations would only exacerbate the situation and would present the Soviets

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<sup>3</sup> For documentation on Cyprus, see volume VIII.

with an opportunity to take advantage of what would be made to appear as a NATO weakness. After being urged by us not to adopt such a drastic position as that of non-participation, the British stated that perhaps it was too early to talk of that in as much as they hoped to be able to prevent inscription. However, after stressing their legal arguments in the General Assembly's General Committee, the British intended to inform the members of the plenary that if the item were inscribed on the agenda Her Majesty's Government would have to consider seriously whether participation in the Committee that discussed it would be profitable, and that if the General Assembly adopted this precedent whereby any Member could require a discussion of the domestic political affairs of another, the United Kingdom would have to make an "agonizing reappraisal" of its policy of "going along" with United Nations activities in the colonial field.

The British were told that Greek initiative to put this item on the agenda would put us in a "tough spot", and that we had not as yet formulated a position on the question of inscription. The British expressed the hope that they would be informed of our position as soon as it was reached.

#### *Role of UN Secretariat*

It was generally agreed that lobbying by the United Nations Secretariat to influence General Assembly action through drafting statements, resolutions, etc. was undesirable. It was suggested that the installation of the new Assistant Secretary General might provide the opportunity for an informal approach on this question.

#### *Future Composition of Committee on Information*

Whereas the British would prefer that the balance be maintained between administering and non-administering members when Denmark withdrew from the Committee they had not taken a position of principle on the question of parity of membership. They did not think there was a chance that Belgium would participate in the work of the Committee and furthermore believed that the criticism leveled at Belgium for its position of non-participation was insignificant.

#### *Application of the two-thirds voting rule in Plenary Assembly to questions affecting non-self-governing territories*

The United Kingdom expressed the view that Madam Pandit's ruling at the Eighth General Assembly to consider all non-self-governing territories items as unimportant and thus subject to adoption by a simple majority vote was unfortunate. They believed, however, that a different President might improve the situation. They thought it best to rely on *ad hoc* determination of "important" questions to which the  $\frac{2}{3}$  majority would apply rather than seek to establish separate categories of such questions by resolution or otherwise.

*Togoland*

The United Kingdom expressed appreciation for the initiation taken by the United States Delegation at the Fourteenth Session of the Trusteeship Council with respect to the United Kingdom plan for the future of British Togoland. They hoped that the General Assembly would adopt a procedural resolution recommending their plan to the Trusteeship Council. The UK did not believe that their plan for the termination of the trusteeship agreement for British Togoland would create any difficulties for French Togoland vis-à-vis the United Nations.

We told the British that we would continue to assist them on this question.

*India's proposed move to have General Assembly seek ICJ opinion on the legality of United States nuclear tests in the Trust Territory of the Pacific Islands*

With respect to India's avowed proposal to have the General Assembly request the International Court of Justice for an advisory opinion on the legality of our nuclear tests in the Trust Territory of the Pacific Islands, we told the United Kingdom that while we could see no way of preventing General Assembly discussion of the item, we felt strongly that it was to our best interests not to have a request made of the ICJ. The United Kingdom Representative stated that they would continue to assist us on the Trust Territory issue, but they frankly admitted that it would be difficult for them to appear in very strong opposition to a member of the Commonwealth. In reply to our statement that we would consider as very serious any wavering of our allies' support on a matter that was so vital to the security of the free world, the United Kingdom representative stated that the United Kingdom would support our position on this item as he hoped we would support the United Kingdom on Cyprus.

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ODA files, lot 60 D 257, "US-UK Colonial Policy Talks, July 26, 1954"

*Memorandum by the Deputy Director of the Office of Regional American Affairs (Jamison) to the Director of the Office of Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[WASHINGTON,] July 29, 1954.

I appreciated the opportunity to attend some of the colonial policy talks with representatives of the UK this week and should like to pass on to you one or two thoughts which have occurred to me in connection with those discussions.

With reference to the consideration of Topic 1, in which the Latin American attitude figures in such an important way, I did not gain the

impression that much progress was made with regard to that portion of the topic which was added by the United States, that is, "possibilities of bringing about a larger bloc of moderate opinion". I strongly doubt that the one or two things which the British said they were doing will have any important effect on the Latin Americans. If they insist, for example, upon using diplomatic approaches with the Latin Americans to point out the similarity of their problems in the dependent areas with problems in the Latin American countries, their approaches will, in my opinion, be counterproductive. Neither do I feel that the British attitude which seems to challenge the basic motivation on the representatives of most of the governments, certainly those of Latin America, in the Fourth Committee augurs well for the development of a "larger bloc of moderate opinion". I believe that the method likely to be most fruitful among the Latin Americans to attain that objective would be to find some way of getting those that now may fit in the moderate category to use their influence in moderating the view of others, rather than for the UK or even the United States to make direct approaches. It is for this reason that the attitude of Brazil is of very great importance, since Brazil is probably in a much better position to influence other Latin American countries than are we or the British.

Moreover, if moderate opinion is to be increased, it will have to be done on the basis of solid facts and figures which demonstrate not only the economic and social progress being made in dependent areas but also, and more important, whatever examples of progress towards self-government there may be. So long as the British (1) insist that they will not even talk in the United Nations about the important steps they may be taking to develop self-government and (2) maintain the attitude they now so obviously hold, that the motives of those even partly on the other side of the fence are suspect, there doesn't seem to me to be much chance of increasing the number of moderates on these questions, at least among our Latin American friends.



S/S-OCB files, lot 62 D 430, "Soviet Imperialism &amp; Communist Conspiracy"

*Memorandum by J. M. Gerrety of the United States Information  
Agency to the Operations Coordinating Board*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 11, 1954.

## INTERNATIONAL COMMUNIST CONSPIRACY AND SOVIET COLONIALISM

## PROBLEM

To make clear to the free nations of the world the fact of the international communist conspiracy and, with this end in view, to produce useful documentary materials demonstrating the ties of local communist and front organizations with Moscow, and the techniques employed by the communist movement in promoting the selfish interests of the USSR; to inform the nationals of the free nations of the world that communist-controlled parties, although they may have an indigenous base, are merely adjuncts of an international movement; to show that these parties are the instruments of a new colonialism, Soviet colonial expansion and control.

## DISCUSSION

It is believed that documentary data is either readily available in the Government, or can be compiled, to demonstrate convincingly that the so-called national or country communist parties have a direct connection with the Kremlin and in some instances with Peiping. From the Kremlin they receive direction, training, and support. Many hundreds of the communist leaders in these countries have been trained in Moscow, some over a period of years. Many hundreds of others have gone to Moscow for consultation. Still additional hundreds have attended international front meetings sponsored by the Kremlin. Many local parties are receiving economic or propaganda assistance from Moscow.

It is also believed that documentary material can be obtained to show that, following the return of these local communist leaders from Moscow, certain actions are taken, certain directives are issued, which were patently given the local leaders during their stay in Moscow.

Of the wealth of material on the international communist conspiracy in the files of various government agencies and departments, much is of a devastating nature. It is not believed, however, that this has ever been pulled together in one handy, useable place and form. Nor is there any arrangement for a continuing assembling of this material.

Note is taken of the fact that the current intelligence survey conducted under the direction of the Director of the Central Intelligence

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<sup>1</sup> Circulated to the OCB Board Assistants under cover of a memorandum by Elmer B. Staats, Executive Officer of the Operations Coordinating Board, Aug. 11, 1954.

Agency has recommended that a major effort be devoted to developing intelligence on the international communist conspiracy.

Appropriate facts can also be used to show that the Soviet Union and Communist China represent the new colonialism and that the Soviet Union has imposed, and will impose, a colonial rule far worse than that of any Western nation in the past.

The U.S. Information Agency feels that if the required material were assembled and the Operations Coordinating Board gave its backing to a coordinated government effort on the subject of the international communist conspiracy, a victory could be gained in one battle of the psychological side of the cold war.

The U.S. Information Agency has of course made some effort along the line of the international communist conspiracy, but has had to deal too largely in generalities; there has not been a sufficiency of bricks and mortar. The Agency feels that the bricks and mortar are needed to make a convincing case of conspiracy.

A coordinated effort by responsible Departments and Agencies would have the following immediate purposes:

1. To establish the subservience of the local Communist Party to the internationalism.

2. To document in convincing detail the control exercised by the national Communist Party over front groups, other groups, and related activities.

3. To show that in carrying out the purposes of the Kremlin the local communist leaders become the instruments of imposing a new colonial rule far worse than any in the past.

4. To identify the principals in the national structure and if possible to establish the connections of the principals with both the local Communist Party and the international center for communism for as long a historical period as is possible.

5. To select particular communist campaigns and link them if possible with Moscow direction or at least with Moscow policies and action. If it is impossible to establish Moscow initiative it is possible to demonstrate that various local campaigns arise from communist-controlled international meetings and to pursue the extent to which the local counterparts of the international communist-controlled meetings fall into line.

#### COORDINATION

At an appropriate time it would be necessary to establish procedures for planning courses of action for using documentary material available or to be compiled. It would appear desirable in most cases to make the maximum use of grey and black channels for initial public release of such material in order to establish credibility and basis for exploitation. Indication of the types of exploitation which might be planned and coordinated are the stimulation of statements by high government officials; inclusion of material on this theme in major speeches to be made by government officials; use of appropriate ma-

terial at international conferences, specialized professional conferences, seminars, colloquia, etc.; the release of materials through government outlets domestically to be picked up and used overseas; uses in the domestic press and publications field; and special ideas and techniques for making foreign governments and peoples more aware of the external threat of Soviet communism.

#### GENERAL OBSERVATIONS

The following are a number of general observations pertinent to the implementation of this activity:

1. This is one of several approaches to combatting world communism, in support of U.S. positive national objectives.
2. Special situations in particular countries must be taken into account. This includes the use of appropriate terminology; consideration of the local status of the Communist Party and its relationship to the local government, the status of overall U.S. relations with that government, and propaganda lines of our allies. Information of this sort may be obtained from the U.S. missions overseas.
3. Caution must be exercised to ensure close coordination with grey and black activities.

#### RECOMMENDATIONS

It is therefore recommended that the OCB:

1. Endorse the development of a coordinated program of activity by the appropriate departments and agencies on the subject of the international communist conspiracy and Soviet colonialism.
2. Request the IAC to take appropriate action to fill the needs of the participating agencies for intelligence on this subject.
3. Direct the Executive Officer, in consultation with the Board Assistants, to determine appropriate organizational procedures for coordinating interagency action on this subject.

ODA files, lot 62 D 225, "General Assembly"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to the Director of That Office (Gerig)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 12, 1954.

Subject: Soviet "Colonialism" at the Ninth General Assembly

We have given considerable thought to the question of the desirability of making Soviet colonialism the theme of the Ninth Assembly and would make the following comments for whatever use they may have:

1. The colonial problem will almost inevitably be the single most controversial issue at the forthcoming General Assembly. The Cyprus question, almost certainly to be inscribed on the agenda on the initiative of Greece, and the dispute over the sovereignty of Netherlands New Guinea (West Irian) which the Indonesian Government has threatened to bring up, are the two outstanding "colonial" questions which will pose difficulties for the United States at the Ninth General Assembly. The recent policy statement of France with respect to political reform in Tunisia and Morocco may succeed in keeping this perennial issue off the Assembly's agenda at this session although information reaching us and recent disorder in Morocco indicate that the Arab-Asian bloc may raise the question. Four allies from among the nations of the Western World are involved in these questions (U.K., France, Netherlands, Greece) and with the exception of Greece their position will be that the less discussion of colonialism that takes place in the United Nations, the better their position. We already have been told by the British that they will threaten to "walk out" of the Committee which discusses Cyprus, while the French have adopted this technique of non-participation at past sessions when Tunisia and Morocco have been discussed. We do not know yet the precise tactics the Dutch will adopt if the question of New Guinea (West Irian) is discussed. Thus, as in the past, the United States will be hard put to adopt a positive attitude on the substance of these colonial disputes. Were we to advocate a full-scale discussion of Soviet "colonialism" our sincerity would be challenged unless we advocated a strong anti-colonial position on these other items, a situation which would jeopardize our relationship with our closest allies, two of whom are on opposite sides in the colonial debate.

2. In addition to those of our Western Allies directly concerned with the items mentioned above, others who administer non-self-governing territories would be very hesitant to support a full-blown discussion of colonialism in any form. Under their influence most of the other nations of Western Europe and the white Commonwealth countries would probably prefer to abstain from such a discussion. In the past the colonial powers have countered Soviet charges with effective use of examples of Soviet imperialism. They could be counted upon to continue this tactic of counter-attack but it is highly unlikely that they will agree to any full scale offensive against the Soviet Union on colonialism when they realize that they are so vulnerable in this respect

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<sup>1</sup> Drafted by Edward P. Noziglia of the Office of Dependent Area Affairs.

and have suffered so much at the hands of anti-colonialists in the United Nations.

3. Although the Arab-Asian Members would probably welcome a General Assembly which had colonialism as its theme, or more accurately anti-colonialism, their sights would be set not on the Soviet brand but on the Western European brand. They would undoubtedly insist that all forms of colonialism be discussed and not just the Soviet brand. To the extent that individual members of this group have been lulled by the apparent relaxation of East-West tension following the truce in Indo China, it would be difficult to enlist their support for any anti-Soviet attack which they might construe as exacerbating East-West relations. They are as ever, however, prepared to continue their attack on Western European colonialism.

4. While the Latin American nations can probably be counted upon to go along with us on any anti-Soviet item, they too would have difficulty in divorcing any discussion of Soviet colonialism from the brand practiced by our European allies. The anti-colonial temper of the recent Caracas Conference is only the most recent example of the attitude of the Latin American countries toward colonialism.

5. If it is decided, therefore, to pursue the objective of making the theme of the Ninth General Assembly Soviet "colonialism", we will probably have to be prepared to go counter to some very important interests of our Western allies. It is not likely that a majority of United Nations Members will care to make a distinction between Soviet and Western European colonialism. In this respect it should be borne in mind that an issue of direct and vital concern to the United States and indeed to the security of the Free World and one which has colonial overtones may well be discussed at the Ninth General Assembly. The Indian Representative on the Trusteeship Council has indicated that his government will ask the General Assembly to recommend a moratorium on nuclear tests in the United States administered Trust Territory of the Pacific Islands pending an ICJ opinion on the legality of conducting such tests in a trust territory. It is very unlikely that we will be prepared to acquiesce in that proposal, and we will be in need of all the support we can get from UN members.

6. Our experience in international meetings since the Geneva settlement on Indo-China is too limited to indicate the nature and quality of support that we could muster for any anti-Soviet items. There are indications, however, that there exist varying degrees of reluctance among UN members to stir up what they hope are only lukewarm ashes of cold war controversy. It would be a mistake for the U.S. to take the initiative on any anti-Soviet items until soundings were taken of the attitudes of other Members. The reaction of American public opinion would be adverse to the UN were we to find ourselves in a more or less isolated position on any such item, especially one discussed on our initiative.

It is recommended therefore, that we employ a technique which has been effectively used in the past and which could be utilized with success at the Ninth G.A. This would involve reference to Soviet imperialism in statements wherever appropriate. In the Political Committee's discussion of colonial items it would be a simple matter to point to Soviet practices to demonstrate the hypocrisy of their pose as

the champion of dependent peoples. In any Third Committee discussion of self-determination similar statements would be appropriate. Soviet economic imperialism could be an appropriate topic of statements in the Second Committee. Our Western European allies, as well as the Latin American countries, could be persuaded to join us in the discreet utilization of this technique.

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ODA files, lot 62 D 225, "General Assembly"

*Memorandum by the United Nations Adviser, Bureau of Near Eastern, South Asian, and African Affairs (Howard), to the Operations Coordinator (Radius)*

CONFIDENTIAL

[WASHINGTON,] August 19, 1954.

Subject: Comments on OCB's Memorandum re International Communist Conspiracy and Soviet Colonialism <sup>1</sup>

1. I think we all understand the desirability of making clear to the nations of the free world the nature of the international communist conspiracy, the betrayal of national "liberation" movements, and especially the use of Soviet Parties as agents of the Soviet Government and instruments of Soviet *imperialism*, aggression and control.

2. I am sure that we all agree, too, that any case which we may wish to make concerning this problem should be built on the solid foundation of the documentary evidence. Indeed, I am persuaded that if we depart from such a foundation—whatever our purpose or forum—and rest our case on spurious data, we will soon find that we have not only failed to win our objectives, but will be in a dangerous position.

3. Furthermore, it occurs to me that the methods and techniques in the use of such material are extremely important and may well determine its ultimate influence. Leaving aside uses of this material by USIA and in psychological warfare, I believe that, in the United Nations, any *artificially* stimulated or *forced* use would detract from its validity and effectiveness, on the ground that people might feel that they had heard enough of U.S. propaganda on such matters and desired to lessen East-West tensions. If used as a natural, legitimate statement, whether in response to Soviet diatribes or otherwise, and *well done*, it might prove very effective.

4. I would certainly substitute for the term "new colonialism", as applied to the Soviet Union, the term "new imperialism", or some variant thereof. It is a much more accurate and much more descriptive term, it seems to me, to describe the manifold policies of the Soviet

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<sup>1</sup> Presumably refers to the USIA memorandum of Aug. 11, p. 1404.

Union in this respect. It is, I think, also more meaningful in countries outside the United States, where the term "new colonialism", as applied to the Soviet Union, would hardly be understood, for the simple reason that the only "colonialism" known to people of Asia and Africa, for instance, is that of the Western Powers. In this connection we should make the very effective and quite accurate point that, whereas the Western Powers, partly because of their traditions as well as of objective conditions, have been in a process of de-imperialism during the last 50 years or so—and notably during the past 30 years. The Soviet Union today is the only great power in the world actively engaged in a policy of aggressive, dynamic imperialism.

Imperialism would be much better understood, and I think it can be made to stick, and could well cover the following:

(a) The general expansionist and aggressive policies of the Soviet Union.

(b) Aggressive international Communism as an instrument of Soviet policy.

(c) Soviet policies in Eastern Europe which have, it seems to me, not only reduced the states of Eastern Europe to the status of *satellites* of the Soviet Union, but to the *de facto status of actual dependencies and protectorates* through the use of methods and techniques which are all too familiar to us.

(d) The development of the Soviet Colonial *Empire* in Central Asia.

(e) Soviet policies with regard to the Far East, including Communist China, the so-called Mongolian Peoples Republic, Korea and South East Asia.\*

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\*I would suggest in connection with the above that extremely useful material can be found in the following:

"(1) Nicolas Sulber, 'Soviet Undertakings and Soviet Mixed Companies in Eastern Europe', XIV *Journal of Central European Affairs* 2 (July 1954) 154-173, which is an excellent account of what I would term the Soviet reversion to something like 17th and 18th century mercantilism; (2) Alexander W. Rudzinski, 'The Myth of Satellite Sovereignty', *Mid European Studies Center*, Mimeographed Series, 26, April 26, 1954, which contains very useful material as to the destruction of the independence of states in Eastern Europe; (3) Sir Olaf Caroe, *Soviet Empire* (1953), which is a brief but excellent study of what the Soviet Union has done in Soviet Central Asia." [Footnote in the source text.]

According to an OCB memorandum of Mar. 25, 1955, the Working Group on the United Nations, after its reactivation in July 1954, started 26 study-papers under the general heading of "The Soviet Model of Colonial-Imperialism". However the colonial issue as such was not one of the topics listed in the OCB memorandum of Mar. 1955, in which material gathered through the group's efforts was effectively used in U.S. statements made during the Ninth General Assembly (which were forced labor, "atoms for peace", World War II prisoners of war, racial discrimination, narcotics traffic, freedom of information, and refugee program).

It is on record that the following remarks were made on Oct. 25, 1954 to Committee 4 by C. D. Jackson, Representative on the U.S. Delegation to the Ninth Regular Session of the General Assembly:

"Illustrative of what I am trying to say in measured language occurred in somewhat less measured language last Friday. In speeches we heard here on Friday some rather strong language was used regarding the administering authorities, including a reference to the European nations as 'hypocritical' in their attitude toward non-self-governing territories.

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"If such a statement can be made in this Committee in reference to nations which have demonstrated *actual, visible, tangible* forward movement toward decolonialization, may I redress some of the balance by suggesting that some notice, no matter how cursory, be taken of the new colonialism which is rising in the Soviet orbit.

"We ought to consider whether there isn't more than one kettle we wish to call black, or to put it another way, which particular one merits our indignation." (USUN Press Release 1989, Oct. 25, 1954)

The summary record of Jackson's statement to the Fourth Committee on Oct. 25, 1954, is in United Nations, *Official Records of the General Assembly, Ninth Session, Fourth Committee*, pp. 101 and 102; the Jackson statement occurred in the context of the Fourth Committee discussion of information from Non-Self-Governing Territories transmitted under Article 73(e) of the Charter (Reports of the Secretary-General of the United Nations and of the Committee on Information).

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ODA files, lot 62 D 225, "Committee 4"

*Memorandum by Edward P. Noziglia of the Office of Dependent Area Affairs to the Deputy Director of That Office (Robbins)*

CONFIDENTIAL

[WASHINGTON,] September 9, 1954.

ANALYSIS OF PROBLEMS EXPECTED TO ARISE IN THE FOURTH  
COMMITTEE OF THE NINTH GENERAL ASSEMBLY<sup>1</sup>

In Committee Four specific problems are often less important than the underlying issues they reflect. Thus, while an agenda item may appear to refer to a procedural matter, the real issue may be a question of principle such as the extent of the powers of the General Assembly to deal with non-self-governing territories. Moreover, the importance of the items on the agenda of Committee Four may lie more in their cumulative effect than in the intrinsic significance of any one of them.

In the light of the above general comments ODA has selected five items from the agenda of Committee Four, both as characteristic of the problems expected to arise in that Committee and as among those likely to present the greatest difficulty for the United States. Similar difficulties may also arise concerning such perennial problems as the granting of oral hearings to petitioners from trust territories, the possibility of referring the question of administrative unions to the International Court, the question of the association of non-self-governing territories in the work of the Committee on Information from Non-Self-Governing Territories and the problem of whether or not to consider certain non-self-governing territories resolutions as "important" questions within the meaning of Article 18.

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<sup>1</sup> On Sept. 22, the Department of State sent a circular instruction to 61 diplomatic missions and consular posts, describing in some detail all the items on the agenda of the Fourth Committee at the impending Ninth Regular Session of the General Assembly (CA-1995, Sept. 22, 1954, not printed, file 320.14/9-2254).



## 1. INDIAN PROPOSAL

Illustrative of the volatile problems which will be considered by the Fourth Committee and in which we have particular interest is a possible move by India to refer to the International Court of Justice the question of the legality of our holding nuclear tests in the Trust Territory. This would strike at the basis of our atomic weapons testing program.<sup>2</sup>

Should the Indians raise the question of the legality of our tests in the Trust Territory, we will not oppose discussion; we will, however, make every effort to defeat any proposal referring the question to the Court. We believe that under the Charter and under our Trusteeship Agreement, approved by the Security Council, we have a clear right to conduct these tests in the Trust Territory.

## 2. PARTICIPATION OF TRUST TERRITORY INHABITANTS IN WORK OF TRUSTEESHIP COUNCIL

This question represents one of the efforts of the majority of non-administering Members to extend the functions of the United Nations—in this case by increasing the direct contacts between the Trusteeship Council and the inhabitants of trust territories. Whether the proposal involves seating a representative of the inhabitants at the Council table or various alternative means of direct contact, the result would be a tendency on the part of the non-administering Members to equate the views of individual inhabitants with those of the responsible governments (i.e., the administering authorities) and possibly to weaken the prestige of the administering authorities in the territories. At the Thirteenth Session of the Council, a Syrian proposal, which would have increased direct contacts through visiting missions, petitions, and oral hearings was defeated by a 6 to 6 vote, all the administering authorities voting against. The Syrian representative then indicated he would introduce his proposal in the Assembly.<sup>3</sup>

Thus, we will probably be faced in the Fourth Committee with the Syrian proposal, which in its present form is unacceptable to all the administering authorities. The position of the United States is particularly difficult because we have always held that, while we were opposed to any form of separate representation for the inhabitants on the Council, we also believed that ways could be found within existing Charter arrangements for increasing the participation of trust territory inhabitants in the work of the Trusteeship Council. The United States will have to decide whether to put forward a moderate

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<sup>2</sup> For documentation on this subject, see pp. 1477 ff.

<sup>3</sup> Unpublished documentation regarding the events described here is in file 350. A useful position paper on the subject was prepared for the U.S. Delegation to the Ninth Regular Session of the General Assembly, not printed (IO files, Doc. SD/A/C.4/128, Sept. 11, 1954).

proposal of its own, or to attempt to obtain modifications in the Syrian proposal so as to render it acceptable, or to join the other administering authorities who will doubtless prefer to oppose it outright. The Soviet bloc will probably not play an active role, but will presumably vote for the Syrian proposal, as they did in the Council. Inasmuch as trusteeship matters require a two-thirds vote in plenary sessions of the General Assembly, the United States and other moderate members might succeed in obtaining the elimination of the objectionable features of the Syrian proposal in the final voting, if despite our efforts it is adopted by the Fourth Committee. We would thus hope to secure a moderate Assembly resolution which would encourage increased participation of the inhabitants of trust territories in the work of the Trusteeship Council without derogating from the responsibilities of the administering powers or unduly complicating their task.

### 3. TOGOLAND PROBLEMS

There will be two items on the Assembly's agenda relating to Togoland. The Togoland unification problem is inscribed by virtue of Assembly Resolution 750 (VIII) which, *inter alia*, requests the Trusteeship Council to report on certain steps leading to the unification of the trust territories of British and French Togoland. There will also be an item on the future status of British Togoland. This item, whose inscription has been requested by the United Kingdom and by the Trusteeship Council, relates to a document submitted by the British indicating that they wish to terminate their trusteeship over British Togoland, that they consider that this territory can achieve the objectives of the Trusteeship System through integration with an independent Gold Coast, and asking the General Assembly to consider means of determining the wishes of the inhabitants.

These two items reflect two conflicting tendencies that exist both within the two Togolands and in the United Nations. The first is that the two Togolands should be unified; the second that British Togoland should be integrated with the Gold Coast. While there is increasing evidence that "integration" is favored by a majority in British Togoland and is gaining support in the United Nations, a majority in the Assembly has for some time favored "unification". It will not be easy to get the Assembly to reverse its direction, particularly when some Members will regard it as a disguised form of annexation of a trust territory by a British dependency. Moreover, a number of Members have regarded the unification issue as a form of pressure on the less politically advanced administration of French Togoland and they will be loathe to give up this weapon.

Since the British have recognized the right of the General Assembly to satisfy itself as to the wishes of the inhabitants of British Togoland, including the possibility of a UN-supervised plebiscite, the question of

the future of British Togoland may not in itself arouse heated controversy in the Fourth Committee this year. However, there may well be sharp controversy over efforts to deal with French Togoland on a similar basis and in particular to introduce UN machinery for determining the wishes of the inhabitants. The French would presumably oppose such action.

Thus the United States problem will probably be to try to assure that the Assembly devises machinery for determining the wishes of the inhabitants of these two territories in a manner flexible enough so that the French can be induced to accept it. As in most Fourth Committee questions, the most influential proponents of extreme or doctrinaire proposals will probably be some of the Arab-Asian states rather than the Soviet bloc. There are some indications, however, that India, often a leader of the former group, may take a moderate position, thus leaving hope that the Fourth Committee may be induced to avoid doctrinaire extremes on this question.<sup>4</sup>

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<sup>4</sup> The Delegation position paper is in IO files, Doc. SD/A/C.4/127, Sept. 11, 1954. The following section is extracted from this paper.

*United States Position*

"1. The Delegation should, in consultation with the United Kingdom Delegation, support the British proposal that the General Assembly ask the Trusteeship Council to determine the best method of ascertaining the wishes of the inhabitants of British Togoland as to the future status of their territory. The Delegation should also favor according the Council a high degree of flexibility in working out such procedures.

"2. If it is proposed that the Council also formulate procedures for ascertaining the wishes of the French Togoland, the Delegation should support such a proposal. It should, however, seek to assure that the Council is accorded a high degree of flexibility in working out the procedures, and, in this connection, should consult with the French Delegation.

"3. The Delegation should take the position that until the views of the inhabitants of British Togoland (and possibly French Togoland) as to the future status of their territory have been ascertained, the Assembly should take no further steps leading towards the unification of the two territories.

"4. There would be a reasonable case for postponing oral hearings on Togoland questions to the Fifteenth Session of the Trusteeship Council which will presumably deal in more detail with the next steps to be taken in the two Togolands; nevertheless, if it appears that a majority support granting hearings to representatives of legitimate Togoland groups in the forthcoming session of the Fourth Committee, the U.S. Delegation should vote for the granting of such hearings."

In the "Comment" section that followed the paper referred to the June 1954 elections, as follows:

"Some preliminary indication of the wishes of the inhabitants of British Togoland are to be found in the results of the elections held in the Gold Coast and Togoland in June 1954. In Togoland the candidates of the Convention Peoples Party, and others favoring integration of British Togoland with the Gold Coast, won a majority of the seats from the Trust Territory. However, in the south where the Ewes are the dominant group the results were not clear, and the electorate appeared to be fairly evenly divided between candidates favoring integration with the Gold Coast and those favoring unification with French Togoland. Moreover, it should be kept in mind that both the integrationists and the unificationists in British Togoland seek the attachment of French Togoland in some manner to the Gold Coast. Unificationist leaders say that they would favor federating a unified Togoland with the Gold Coast; while the slogan of the C.P.P. is 'unification through integration'."

4. SOUTH WEST AFRICA<sup>5</sup>

The Fourth Committee will be called upon to consider a report on conditions in South West Africa prepared by the Committee on South West Africa (Brazil, Norway, Pakistan, Syria, Thailand, Uruguay) pursuant to General Assembly Resolution 749A(VIII). Since the Union of South Africa does not recognize any right on the part of the United Nations to examine conditions in that territory, to say nothing of making recommendations on it, discussion on this report is likely to increase the tension between it and the United Nations. The Union might refuse to participate in Fourth Committee debates on South West Africa and will probably not recognize the legality of any Assembly recommendations on the administration of the territory. Such actions might extinguish any spark of hope, which the United States has tried to help keep alive, for negotiated solution to the problem of South West Africa.

The United States continues to base its position on the advisory opinion of the International Court of Justice and cannot, of course, condone the Union's refusal to accept that opinion. We will therefore make clear our adherence to the principles in the Court's opinion while at the same time trying to tone down UN condemnation of South Africa or intervention in its affairs so as to leave open an avenue of eventual cooperation. The United States is, however, likely to play a minor role in the Fourth Committee debates on this matter.

## 5. CESSATION OF THE TRANSMISSION TO THE UN OF INFORMATION ON NON-SELF-GOVERNING TERRITORIES

As at the Eighth Session, the question of the cessation of the transmission of information on certain territories under Article 73(e) of the Charter will undoubtedly be a difficult item. This question, as much as any, brings strong feelings into play on the colonial problem and results in a rather firm line being drawn between administering authorities and non-administering Members. The chief issue connected

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The paper commented further on this situation vis-à-vis the political situation in French Togoland:

"Any consideration of the future of British Togoland also brings up the question of the future of its French counterpart. Early in 1954 the French announced some steps to increase the participation of inhabitants in the government of the Trust Territory and to expand the electorate. However, even with the implementation of these reforms political advancement in French Togoland would be considerably behind that in the Gold Coast and British Togoland. Moreover, there are indications from petitions and other sources that the French have been using strong-arm methods to suppress unificationist and nationalist movements. The French position on a possible UN plebiscite or other form of consultation with the inhabitants of French Togoland on their Territory's future status is not known, though it is assumed that they will oppose any form of consultations which did not adequately safeguard their interests."

Further relevant documentation, published and unpublished, is in the ODA files, lot 62 D 225, "Togoland".

<sup>5</sup> For documentation on this subject, see volume xi.

with the problem of cessation concerns the part the General Assembly plays in the decision to cease reporting. Whereas the major colonial powers maintain that they alone can make the decision to cease reporting on a territory and that the Assembly can only take note of that decision, the great majority of non-administering Members insist that a territory must be reported on until the General Assembly decides otherwise. Thus, at the Eighth General Assembly a resolution calling upon the Netherlands to resume transmitting information on Surinam and the Netherlands Antilles and a resolution which approved the United States decision to cease transmitting information on Puerto Rico, both explicitly stated that the final decision with respect to reporting under Article 73(e) rested with the General Assembly.<sup>6</sup>

At the Ninth Session the Assembly will again consider the item of the cessation of the transmission of information on the two Netherlands territories on the basis of information on the Round Table Discussions between the Netherlands and the territories to be furnished the Assembly by the Netherlands Government. It may be expected that the Latin American Members will view this item in the light of the anti-colonial action taken at the Tenth Inter-American Conference at Caracas. The other cessation item on the agenda will concern the communication of Denmark relative to its decision to cease reporting on Greenland.<sup>7</sup> As a result of recent constitutional changes Greenland has become an integral part of Denmark with rights equal to other parts of the realm. This is the first case of the complete integration of a former colony with the metropolitan country which the Assembly will actively consider. It is not possible to predict whether the majority of the Assembly will consider that this constitutes a full measure of self-government. The debates during the Puerto Rican item indicate that some non-administering members will recognize a full measure of self-government only in the form of independence.

While the United States is not directly involved in either of these items and is sympathetic to the position of the Netherlands and Denmark it is quite likely that we will be drawn into active participation in the discussion on them. Unlike the other administering authorities we recognize a wide power of the Assembly to discuss, express its views and pass recommendations on this subject. At the same time we recognize that the administering authority alone has the right to determine the constitutional position and status of territories under its

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<sup>6</sup> Published and unpublished documentation on the Netherlands item is in the UNP files, lot 58 D 742, "Cessation of Transmission of Information by the Netherlands" and ODA files, lot 62 D 182. The delegation position paper on the subject, not printed, is Doc. US/A/3700, Sept. 29, 1954 (IO files, lot 71 D 440). There is a file of mostly unpublished documentation in ODA files, lot 62 D 225, "Surinam/Netherlands Antilles". For documentation on Puerto Rico, see pp. 1427 ff.

<sup>7</sup> Published and unpublished documentation on the Greenland item is in the UNP files, lot 58 D 742, "Cessation of Transmission of Information by Denmark (1954)". The delegation position paper, not printed, is in the IO files, lot 71 D 440, Doc. US/A/3703, Sept. 29, 1954.

sovereignty and that it alone can make the decision to cease reporting on a particular territory.

A subsidiary problem concerns the membership of the Committee on Information from Non-Self-Governing Territories.<sup>8</sup> As a result of its decision to cease reporting on Greenland, Denmark will no longer be a Member transmitting information under Article 73(e) of the Charter and therefore will not continue on that Committee as an administering Member. The Committee will thus have only seven administering Members. Of these seven, Belgium did not participate in the 1953 session of the Committee and there has been no indication that it intends to participate at the forthcoming session. At the Ninth Session the terms of two non-administering Members, Ecuador and Indonesia, will expire. If the principle of balanced membership of the Committee is to be maintained, a point on which the administering authorities will undoubtedly insist, only one non-administering Member will be elected to replace these two. This may occasion some differences of opinion as to the geographical distribution of seats on this Committee. If the Assembly fails to take action on the Greenland item or if it requests Denmark to resume reporting on the territory, it conceivably could be urged by some Members that Denmark remain a Member of the Committee.

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<sup>8</sup> Published and unpublished documentation on this question is in the UNP files, lot 58 D 742, "Committee on Information 1954 Report of *Rapporteur*, etc." The delegation position paper, not printed, is in the IO files, lot 71 D 440, Doc. US/A/3707, Oct. 4, 1954.

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IO files, SD/A/C.4/129

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

OFFICIAL USE ONLY

[WASHINGTON,] September 11, 1954.

REPORT OF THE TRUSTEESHIP COUNCIL: SECTION ON ATTAINMENT BY TRUST TERRITORIES OF THE OBJECTIVE OF SELF-GOVERNMENT OR INDEPENDENCE

THE PROBLEM

The Trusteeship Council's report contains a section (Ch. V, Sec. 9) entitled "Attainment by the Trust Territories of the objective of self-government or independence."<sup>1</sup> This section was prepared pursuant to

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<sup>1</sup> United Nations, *Official Records of the General Assembly, Ninth Session, Report of the Trusteeship Council, covering the period from 22 July 1953 to 16 July 1954*, Supplement No. 4 (A/2680), p. 34. See also *ibid.*, Part III, "Attainment by the Trust Territories of Self-Government or Independence", pp. 279-297. This is the text of a draft report submitted by the Secretary-General of the United Nations on the subject and considered and adopted with amendments by the Trusteeship Council at its 14th Session.

General Assembly Resolution 752 (VIII) ; however, as it does not contain all the elements called for in that resolution, it may not be satisfactory to certain Members. Since the Trusteeship Council does not report to the Assembly on the U.S.-administered Trust Territory of the Pacific Islands, there is no reference to that territory in this section of the report. The United States would nevertheless have to take a position on proposals made under this item. Moreover, proposals might be formulated in a way which would affect U.S. responsibilities, and in any event they would affect the responsibilities of other administering powers which would presumably seek our support for the positions taken by them.

#### UNITED STATES POSITION

1. The Delegation should not play a prominent role in the discussion of the item.

2. If appropriate, the Delegation should indicate that the United States abstained on Resolution 752 (VIII), as well as on Resolution 558 (VI) on which it was based, largely because it had reservations as to the practicality of setting time-limits for the attainment of self-government or independence by Trust Territories.

3. With regard to the failure of the Council to implement the final phrase of Paragraph 3 of Resolution 752 (VIII), i.e., "stating in each case its conclusions and recommendations in the light of Resolution 558 (VI) and the present resolution," the Delegation may point out that this matter was discussed at the Fourteenth Session of the Trusteeship Council and a set of conclusions and recommendations introduced by India was withdrawn in order to allow time for the Representatives of the Administering Powers to consult their Governments. Consequently, the Assembly should await the next report of the Trusteeship Council before determining whether further Assembly action is necessary.

4. In general, the Delegation should abstain on further proposals on this subject at this session. If, however, a resolution is introduced which, in the Delegation's view, requires a clear cut positive or negative stand, it should consult the Department.

#### COMMENT

Despite the fact that the operations of the United Nations Trusteeship System are as a whole directed towards the "attainment by Trust Territories of the objective of self-government or independence," the majority of the Assembly has felt that certain supplementary measures are required. Among these measures have been those set forth in Resolutions 558 (VI) and 752 (VIII).

The first of these resolutions seeks more information from the Administering Authorities in their annual reports on both the manner

and the time in which each Territory is to achieve these objectives. In its final paragraph it asks each Administering Authority "to include . . . information in respect of . . . the period of time in which it is expected that the Trust Territory shall attain the objective of self-government or independence."

The United States has in practice considered that General Assembly resolutions relating to Trust Territories generally are applicable to the Trust Territory of the Pacific Islands, although, of course, the United States has the right set forth in Article 13 of the Trusteeship Agreement "to determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons." Thus, the United States provided information on Resolution 558 (VI) in the 1951-52 annual report to the General Assembly on the Trust Territory. After referring to various steps being taken to achieve the Trusteeship objectives, the report states that "no specific period of time can be forecast for the attainment of the objective of self-government or independence for the Territory as a whole."

Resolution 752 (VIII) resulted from the view of a majority of the Assembly that the Administering Authorities had not satisfactorily responded to Resolution 558 (VI). It asked the Trusteeship Council to include *in its reports to the General Assembly* (thereby excluding the Trust Territory of the Pacific Islands) a separate section dealing with the implementation of Resolutions 558 (VI) and 752 (VIII). It specified certain types of information which this section should contain and asked the Council to state its conclusions and recommendations in the light of the two resolutions.<sup>2</sup>

Section 9 of Chapter V of the Trusteeship Council's current report does contain a factual account of the measures taken by the other Administering Authorities pursuant to these two resolutions. It does not, however, contain any "conclusions and recommendations." A set of conclusions and recommendations was introduced by India in the Trusteeship Council near the close of the Fourteenth Session; however, it was withdrawn when several of the Administering Authorities stated that they would have to refer them to their governments, and that they would not be able to obtain instructions on the proposed con-

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<sup>2</sup> The resolution requested information specifying in particular the measures taken in respect of:

"(a) Consultation with the inhabitants of each Trust Territory in regard to the measures taken or contemplated towards self-government;

"(b) the development in each Trust Territory of representative, executive and legislative organs and the extension of their powers;

"(c) the development in each Trust Territory of universal adult suffrage and direct elections;

"(d) the training and appointment of indigenous persons in each Trust Territory for positions of responsibility in the administration; and

"(e) the development of adequate public revenue; and stating in each case its conclusions and recommendations in the light of Resolution 558 (VI) and the present resolution."



clusions and recommendations before the close of the Session. The Representative of India, while recognizing the need of the Administering Authorities to have time to consider his proposals, indicated that he would reintroduce the matter early in the next session of the Council.

Since Resolution 752 (VIII) and the section of the Trusteeship Council's report prepared pursuant to it do not relate to United States Trusteeship obligations, there is no reason for us to participate actively in the debate on this item. Moreover, we have reservations concerning the practicality of a generalized application of the time-table concept. Consequently our best course is to follow the precedent of abstaining on this item, unless, of course, a new type of proposal requires reconsideration of our position.

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ODA files, lot 62 D 225, "Togoland"

*Memorandum of Conversation, by an Adviser of the United States  
Delegation to the Ninth Regular Session of the General Assembly  
(Withers)*

CONFIDENTIAL

[NEW YORK,] October 20, 1954.

Subject: Togoland

During a conversation with Caston on October 19, I inquired as to whether or not the British had had any conclusive talks with the French with respect to the issue of Togoland. Caston said that they had been talking to the French but nothing very definite had emerged. He added that the French would certainly go along with the British on the latter's stand on British Togoland. He said that secretly the British hoped the French would say, when the subject of French Togoland was introduced into the debate, that the French Togolese were "not ready" for any plebescite. The British hope to turn British Togoland over to Nkrumah and let him dicker with the French.<sup>1</sup>

When I made an offer to assist the British, as we did in the Trusteeship Council, Caston said that while they certainly appreciated our past assistance and offers for future aid they hoped to have the Indians take the lead. When I asked about the Indians' willingness, Caston said the Indians had more or less been put on the hook on this one and had been "persuaded" to take the lead. The British believe that if the Indians

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<sup>1</sup> The question of the future of the two Trust Territories of Togoland under British and French administrations respectively came to the Fourth Committee under two agenda items: (1) the Togoland unification problem and (2) the future of Togoland under United Kingdom administration. The first was a continuation of an item which had engaged the attention of the United Nations organs for several years. The second was being introduced as a separate item for the first time.

are in the forefront of this issue it will slide through easily in the Fourth Committee.<sup>2</sup>

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<sup>2</sup> The United States nevertheless was closely involved with the Togoland item in the Fourth Committee, as evidenced by the following extract from a memorandum of Nov. 27, 1954, by Robert R. Robbins, delegation adviser. (The memorandum was written in connection with a proposal that a short statement be made in the Fourth Committee on the matter by the U.S. Delegate.)

"The British are well aware that we will support them as fully as possible on this item. The Indian draft resolution L/370, which is acceptable to the British, was circulated on November 22nd. The British strategy is to let the Indians 'carry the ball' on this item, hoping that we will assist among the Latin American Delegations. The UK opening statement will be factual and restrained. The Indian Delegation will introduce its resolution after the oral petitioners have been heard. It is suggested that our statement be made following the Indian statement, but perhaps only after some of the other non-administering members who might be critical have spoken." (Memorandum, Robbins to U.S. Delegation Advisers, Nov. 27, 1954, ODA files, lot 62 D 228, "Togoland")

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ODA files, lot 62 D 225, "General Assembly"

*Memorandum by an Adviser of the United States Delegation to the Ninth Regular Session of the General Assembly (Robbins), to the Director of the Office of Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[NEW YORK,] November 3, 1954.

Subject: Application of Two-Thirds Majority Rule to Categories of Questions in the Colonial Field.

The United Kingdom Delegation (Mr. Gidden) referred today to the US-UK Colonial Talks held last summer in the Department and recalled that at that time the possible application of the two-thirds rule to certain matters arising in the colonial field was mentioned. Mr. Gidden said that since that time the Colonial Office had studied the problem and that its condensed thinking was set forth in the attached list of six categories of questions on which it would be desirable to have decisions taken by a two-thirds majority.

Mr. Gidden went on to say that the Colonial Office had requested that the list be referred to the Department for its comments. The Colonial Office has expressed the hope that if the U.S. and U.K. could reach some general agreement on what they would regard as "important questions" requiring a two-thirds majority, it might be possible for our two governments to follow a common line when this matter arises. Mr. Gidden did not believe that it would be possible in the course of the Ninth General Assembly for us to reach any final conclusions on this matter. He believed, however, that occasion could arise during this assembly in which our respective delegations might wish to indicate that this subject had already received some serious study by them.

I told Mr. Gidden that the results of the Colonial Office's study of this matter would be of much interest to the Department and that I

would be happy to refer the list of categories to the Department for its comments.

R[OBERT] R. R[OBINS]

[Enclosure]

CONFIDENTIAL

CATEGORIES OF QUESTIONS IN THE COLONIAL FIELD ON WHICH IT  
WOULD BE DESIRABLE TO HAVE DECISIONS TAKEN BY A TWO-THIRDS  
MAJORITY <sup>1</sup>

1. Decisions involving the political affairs of Non-Self-Governing Territories, either general or in relation to particular territories.
2. Decisions to admit petitions, written or oral, relating to the affairs of Non-Self-Governing Territories. (Note: in general such decisions would fall to be taken in the first instance in an Assembly Committee, where Article 18(2) is inapplicable, but we should urge reference of such questions to the Plenary Assembly for decision).
3. Decisions involving reference to the International Court of Justice of a Colonial (or Trusteeship) question.
4. Decisions relating to the cessation of Article 73(e) transmissions.
5. Decisions involving recommendations to administering powers to pursue some specific policy or to accept some specific obligation in relation to the United Nations or Colonial questions.
6. Decisions involving an interpretation of the scope of Chapter XI of the Charter e.g. the extent to which Article 73(b) empowers the United Nations to examine the political affairs of Non-Self-Governing Territories.

<sup>1</sup> Marginal notation at the bottom of the document: "categories unsafe—better deal *ad hoc*—depends on who initiates". The handwriting is not identifiable.

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ODA files, lot 62 D 225, "Togoland"

*Memorandum of Conversation, by the United States Representative  
on the Trusteeship Council (Sears)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] November 23, 1954.

Subject: Mr. Sylvanus Olympio's Views on the Future of British and French Togolands.

This morning I had a long talk in my office with Mr. Olympio. After very careful and persistent questioning, I ascertained a number of his views about the future of the two Togolands.

While it was hard to get him away from philosophizing about the Togoland unification issue, I will record the answers which he gave to me in brief form.

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<sup>1</sup> Addressed to Robert R. Robbins, Adviser, U.S. Delegation. Drafted on Nov. 25.

He emphasized the appearance since last Spring of a new issue in British Togoland which he describes as "association" as opposed to "integration." If a United Nations supervised plebiscite is to be held in Togoland in 1956, he says that the people of the southern part of the territory, if given the opportunity, will vote in favor of "association" of their territory as a federated part of the Gold Coast. On the other hand, he says if the issue is merely that of "integration", by which their territory is absorbed into a unitary Gold Coast, the vote will be in the negative. He also says that the association idea is beginning to spread not only throughout the Ashanti area of the Gold Coast but also into the Moslem part of British Togoland itself.

He expressed some disappointment that the plebiscite should come jointly with the achievement of independence. He would much prefer that Gold Coast independence should come prior to the holding of any plebiscite in the trust territory.

With respect to French Togoland, he believes that the holding of a plebiscite in the British territory will create a strong political movement on the French side for the holding of a similar plebiscite except that the plebiscite question, he thinks, would concern itself with the question of terminating the trusteeship responsibilities of France. If the French Government should persist over a period of time in standing in the way of such a plebiscite, he volunteered that the Communist movement would begin to seriously establish itself in French Togoland. Even today, he observed, the Communists are distributing a profusion of pamphlets throughout the territory.

I asked him what would be the situation if the French blocked the plebiscite on the grounds that the territory was incapable of being economically self-sufficient. He intimated that the issue then would have to be whether the Togolandians desired to promote their future as an ultimate member of the French Union or as a federated portion of the Gold Coast within the structure of the British Commonwealth.

320.14/12-154

*Memorandum of Conversation, by the Director of the Office of Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[WASHINGTON,] December 1, 1954.

**Subject:** General Assembly: Fourth Committee Matters

**Participants:** Baron Silvercruys, Belgian Ambassador  
Mr. Charles Muller, Second Secretary, Embassy of Belgium  
Mr. David McK. Key, IO  
Mr. Benjamin Gerig, ODA

At his request, the Belgian Ambassador came to the Department to express the views of the Belgian Government in regard to several matters which have arisen in the Fourth Committee of the General Assembly. In particular, he wished to express the surprise and regret of the Belgian Delegation on the divergent views which have developed on the Syrian resolution entitled "Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council".

Baron Silvercruys said that in the past our respective delegations had maintained close contact on questions arising in the Fourth Committee. When at the last meeting of the Trusteeship Council the Syrian proposal was brought forward, the United States, Belgian and four other delegations found it wholly unacceptable and the resolution failed by virtue of a tie vote. They had naturally assumed that when the Syrians brought in the same resolution in the Fourth Committee, we would continue to be opposed to it. They were the more surprised, therefore, when our delegation said that with certain minor amendments the United States would support it.

The Ambassador pointed out that they felt in line with past practice that it was desirable to both our Governments to maintain such close contact as we had been doing, for example, on such questions as Chinese representation, atomic energy, as well as on colonial and trusteeship matters. The Syrian resolution was one which was wholly unacceptable to the Belgian Delegation which would be unable to apply it. He hoped that this did not mean that there was any change in our past practice of consulting, even though we might not always agree on various questions.

Mr. Key assured the Ambassador that there was no change in our policy and practice of consulting with our friends on all matters of common interest. He was surprised if this was not done in this particular case and was certain that there was no intentional lack of contact if, indeed, the rush of developments in the Fourth Committee was such that it was difficult to maintain close contact at all times.

Mr. Key went on to explain that our delegation was certain that the Syrian resolution would pass in any case and that our tactic was to offer a number of amendments which we thought would take the sting out of the resolution, or at least remove its most objectionable features. Mr. Gerig said that the resolution was actually voted on day before yesterday and was passed by 38 to 8, with 3 abstentions. It was clear, therefore, that the resolution would pass, and the amendments which our delegation had proposed were considered by them not as minor but as important.

Mr. Key said we would look into the matter of continuing contact with the Belgian and other delegations, but he again assured the Ambassador that there was no change in our practice in that regard. The Ambassador said that he was very glad to know this and would so report to his Government.

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ODA files, lot 62 D 225, "US Representative in Trusteeship Council"

*Memorandum by the United States Representative on the Trusteeship Council (Sears) to the Director of the Office of Dependent Area Affairs (Gerig)*

CONFIDENTIAL

[NEW YORK,] December 9, 1954.

Subject: Future of French Togoland.

I had lunch today with Messrs. Grunitzky, Brenner and Sousseni, who are probably the three top pro-French African leaders in French Togoland. Mr. Grunitzky is a member of the French Parliament.

In the course of our conversation, the following information I believe represents their joint thinking with respect to the future of French Togoland.

In the first place, they are all delighted that the British Government is ending its trusteeship responsibilities in British Togoland. If a United Nations supervised plebiscite is held in British Togoland next year and the people vote for integration with the Gold Coast, the French Togoland will immediately press the French Government for much more rapid progress towards self-government.

According to Mr. Brenner, if the French authorities did not restrain the Togoland, he believed Togoland could be ready for self-government in five years. None of them wanted to join the Gold Coast or fall under the political control of Prime Minister Nkrumah and his Convention People's Party. On the other hand, if the French were too slow in promoting the people toward self-government, they said that the issue of liberty would enter into the picture and that in that case there would be strong agitation to leave France and join the Gold Coast.

They said that the whole political face of French Togoland had changed for the better since the election of Prime Minister Mendès-France. They also said that the political lift which the forthcoming independence of the Gold Coast would give to all of West Africa would not be confined to trust territories but would include Dahomey, the Ivory Coast and all other French areas. They asked what was the difference between a trust territory and a colony, inasmuch as, to use their expression—"black men were involved in both places". They expressed satisfaction that Governor Pignon was about to become the Chief Political Officer in the French Colonial Office. They seemed to believe, as I do, that he is a very understanding and forward-looking man.

After talking with these three very moderate African leaders, I conclude that the impact of Gold Coast independence will have a very profound effect almost immediately throughout West Africa and that it may easily bring about some basic changes in the structure of the French Union, probably bringing it nearer to the theory of the British Commonwealth.

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ODA files, lot 62 D 225, "Committee 4"

*Memorandum by Charles D. Withers of the Office of Dependent Area Affairs*

OFFICIAL USE ONLY

[WASHINGTON,] December 28, 1954.

#### FOURTH COMMITTEE OF THE NINTH GENERAL ASSEMBLY

One of the basic objectives of the United States during the Ninth General Assembly, as in past Assemblies, has been to foster an attitude of moderation among the anti-colonial powers and of greater conciliation among the administering members and, thus, to promote greater cooperation and mutual understanding between the two sometimes widely divergent groups thereby minimizing the tensions which weaken the free world. Our aim has always been one of furthering the progress of the non-self-governing peoples toward independence or self-government, but in an orderly fashion, avoiding too-rapid progress built on flimsy foundations. There is a strong continuing tendency among the non-administering members of the UN to endeavor to extend the supervisory role of the United Nations in the dependent territories in order to accelerate that progress, and our role has evolved, over the past few years, into one of seeking to moderate the attitudes of the more extreme among the administering and non-administering groups, keeping in mind the interests of the non-self-governing peoples. Our success in that role during the last Assembly was mixed.

On the one hand, the benefits of such moderate action were illustrated in the passage of two particular resolutions: (1) an approval of

the cessation of the transmission by Denmark of information on Greenland which has now become a part of the Danish realm; and (2) a resolution on Togoland which recognizes that the people of British Togoland are now in a position to express their own wishes as to their future. On the other hand, we were unable to avert the passage of several resolutions by the Fourth Committee which we regarded as overextending the supervisory role of the United Nations in the non-self-governing territories. In one instance, despite our objections, the Assembly, passed a resolution which would have the effect of giving the General Assembly the power to decide on the advisability of sending a visiting mission to a territory about to change its status, in order to check, for all practical purposes, the accuracy of statements made by the administering powers. This resolution conflicts in principle with our belief that the determination of the constitutional status of one of our territories is not subject to review by the UN. In conflict also with our principles was a paragraph inserted in the resolution on Greenland which reiterated the theory that the General Assembly is competent to determine whether a non-self-governing people have or have not achieved a full measure of self-government.

### III. DEPENDENT AREA PROBLEMS BEFORE THE UNITED NATIONS OF SPECIAL INTEREST TO THE UNITED STATES

#### A. THE UNITED STATES DECISION TO CEASE TRANSMISSION OF INFORMATION UNDER ARTICLE 73(e) OF THE CHARTER IN RESPECT OF PUERTO RICO

711C.03/6-3052

*The Assistant Secretary of State for Congressional Relations (McFall)  
to the Director, Bureau of the Budget (Lawton)*<sup>1</sup>

[WASHINGTON,] July 3, 1952.

MY DEAR MR. LAWTON: The Department of State has received your request for its views and comments with respect to House Joint Resolution 430 approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952. The Department recommends that the President approve this Joint Resolution.

The Department has supported the successive steps which have been taken by the Congress and by the President, with the objective of giving to the people of Puerto Rico the opportunity to organize a con-

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<sup>1</sup> Drafted by the Acting Officer in Charge, Caribbean Affairs (Wellman) and cleared by the Deputy Assistant Secretary of State for Inter-American Affairs (Mann).



stitutional Government in accordance with their own freely expressed wishes. The Department took the following position before the Senate Committee on Interior and Insular Affairs on May 17, 1950 with respect to S. 3336, "a Bill to provide for the organization of constitutional government by the people of Puerto Rico", which was enacted into law on July 3, 1950 :

"The Department of State believes it to be of the greatest importance that the Puerto Rican people be authorized to frame their own constitution as provided for in S. 3336, in order that formal consent of the Puerto Ricans may be given to their present relationship to the United States. It is believed that, with their own constitution, the high degree of internal self-government which the Puerto Ricans today enjoy in their voluntary association with the United States, will assume for them an added significance. Moreover, such action by our Government would be in keeping with the democratic principles of the United States and with our obligations under Chapter XI of the Charter of the United Nations to take due account of the political aspirations of the people in our territories and to develop self-government in them. The Department of State feels that the enactment of S. 3336 into law would have great value as a symbol of the basic freedom enjoyed by Puerto Rico, within the larger framework of the United States of America."

On April 22, 1952 the President transmitted to the Congress for its approval the Constitution which had been drafted by a constitutional convention elected by Puerto Ricans and which had been approved by the people of Puerto Rico by a vote of 374,649 to 82,923. The President declared that the Constitution conformed fully with the applicable provisions of the act of July 3, 1950 and of the Constitution of the United States, that it contained a bill of rights and that it provided for a republican form of Government.

The Department informed the Chairman of the Senate Committee on Interior and Insular Affairs by letter dated May 13, 1952 that it recommended the adoption of S. J. Res. 151 approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952. House Joint Resolution 430 is identical with Senate Joint Resolution 151 with the addition of one exception and three provisos all of which it is understood are acceptable to the Insular Government of Puerto Rico.

Other governments and peoples, particularly of countries having the same cultural and linguistic background as those of Puerto Rico, have taken a keen interest in the relations between the United States and Puerto Rico. The United States has given, in the enactments which have provided an ever-increasing self-government in Puerto Rico, evidence of the sincerity of its devotion to the principles of self-government for dependent peoples, government by the consent of the governed, democracy and freedom. The Constitution of the Common-

wealth of Puerto Rico gives Puerto Rico a status chosen and carefully worked out by Puerto Ricans themselves in accordance with their own conception of the needs of Puerto Rico and its relationship with the United States.

The achievement of self-government by Puerto Rico will be a matter of great interest to Members of the United Nations in their discussions of the political progress of non-self-governing territories. It will be a convincing answer to attacks by those who have charged the United States Government with imperialism and colonial exploitation, and it should be warmly welcomed by Members who have a sincere interest in the political advancement of dependent peoples. The new relationship which would be established by the approval of House Joint Resolution 430 would give Puerto Rico the full measure of self-government contemplated in Chapter XI of the Charter of the United Nations. The people of Puerto Rico themselves have stated, in a resolution adopted by their constitutional convention on February 4, 1952, that this compact entered into by mutual consent would mark Puerto Rico's attainment of "complete self-government".

Sincerely yours,

JACK K. MCFALL

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711C.02/10-952

*The Acting Secretary of the Interior (Northrop) to the Secretary of State*

WASHINGTON, October 9, 1952.

MY DEAR MR. SECRETARY: I am pleased to report to you that with the establishment of the Commonwealth of Puerto Rico on July 25, 1952, the people of Puerto Rico have attained a full measure of self-government, consistent with Puerto Rico's status as a territory of the United States.

The establishment of the Commonwealth marks the culmination of a steady progression in the exercise of self-government initiated with the first organic act for Puerto Rico enacted by the Congress in 1900. That act provided for a governor appointed by the President of the United States, with the advice and consent of the Senate of the United States, a legislative assembly in which the lower house was elected but the upper house was composed of the heads of executive departments of the government and five other persons, all appointed by the President with the advice and consent of the Senate; and a supreme court, the members of which were also appointed by the President with the advice and consent of the Senate, justices of the lower courts being appointed by the governor with advice and consent of the upper house of the legislature. The act provided for Puerto Rico's representation in the Congress by a popularly elected Resident Commissioner.

In 1917, the scope of self-government was increased with enactment by the Congress of the Jones Act. Under it, the people of Puerto Rico elected both houses of their legislature, and the popularly elected upper house advised and consented to the governor's appointment of justices of the lower courts. The President retained authority to appoint the governor, the justices of the supreme court, the heads of the departments of justice and education, and the auditor, but all other heads of executive departments were appointed by the governor. The people of Puerto Rico became citizens of the United States. The protection of a bill of rights patterned on the bill of rights of the United States Constitution was extended to Puerto Rico. Provision for representation in the Congress remained. The legislature could repass a bill over the governor's veto, but if the governor did not then approve it, it did not become law unless it received the approval of the President.

In 1946, the President appointed as governor, with the advice and consent of the Senate, a Puerto Rican who had formerly been Resident Commissioner from Puerto Rico. This was the first time that a Puerto Rican had been appointed governor.

In 1947, the Congress authorized the people of Puerto Rico to elect their governor, beginning with the general election in 1948, and provided a line of succession in the event of a vacancy in the position of governor or of the governor's temporary absence or disability. The elected governor was authorized to appoint all the members of his cabinet, the heads of the executive departments, including the attorney general and commissioner of education. No change was made in the provisions respecting appointment of the auditor and justices of the supreme court.

In 1948, the candidates for Governor and Resident Commissioner from Puerto Rico, who were elected by very substantial majorities, ran on a platform calling for the preservation of the relationship between Puerto Rico and the United States, and for the adoption by Puerto Rico, within that framework, of a constitution of its own drafting. In that election, there were also candidates who advocated statehood for Puerto Rico and independence for Puerto Rico; they were roundly defeated. In accordance with the expressed wishes of the people of Puerto Rico, and in recognition of their political advancement sufficient to enable them to reach an informed judgment as to a desirable political destiny, there was introduced in the Congress a bill to provide for the organization of a constitutional government by the people of Puerto Rico. It was enacted on July 3, 1950 (64 Stat. 319).

That law, unique in the history of United States' territorial administration, expressly recognized the principle of government by consent, and, declaring that it was adopted in the nature of a compact, required that it be submitted to the voters of Puerto Rico in an island-

wide referendum for acceptance or rejection. If the act were approved by a majority of participating voters, the Legislature of Puerto Rico was authorized to call a constitutional convention to draft a constitution, which would become effective upon its adoption by the people and approval by the President and the Congress. Those provisions of the Organic Act which related to matters of local government would thereupon be repealed, while the remaining provisions of the Organic Act, relating to such matters as Puerto Rico's economic relationship to the United States, the continued application of Federal laws, and continued representation in Congress, would thenceforth be known as the Puerto Rican Federal Relations Act. The Congress made only two stipulations with respect to the content of the constitution to be adopted: that it provide a republican form of government and that it include a bill of rights.

Four political parties participated in the campaign preceding the referendum; two endorsed the act of Congress, one opposed it, and one was divided in its position. On June 4, 1951, 506,185 persons, 65.08 per cent of the 777,675 qualified voters of Puerto Rico, participated in the referendum, and 76.5 per cent of those voting approved the act. On August 27, 1951, ninety-two delegates were elected to a constitutional convention, representing the Popular Democratic, the Statehood and the Socialist parties. The convention met in September 1951 and concluded its painstaking work in February 1952. An official English and an official Spanish version of the constitution were adopted, and the text was published in the four daily newspapers of Puerto Rico in both languages. Copies of the document were distributed throughout the Island.

On March 3, 1952, the constitution was submitted for adoption or rejection. Of the 783,610 qualified voters, 457,562 participated in the referendum. Of these, 374,649 voted to adopt the constitution; only 82,923 disapproved it. On April 22, 1952, the President transmitted the constitution to the Congress, with his approval, and the Congress approved it by Public Law 447, 82d Cong. (66 Stat. 327), signed by the President on July 3, 1952. On July 25, 1952, after final ratification by the constitutional convention to accept the constitution as approved by the Congress, the Governor of Puerto Rico proclaimed the establishment of the Commonwealth of Puerto Rico under the new constitution.

The constitution of the Commonwealth is markedly similar to that of a State. It establishes a tri-partite form of government, with a popularly elected governor, a popularly elected bi-cameral legislature and a judicial branch. The heads of all executive departments will be appointed by the Governor, with the advice and consent of the Puerto Rican Senate; appointment of the Secretary of State will also require the consent of the House of Representatives. The President will no longer appoint any member of the executive branch, and the United

States Senate will not participate in the appointment of any official of the government of the Commonwealth.

The Legislative Assembly, which will be elected by free, universal and secret suffrage of the people of Puerto Rico, has full legislative authority in respect to local matters. The Commonwealth has the power to impose and collect taxes, and to contract debts. Acts of the Legislative Assembly will become law upon approval of the Governor, or, in the event that an act is vetoed by the Governor, upon its re-enactment by two-thirds of the total number of members of which each house is composed. The President may no longer prevent a bill repassed over the Governor's veto from becoming law by disapproving it. The protection of a bill of rights is extended to persons in Puerto Rico. All public officials must take an oath to support the Constitution of the United States and the constitution and laws of the Commonwealth. Amendments to the constitution may be proposed by the Legislative Assembly, and will be voted on at a referendum, becoming effective if ratified by a majority of the electors voting thereon. In approving the constitution, the Congress placed no limitations on the substance of future amendments, except to provide that they shall be consistent with the act approving the constitution, with the applicable provisions of the Federal Constitution, with the Puerto Rican Federal Relations Act, and with the act of Congress authorizing the drafting and adoption of a constitution.

The judiciary of the Commonwealth is independent under the constitution. The justices of the Supreme Court will no longer be appointed by the President but will be appointed by the Governor with the advice and consent of the Senate of Puerto Rico. Justices will hold office during good behavior and may be removed, after impeachment, for causes specified in the constitution. The number of justices (four associate justices and a chief justice) may be increased only by law at the request of the court itself. No judge may make a direct or indirect financial contribution to any political organization or party, or hold any elective office therein, or participate in any political campaign or be a candidate for elective office unless he has resigned his judicial office at least six months prior to his nomination. Although judgments of the Supreme Court of Puerto Rico may be appealed to the United States Court of Appeals, decisions of the United States Supreme Court have established that the Supreme Court of Puerto Rico is the final authority on the meaning of a Puerto Rican law and that its decision interpreting such a law may not be reversed unless the interpretation is "inescapably wrong" and the decision "patently erroneous"; it is not sufficient to justify reversal that the Federal Court merely disagree with the Puerto Rican Supreme Court's interpretation. There will continue to be a Federal District Court in Puerto Rico, but its jurisdiction

does not differ from the jurisdiction of Federal District Courts functioning within the boundaries of States.

Under the constitution, there is full and effective participation of the population of Puerto Rico in the government of Puerto Rico. Article II, section 1, provides that no discrimination shall be made on account of race, color, sex, birth, social origin, or condition, or political or religious ideas and requires the laws to embody these principles. Puerto Rico is divided by the constitution into senatorial and representative districts for purposes of electing members of the Legislative Assembly, and provision is also made for election of senators and representatives elected at large. By a special procedure established by Article III of the constitution majority parties are precluded from filling a number of seats in the Legislative Assembly substantially disproportionate to their voting strength and minority parties are assured of representation in proportion to their island-wide voting strength. Elections will be held every four years.

Article II, section 2, requires that the laws shall guarantee the expression of the will of the people by means of equal, direct and secret universal suffrage and shall protect the citizen against any coercion in the exercise of the electoral franchise. Article VI, section 4, provides that every person over twenty-one years of age shall be entitled to vote if he fulfills the other conditions determined by law and prohibits depriving a person of the right to vote because he does not know how to read or write or does not own property.

The people of Puerto Rico continue to be citizens of the United States and the Constitution of the United States continues to be applicable to Puerto Rico to the same extent as prior to the establishment of the Commonwealth. Under the Puerto Rican Federal Relations Act, there will still be free trade with the United States, only United States coins and currency will be legal tender in Puerto Rico and the statutory laws of the United States not locally inapplicable will have the same force and effect in Puerto Rico as in the United States, in the absence of a provision to the contrary. Puerto Rico will continue to be represented in the Congress by a Resident Commissioner whose powers are neither diminished nor increased by the establishment of the Commonwealth. The people of Puerto Rico will continue to be exempt from Federal income taxes on the income they derive from sources within Puerto Rico, and into their treasury, for appropriation and expenditure as their legislature may decide, will be deposited the proceeds of United States internal revenue taxes collected on articles produced in Puerto Rico and the proceeds of United States tariffs and customs collected on foreign merchandise entering Puerto Rico.

Puerto Rico has not become an independent nation; neither has it become a State of the Union. It remains a territory of the United States. The action of the Congress in authorizing and approving the

constitution of the Commonwealth was taken under the constitutional power of the Congress to make needful rules and regulations respecting the territory of the United States. Puerto Rico's foreign relations, like those of the other territories and, it may be added, like those of the States, will continue to be conducted by the United States.

However, with respect to internal government and administration, Puerto Rico occupies a unique position among the territories. By requesting the Congress to authorize the drafting and adoption of a constitution, Puerto Rico has voluntarily entered into the relationship with the United States which it has chosen to describe as a "commonwealth" relationship. The term "commonwealth" was adopted by Puerto Rico as the official English designation of the body politic created by the constitution (the official Spanish title is "*estado libre asociado*"), to define the status of that body as "a state which is free of superior authority in the management of its own local affairs but which is linked to the United States of America and hence is a part of its political system in a manner compatible with its Federal structure", and which "does not have an independent and separate existence" (Resolution No. 22 of the Constitutional Convention). By authorizing the drafting of the constitution and by approving the constitution, Congress has agreed that Puerto Rico shall have, under that constitution, freedom from control or interference by the Congress in respect of internal government and administration, subject only to compliance with applicable provisions of the Federal constitution, the Puerto Rican Federal Relations Act and the acts of Congress authorizing and approving the constitution. Those laws which directed or authorized direct interference with matters of local government by the Federal Government have been repealed. This cannot be said of any other territory of the United States. With respect to no other territory has the Congress adopted an act in the nature of a compact authorizing the organization of a constitutional government by the people of the territory. In all other organized territories, the basic structure of the government is established by an act of the Congress, not by an act of the people of the territory. In all other organized territories, the chief executive is appointed by the President with the advice and consent of the Senate, not popularly elected by the people of the territory. In all other organized territories, the executive officer immediately subordinate to the governor is appointed by the President, either alone or with the advice and consent of the Senate, but not by the governor of the territory. In all other organized territories, judges of the highest courts exercising local jurisdiction are appointed by the President with the advice and consent of the Senate, not by the governor of the territory. The people of Puerto Rico will participate effectively in their government through universal, secret and equal suffrage, in free and periodic elections in which differing

political parties offer candidates, and which are assured freedom from undemocratic practices by the constitution itself. In these elections, there will be no interference by the United States. Puerto Rico has complete autonomy in its economic, cultural, and social affairs.

The final declaration of the Constitutional Convention of Puerto Rico (Resolution No. 23), expresses the views of the people of Puerto Rico as to the status they have now achieved :

“When this Constitution takes effect, the people of Puerto Rico shall thereupon be organized into a commonwealth established within the terms of the compact entered into by mutual consent, which is the basis of our union with the United States of America.

Thus we attain the goal of complete self-government, the last vestiges of colonialism having disappeared in the principle of Compact, and we enter into an era of new developments in democratic civilization.”

I request that you take whatever steps appear necessary, in connection with the international commitments of the United States, to give due recognition to the establishment of the Commonwealth of Puerto Rico and to the full measure of self-government which has been achieved by the people of Puerto Rico.<sup>1</sup>

Sincerely yours,

VERNON D. NORTHPROP

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<sup>1</sup>This letter became the basis for extensive documentation submitted subsequently by the U.S. Government to the United Nations.

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711C.02/10-952

*The Secretary of State to the Secretary of the Interior (Chapman)*

[WASHINGTON,] November 17, 1952.

MY DEAR MR. SECRETARY: The receipt is acknowledged of Mr. Vernon D. Northrop's letter dated October 9, 1952, containing a full account of the steps leading to the establishment of the Commonwealth of Puerto Rico on July 25, 1952.

As the Department of the Interior is aware, the details set forth in Mr. Northrop's letter are being carefully studied by officers of this Department to determine how the new status of Puerto Rico may affect the international commitments of this Government. Of particular concern is the question whether, as a consequence of the new status of Puerto Rico, the United States should continue to transmit information about Puerto Rico to the United Nations under Article 73(e) of the Charter of the United Nations.

Resolution 222 of the Third General Assembly requested each administering Government to inform the United Nations of any change in the constitutional position and status of any territory as a result of which the Government considers it unnecessary to transmit infor-



mation under Article 73(e) of the Charter. Under the provisions of that resolution, the United States is requested to communicate to the Secretary General, within a maximum period of six months, appropriate information including the constitution, legislative act providing for the government of the territory, and the constitutional relationship of the territory to the Metropolitan Government. Such communication might go forward at about the same time we transmit the annual report on Puerto Rico for the fiscal year ending June 30, 1952, which is due on January 1, 1953.

In connection with their consideration of this matter, our officials will continue to consult with appropriate officers of the Department of the Interior whose cooperation to date in providing the necessary data on the domestic aspects of the problem, which are essential for a consideration of the international aspects, has been very much appreciated. The Department of State expects shortly to be in a position, to advise the Department of Interior of its views on the question of cessation of information on Puerto Rico and to reach an agreed Government position on this issue.

Sincerely yours,

For the Secretary of State:

JACK B. TATE

*Acting Legal Adviser*

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350/1-1553

*Draft Position Paper Prepared in the Department of State*<sup>1</sup>

RESTRICTED

[WASHINGTON,] January 6, 1953.

CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE  
73(e) OF THE CHARTER IN REGARD TO PUERTO RICO

THE PROBLEM

The problem is to determine the position that the United States Government should take on the question of the future transmission of information on Puerto Rico under Article 73(e) of the Charter.

RECOMMENDATIONS

1. The United States should take appropriate action as recommended below based on the conclusion that the establishment of the Commonwealth of Puerto Rico under the Constitution which entered

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<sup>1</sup> Presumably drafted in the Office of Dependent Area Affairs, Bureau of UN Affairs. Apparently the cleared draft was incorporated into the documents system of two different committees, the Colonial Policy Working Group and the Interdepartmental Non-Self-Governing Territories Committee (CPD-13a, Jan. 7, 1953 and NSGT D-1/53, Jan. 8, 1953, respectively). Regarding the Colonial Policy Working Group, see pp. 1075 ff. The interdepartmental committee had had an indifferent existence since 1946 and met only rarely; for most of this time it was an adjunct of the Interdepartmental International Social Policy Committee.

into force on July 25, 1952 renders it inappropriate for the United States to continue to transmit information to the United Nations on Puerto Rico under Article 73(e) of the United Nations Charter.

2. In accordance with existing obligations, information on Puerto Rico for the administrative year ending June 30, 1952 should be transmitted in the usual manner early in 1953. Appropriate information relating to the period July 1–July 25, 1952 should be included as practicable, so that this action will complete the regular transmissions of information on Puerto Rico which have taken place annually since 1946.

3. Pursuant to the terms of General Assembly Resolution 222(III) (Text in *Annex A*),<sup>2</sup> the United States should inform the United Nations that as a result of the change in the constitutional position and status of Puerto Rico it is considered unnecessary to transmit further information under Article 73(e) of the Charter and should communicate to the Secretary General of the United Nations as soon as practicable appropriate information and documentation as requested by that Resolution. The draft text of a communication to the Secretary General for this purpose is attached (*Annex B*).<sup>2</sup> A List of Documents suggested for submission with the communication is also attached (*Annex C*).<sup>2</sup>

4. Subject to final approval, the attached draft *Analysis of the New Constitutional Status of Puerto Rico with respect to the Report of the United Nations General Assembly's Ad Hoc Committee on Factors* should be made available to officers of the United States Government *only* for use as background in discussions which will ensue on the new status of Puerto Rico (*Annex B*).<sup>2</sup>

5. In view of the importance of the views of the Government of Puerto Rico in relation to United Nations consideration of the question, the procedures to be followed should include:

(a) an appropriate initiative by the Government of Puerto Rico requesting the United States Government to cease transmitting information to the United Nations on Puerto Rico; and

(b) participation by a representative of the Government of Puerto Rico on the United States Delegations to United Nations meetings where the question is considered, with opportunities for him to describe from the viewpoint of the Government and people of Puerto Rico the attainment by Puerto Rico of a "full measure of self-government" and to answer questions which may be raised.

<sup>2</sup> None of these annexes is printed. All of the substantive information generated within the U.S. Government on this subject was based on the body of information that appears in the letter of the Acting Secretary of the Interior, Oct. 9, 1952, p. 1429.

<sup>3</sup> Luis Muñoz Marín, Governor of the Commonwealth of Puerto Rico, sent such a letter to the President under date of Jan. 17, 1953, not printed (copy attached to Department of State instruction 192, to the Mission at the United Nations, Mar. 11, 1953, not printed (350/3-1153)).

*Consultation and Clearance Required*

In taking the necessary steps vis-à-vis the United Nations to cease reporting under Chapter XI of the Charter, the Government of Puerto Rico should be consulted fully in order that all authorities concerned may be in agreement on the procedures to be followed. Consultation should also be carried out as practicable with Congressional leaders and members of the Congressional Committees concerned.

[Here follows the "Discussion" section of the paper, based on information contained in the October 9, 1952 letter of the Acting Secretary of the Interior.]

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711C.02/1-953

*Memorandum by the Adviser, United Nations Planning Staff  
(Chase)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] January 9, 1953.

Subject: Self-Government for Puerto Rico

I have already communicated to you my apprehensions about growing Congressional pressures which might be brought to coalesce in a concerted attack upon the position of the US in the UN, or at least upon the character and composition of the UN, once the honeymoon period has ended with the new administration, if not earlier.

This morning I attended a meeting of the Colonial Working Group which discussed the communication to be made on January 25 by the US to the Secretary General about the attainment of self-government by Puerto Rico six months earlier, and the consequent cessation of transmission of information by the US under Article 73*e*. Among the various matters discussed was the question of probable objections by UN members to the "inadequacy" of the new status of Puerto Rico. It appears that UND feels that there might be considerable and extensive objections from the LA and A-A blocs. This morning the representative of L at the meeting confirmed that L had not been able yet to decide that it could certify to the attainment of self-government by Puerto Rico, and had thus not yet concurred in the papers being formulated for delivery on January 25.

There seemed to be substantial agreement in the group that the Netherlands may have made a tactical error in submitting its notification of intent to cease supplying information on Surinam by supplying with its notification too copious documentation.<sup>2</sup> There was strong sentiment expressed around the table that it was highly desirable, perhaps indispensable, that the new Governor of Puerto Rico be placed

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<sup>1</sup> Addressed to William Sanders, Special Assistant and Planning Adviser, Bureau of UN Affairs.

<sup>2</sup> For documentation and information on this matter, see pp. 1205 ff.

among the US Delegation which would handle the Puerto Rican question at the UN; everyone seemed to believe that his excellence in debate would be of the greatest usefulness in fending the expected attacks on the US action. There was some sentiment, however, that his presence might lead either some of the LAs, A-As, or the Soviet bloc to try to bring about a call for the simultaneous presence at UN deliberations of representatives of the independence movement in Puerto Rico to give testimony opposing that of the US "stooge", the Governor of Puerto Rico. Finally, the question was raised of what the US should do were the LAs and A-As to question the action of Congress, a speculation engendered by their very careful scrutiny and questioning of the Netherlands documentation about Surinam. Some participants in the meeting considered it possible that the LAs and A-As might even go so far as to propose a resolution calling upon the US Congress to reconsider its action on Puerto Rico.

I feel that we cannot afford to overlook the probability that should Congressional action establishing self-government for Puerto Rico encounter an extensive and spirited opposition of substantial portions of the LA and A-A blocks, the reaction on the Hill will be very inimical to the position of the US in the UN. Most likely it would feed the fires of hostility already being breathed forth by such Republican Senatorial leaders as Bridges and Bricker; it is not impossible that the latter would be induced thereby to add to the measure that he has just introduced into the Senate another to the effect that no UN action could have any effect upon an act of Congress. If it becomes established that we shall indeed encounter opposition of the character foreseen, I recommend that we lose no time in holding advance discussions with appropriate Congressional groups where we would attempt to blunt the unfavorable effects of feared action in the U.N.

Mr. Gerig suggested that I draw up this memorandum and submit it to Mr. Sandifer. I therefore attach an extra copy for transmission by you to Mr. Sandifer in your discretion.<sup>3</sup>

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<sup>3</sup> Notation at top of document, written by Sanders to the Deputy Assistant Secretary of State for United Nations (Sandifer): "I am checking with Ben Gerig on where we go from here." Gerig was Director of the Office of Dependent Area Affairs.

In fact there was a meeting on Jan. 12 of the Non-Self-Governing Territories Committee, to consider aspects of the Puerto Rican question vis-à-vis the United Nations. The Committee was of the opinion that a minimal submission of documentation should be made, because of the problems raised for the Netherlands with regard to Surinam. This documentation should include a letter from the Governor of Puerto Rico requesting cessation of information to the United Nations, a declaratory memorandum from the United States regarding cessation, and a text of the constitution of the Commonwealth of Puerto Rico. (Jan. 6 draft position paper, handwritten notation on p. 1 of Annex C (not printed), file 350/1-1553)

350/1-1553

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*

[WASHINGTON,] January 15, 1953.

Subject: Cessation of Submission of Information on Puerto Rico under Article 73(e) of the United Nations Charter

It is proposed that the United States Government should cease to submit information to the United Nations in accordance with Article 73(e) of the Charter on Puerto Rico in view of its achievement of a full measure of self-government as a result of the establishment on July 25, 1952, of the new Constitution creating the Commonwealth of Puerto Rico. Department and interdepartmental clearance has been obtained for the proposed course of action set forth in the recommendations of the attached position paper (Tab A).<sup>1</sup> The proposed action is strongly urged by the Government of the Commonwealth of Puerto Rico and supported by the Department of the Interior (Tab B).<sup>2</sup>

*Discussion*

This course of action, based upon the conclusion that it is no longer necessary or appropriate for the United States to continue to submit information on Puerto Rico, suggests that: (a) Information for the administrative year ending June 30, 1952, should be transmitted in the usual manner early in 1953; (b) The Secretary General be advised not later than January 25, 1953 (in accordance with General Assembly Resolution 222(III) which calls for the communication of such information within a maximum of six months) that the United States has decided to cease transmission of information on Puerto Rico; (c) The full concurrence and collaboration of the Government of Puerto Rico should be obtained in taking this action; and (d) Consultation should also be carried out as practicable with Congressional leaders and members of the Congressional Committees concerned. Mr. Brown (H) has been asked to undertake conversations with certain Congressional leaders to inform them of the proposed action.

Because of the merits of the Puerto Rican case and because of the strong views held by the Puerto Ricans that due recognition should be accorded their new constitutional status and that they will no longer accept arrangements which imply dependent status, there is believed to be no alternative course of action. Nonetheless, it should be noted, that in taking this action, difficulties may arise in the United Nations when this matter is considered in the General Assembly and its Committees. These difficulties, the extent of which cannot be as-

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<sup>1</sup> Only the problem and recommendations sections of this position paper are printed; see p. 1436.

<sup>2</sup> Not found as such in the Department of State files. The information described here is in the Oct. 9, 1952 letter of the Acting Secretary of the Interior; see p. 1429.

essed in advance, may include any of the following: (a) Claims that the United States alone is not competent to decide whether Puerto Rico has achieved a full measure of self-government; (b) Attempts to examine in detail and to judge Federal and territorial legislation; (c) Assessment of the Puerto Rican case in terms of the factors developed by the General Assembly to determine when a territory is no longer non-self-governing;<sup>3</sup> (d) Proposal to refer the matter to the International Court of Justice; and (e) The usual anti-colonial propaganda by Iron Curtain countries. It is proposed to meet these eventualities by advance diplomatic preparations, a well-documented oral presentation with an able Puerto Rican serving on the United States Delegation and, in the final analysis, by a firm reiteration of United States policy that this Government alone is competent to decide when territories under its administration have achieved a full measure of self-government.

#### *Recommendations*

It is recommended that you approve the proposal to inform the Secretary General of the United Nations that the United States Government has decided to cease transmission of information on Puerto Rico and, therefore, that you sign the attached instruction to the United States Representative to the United Nations (Tab C).<sup>4</sup>

#### *Concurrences*

Department clearance was obtained in the Colonial Policy Working Group by representatives of UNA; UND; UNP; UNA/P; ARA; EUR; FE; NEA; TCA; L; L/UNA; H; and E: ED.

The interdepartmental Committee on Non-Self-Governing Territories including the Department of the Interior, also cleared the proposed action.

The Government of the Commonwealth of Puerto Rico has strongly urged the proposed action.

<sup>3</sup> For documentation regarding the "factors question", see pp. 1168 ff.

<sup>4</sup> Not printed (Department of State instruction 161 to the Mission at the United Nations, Jan. 19, 1953, file 350/1-1953).

711C.02/3-3153

*The United States Representative at the United Nations (Austin) to the Secretary-General of the United Nations (Lie)*<sup>1</sup>

[UN-1727/89]

NEW YORK, January 19, 1953.

The Representative of the United States of America to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honor to refer to Resolution 222 (III),

<sup>1</sup> Source text was attached to Department of State circular airgram of Mar. 31, 1953, 4: 10 p. m.; see p. 1444.

adopted by the General Assembly on November 3, 1948. This resolution states that, having regard to the provisions of Chapter XI of the Charter, it is essential that the United Nations be informed of any change in the constitutional position and status of any non-self-governing territory as a result of which the responsible government concerned thinks it unnecessary to transmit information in respect of that territory under Article 73 (e) of the Charter. The Members of the United Nations concerned are requested by this resolution to communicate to the Secretary-General, within a maximum period of six months, such information as may be appropriate, including the constitution, legislative act or executive order providing for the government of the territory and the constitutional relationship of the territory to the government of the metropolitan country.

Since 1946, the United States has transmitted annually to the Secretary-General information on Puerto Rico pursuant to the terms of Article 73 (e) of the Charter. However, on July 25, 1952, a new constitution establishing the Commonwealth of Puerto Rico entered into force. In the light of the change in the constitutional position and status of Puerto Rico, the United States Government considers that it is no longer necessary or appropriate for the United States to continue to transmit information on Puerto Rico under Article 73 (e). Therefore, the United States Government has decided that with the submission of information for the period July 1, 1951 to June 30, 1952, it will cease to transmit information on Puerto Rico.

There will be transmitted to the Secretary-General, under separate cover, for the information of the Members of the United Nations, the text of the Constitution of the Commonwealth of Puerto Rico and other appropriate information as called for under the terms of General Assembly Resolution 222 (III).

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711C.02/3-3153

*The United States Representative at the United Nations (Lodge) to the Secretary-General of the United Nations (Lie)*<sup>1</sup>

NEW YORK, March 20, 1953.

EXCELLENCY: I have the honor to refer to the United States Representative's note UN-1727/89, dated January 19, 1953, notifying you

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<sup>1</sup> Source text attached to Department of State circular airgram of Mar. 31, 1953, 4:10 p.m., *infra*. This note was delivered under authority of Department of State instruction 192, Mar. 11, 1953, not printed (350/1-1153). Under cover of the note the Department transmitted 3 documents with the request that they be transmitted to the Secretary-General. These included: (1) Text of the constitution of Puerto Rico, (2) *Memorandum by the Government of the United States of America Concerning the Cessation of Transmission of Information Under Article 73 (e) of the Charter With Regard to The Commonwealth of Puerto Rico*, and (3) copy of the letter of Jan. 17, 1953, from the Governor of Puerto Rico to the President of the United States.

that as a result of the entry into force on July 25, 1952 of the new Constitution establishing the Commonwealth of Puerto Rico, the United States Government has decided to cease to transmit information on Puerto Rico under Article 73(e) of the Charter.

The attainment by the people of Puerto Rico of their new Commonwealth status is a most significant step. This is the kind of progress to self-government contemplated by the United Nations Charter. This is the democratic pattern of the free world—of goals set and hopes realized. The people of Puerto Rico expressed their view by resolution at their Constitutional Convention in the following words: “Thus we attain the goal of complete self-government, the last vestiges of colonialism having disappeared in the principle of Compact, and we enter into an era of new developments in democratic civilization.”

I invite your attention in particular to the enclosed letter of Governor Muñoz Marin of the Commonwealth of Puerto Rico in which, after requesting the termination of the transmittal of information under Article 73(e) with respect to Puerto Rico, and after recounting the development of the Island’s political progress, he says: “The people of Puerto Rico are firm supporters of the United Nations and this great organization may confidently rely upon us for a continuation of that good will.”

Let me add that the people of Puerto Rico at this moment are proudly cooperating to the utmost in the United Nations effort to repel aggression in Korea. The men of Puerto Rico who are bearing the hardships of battle with other United Nations troops have, by their courage and determination, demonstrated their strong love for freedom.

There are enclosed for the information of the Members of the United Nations the following documents<sup>2</sup> in compliance with the terms of Resolution 222(III) of the General Assembly:

- (1) Text of the Constitution of the Commonwealth of Puerto Rico,
- (2) *Memorandum by the Government of the United States of America Concerning the Cessation of Transmission of Information Under Article 73(e) of the Charter with Regard to the Commonwealth of Puerto Rico*,<sup>3</sup>
- (3) Copy of the letter dated January 17, 1953, from the Governor of Puerto Rico to the President of the United States.<sup>4</sup>

Accept, Excellency, the renewed assurances of my highest consideration.

HENRY CABOT LODGE, JR.  
*Ambassador*

<sup>2</sup> None printed in *Foreign Relations*.

<sup>3</sup> The “memorandum” was based largely on information contained in the Oct. 9, 1952 letter of the Acting Secretary of Interior, p. 1429. It consisted of six sections: “Introduction”, “Constitutional Development of Puerto Rico Under United States Administration”, “Development and Adoption of the Constitution of the Commonwealth of Puerto Rico”, “Principal Features of the Constitution of the Commonwealth”, “Present Status of Puerto Rico”, and Conclusion.

<sup>4</sup> Not printed in *Foreign Relations*.



711C.02/3-3153 : Circular airgram

*The Secretary of State to Certain Diplomatic and Consular Offices*<sup>1</sup>

RESTRICTED

WASHINGTON, March 31, 1953—4:10 p. m.

Subject: Attainment of Self-Government by the Commonwealth of Puerto Rico

*For information of all posts listed:*

Since 1946 the United States has transmitted annually to the United Nations information on Puerto Rico pursuant to Article 73(e) of the United Nations Charter which relates to territories whose peoples "have not yet attained a full measure of self-government". The new Constitution of the Commonwealth of Puerto Rico, which entered into force on July 25, 1952, was developed by the people of Puerto Rico and their duly elected representatives and conforms with their wishes as expressed in popular referenda and elections. The new Constitution was approved by the Government of the United States.

With the establishment of the Commonwealth of Puerto Rico, the people of Puerto Rico have attained a full measure of self-government. Accordingly, and in response to a request from the Government of Puerto Rico, the Government of the United States decided that it is no longer appropriate for it to submit information on Puerto Rico pursuant to Article 73(e) of the Charter. The United Nations was informed of this decision on January 19, 1953, by a letter from the United States Mission to the United Nations to the Secretary General. Subsequently, on March 20, 1953, a further communication was sent to the United Nations, enclosing for the information of the Members of the United Nations, (a) the text of the Constitution of the Commonwealth of Puerto Rico, (b) a memorandum by the Government of the United States of America concerning the cessation of transmission of information under Article 73(e) of the Charter with regard to the Commonwealth of Puerto Rico, and (c) a letter dated January 17, 1953, from the Governor of Puerto Rico to the President of the United States.

Copies of the various documents referred to above are transmitted herewith for the information and use of the post. These documents, it will be observed, constitute a detailed account of the development of self-government in Puerto Rico, of the steps taken vis-à-vis the United Nations and of the basis therefor. All posts may make use of these documents, as appropriate, in responding to questions. The documents will no doubt be communicated in due course by the Secretary General to all Members of the United Nations and be distributed in the usual way as United Nations documents.

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<sup>1</sup> Two sets of documents were transmitted to 52 posts for action; one set to 17 posts for information, including Aruba, Barbados, Belize, Curaçao, Kingston, Martinique, and Port-of-Spain.

*For action of posts indicated:*

You are requested, unless you perceive objection, to call upon appropriate officials of the Government to which you are accredited and leave with them for their convenience one set of the documents transmitted with this instruction as advance copies of the documents which will be circulated in due course by the Secretary General of the United Nations. You should point out that this progress of Puerto Rico to self-government is in accordance with the objectives set out in the United Nations Charter and the traditional policies of the United States. You should note that the establishment of the Commonwealth of Puerto Rico under the Constitution of July 25, 1952, and the consequent attainment of a "full measure of self-government" by the people of Puerto Rico is a source of pride and satisfaction to the Government of Puerto Rico and to the United States Government. You may wish to emphasize that the new status of Puerto Rico has been established with full agreement of the Government and people of Puerto Rico and in accordance with their expressed wishes and to refer in this connection, as appropriate, to portions of the letter of the Governor of Puerto Rico and of the memorandum by the United States.

You are also requested to report any comment which may be forthcoming from officials of the Government to which you are accredited concerning (1) the establishment of the Commonwealth and the attainment of self-government by the people of Puerto Rico and (2) the decision of the United States Government to cease reporting to the United Nations on Puerto Rico. This information will be of particular value to the Department in preparing for anticipated discussion in the United Nations of the documents transmitted herewith. It is expected that this discussion will take place in the first instance in the General Assembly's Committee on Information from Non-Self-Governing Territories, scheduled to convene in August 1953, and subsequently in the Eighth General Assembly.

The following is for your information and for use in your discretion: The Department believes that possible critical reactions to the decision of the United States to cease reporting to the United Nations on Puerto Rico will fall into two main categories: (a) Statements to the effect that the United States alone cannot make such a decision and that the concurrence of the United Nations is required. On this point, it is the view of the United States that each administering member of the United Nations has the right to determine the constitutional position and status of territories under its sovereignty. The United States also considers that the decision regarding cessation of reporting under Article 73(e) on specific territories rests solely with the administering members concerned. We recognize, however, that the United Nations will be interested in discussing the Puerto Rican case and that the General Assembly, under its broad powers to discuss and recommend

under Article 10 of the Charter, may not only wish to consider the case of Puerto Rico but probably also to adopt a resolution on the subject. We have accordingly submitted appropriate documentation for the information of United Nations Members and will be prepared to answer various questions which may be raised. (b) Statements to the effect that since the United States retains, with respect to Puerto Rico, control over foreign affairs and defense, the Commonwealth has not in effect achieved a "full measure of self-government". On this point, a clear distinction exists between "independence" and a "full measure of self-government". "Independence", while one of the principal means, is not the only means by which a "full measure of self-government" may be attained. The United States holds that the retention by the United States Government of responsibility for the foreign affairs and defense of Puerto Rico is in no way incompatible with the achievement of "a full measure of self-government" by the people of Puerto Rico. The memorandum by the Government of the United States, enclosed herewith, indicates the manner in which self-government is exercised by Puerto Rico under the Constitution of July 25, 1952. Special significance is also attached to the fact that the Commonwealth status achieved by Puerto Rico is the governmental arrangement which the people of Puerto Rico themselves sought. The letter of the Governor of Puerto Rico expresses this forcefully as follows:

"The Commonwealth of Puerto Rico, therefore, represents the government that the people of Puerto Rico have freely adopted. It reflects our own decision as to the type of institutions and the kind of relationship to the United States which we desire. There can be no doubt that in the full sense of the term, in form as well as in fact, the people of Puerto Rico are now self-governing. We have chosen our institutions and relationship with the United States. We have determined the nature and distribution of the powers of government. We have created our own Constitution under which we established our own government . . ."

DULLES

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711C.02/7-1453 : Airgram

*The Secretary of State to the Embassy in the United Kingdom*

RESTRICTED

WASHINGTON, July 29, 1953.

A-132. The receipt is acknowledged of the Embassy's despatch No. 6270 dated June 30, 1953 and despatch No. 263 dated July 14, 1953,<sup>1</sup> transmitting the views of Her Majesty's Government on the matter of cessation by the United States Government of the transmission of information to the Secretary General of the United Nations on the Commonwealth of Puerto Rico in accordance with Article 73(e) of

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<sup>1</sup> Neither printed (711C.02/6-3053 and 711C.02/7-1453, respectively).

the United Nations Charter. The Colonial Office, while indicating that it is in entire and full agreement with the United States on the latter's complete freedom to cease to submit information on Puerto Rico, has posed informally three questions, the answers to which would serve to fortify the British in supporting the United States position.

The Officer in Charge is requested to inform the Colonial Office in general terms and in regard to the three specific questions substantially as follows:

The Department is appreciative of the careful study which the United States documentation on Puerto Rico has received in the Colonial Office. It is gratified to know that the United States Government may count on the support of Her Majesty's Government when this matter comes up from consideration in the General Assembly's Committee on Information from Non-Self-Governing Territories. It is particularly grateful to the Colonial Office for setting forth in advance the three fundamental questions because answers to them are basic in establishing the limits to which, according to the United States view, this matter may be appropriately discussed by the United Nations.

The United States method of handling the case of Puerto Rico in the Committee on Information from Non-Self-Governing Territories has not been worked out in detail and it is believed essential to maintain a flexible approach and to strive to create a harmonious and cooperative atmosphere for the discussions. To try to achieve this end the United States Delegation will provide straightforward explanations to questions seeking information in regard to the documentation transmitted to the United Nations by the United States. It cannot itself, however, engage in discussions as to the propriety of United States laws. Moreover, if extended attempts at such discussions are made by other Members, the United States Delegation may be obliged to seek to have them ruled out of order. It is believed important in this connection to keep the amount of documentation placed before the Committee at a minimum in order to avoid in so far as possible discussions and debate on United States constitutional and legal instruments. Therefore, the United States Government does not intend at this time to place before the United Nations any additional documentation but will present orally such additional information.

Basic to the United States position on Puerto Rico is the contention that each administering member of the United Nations is responsible for determining the constitutional position and status of territories under its sovereignty and that the decision with respect to reporting under Article 73(e) on specific territories rests solely with the administering member concerned. The United States recognizes, however, that the United Nations will be interested in discussing the Puerto Rican case and that the General Assembly under its broad powers to discuss and recommend under Article X of the Charter, may not only wish to consider the case of Puerto Rico but probably also to adopt a resolution on the subject. The United States considers that it was fully justified in ceasing to report on Puerto Rico and would vigorously oppose any resolution that states the contrary view. The United States would, however, vote for a resolution commending its action.

The reply of the Colonial Office's *first question*, in which it asks to know our attitude toward the possible discussion by the United Nations of the constitutional instruments concerning Puerto Rico which have been transmitted for information, is contained in the general discussion above.

The *second question* asks what arguments are expected to be used if complaints are raised that Puerto Rico is not guaranteed the right of secession. The United States Delegation will point out in this connection that the question is not germane to the discussions in as much as the right of secession is not a requisite of a full measure of self-government as set forth in Chapter XI of the Charter, as the legislative history of Article 73 will reveal. The United States Delegation will further point out that reference to the history of the development of the Constitution of the Commonwealth of Puerto Rico will reveal that the present constitutional relationship with the United States is in keeping with the freely expressed wishes of an overwhelming majority of the people of Puerto Rico. In the local Puerto Rican elections which were held on the issue of the future status of Puerto Rico the alternatives to "commonwealth status", i.e. "independence" or "statehood" were fully presented to the people by political parties standing on those platforms. Thus the majority decision of the people of Puerto Rico was made in cognizance of the possible alternatives.

The *third question* asks what arguments will be used if the matter of Puerto Rican representation at the center of government is raised. Here again the United States will stress the fact that the type of representation the Commonwealth of Puerto Rico has in an elected Resident Commissioner who represents the Commonwealth before the Federal Government and holds a non-voting seat in the House of Representatives conforms with the wishes of the people of Puerto Rico. In enumerating the positive advantages to Puerto Rico of its special status as a "freely associated state" within the Federal Union, the United States Delegation will elaborate upon the role and position of influence of the Resident Commissioner in relation to Federal Government policy and administration. It will also point out that Puerto Rico could obtain full legislative representation in the United States Congress only if it were a State like one of the 48, subject to all pertinent provisions of the Constitution of the United States. In that case, however, the people of Puerto Rico would lose the fiscal advantages which they now enjoy as a result of their present relationship to the United States. The Constitution of the United States would require this result. The people of Puerto Rico are exempt from Federal income taxes on the income they derive from sources within Puerto Rico and from all other internal revenue taxes. The proceeds of United States internal revenue taxes collected on articles produced in Puerto Rico and shipped to the United States are covered into the Treasury of the Commonwealth of Puerto Rico. Also, the proceeds of tariff and customs collected on foreign merchandise entering Puerto Rico are deposited into the Puerto Rican Treasury for appropriation and expenditure as the Puerto Rican Legislature may decide. These arrangements constitute substantial fiscal advantages of particular benefit to an area such as Puerto Rico whose natural economic resources are not, as yet fully developed. The admission into the Union under the terms of the Constitution of the United States, would entail the loss of these advantages and that the taxpayers of Puerto Rico would have to con-

tribute over one hundred million dollars annually to the United States Treasury, a sum which represents ten per cent of the national income of Puerto Rico and nearly sixty per cent of its budget.

Although Her Majesty's Government is fully aware that under the American System of Government the Executive Branch cannot interpret what may be the will later on of the United States Congress and the decision of the Courts in regard to the future status of Puerto Rico, there is substantial evidence available in support of the view that any subsequent change in the status of the Commonwealth may be determined only by joint action of the United States and Puerto Rican Governments.

DULLES.

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IO files, SD/A/C.4/115

*Position Paper Prepared in the Department of State for the United States Delegation to the Eighth Regular Session of the General Assembly*

RESTRICTED

[WASHINGTON,] September 2, 1953.

CESSATION OF TRANSMISSION OF INFORMATION UNDER ARTICLE 73(e)  
OF THE CHARTER IN RESPECT OF PUERTO RICO

THE PROBLEM

Since 1946 the United States in pursuance of Article 73(e) of the UN Charter has transmitted annually to the Secretary General information on Puerto Rico as a territory "whose peoples have not yet attained a full measure of self-government". With the establishment of the Commonwealth of Puerto Rico under the constitution promulgated on July 25, 1952 the United States Government and the Puerto Rican Government concluded that the people of Puerto Rico have attained a full measure of self-government and that it was no longer appropriate to transmit information on Puerto Rico under Article 73(e). In accordance with Resolution 222 (III), the United States Government informed the United Nations of this decision and transmitted appropriate documentation for the information of UN Members in communications dated January 19 and March 20, 1953. These communications are presently under consideration by the General Assembly's Committee on Information from Non-Self-Governing Territories which will report thereon to the Eighth General Assembly.

The problem confronting the United States is twofold: (1) to ensure that UN Members have the fullest possible understanding of what the Puerto Rican people have achieved in fulfillment of their freely expressed wishes, and to obtain maximum support for the US view that this constitutes a full measure of self-government; and (2) to have the General Assembly take note of the developments and the con-

sequent US decision to cease reporting on Puerto Rico in an acceptable resolution.

The United States has a strong case. However, some UN Members may be inclined to consider the Puerto Rican case not only on its merits but also in relation to other aspects of the highly controversial colonial problem. Moreover, the desire of some non-Administering Members to strengthen the role of the General Assembly in colonial affairs may result in the injection into the discussion of such complicating issues as (1) competence: i.e. the role of the General Assembly in making the decision on reporting under Article 73(*e*); (2) the question of granting an oral hearing to the Independence Party (a minority political party in Puerto Rico); and (3) proposals to grant the special status of "associate member" of the Committee on Information to Puerto Rico.

#### UNITED STATES POSITION

1. The Delegation should freely provide information, both in UN meetings and informally in response to questions, regarding the constitutional position and status of the Commonwealth of Puerto Rico and the political, economic, social and educational development of Puerto Rico. It is hoped that a prominent official of the Puerto Rican Government will be attached to the Delegation for this purpose.

2. While it is hoped that the UN will not seriously question our decision to cease transmitting information on Puerto Rico and that the issue of the competence of the General Assembly will not be raised in an acute form, the Delegation should make every effort to avoid controversy over the question of competence. Regarding this general problem of which authority has the right to determine when a territory has achieved "a full measure of self-government" and therefore need no longer be reported on under Article 73(*e*), the Delegation should be guided by the following position: We believe that each Administering Member is responsible for determining the constitutional position and status of territories under its sovereignty, and the decision with respect to reporting under Article 73(*e*) on specific territories rests solely with the Administering Member concerned. We do not believe, however, that the interpretation of the expressions "non-self-governing territories" and "territories whose peoples have not yet attained a full measure of self-government", since they appear in the Charter is a matter for unilateral determination by individual Administering Members. We believe, therefore, in view of Article 10 that the General Assembly, for example, has the authority to discuss and attempt to define the above expressions, to recommend to Administering Members generally the consideration of any definition it might adopt, or even to express the opinion in general terms on the principles which

have guided or may guide Members in deciding on which of their territories they will transmit information.

3. The General Assembly will have before it a draft resolution on Puerto Rico recommended by the Committee on Information. We consider that the United States was fully justified in ceasing to report on Puerto Rico and would vigorously oppose any resolution which stated the contrary view. Our opposition to any such resolution would not be based on the view that the General Assembly is not competent to criticize our decision but rather on the view that our decision is right. We would, however, vote for a resolution commending our action. If a resolution is proposed which clearly raises the issue of competence, the Delegation should consult the Department as to its voting position.

4. The Delegation should bear in mind the desirability of avoiding any action by the General Assembly which would result in carrying over the question to a later session.

5. The Delegation should oppose any efforts to grant oral hearings to any of the groups from Puerto Rico which have petitioned the UN to be heard on this item. In so doing the Delegation should maintain that it would be inappropriate for an organ of the General Assembly to hear the views of a domestic political party, whose views were rejected by the Puerto Rican people in a free democratic election.

6. The Delegation should oppose any proposal to extend to Puerto Rico a continuing status in connection with the work of the Committee on Information for example as an "associate member" of the Committee. Such a proposal would imply an unwillingness on the part of the General Assembly to accord due recognition to the full measure of self-government which Puerto Rico has achieved and a lack of understanding of its constitutional position within the Federal system.

#### COMMENT

By 1948 several administering authorities had ceased to transmit information to the UN under Article 73(e) on certain of their non-self-governing territories. This led to the adoption of Resolution 222 (III) wherein the General Assembly considered it essential that the UN be informed of any change in the constitutional position of any non-self-governing territory as the result of which the responsible government concerned thinks it unnecessary to transmit information in respect of that territory under Article 73(e). This resolution also requested the administering authority concerned to communicate to the Secretary General appropriate information regarding the change in status of the territory. The United States supported this resolution and has complied fully with its provisions in the present case.



711C.02/10-2753 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

RESTRICTED

NEW YORK, October 27, 1953—11 p. m.

Delga 175. Re Puerto Rican case Committee IV. Difficult atmosphere of Fourth Committee debate on cessation information Surinam and Netherlands Antilles and proposed amendments to Swedish draft resolution forecast probable adoption resolution asserting competence GA to share in decision when territory ceases to be NSG and urging resumption of reporting under Article 73(e). Dutch attempt to have discussion this item postponed until after roundtable conference failed completely with nine speeches today and at least ten scheduled for October 28.

In view foregoing, most likely committee will desire pronounce on Puerto Rico cessation by amending Committee on Information resolution to assert competence of Assembly to participate in decision to cease reporting.

A vote favoring US decision to cease reporting on Puerto Rico may be expected from all members present except Soviet bloc, probably 2-3 other members, with perhaps 10-12 abstentions. However, if competence issue raised, negative votes or abstentions might be increased by addition of seven administering powers although the number of abstentions among nonadministering members might diminish. Under two-thirds rule in plenary, favorable outcome could not be taken for granted.

Mrs. Bolton and Fourth Committee advisers suggest US delegation might abstain or not participate in vote, stressing our inability to accept GA competence and stating that US has faithfully fulfilled Assembly resolutions, action is completed by the USG, any further action is meaningless.

An alternative suggestion made is that US delegation, confronted by a large majority for a resolution in favor US action re Puerto Rico by clearly asserting GA competence, should vote affirmatively and explain after vote that we do not regard the GA as having competence.

Department is, therefore, being consulted as to what US delegation voting position should be on a resolution which clearly raises the question of competence.

Will advise Department soonest precise form of Puerto Rican resolution which may come to vote by Friday, October 30. Mrs. Bolton desires top-level position.<sup>1</sup>

LODGE

<sup>1</sup> No record has been found in Department of State files of a response by the Department to this telegram.

Discussion on the cessation of information on Puerto Rico began in the Fourth Committee on Oct. 30 with a statement by Fernos-Isern, Resident Commissioner

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of Puerto Rico in the United States and member of the U.S. Delegation, who was introduced by the U.S. Delegate on the Fourth Committee, Frances Bolton. Fernos-Isern described the process by which the Commonwealth had achieved "a full measure" of self-government and explained its political and economic relationship to the United States. As no other national delegation was prepared to speak, the Committee adjourned until Nov. 2. (New York telegram Delga 193, Oct. 31, 1952, 12:01 a. m., not printed, file 310.5/10-3153 (the Mission's daily unclassified summary))

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711C.02/11-153 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

RESTRICTED      PRIORITY      NEW YORK, November 1, 1953—6 p. m.

Delga 201. Re Puerto Rico. Request Department consider approaching immediately Caracas and Mexico City urging their full support UN resolution favorable full measure self-government achieved by Puerto Rico.

Talks with Venezuelans reveal they are divided within their delegation as to who shall be voting and how they shall vote and have indicated they must await instructions. During two hour talk with Rivas, fourth committee representative, he was unwilling to focus on Puerto Rican item, but rather upon British show of force and revocation Guiana constitution, and his allegation Trinidad and Jamaica Communistic.

Talk of similar length with Espinosa, Mexican representative, who is friendly, mild, and new to fourth committee, reveals he is gratified by Puerto Rican strides, but has serene notion that this development so interesting fourth committee should not be deprived continued reporting.

Maximum approach might be US Government would fail to understand anything other than favorable vote in view democratic expressions will Puerto Rican people.

Efforts among Latin American delegations to draft and co-sponsor favorable resolution encountering difficulties because of rivalries among themselves. Peru will not co-sponsor with Ecuador, but would be a co-sponsor with Brazil. Attempt being made to bring Ecuador and Peru together.<sup>1</sup>

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<sup>1</sup> In the Fourth Committee on Nov. 2 the Soviet Union, Guatemala, and Mexico opposed the cessation of reporting information on Puerto Rico (New York telegram Delga 208, Nov. 3, 12:25 a. m., not printed, file 310.5/11-353 (daily unclassified summary)).

On Nov. 3, a resolution (L. 300) considering that Chapter XI of the Charter was no longer applicable to Puerto Rico and that it was appropriate for information to cease, was circulated in the Fourth Committee by seven Latin American delegations; for text, see *infra*. (New York telegram Delga 216, Nov. 4, 12:36 a. m., not printed, file 310.5/11-453 (daily unclassified summary))

Suggest Montevideo might also be approached because Uruguayan delegation divided on issue.

LODGE

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711C.02/11-453 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

RESTRICTED

WASHINGTON, November 4, 1953—6:45 p. m.

214. Re Puerto Rico. Draft Res L.300 on Puerto Rico satisfactory. USDel could vote for all paras.

DULLES

[Attachment]

DRAFT RESOLUTION ON THE CESSATION OF THE TRANSMISSION OF INFORMATION IN RESPECT TO PUERTO RICO<sup>2</sup>

*The General Assembly,*

*Considering* that Resolution 222(III), adopted by the General Assembly on 3 November 1948, while welcoming any development of self-government in non-self-governing territories, considers that it is essential that the United Nations be informed of any change in the constitutional status of any such territory as a result of which the government responsible for the transmission of information in respect of that territory under Article 73(e) of the Charter thinks it unnecessary or inappropriate to continue such a practice,

*Having received* the communications dated 19 January and 20 March 1953 informing the United Nations of the establishment of the Commonwealth of Puerto Rico, as a result of the entry into force on 25 July 1952 of the constitution of Puerto Rico, and stating that in consequence of these constitutional changes the Government of the United States would cease to transmit information under Article 73(e) of the Charter,

*Having studied* the report prepared by the Committee on Information from non-self-governing territories, during its session of 1953, on the question of the cessation of the transmission of information on Puerto Rico and presented to the General Assembly in conformity with paragraph 2 of Resolution 448(V),

*Having examined* the communication of the Government of the United States in the light of the basic principles embodied in Chapter XI of the Charter and of all the other elements of judgement pertinent to the issue.

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<sup>1</sup> Drafted and signed by the Director of the Office of Dependent Area Affairs (Gerig). Cleared with each of the geographic bureaus and the Legal Adviser.

<sup>2</sup> Submitted by Brazil, Chile, Colombia, Costa Rica, Ecuador, Panama, and Peru and circulated as UN Doc. A/C.4/L.300, Nov. 2, 1953.

*Considering* that the agreement reached by the United States of America and the Commonwealth of Puerto Rico in forming a political association which respects the individuality and the cultural characteristics of Puerto Rico, maintains the spiritual bond between Puerto Rico and Latin America and constitutes an additional link in continental solidarity,

1. *Takes note* favorably of the conclusions set forth by the Committee on Information from Non-Self-Governing Territories in its resolution;

2. *Recognizes* that the people of the Commonwealth of Puerto Rico, by expressing their will in a free and democratic way have achieved a new constitutional status;

3. *Expresses the opinion* that it stems from the documentation provided that the association of the Commonwealth of Puerto Rico with the United States of America has been established as a mutually agreed association;

4. *Recognizes* that when choosing their constitutional and international status, the people of the Commonwealth of Puerto Rico have effectively exercised their right to self-determination;

5. *Recognizes* that in the framework of their constitution and of the compact agreed upon with the United States of America, the people of the Commonwealth of Puerto Rico have been invested with attributes of political sovereignty which clearly identify the status of self-government attained by the Puerto Rican people as an autonomous political entity;

6. *Considers* that due to these circumstances, the Declaration Regarding Non-Self-Governing Territories and the provisions established under it in Chapter XI of the Charter can no longer be applied to the Commonwealth of Puerto Rico;

7. *Takes note* of the opinion of the Government of the United States of America as to the cessation of the transmission of information on Puerto Rico under Article 73(e) of the Charter;

8. *Considers it appropriate* that this information should cease;

9. *Expresses* its assurance that, in accordance with the spirit of this resolution, the ideals embodied in the Charter of the United Nations, the traditions of the people of the United States of America and the political advancement attained by the people of Puerto Rico, due regard will be paid to the will of both the Puerto Rican and American peoples in the conduct of their relations under their present legal statute and also in the eventuality that either of the Parties to the mutually agreed association may desire any change in the terms of this association.

711C.02/11-2353 : Telegram

, *The Secretary of State to the Embassy in Venezuela*<sup>1</sup>

RESTRICTED PRIORITY WASHINGTON, November 2, 1953—6:53 p. m.

208. Re: Puerto Rico. Reference circular airgram March 31, 1953 re Attainment self-government by Puerto Rico. GA will vote this week on resolution on Puerto Rico. Dept and Puerto Rican Government hopeful suitable resolution recognizing attainment of full measure of self-government by Puerto Rican people will receive wide support. US Government and Puerto Rican Government especially hopeful for Latin American support. No resolution yet introduced but will probably be based on resolution adopted by Committee on Information from Non-Self-Governing Territories, which simply noted US decision to cease transmitting information on Puerto Rico, and which US considers satisfactory. Understand position Venezuelan delegation uncertain, and is awaiting instructions.

Important Foreign Office should fully understand that new Constitution Puerto Rico and relations with US are result free choice of Puerto Rico as expressed free democratic election. Also important Foreign Office be aware deep concern Puerto Rican Governor Munoz Marin and Resident Commissioner Fernos Isern that new status Puerto Rico be understood by its Latin American neighbors.

In your discretion, promptly convey above views to Foreign Office, expressing hope it will be possible for Foreign Office instruct its UN Delegation support US position.

DULLES

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<sup>1</sup> Drafted and signed by the Director of the Office of Dependent Area Affairs (Gerig). Cleared with the Bureau of Inter-American Affairs.

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*Press Release No. 1802 Issued by the Mission at the United Nations, New York, November 3, 1953*<sup>1</sup>

STATEMENT BY THE HONORABLE FRANCES P. BOLTON, UNITED STATES REPRESENTATIVE, IN COMMITTEE FOUR ON PUERTO RICO

MR. CHAIRMAN: It is the intention of my Delegation to make a final statement when all other delegations have had an opportunity to express their points of view on the subject under consideration. However, I should like to clarify, at the outset of our discussions today, a number of points raised in yesterday's debate in order that certain misconceptions which evidently exist will not continue to cloud our discussion.

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<sup>1</sup> Source text is from ODA files, lot 62 D 225, "Speeches/Statements 1953".

1. First of all, reference has been made to the letter addressed by the Governor of Puerto Rico to the President of the United States. Through an error by one speaker the Governor has been quoted as stating in his letter that at present the Congress of the United States retains full jurisdiction to legislate with respect to Puerto Rico without the consent of its people, to override its laws, to change its form of government, and to alter its relations to the United States. The letter of the Governor states, on the contrary, that until the Commonwealth of Puerto Rico began to function, the Congress of the United States retained full jurisdiction. I hasten to rectify this matter because I know how the Governor of Puerto Rico would feel if his interpretation of the compact were not properly presented.

2. In further elaboration of the remarks I made yesterday, may I say that obviously United States laws and such compacts the United States may enter into are subject to the interpretation of the United States and the parties concerned, in this case the people of Puerto Rico. In a spirit of cooperation we have brought before you the United States interpretation which is also that of the people of Puerto Rico. We would not feel justified in engaging in a debate as to the significance of United States laws, less so after they have been interpreted by the Courts of the United States. Nor have we thought it proper to pay attention to such distortions as have been made by and circulated in behalf of those who as self-appointed interpreters of the United States laws, compacts and agreements would lead us to believe that nothing except their own cherished ideas should be accepted no matter how impractical and contrary to the wishes of the people of Puerto Rico such ideas may be, and what may be their motivation.

3. Two facts stand out of all the documentation transmitted by the United States to the United Nations. One is that the people of Puerto Rico have organized themselves politically under a constitution of their own adoption whereby a republican form of government has been created stemming from the sovereignty of the people of Puerto Rico. This fact is amply sustained by the language of the constitution of the Commonwealth of Puerto Rico itself. The second fact is that there exists a bilateral compact of association between the people of Puerto Rico and the United States which has been accepted by both and which in accordance with judicial decisions may not be amended without common consent.

4. The nature of the relations established by compact between the people of Puerto Rico and the United States, far from preventing the existence of the Commonwealth of Puerto Rico as a fully self-governing entity, gives the necessary guarantees for the untrammelled development and exercise of its political authority. The authority of the Commonwealth of Puerto Rico is not more limited than that of any state of the Union; in fact in certain aspects is much wider. It would

be absurd to claim that the 48 states of the Union are not fully self-governing entities. In accordance with the principle of federation the people who have created and organized state governments in accordance with their own state constitutions, have also relinquished certain attributes of authority to the Federal Government which the state governments do not have. In accordance with the compact between the people of Puerto Rico and the United States, the people of Puerto Rico have agreed that the Government of the United States may have, concerning Puerto Rico, the functions and authority that the United States Government has concerning the states of the Union. Therefore, to say that this latter fact negates self-government in Puerto Rico would be tantamount to saying that self-government does not exist in the 48 states of the Union. It should be remembered that the functions of the Federal Government in Puerto Rico are carried out under the same laws and within the same constitutional limitations under which they are carried on behalf of the states. This qualifies the exercise of federal authority in Puerto Rico and protects the self-governing powers of Puerto Rico. That the participation of the people of Puerto Rico in the Federal Government is not the same as that of the people of any state of the Union is easily understandable if it is borne in mind that the obligations of the people of Puerto Rico towards the Federal Government, especially in matters of a fiscal nature, are not the same as those of the people of the 48 states. In order for the people of Puerto Rico to participate equally as the people of the 48 states in the affairs of the Federal Government, Puerto Rico would have to become constitutionally integrated permanently as a state of the Union with all the corresponding obligations without exception. This proposal has been before the people of Puerto Rico as the program of one of its political parties. The people haven't chosen it as the type of relationship to which they would give their preference.

5. In presenting the case of Puerto Rico before this Committee, the United States Delegation has not at any time stated that in creating the present association between the people of Puerto Rico and the United States any known type of association heretofore has been adopted. Much to the contrary, the criterion followed has been to assist the people of Puerto Rico "in the progressive development of their free political institutions according to the particular circumstances" of Puerto Rico. It has been evident to the people of Puerto Rico that should they follow such known types of political relations as those of independence, or full integration into the Union, they would jeopardize their own paramount interests in economic, social, educational as well as political matters. The criterion followed in the establishment of the existing association between Puerto Rico and the United States have been to create such relationships as would ensure for the people of Puerto Rico the best opportunities to develop socially, economically

and culturally taking into consideration their geographic and demographic circumstances. It is in this light that the terms of political and economic union referred to by Dr. Fernos-Isern should be viewed.

6. As an instance to illustrate what I have said, I shall refer to the question of minimum wages in Puerto Rico. There are no trade barriers between Puerto Rico and the United States, as there are no trade barriers between any two states of the Union. It might have been considered only fair in order not to give undue advantage to Puerto Rican producers over mainland producers in the mainland market to have the same provisions of law apply in Puerto Rico. However, because Puerto Rico is not as industrially developed as the 48 states of the Union, the law provides special treatment for Puerto Rico and exempts it from the fixed minimum to which all wages in the industries of the United States are subject. The wages in Puerto Rico are determined in such manner that the workers may be paid as high a wage as the circumstances of the industry may warrant. However, they are not necessarily as high as those on the mainland lest such requirement stifle Puerto Rican industries. This places Puerto Rico in a competitive position in relation to the United States market to which it has free access. Only the laws of Puerto Rico apply to any industry not engaged in external trade.

7. Another case in point is the reference made to the quota on Puerto Rican sugar that may be marketed in the United States. Sugar marketing in the United States is subject to quota not only in what concerns Puerto Rico but in what concerns the 48 states as well as importations from foreign countries. As a result of this system of marketing quotas, the price of sugar has been stabilized. Puerto Rico not only sells its sugar in the United States at the same price that United States domestic sugar is sold, free from customs duties, but the growers receive benefit payments equally as those of the mainland producers. One of the aspects of the economic union most favorable to Puerto Rico is to be found in these provisions concerning sugar. Should Puerto Rico separate from the United States, it certainly would have no claim, on the basis of its status, to customs free entry of sugar into the United States, nor to a quota commensurate with its production capacity, nor to the benefit payments that domestic sugar producers are accorded. The fact that Puerto Rico refines all sugar consumed in Puerto Rico and ships to the United States a certain amount of its sugar quota, as refined sugar, limits the amount which may be refined in the mainland. Dr. Fernos, as a member of the House of Representatives Committee on Agriculture, would be pleased to discuss with any interested Members of the Committee the United States Sugar Act.

8. It would be a great mistake to consider that because the functions of the Federal Government in Puerto Rico are conducted under the same laws as those functions are carried on in the United States, the



authority of the people of Puerto Rico in the conduct of their own government, under their own laws, is diminished. In a federal system the fact that certain functions are reserved to the Federal Government does not mean that the authority of the government of the several states, in all matters not delegated to the Federal Government, are not fully within the power of the states. Again in this regard Puerto Rico is not in any position different from that of any state of the Union.

9. The Federal Relations Act to which reference has been made has continued provisions of political and economic union which the people of Puerto Rico have wished to maintain. In this sense the relationships between Puerto Rico and the United States have not changed. It would be wrong, however, to hold that because this is so and has been so declared in Congress, the creation of the Commonwealth of Puerto Rico does not signify a fundamental change in the status of Puerto Rico. The previous status of Puerto Rico was that of a territory subject to the full authority of the Congress of the United States in all governmental matters. The previous constitution of Puerto Rico was in fact a law of the Congress of the United States, which we called an organic act. Congress only could amend the organic act of Puerto Rico. The present status of Puerto Rico is that of a people with a constitution of their own adoption stemming from their own authority which only they can alter or amend. The relationships previously established also by a law of the Congress, which only Congress could amend, have now become provisions of a compact of a bilateral nature whose terms may be changed only by common consent.

10. I submit that having before us the Constitution of Puerto Rico, and with Laws 600 of 1950 and 447 of 1952 having been circulated, if an opinion as to the status of Puerto Rico is to be formed and any interpretation is needed, that offered by the parties concerned should prevail. To go back to statements made in the course of debate in Congress or in hearings and to try to interpret the documents before us in the light of isolated utterances, brought before us out of context, can only lead to utter confusion.

11. As a member of Congress which took part in all the legislative processes which culminated in the compact between the people of Puerto Rico and the United States whereby the Commonwealth of Puerto Rico was established, I was impressed by the fact that at all times the whole nature of the process was that of bilateral agreement. Even when the joint resolution approving the Constitution for Puerto Rico was before Congress and some reservations appeared to be necessary in order to clarify the fact that the Constitution of Puerto Rico would conform with the terms of compact, such clarifications as were decided upon by the Congress were submitted to the approval of the Constitutional Convention of Puerto Rico.

12. Some pain has been expressed in the Committee because the Resident Commissioner, who holds a seat in the House of Representatives of the United States Congress, does not have full voting rights. This, Mr. Chairman, cannot be regarded as painful to the people of Puerto Rico.

Under the United States Constitution, Puerto Rico could obtain full legislative representation in the United States Congress only if it were a State like one of the 48, subject to all pertinent provisions of the Constitution of the United States. In that case, however, the people of Puerto Rico would lose the fiscal advantages which they now enjoy as a result of their present relationship to the United States. The Constitution of the United States would require this result. The people of Puerto Rico are not subject to Federal income taxes on the income they derive from sources within Puerto Rico nor to any other internal revenue taxes. The proceeds of United States internal revenue taxes collected on articles produced in Puerto Rico and shipped to the United States are covered into the Treasury of the Commonwealth of Puerto Rico. Also, the proceeds of tariff and customs collected on foreign merchandise entering Puerto Rico are deposited into the Puerto Rican Treasury for appropriation and expenditure as the Puerto Rican Legislature may decide. These arrangements constitute substantial advantages of particular benefit to an area such as Puerto Rico whose natural economic resources are so limited. The admission into the Union under the terms of the Constitution of the United States would entail the loss of these advantages. The taxpayers of Puerto Rico would have to contribute over one hundred million dollars annually to the United States Treasury, a sum which represents ten percent of the national income of Puerto Rico and nearly sixty percent of its budget. For this reason the majority of the people of Puerto Rico prefer Commonwealth status, albeit it does not provide for full legislative representation in Congress, to statehood with membership in the Union of States and full legislative representation in Congress. They have expressed this preference emphatically in the election of 1948, the subsequent referenda on the new Constitution and the election on November 4, 1952. In this last election, the party in power received 429,064 votes out of 664,974 cast, a greater majority than ever before.

It might also be stressed that under the Commonwealth the people of Puerto Rico, besides not being subject to Federal taxes, enjoy the same advantages as their fellow citizens in the 48 States, i.e., protection by the national government, freedom to travel in United States territory and to resettle there, and participation in and the protection and services of the federal civilian and military establishments. Many grants-in-aid and other federal legislation represent further benefits to the people of Puerto Rico.

13. It has been said that the United States Government has not provided the General Assembly with adequate information upon which it based its decision to cease transmitting information on Puerto Rico. Mr. Chairman, I refer the Committee to the full explanations contained in Document A/AC.35/L.121 of April 3, 1953, and the large volume of information transmitted for the year July 1, 1951-June 30, 1952, upon which the Secretariat's Summary, Document A/2414/Add.2 of August 13, 1953 is based. I ask the Committee to decide for itself whether the United States has failed to fulfill the request for information set forth in Resolution 222 (III) regarding decisions to cease transmission of information.

14. Members of the Committee who participated in this year's session of the Committee on Information and those who have studied the documentation considered by that Committee are aware of the various references made to the role of Puerto Rico in extending technical assistance in connection with various international programs. In this connection, Mr. Chairman, it is most unfortunate that the interest and enthusiasm of former Assistant Secretary of State Miller in regard to Puerto Rico, his birthplace, should be misconstrued.

I believe that Secretary Miller has merely tried to emphasize what so many other representatives of the Governments of the United States and Puerto Rico sincerely believe, namely, that Puerto Rico, with its Spanish language and cultural heritage can help to forge stronger links of understanding between Latin America and the United States and contribute much to the advancement of the good-neighbor policy in the Caribbean area.

15. Some disappointment has been expressed that Puerto Rico has not had as fortunate a fate as Cuba, both having been at one time under the sovereignty of Spain. I presume, Mr. Chairman, that this refers to the fact that Puerto Rico has not chosen to become completely independent. But our considerations here relate to self-government which has been achieved in accordance with the freely expressed wishes of an overwhelming majority of the Puerto Rican people. It is true that Puerto Rico has not chosen to separate itself from the United States and become completely independent, and therefore has not assumed control over such matters as foreign affairs and national defense. But I must point out that there are members of the United Nations who are said to be independent, yet they do not control matters of foreign relations and national defense.

16. We have been told in this Committee in a most polite and ingenuous, though nonetheless straightforward manner, that the people of Puerto Rico have bartered their individuality in exchange for purely materialistic gains, with consequent loss of their dignity as a people. But I submit, Mr. Chairman, that the very fact that Puerto Rico has developed its own concept of commonwealth status is be-

cause it desires to retain its cultural heritage and the freedom to develop its own personality and the well-being of the Puerto Rican people without sacrificing the economic foundation upon which these paramount values are based. Poverty, hunger and ignorance are not the ingredients with which a society of free people can be established and developed and its dignity maintained.

On the other hand, economic, social and educational programs based upon individual initiative and local responsibility build and maintain the stature and dignity of a people. Under such circumstances freedom is established.

Mr. Chairman, I am most grateful for the patience of the Committee in permitting me to remove what I believe to have been clouds of misconception, so that the discussions may continue free of misunderstanding.

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711C.02/11-453 : Telegram

*The United States Representative at the United Nations (Lodge)  
to the Department of State*

SECRET      NIACT

NEW YORK, November 4, 1953—3 p. m.

Delga 221. Re Puerto Rico. Mrs. Bolton, Ambassador Daniels and advisers strongly recommend following telegram be sent urgently Tegucigalpa:

Puerto Rican Government representatives and US delegate seriously concerned at apparently uninformed and unfriendly statements made by Honduran representative at Fourth Committee GA now considering new Commonwealth status of Puerto Rico as "Estado Libre Asociado". Honduran delegation apparently lacks instructions. Please suggest immediately to Foreign Minister or President desirability sending telegraphic instructions Honduran delegation to consult Puerto Ricans and if possible support Government Puerto Rico on this important issue.<sup>1</sup>

LODGE

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<sup>1</sup> The view that Puerto Rico had not reached a full measure of self-government and that therefore the United States was not entitled to cease transmission of information was expressed in the Fourth Committee on Nov. 4, by India, Yugoslavia, Czechoslovakia, Burma, Honduras, Indonesia, and Poland.

India announced the intention of proposing, as an amendment to the 7-power (Latin American) draft (L. 300) endorsing the U.S. decision, that a small committee be established to study further the Puerto Rican question and report to the next General Assembly.

In the debate, the Indian Delegate contended that Puerto Rico was economically and commercially dependent upon the United States. Yugoslavia warned against setting "a dangerous precedent" which might "encourage other attempts at the progressive destruction of the system of international controls" over non-self-governing territories. (New York telegram Delga 226, Nov. 4, 1953, 11:39 p. m., not printed, file 310.5/11-453 (daily unclassified summary))

310.5/11-653 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

NEW YORK, November 6, 1953—12:20 a. m.

231. [Here follows reporting on items other than Fourth Committee.]

Committee 4—Puerto Rico—Following a series of votes, the Committee Nov. 5 endorsed 22-18-19 the seven-power resolution (L. 300) approving cessation of transmission by the US of information on Puerto Rico. It also recommended, 32-19 (US, Colombia, Panama, Paraguay)-8 (Brazil, Chile, Costa Rica, Dominican Republic, Nicaragua, Peru), an amendment stating the GA's competence to decide whether a NSGT has or has not attained a full measure of self-government.

By a vote of 13-34-12, the Committee rejected a section of the five-power amendment (L. 302) sponsored by Burma, Guatemala, Honduras, Indonesia, and Mexico, expressing GA confidence the US would find it possible to continue transmitting information on Puerto Rico. It also defeated, 5-31-13, another part of this amendment which would have deleted from the resolution clauses by which the assembly would 1) note favorably the NSGT Committee's conclusions with regard to Puerto Rico, 2) recognize the Puerto Rican people had been vested with attributes of political sovereignty which identified their status as an autonomous political entity, and 3) consider that charter chapter XI no longer applied to Puerto Rico.

Also rejected, 18-34-7, was an Indian amendment calling for establishment of a six-member committee to study the question further and to report to the next GA.

Before the voting, Iran, Peru, Brazil, Chile, Costa Rica, and Israel expressed strong support for the US position.

Votes on the individual paras of the resolution ranged from 48-1-6 to 24-17-17. Individual votes on the resolution as a whole follow:

In favor: Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Ethiopia, Haiti, Iran, Israel, Liberia, Nicaragua, Panama, Paraguay, Peru, the Philippines, Thailand, Turkey, and Uruguay.

Against: Australia, Belgium, Burma, Byelorussia, Canada, Czechoslovakia, Guatemala, Honduras, India, Indonesia, Iraq, Mexico, New Zealand, Poland, The Ukraine, South Africa, the USSR, Yugoslavia.

Abstaining: Afghanistan, Argentina, Denmark, Egypt, El Salvador, France, Greece, Iceland, Lebanon, Luxembourg, the Netherlands, Norway, Pakistan, Saudi Arabia, Sweden, Syria, the UK, the US, Venezuela.

Yemen was absent.

[Here follows reportage on other items.]

*Press Release No. 1808 Issued by the Mission at the United Nations,  
New York, November 6, 1953*<sup>1</sup>

STATEMENT BY THE HONORABLE FRANCES P. BOLTON, U.S. REPRESENTATIVE, IN COMMITTEE FOUR, IN EXPLANATION OF VOTE ON THE PUERTO RICAN ITEM. [NOVEMBER 6]

As indicated yesterday, the United States favored the Resolution sponsored by seven Delegations because that Resolution expressed in its original form the agreement of the General Assembly with the decision reached by the United States Government that Puerto Rico has ceased to be a non-self-governing territory within the meaning of Chapter XI of the United Nations Charter.

However, because that part of the five-Delegation-amendment which clearly asserts the competence of the General Assembly was adopted, we were obliged to abstain. We did so, Mr. Chairman, because the argument in favor of the original resolution, as clearly stated by its sponsors, namely, that it recognized facts, became no longer true.

The Fourth Committee, in dealing with this item, has attempted to do two things simultaneously. It has undertaken to judge the Puerto Rico case which, viewed solely on its merits clearly has the support of a large majority of the members of this Committee. At the same time it has gone out of its way to try to establish the competence of the General Assembly in the question of cessation of transmission of information under Article 73(e) of the Charter. By so doing, a number of delegations have been deprived of the opportunity of voting solely on the merits of the case.

Whatever the majority views in favor of such efforts may be, we believe it would have been preferable to handle the two distinct matters separately, and not in the midst of considering a particular case to take advantage of the situation to inject the competence issue.

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<sup>1</sup> Source text is from ODA files, lot 62 D 225, "Speeches/Statements 1953".

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711C.02/11-853: Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

RESTRICTED

NEW YORK, November 8, 1953—3 p. m.

Delga 244. Re Puerto Rican case in plenary. Mrs. Bolton, Dr. Fernos and Committee 4 advisers have analyzed situation with following tentative conclusions:

US objectives should be:

(1) Eliminate competence clause in preamble. On assumption two-thirds rule would apply, this could be accomplished only by insuring

that Latin American delegates who voted no or abstained in committee (Colombia, Panama, Paraguay, Brazil, Chile, Costa Rica, Dominican Republic, Nicaragua, Peru) as well as Thailand and Iran maintained their previous votes or could be persuaded to vote in negative. Ecuador might be persuaded to abstain.

(2) Secure adequate number of votes to pass resolution as a whole. This depends first upon ability persuade administering members other Commonwealth and Scandinavian countries to change abstentions to yes and negative votes to abstentions and explain votes. Uncertainty of what Arab bloc may do in view of US position on Morocco and Tunis makes this situation precarious. Further consideration that Ethiopia, Haiti, Liberia, Uruguay, and Philippines be persuaded to continue support resolution if competence paragraph eliminated.

(3) Because of possibility that application of two-thirds vote might not be sustained, in conversation with administering members and other Commonwealth and Scandinavian countries, we should urge them to abstain rather than vote no and explain votes in order to secure the largest possible favorable vote for Puerto Rico. In this eventuality we should vote yes with explanation of vote because of grave implications not only for Puerto Rico politically but that cessation may be approved only in cases where full independence is achieved.

Tactics: Because of possibility plenary action mid-November and probably need refer matter to certain home governments, we should begin at once explore situation with administering members and other Commonwealth and Scandinavian delegates in order give Latin Americans assurance resolution as originally sponsored could receive two-thirds majority.

Under guise explanation of vote, Mrs. Bolton should urge plenary to eliminate preambular competence clause in order to permit large majority express true feelings re Puerto Rico.

WADSWORTH

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711C.02/11-1053 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

RESTRICTED

NEW YORK, November 10, 1953—9 p. m.

Delga 253. Re Puerto Rican case in Plenary. Eight administering authorities plus Canada, Norway and Sweden met today at USDel request to discuss plenary tactics on Puerto Rican resolution. Group agreed almost certain  $\frac{2}{3}$  rule will apply and competence preambular paragraph will fail obtain  $\frac{2}{3}$  vote. USDel asked all members group for their affirmative votes on resolution without competence paragraph. Australia and UK at first sought group support to delete operative paragraphs 5 and 8, but finally agreed with US contention that we could not hold other delegations in line if these paragraphs were

deleted. On operative paragraph 8 the 4 delegations which abstained in committee four agreed to vote yes, and the 3 which voted no agreed to abstain, thus making possible a  $\frac{2}{3}$  majority on this paragraph if other delegations hold their voting positions. Subject to approval by their governments, which they agreed to seek promptly, all except Australia agreed to vote yes on resolution as a whole without competence preambular paragraph. Copland thought Australia might abstain rather than vote yes, but was not certain and will consult Canberra and let us know definitely. Ryckmans will ask Brussels for approval of yes vote with explanation after the vote to effect that Assembly has no competence.

LODGE

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711C.02/11-1053 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

RESTRICTED

WASHINGTON, November 10, 1953—6 : 50 p. m.

Gadel 71. Re Puerto Rico, Delga 244. Department considers it most important Assembly adopt favorable resolution on Puerto Rico either by simple majority or if necessary by two-thirds vote. Believe no action by Delegation to secure decision on ruling for two-thirds vote or for simple majority should be undertaken lest it be self-defeating. Important, however, be prepared likelihood two-thirds vote requirement, and effort be made to secure necessary vote for defeat competence paragraph. Therefore concur you should make effort diminish negative votes and get additional affirmative votes in likely case two-thirds ruling will apply. Agree two-thirds vote easier if competence paragraph eliminated. Delegation should, however, vote affirmatively with explanation in case competence preamble retained, in view importance adopting resolution including operative paragraphs.

Suggest therefore you proceed immediately with consultation outlined your telegram.

Re competence, if paragraph not eliminated hesitation European members and administering authorities might be overcome if they see effects on independence movements in Puerto Rico and elsewhere in case resolution not adopted, and also if they recognize full significance failure adopting resolution, namely, absence likelihood any cessation can henceforth be approved unless full independence attained.

DULLES

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<sup>1</sup> Drafted by the Director of the Office of Dependent Area Affairs (Gerig) and the Acting Officer in Charge, Non-Self-Governing Territories Affairs (Robbins); cleared with the geographic bureaus and the Deputy Under Secretary of State for Political Affairs; and signed by Gerig.



711C.02/11-1953 : Telegram

*The Secretary of State to the Embassy in Belgium*<sup>1</sup>

RESTRICTED

WASHINGTON, November 19, 1953—6:43 p. m.

PRIORITY

498. Re Puerto Rican case in GA. Reference Department's circular airgram March 31, 1953 re attainment self-government by Commonwealth of Puerto Rico. Vote in GA Plenary on resolution on Puerto Rico expected November 27. Department and Puerto Rican Government desirous secure adoption satisfactory resolution and thus completion consideration Puerto Rican question this GA. Consider resolution adopted by GA's Fourth Committee satisfactory except for preambular paragraph relating competence GA decide whether a territory has attained a full measure of self-government. We believe however that competence paragraph introduces extraneous issue and that it will be deleted in Plenary vote where two-thirds majority required.

Application two-thirds rule raises possibility that no resolution on Puerto Rico will secure necessary vote, with resulting possibility further UN discussion this matter next year. Department very anxious avoid this situation and therefore hopes when competence paragraph is deleted Belgium will be able vote for resolution. US understands Belgian view that no resolution this question necessary but concerned over political repercussions in Puerto Rico, if no resolution adopted. Moreover failure adopt favorable resolution might give encouragement independence movements in non-self-governing territories generally and reinforce view many UN Members that full self-government can be achieved only through independence. Believe Belgium might overcome its difficulties by explanation of vote. For your information Belgium voted against resolution containing competence paragraph in Fourth Committee.

In your discretion promptly convey above views Foreign Office.<sup>2</sup>

DULLES

<sup>1</sup> Drafted by Curtis C. Strong of the Office of Dependent Area Affairs; cleared with the Bureau of European Affairs and the Bureau of UN Affairs; signed by the Director of the Office of Dependent Area Affairs (Gerig).

A telegram with essentially the same message but structured somewhat differently was sent also to Athens (telegram 1657, Nov. 19, 1953, 6:44 p. m., file 711C.02/11-1953).

For information regarding the special Belgian position, both general and specific, see pp. 1168 ff.

<sup>2</sup> The Ambassador in Belgium (Alger) decided to avail himself of the "discretion kindly granted" and not contact the Belgian Foreign Office, on the belief that the Belgian Representative in New York (Ryckmans) was "the dominant expert on these questions". The Embassy recommended to the Department that the Department of State's views on the matter be discussed directly with Ryckmans in New York. (Brussels telegram 335, Nov. 2, 1953, 6 p. m., file 711C.02/11-2053) The Department responded to Brussels on Nov. 23 that ". . . you may wish to reconsider suggestion Deptel 498 since idea presented stemmed from US Delegation's several conversations with Ryckmans who said he had instructions to abstain, but if in our shoes he would approach Brussels directly." (Department of State telegram 513, to Brussels, Nov. 23, 1953, 6:47 p. m., file 711C.02/11-2053).

711C.02/11-2053

*The Secretary of State to the Embassy in Mexico*<sup>1</sup>

RESTRICTED PRIORITY WASHINGTON, November 20, 1953.

A-284. Re Puerto Rico. The final vote in the General Assembly Plenary Session on item of cessation of transmission of information on Puerto Rico is scheduled probably for November 25. The United States abstained on this resolution, which was adopted by 22 votes for, 18 against and 19 abstentions, because of the preambular clause asserting "the competence of the General Assembly to decide whether a non-self-governing territory has or has not attained a full measure of self-government as referred to in Chapter XI of the Charter." Mexico voted for the competence clause, which was part of a series of amendments sponsored jointly by Burma, Guatemala, Honduras, Indonesia and Mexico, and against the resolution as a whole.

For your information, it is expected that the preambular clause will be eliminated by failure to achieve the requisite two-thirds vote thus permitting a large majority of the Members of the General Assembly to express their satisfaction over the full measure of self-government which Puerto Rico has achieved.

It is suggested at your discretion that you approach the Foreign Minister informing him that the United States and Puerto Rican Governments hope that the Mexican Delegation may be able to support the resolution which recognizes the status of self-government achieved by Puerto Rico in accordance with the freely expressed wishes of its people in democratic elections. If the Mexican Government is unable to support by a favorable vote this application of the principle of self-determination and action in harmony with the large majority of Latin American States, the United States Government would hope that Mexico might at least abstain in the voting. The Embassy should of course avoid expressing or implying any criticism of the Mexican Delegation at the United Nations.

For your information, the Mexican Delegation in the Fourth Committee has taken such an extreme position that it is doubtful whether efforts on the part of the Embassy are likely to succeed in changing the vote. The Embassy may even regard such an approach as being unnecessarily harmful in which case the approach should not be made. However, in view of the unfortunate political repercussions in Puerto Rico if no resolution is adopted, the Department desires to take every step to insure that the resolution is adopted with the largest possible majority. Moreover, the Department perceives some value in letting

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<sup>1</sup> Drafted by the Acting Officer in Charge, Non-Self-Governing Territories Affairs (Strong), cleared with the Bureau of UN Affairs and the Bureau of Inter-American Affairs, and approved for transmission by the Director of the Office of Dependent Area Affairs (Gerig).

the Mexican Government know that we appreciate its vote recognizing the self-governing status of Puerto Rico.

For your information, the argumentation of Mr. Espinosa y Prieto, Counselor of Embassy, of the Ministry of Foreign Affairs, who represented Mexico in the Fourth Committee of the General Assembly was the most invidious heard in the Committee, the anti-U.S. propaganda and doctrinaire approach of certain other governments—the Soviet bloc, Guatemala, Yugoslavia, India and Indonesia being taken for granted. The United States Delegation regarded Espinosa's views as most regrettable inasmuch as he and his Government have had as great an opportunity as any other friendly UN Member to understand the Puerto Rican case and to appreciate the merits of the Commonwealth arrangements which have been established in accordance with the wishes of an overwhelming majority of the Puerto Rican people.

There follows for the Embassy's information the excerpt from the Summary Record of the Fourth Committee meeting on November 2, 1953 summarizing Mr. Espinosa's case against Puerto Rico. It should be borne in mind that this summary is toned down considerably from what was actually said by him :

“Mr. Espinosa (Mexico) said that on the one hand, the United States was to be congratulated on the fact that Puerto Rico was certainly the most advanced and fortunate of the Non-Self-Governing Territories; on the other hand, the new and original form of association between Puerto Rico and the United States suffered from certain obvious defects. Out of their feeling of consideration for the United States, many delegations might be prepared to let those defects pass in silence, but the Fourth Committee should be consistent and apply to Puerto Rico the same criteria that it had recently applied to the Netherlands Antilles and Surinam. In a statement to the United States Senate, Mr. Miller, Assistant Secretary of State, had said that it would help the prestige of the United States and its programme throughout Latin America if the added recognition of self-government were given Puerto Rico. The far-reaching implications of that statement were obvious when it was remembered that the majority of Latin American countries were actively anti-colonial and that the Puerto Ricans were a Spanish-American people.

“Many Latin Americans were disappointed that Puerto Rico, which had broken away from Spain at the same time as Cuba and the Philippines, had not been as fortunate in its final status as they had. He was not overlooking the very real problems confronting Puerto Rico, problems reflected in the vigorous campaigns of the majority party and the minority groups, which were fighting for greater equality as a Full State of the Union. The main problem facing Puerto Rico was economic and, in opting for a system which would ensure them material salvation, the majority of the Puerto Rican people had unfortunately been obliged to renounce some of their individuality. It was to be hoped that the case of Puerto Rico would throw into relief the need to ensure that no peoples in the world were ever forced to sacrifice their dignity in order to live.

"Latin America would not demand independence for Puerto Rico if the Puerto Ricans and the United States considered it impossible. Nevertheless, Latin America was a moral entity. Its prestige was an important consideration in the world and it asked that Puerto Rico should be given equality of status. In that connection, Mr. Miller, Under-Secretary of State, referring to the way in which Puerto Rico could assist the Point Four programme in Latin America, has said that Mr. Munoz-Marin had offered personnel, facilities for students and funds to the University of San Juan. He himself did not believe in technical assistance in its present form, but rather in a fair and disinterested exchange between countries that were on an equal footing. When the Puerto Rican people, who were the intellectual equals of any of the Latin American people or of the people of the United States, were also their legal equals, the Latin American countries would send their students to the University of San Juan and would grant scholarships to Puerto Rican students to attend their universities. When Mr. Fernos-Isern had the right to vote in the Congress, which had such broad rights over his country, the association between the two countries would be well on the way to fulfilling the requirements of Chapter XI of the Charter.

"Hasty action in the case of Puerto Rico might jeopardize the future work of the Committee. At the time of the San Francisco Conference Puerto Rico had been as economically and socially advanced as it now was. Politically, its status at that time had marked a step backwards compared with its status under Spanish domination, when the Puerto Ricans had been represented in the Cortes at Madrid. In view of Puerto Rico's advancement in social, economic and educational matters, the United States was the more to be congratulated on having placed the Territory within the scope of Chapter XI. Puerto Rico had been an outstanding example of how the non-self-governing peoples could advance towards emancipation. If Puerto Rico was really no longer within the scope of Chapter XI, the example would be complete. But by withdrawing it from the scope of Chapter XI before it was fully self-governing, the United States would endanger the whole system embodied in that Chapter. It should be noted that, during the current session, the United States position on almost every point had been contrary to that of the majority of the members of the Committee and more in keeping with the views of the Administering Powers, although the United States was not itself a colonial Power. His delegation had always advocated a conciliatory policy and had often accepted the Administering Powers' suggestions. The Administering Powers, for their part, should not underestimate the assistance they could receive from the non-administering countries. His country had suffered for three hundred years under the colonial regime and had been cut off from all contact with the outside world. It was in the light of that experience that he felt obliged to state that the information regarding the Non-Self-Governing Territories placed at the disposal of the United Nations was not sufficient. It was frustrating for intelligent people merely to review limited information without being able to take any constructive action on it. Unfortunately, moreover, there was becoming apparent a new and dangerous tendency to regard the transmission of information as dishonourable and a regrettable trend towards colonial isolationism.

“His country had the utmost friendship for the United States and would have liked to see the problem of Puerto Rico discussed previously at a different level. It believed that the cessation of the transmission of information regarding Puerto Rico was unjustified and its stand on any draft resolutions that might be submitted would be determined by that consideration.”

There is also included for the information of the Embassy excerpts from Congresswoman, Mrs. Frances P. Bolton's 16-point speech of November 3, 1953 in the Fourth Committee in which she replied specifically to some of the points made by Mr. Espinosa:

“14. Members of the Committee who participated in this year's session of the Committee on Information and those who have studied the documentation considered by that Committee are aware of the various references made to the role of Puerto Rico in extending technical assistance in connection with various international programs. In this connection, Mr. Chairman, it is most unfortunate that the interest and enthusiasm of former Assistant Secretary of State Miller in regard to Puerto Rico, his birthplace, should be misconstrued.

“I believe that Secretary Miller has merely tried to emphasize what so many other representatives of the Governments of the United States and Puerto Rico sincerely believe, namely, that Puerto Rico, with its Spanish language and cultural heritage can help to forge stronger links of understanding between Latin America and the United States and contribute much to the advancement of the good-neighbor policy in the Caribbean area.

“15. Some disappointment has been expressed that Puerto Rico has not had as fortunate a fate as Cuba, both having been at one time under the sovereignty of Spain. I presume, Mr. Chairman, that this refers to the fact that Puerto Rico has not chosen to become completely independent. But our considerations here relate to self-government which has been achieved in accordance with the freely expressed wishes of an overwhelming majority of the Puerto Rican people. It is true that Puerto Rico has not chosen to separate itself from the United States and become completely independent, and therefore has not assumed control over such matters as foreign affairs and national defense. But I must point out that there are members of the United Nations who are said to be independent, yet they do not control matters of foreign relations and national defense.

“16. We have been told in this Committee in a most polite and ingenuous, though nonetheless straightforward manner, that the people of Puerto Rico have bartered their individuality in exchange for purely materialistic gains, with consequent loss of their dignity as a people. But I submit, Mr. Chairman, that the very fact that Puerto Rico has developed its own concept of commonwealth status is because it desires to retain its cultural heritage and the freedom to develop its own personality and the well-being of the Puerto Rican people without sacrificing the economic foundation upon which these paramount values are based. Poverty, hunger and ignorance are not the ingredients with which a society of free people can be established and developed and its dignity maintained.

“On the other hand, economic, social and educational programs based upon individual initiative and local responsibility build and

maintain the stature and dignity of a people. Under such circumstances freedom is established.”<sup>2</sup>

DULLES

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<sup>2</sup> This instruction was not received by the Embassy in Mexico until after 12 noon, Nov. 24. At that time the Embassy took immediate action but experienced a succession of delays in the Mexican Foreign Ministry so that no liaison was effected with the Foreign Minister until the morning of Nov. 25. (Mexico City telegram 576, Nov. 25, 1953, 2 p. m., file 711C.02/11-2553)

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320/11-2253 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET      PRIORITY      NEW YORK, November 22, 1953—7 p. m.

Delga 308. Eyes only for the Secretary. Re Puerto Rican item. Following is suggested draft of statement to be made by Lodge when the Puerto Rican item is up in the General Assembly, which will probably be on Friday :

“I am authorized to say on behalf of the President of the United States that if at any time the legislature of Puerto Rico adopts a resolution in favor of complete independence, he would be glad to see them get it and would welcome the submission of their candidacy as a member nation of the Rio Pact.”<sup>1</sup>

LODGE

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<sup>1</sup> No record has been found in the files of the Department of State of an Eisenhower-Lodge consultation on this matter.

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320/11-2253

*Memorandum by the Director of the Office of Dependent Area Affairs (Gerig) to the Assistant Secretary of State for United Nations Affairs (Murphy)*<sup>1</sup>

SECRET

[WASHINGTON,] November 24, 1953.

Subject: Delga 308 from Ambassador Lodge to the Secretary

A statement on Puerto Rico of the kind proposed would presumably be made before the voting and included as part of a general statement.

UND does not presume to give an opinion on the broad political effect of such a statement. It seems clear, however, that a statement favoring independence would tend to diminish the influence in Puerto

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<sup>1</sup> Source text was attached to New York telegram Delga 308, Nov. 22, *supra*. A typed notation at the head of the memorandum said: “(Secretary saw) RLO’C” [Roderic L. O’Connor, Special Assistant to the Secretary of State]. A type-written notation at the bottom of the page said: “Original memo returned to Mr. Murphy (G) 11/27”.

Rico of the two other Parties, namely, the Statehood Party (now Republican in affiliation) and the majority party (about 65 percent of the voters) now governing Puerto Rico.

There are two other effects which need to be considered: First, the immediate effect upon the votes in the General Assembly where two-thirds will be required and which it now appears will be secured, even if this statement is not made. It seems unlikely that any votes will be lost if the statement were made. The idea of possible ultimate independence as a result of free choice by Puerto Rico under the new Compact principle has been directly or indirectly stated several times by our Delegation, but of course this does not have the weight of a statement attributed to the White House.

The second effect of the statement is its possible repercussion in Puerto Rico. It is believed that Dr. Fernos is in the best position to advise whether such a statement might have the result of increasing political tensions in Puerto Rico, and perhaps even encouraging further violence by the Nationalists.

To sum up—it is not believed that the statement will seriously affect the vote either way but might have some serious repercussions in Puerto Rico and in the Puerto Rican community in the United States.

B[ENJAMIN] G[ERIG]

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320/11-2253: Telegram

*The Secretary of State to the United States Representative at the United Nations (Lodge)*<sup>1</sup>

SECRET      PRIORITY      WASHINGTON, November 24, 1953—7:25 p. m.

256. Eyes only Lodge from the Secretary. Reur Delga 308. You know better than I whether the President's authorization with reference to Puerto Rico was made after adequate consideration and weighing of relevant facts. As you know, I was not present when you discussed this matter with the President. Thruston Morton feels that for the President to make this statement without prior consultation with some Congressional leaders would be apt to have a bad reaction. Also, I assume that consideration should be given to the effect of the statement upon the loyal elements in Puerto Rico and whether this will undermine their position and seem to build up the disloyal minority. Dr. Fernos could advise you on this.

Would this announcement on our part be seriously embarrassing to the French and be used by the extreme nationalists and perhaps communist-inspired elements in North Africa? Also, you might check the effect upon the Puerto Rican element in New York City as to

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<sup>1</sup> Drafted by Secretary of State Dulles.

whether they would react favorably or regard this as a move to stop free travel and immigration. In any case I wonder whether "glad" is the right word and whether the statement should not show on its face recognition of Congress's authority in the matter.

DULLES

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711C.02/11-2553 : Telegram

*The Ambassador in Belgium (Alger) to the Department of State*

RESTRICTED BRUSSELS, November 25, 1954—7 p. m.

348. Reference Department telegrams 498, November 19 and 513, November 23.<sup>1</sup> Department's views strongly urged on Foreign Office which refused to change instructions to Belgian UN delegation. These instructions are to abstain on Puerto Rican resolution, even if pre-ambular paragraph is deleted. Foreign Office considers that wording of entire resolution necessary. Embassy informed by Foreign Office that Ryckmans, with support Van Langenhove and other senior members Belgian delegation, originally proposed that no Belgians should be present when Puerto Rican resolution came to vote, but Foreign Office disapproved this proposal, instructing delegation to attend but to abstain.

Foreign Office said that it has been fully informed our views by Ryckmans. Foreign Office emphasized that Belgian position has been made clear repeatedly in UN and that Belgium could not afford in this instance to deviate so sharply as to permit it to vote with US.

ALGER

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<sup>1</sup> For Department of State telegram 513, Nov. 23, see footnote 2, p. 1468.

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711C.02/11-2353 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

SECRET PRIORITY NEW YORK, November 25, 1953—1 p. m.

274. Eyes only for Secretary from Lodge. Reference urtel 256, November 24, concerning Puerto Rico. I assume that the President's statement to me was made after adequate consideration and weighing of the relevant facts and have no reason to think that it was not. I intend to notify Doctor Fernos on Thursday so as to give Governor Munoz-Marin time to issue a press statement taking full advantage of this dramatic confirmation of Puerto Rico's right to self-determination.

Frankly, I do not believe that the reactions in France or NYC should stand in the way of a gesture which is typical of the Presi-



dent's political genius and which will help American prestige in quarters where we need it. This is a good chance to recoup some of the unavoidable losses which we suffered during the Tunisian-Moroccan debates and to put the responsibility where it belongs concerning Puerto Rican independence.

I agree with you about the word "glad" and also have inserted language making clear the paramount authority of Congress. Following is the text of my proposed statement :

"MADAME PRESIDENT: While, of course, I strongly favor the new status of Puerto Rico as self-governing commonwealth associated with the US, I am not here to review the events which led to its adoption.

"My purpose in seeking recognition is to bring to the Assembly the following important message from the President of the US.

"I am authorized to say on behalf of the President that if at any time the legislature of Puerto Rico adopts a resolution in favor of complete independence, he will immediately thereafter recommend to Congress that such independence be granted and he would in addition welcome Puerto Rico's adherence to the Rio Pact.

"Madame President, we are proud of our new relationship with Puerto Rico and of the joint contribution to political progress which our two peoples have made. The President's statement is an expression of the traditional interest which the US has always had in encouraging and promoting political freedom for all people in all parts of the world whenever conditions are such that their freedom will not be jeopardized by internal weaknesses or external pressures."<sup>1</sup>

LODGE

<sup>1</sup>In telegram 258, Nov. 25, 1953, 7:58 p. m., Secretary of State Dulles responded on an eyes only priority basis: "Your 274, think well of revised statement." (711C.02/11-2553)

310.5/11-2753 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

NEW YORK, November 27, 1953—11:45 p. m.

Delga 331. USUN Information Digest No. 47. Meeting Highlights. General Assembly—Puerto Rico, factors, UNRWA, etc.—By simple majority, the GA Nov. 27 approved without change the Committee 4 resolution considering it appropriate information on Puerto Rico should cease. The vote was 26-16 (Australia, Belgium, Burma, Canada, Guatemala, India, Indonesia, Iraq, Mexico, South Africa, Yugoslavia, Soviet Bloc)—18 (Afghanistan, Argentina, Denmark, El Salvador, France, Iceland, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Saudi Arabia, Sweden, Syria, UK, Venezuela, Yemen). The competence para was retained 34-19-7.

Action followed an extended procedural debate precipitated by President Pandit's (India) ruling that an earlier 30-26-0 decision

that the factors resolution could be adopted by simple majority also applied to the two resolutions on transmission of information.<sup>1</sup> The President's ruling was eventually upheld 34-21 (US)-4.

Prior to the vote, Lodge informed the Assembly he had been authorized to state on behalf of President Eisenhower that "if at any time the Legislative Assembly of Puerto Rico adopts a resolution in favor of more complete or even absolute independence" he would immediately recommend to Congress that such independence be granted.<sup>2</sup> Vote explanations on the Puerto Rico text were offered by Liberia, Belgium, Guatemala, Australia, the US, the Dominican Republic, and India.

[Here follows remainder of the information summary.]

<sup>1</sup> For documentation regarding the "factors question", see pp. 1168 ff.

<sup>2</sup> The following is the actual text of Ambassador Lodge's statement:

"MADAME PRESIDENT: The United States is proud of its new relationship with Puerto Rico and of the joint contribution to political progress which our two peoples have made. While, of course, I strongly favor the new status of Puerto Rico as a self-governing commonwealth associated with the United States, I am not here to review the facts which my colleagues, Mrs. Bolton and Dr. Fernos, have already explained fully to the Fourth Committee.

"My purpose in seeking recognition is to bring to the Assembly the following important message from the President of the United States.

"I am authorized to say on behalf of the President that if at any time the Legislative Assembly of Puerto Rico adopts a resolution in favor of more complete or even absolute independence, he will immediately thereafter recommend to Congress that such independence be granted. The President also wishes me to say that in this event he would welcome Puerto Rico's adherence to the Rio Pact and the United Nations Charter.

"The President's statement is an expression of the traditional interest which the United States has always had in encouraging and promoting political freedom for all people in all parts of the world whenever conditions are such that their freedom will not be jeopardized by internal or external pressures.

"Thank you, Madame President." (Source text from ODA files, lot 62 D 225, "Speeches/Statements 1953") (USUN press release 1833, Nov. 27, 1953)

**B. THE UNITED STATES POSITION REGARDING THE PETITION OF CERTAIN MARSHALL ISLANDS INHABITANTS WITH RESPECT TO THERMONUCLEAR TESTS CONDUCTED IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS BY THE ADMINISTERING AUTHORITY**

ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum by the Director of the Office of Dependent Area Affairs (Gerig)*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] April 2, 1954.

Subject: Possible questions which may be put forward by India or other UN Member re March 1 H-Bomb explosion<sup>2</sup>

At the staff meeting yesterday it was reported that we might be faced with certain rather hostile questions, either from Nehru or some-

<sup>1</sup> Addressed to the Acting Deputy Director of the Office of Dependent Area Affairs (Robbins) and the Acting Officer in Charge of Trusteeship Affairs (McKay).

<sup>2</sup> A second H-bomb explosion occurred in the same area on Apr. 5.

one else, in regard to the H-bomb explosion. I said I hardly thought the matter would arise until the June session of the Council, but it would surely arise then. However, it was felt that we ought to anticipate certain such questions and be preparing answers to them. I imagine the answers could first be drafted here, particularly as the Strauss statement pretty fully covers the subject, and would then have to be cleared in other parts of the Department and in AEC. The following are some of the questions which I think might be formulated. You will think of others.

1. What kind of land mass in the Trust Territory was destroyed, and in view of the fact that the trust power is not sovereign in the Trust Territory, by what legal right may the trust power destroy such territory?

2. Was adequate provision made for removing indigenous inhabitants, either from the island itself or from surrounding islands which were in the danger zone?

3. Was the island which was destroyed of any agricultural or economic value, and if so, what are the trust power's plans for adequate compensation to the owners or users?

4. What effects has the explosion had on marine life (*a*) within the three-mile limit, and (*b*) outside this limit, and what arrangements are being made to provide adequate substitute sources of food supply?

5. Is the trust power contemplating further H-bomb experimentation in this area, and, if so, what steps are contemplated to provide adequate safeguards for inhabitants who might be affected by "fall out" radioactive material at an even greater distance than before?

6. Does the Administering Authority feel satisfied that no long-run effects on the inhabitants, either physical or psychological, will result from these even larger and more incalculable destructive devices?

7. Does the Administering Authority feel that it is justified, in this area, in experimenting with weapons over which it has no control.

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350/5-354 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

OFFICIAL USE ONLY  
PRIORITY

NEW YORK, May 3, 1954—6 p. m.

685. Petition regarding Trusteeship Territory of Pacific Islands. Hall saw Bunche this afternoon at latter's request. Bunche furnished copy Marshallese petition (separately transmitted in telegram 686) and following proposed note prepared by Security Council Affairs Department Secretariat:

"In accordance with paragraph three of the Resolution of March 7, 1949 of the Security Council (S/1280) and Resolution 46 (IV) of March 24, 1949 of the Trusteeship Council, the Security Council should be advised of the receipt by the Secretary General of all reports and

petitions received from, or relating to, strategic areas under trusteeship.

In pursuance of the terms of the above noted Resolutions, the Secretary General has the honor to inform the members of the Security Council that the petition from the Marshallese people concerning the explosion of lethal weapons within their home islands has been received and that copies of this petition have been transmitted to the Trusteeship Council for examination and report to the Security Council."

Bunche expressed concern that handling this petition as proposed by Security Council Affairs Department would provide basis for Soviet intervention Security Council, and expressed personal preference for handling petition same basis as other petitions concerning the Pacific Islands. He cited T/PET, 10/27, petition from Martin R. Haase, as example of normal treatment such petitions.

Bunche also expressed view that petition seemed to be more professional in form and language than those usually received from residents trusteeship territories and expressed concern that petition might be Communist inspired. He showed Hall original petition, which he stated was received by mail direct from Marshall Islands. Petition well typed with two erasures, one corrected in ink, one in typed script. Signatures appeared authentic and included Marshallese officials in islands in addition to Mrs. Dorothy Kbuva.

Bunche requested urgent advice as to preferred treatment petition by United States. Hall advised Bunche he would check this point specifically with the Department and advise him definitively [*sic*] Tuesday, May 4. Hall expressed tentative view that Special Security Council note should be voided. Similar view then expressed to Security Council Affairs Department by USUN.

Please advise soonest preferred course of action in handling petition.

WADSWORTH

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350/5-354 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

OFFICIAL USE ONLY  
PRIORITY

NEW YORK, May 3, 1954—6 p. m.

686. Petition re trust territory of Pacific Islands, following is text of petition received by UN Friday, April 30. Petition is signed with 111 signatures, 11 purported to be members of the Marshallese Congress hold-over committee and 100, separately numbered, purported to be interested Marshallese citizens. First name amongst interested Marshallese citizens is Dorothy Kabu, who is identified as first Mar-

shallese delegate to UN trusteeship council. She also apparently signed on behalf of two members Marshallese Congress hold-over committee:

“April 20, 1954 to: The United Nations from: The Marshallese people.

Subject: Complaint regarding the explosion of lethal weapons within our home islands.

The following should not be misconstrued as a repudiation of the US as our governing agency for the UN under the trusteeship agreement, for aside from the complaint registered in this petition we have found the American Administration by far the most agreeable one in our memory. But in view of the increasing danger from the experiments with deadly explosives thousands of times more powerful than anything previously known to men, the lethal effects of which have already touched the inhabitants of two of the atolls in the Marshalls, namely, Rongelap and Uterik, who are now suffering in various degrees from ‘lowering of blood count,’ burns, nausea and the falling off of hair from the head, and whose complete recovery no one can promise with any certainty, we, the Marshallese people feel that we must follow the dictates of our consciences to bring forth this urgent plea to the UN, which has pledged itself to safeguard the life, liberty and the general well-being of the people of the trust territory, of which the Marshallese people are a part.

The Marshallese people are not only fearful of the danger to their persons from these deadly weapons in case of another miscalculation, but they are also very concerned for the increasing number of people who are being removed from their land. Land means a great deal to the Marshallese. It means more than just a place you can plant your food crops and build your houses; or a place where you can bury your dead. It is the very life of the people. Take away their land and their spirits go also.

The Marshall Islands are all low coral atolls with land area where food plants can be cultivated quite limited, even for today’s population of about 11,000 people. But the population is growing rapidly; the time when this number will be doubled is not far off.

The Japanese had taken away the best portions of the following atolls; Jaluit, Kwajalein, Eniwetok, Mille, Maloelap and Wotje to be fortified as part of their preparation for the last war, World War II. So far, only Imedj Island on Jaluit Atoll has been returned to its former owners.

For security reasons, Kwajalein Island is being kept for the military use. Bikini and Eniwetok were taken away for atomic bomb tests and their inhabitants were moved to Kili Island and Ujelang Atoll, respectively. Because Rongelap and Uterik are now radio-active, their inhabitants are being kept on Kwajalein for an indeterminate length of time. ‘Where next?’ Is the big question which looms large in all of our minds.

Therefore, we the members of the Marshallese Congress hold-over committee, writers of this petition, who are empowered by the Marshallese Congress, to act in its name when it is not in session and which is in turn a group of members representing all the municipalities in the Marshalls, due to the increasing threat to our life, liberty, happiness and possession of land, do hereby submit this petition to the UN with the hope that it will act on our urgent plea. Thus, we request that:

1. All the experiments with lethal weapons within this area be immediately ceased.

2. If the experiments with said weapons should be judged absolutely necessary for the eventual well-being of all the people of this world and cannot be stopped or changed to other areas due to the unavailability of other locations, we then submit the following suggestions:

*a.* All possible precautionary measures be taken before such weapons are exploded. All human beings and their valuable possessions be transported to safe distances first, before such explosions occur.

*b.* All the people living in this area be instructed in safety measures. The people of Rongelab would have avoided much danger if they had known not to drink the waters on their home island after the radioactive dusts had settled on them.

*c.* Adequate funds be set aside to pay for the possessions of the people in case they will have to be moved from their homes. This will include lands, houses and whatever possessions they cannot take with them, so that the unsatisfactory arrangements for the Bikinians and Eniwetok people shall not be repeated.

*d.* Courses be taught to Marshallese medical practitioners and health-aides which will be useful in the detecting of and the circumventing of preventable dangers.

We would be very pleased to submit more information or explain further any points we have raised that may need clarifications.

The Marshallese people who signed this petition are on the following sheets, divided in the following manner:

The first group are members of the Marshallese Congress hold-over committee. The second group are some of the many interested Marshallese citizens. The name of each person appears on the left-hand side and his or her home atoll and occupation on the right-hand side opposite the signature.

If more signatures are needed we will promptly supply them. The only reason we are not supplying more now is because to do so would mean a delay of some three months, the time necessary to make complete circuit of our far-flung atolls and islands by ship."

WADSWORTH

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711.5611/5-454: Telegram

*The Acting Secretary of State to the Mission at the United Nations*<sup>1</sup>

CONFIDENTIAL    PRIORITY    WASHINGTON, May 4, 1954—8:15 p. m.

539. Re Marshallese petition on Trust Territory of Pacific Islands (urtels 655 [685] and 656 [686]). Dept agrees special Security Council note should be avoided. In Dept's view *all* petitions relating to TTPI fall under para 3 of Security Council Resolution S/1280. In

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<sup>1</sup> Drafted by Curtis C. Strong of the Office of Dependent Area Affairs (UND); cleared with the Bureau of Far Eastern Affairs (FE), the Special Assistant to the Secretary of State for Atomic Energy Matters (S/AE), and in draft with the Department of the Interior; signed by the Director of the Office of Dependent Area Affairs, O. Benjamin Gerig.

no case in past so far as Dept aware has this para been interpreted to require that SC be notified re petitions on TTPI in advance of their consideration by Trusteeship Council. In past SC has been notified as to petitions, like other TTPI matters, in annual TC report to SC. Dept sees no reason for changing past practice and urges that SYG be asked follow it in this case also.

MURPHY

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum by the Director of the Office of Dependent Area Affairs  
(Gerig)*<sup>1</sup>

OFFICIAL USE ONLY

[WASHINGTON,] May 5, 1954.

Subject: Draft Press Release in response to Marshallese Petition

At the Director's meeting yesterday with Assistant Secretary Key it was agreed that an adequate response to the Marshallese petition re the effects of the thermonuclear tests should be prepared for the use of USUN when the petition is circulated by the Secretariat to the Members of the United Nations.

The attached draft <sup>2</sup> is being circulated to the above persons simultaneously in order to lose no time. Mr. Bunche told me he might be able to delay the circulation of the petition for a day or two, but a draft response should be agreed upon in the course of today.

If necessary, we might have a meeting late this afternoon to revise this draft. It should be examined from the standpoint of facts, promises, and public relations effects.

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<sup>1</sup> Addressed to the Deputy Director of the Office of UN Political and Security Affairs (Popper), the Officer in Charge, International Security Affairs (Bechhoefer), the Special Assistant to the Secretary of State for Atomic Energy Affairs (Arneson), the UN Adviser, Bureau of Far Eastern Affairs (Bacon), Herbert A. Fierst, Special Assistant to the Assistant Secretary of State for UN Affairs (Key), and William L. Yeomans, Office of Territories, Department of the Interior.

<sup>2</sup> Not printed; see telegram 543, to New York, May 6, *infra*.

711.5611/5-654 : Telegram

*The Secretary of State to the Mission at the United Nations*<sup>1</sup>

OFFICIAL USE ONLY      PRIORITY      WASHINGTON, May 6, 1954—6:48 p. m.

543. Re: Marshallese Petition (urtel 694).<sup>2</sup> If you perceive no objection, it is suggested that USUN issue a statement simultaneously with the release of the petition, based on the following text which has been drafted and approved by AEC and the Depts of Defense, Interior and State:

The United States Government greatly regrets the effects which the recent thermonuclear tests in the Pacific Proving Grounds appear to have had on certain of the inhabitants of the Marshall Islands, as described in the petition to the United Nations. That any of the inhabitants of the Trust Territory of the Pacific Islands should have suffered in the slightest from the effects of these tests is a matter of concern to the American people and Government. I can assure them, as well as the Members of the United Nations, that the authorities in charge are doing everything possible to prevent any recurrence. Specifically, the 236 inhabitants who, because of a windshift, were within the area affected by a fall-out, remain under observation and any of them who may need it will receive the best medical attention. They and the American personnel of the group taking part in the test who were also exposed to the fall-out from the March 1st test were immediately provided with identical medical treatment. As soon as it was apparent that these people were exposed to fall-out, they were evacuated to the U.S. Naval Station at Kwajalein, where care was immediately provided by the U.S. Navy. In addition, a team composed of medical experts from the Atomic Energy Commission, U.S. Navy and Army, was promptly formed and sent to the area, to assure that all available medical attention and care for the personal well-being of these people were provided. The services of the American Red Cross office at Kwajalein were supplied in furthering the comfort of all. I am informed that there is no medical reason to expect any permanent after-effects on their general health, due to the fall-out.

While it is impossible at this time to assure the petitioners that their first request will be met, namely, that "all experiments with lethal weapons within this area be immediately ceased," I can say that, as the petitioners rightly imply, the United States would not be conducting such tests if it had not been determined, after very careful study, that they were required in the interests of general peace and security.

The selection of testing sites in this particular area was made after careful examination of the alternative possibilities and in an effort to insure that the tests were carried out with least possible danger.

The United States Government considers the requests and the sug-

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<sup>1</sup> Drafted by the Director of the Office of Dependent Area Affairs (Gerig), assisted by UND staff officer Strong; cleared in draft with other offices of the Bureau of UN Affairs, the Bureau of Far Eastern Affairs, the Special Assistant for Atomic Energy Matters, the Operations Coordinator, the Atomic Energy Commission, the Department of the Interior, and the Department of Defense.

<sup>2</sup> In telegram 694, May 5, 7 p. m., the U.S. Representative at the United Nations (Lodge) advised the Department of State: "At my request Bunche is holding release petition [re Trust Territory of Pacific Islands] to press and public until Monday, May 10." (799.021/5-554).



gestions of the petitioners eminently reasonable and valuable. The restraint and moderation with which they have been put forward cannot but elicit the admiration and sympathy of all concerned.

As suggested, the United States Government is taking and will continue to take "all possible precautionary measures . . . before such weapons are exploded". It also agrees that "all people in the area be instructed in safety measures." Further, it is reasonable and right, as the petitioners suggest, that any Marshallese citizens who are removed as a result of test activities, will be re-established in their original habitat in such a way that no financial loss would be involved to those so moved; also, that instruction be given to Marshallese medical practitioners and health aides which will be useful in detecting dangers and avoiding harm.

The United States Government, and the officers immediately concerned with the administration of the territory, greatly appreciate the words of commendation of the petitioners with respect to the way the territory is being administered.

The welfare of the inhabitants has been the constant concern of the Government, and particularly of the High Commissioner, who will continue to spare no effort necessary to give effect to the trusteeship agreement.

DULLES

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ODA files, lot 62 D 225, "Trust Territory of Pacific"

*The United States Representative at the United Nations (Lodge) to the Assistant Secretary of State for United Nations Affairs (Key)*

SECRET

NEW YORK, May 6, 1954.

DEAR DAVE: The petition from the Marshall Islands inhabitants has raised three questions in my mind which the Department of State and Department of Interior may wish to consider among others:

1. Is there any support for Ralph Bunche's impression, which we reported to the Department, that this Petition was too perfect to have originated with the Islanders themselves without outside inspiration?

2. Why should the first reaction of the Islanders be to petition the United Nations rather than the President of the United States? Does this reflect outside inspiration? Does it reflect a complete lack of confidence in the U.S. Government as represented by its agents in the Islands?

3. How could such a Petition be signed by 111 residents of the Islands and be dispatched to New York without some advance information on it having been uncovered by the Commissioner's staff? Does the situation indicate some inadequacy in our organization in the Islands? If so, what steps are being taken to correct the situation? <sup>1</sup>

Sincerely yours,

HENRY CABOT LODGE, JR.

<sup>1</sup> In a letter of May 10, 1954 the Director of the Office of Dependent Area Affairs (Gerig) transmitted a copy of this letter to William C. Strand, Director, Office of Territories, Department of the Interior, saying "I presume you and the High Commissioner will wish to consider these questions and I would appreciate your giving us any information on them which we might pass on to Ambassador Lodge." (ODA files, lot 62 D 225, "Trust Territory of Pacific Islands")

320.14/5-754

*The Assistant Secretary of State for United Nations Affairs (Key) to the Chairman, United States Atomic Energy Commission (Strauss)*

CONFIDENTIAL

[WASHINGTON,] May 7, 1954.

DEAR MR. STRAUSS: I wish to call your attention to the fact that certain questions concerning the effects of the recent thermonuclear weapons tests conducted at the Pacific Proving Grounds in the Trust Territory of the Pacific Islands may be raised in the United Nations Trusteeship Council in July when it examines the administration of the Trust Territory. Normally the proceedings of the Council do not attract much publicity. It is probable, however, that the U.S.S.R., and possibly one or two other Members of the Council, such as India and Syria, will criticize the United States for testing such destructive weapons in a trust territory, in which event the press might give the matter considerable attention.

The Trusteeship Council, which is composed of twelve members (Australia, Belgium, China, El Salvador, France, Haiti, India, New Zealand, Syria, United Kingdom, United States, and the USSR) conducts a detailed study annually of developments in each trust territory. This annual examination is a feature of the International Trusteeship System established by Chapters XII and XIII of the United Nations Charter. It was under the provisions of these Chapters and more specifically the terms of the Trusteeship Agreement approved by the Security Council on April 2, 1947 and by the President on July 18, 1947, that the United States undertook the administration of the Trust Territory.

The Trust Territory of the Pacific Islands differs from other trust territories in that it has been designated a strategic area. According to Article 83(1) of the Charter, the Security Council is to exercise all functions of the United Nations relating to such areas. However, the Security Council has, pursuant to section 3 of that Article, availed itself of the assistance of the Trusteeship Council in performing those functions of the United Nations under the Trusteeship System relating to political, economic, social, and educational matters in strategic areas. Thus, the Trusteeship Council has a legitimate interest in the effects of the recent tests on the manner in which the United States is carrying out its international obligations with respect to the welfare of the inhabitants of the Territory.

Under these circumstances it is desirable to anticipate as far as possible questions that may arise at the Fourteenth Session of the Trusteeship Council, which convenes on June 2, and to collect and prepare material for use in answering and forestalling such questions. In this way the United States Representative will be better prepared to

allay the possible concern of any members of the Trusteeship Council and to minimize the propaganda advantages which the U.S.S.R. may seek to derive from this situation.

There is attached a list of questions suggestive of the type that may be asked by Trusteeship Council members. The answers to come of these questions can be found in your statement of March 31. I will be grateful for any additional information or suggestions which might assist the Department of State in its preparations for the Fourteenth Session of the Trusteeship Council. Mr. Benjamin Gerig, Director of the Office of Dependent Area Affairs in the Department is in charge of these preparations, and will be glad to discuss the matter further with your office.

Sincerely yours,

DAVID MCK. KEY

[Enclosure]

#### LIST OF POSSIBLE QUESTIONS

Those questions marked by asterisks are wholly or partially answered by materials available in the files of the Department and in the statements made by Admiral Strauss and Ambassador Allison.

1. Why were areas within the Trust Territory chosen for testing purposes? \*<sup>1</sup>

2. Does the Administering Authority feel satisfied that there will be no long-run effects on the inhabitants, either physical or psychological, from these enormously destructive devices?

3. Movement of people\*

(a) Were any inhabited areas in the estimated danger zone? If so, what provision was made for the evacuation of the inhabitants? Will any such evacuation be temporary or permanent? In either case, what arrangements have been made for the welfare of the evacuees?

(b) Did the actual danger area of any of the tests extend to any inhabited area not within the estimated danger area? If so, was it necessary to evacuate any of them, temporarily or permanently? What arrangements were made for the welfare of any such evacuees?

4. Damage\*

(a) How much land was destroyed?

(b) How much land was in any way damaged? What was the extent and kind of damage?

(c) What was the extent of sea area, including lagoons and surrounding open sea, contaminated or otherwise affected? What were the effects? How lasting are they? Will any areas require decontamination? Is there any way of doing this?

(d) How many persons were injured? How many were indigenous inhabitants? What steps were taken to treat and otherwise assist them? What is their present condition?

<sup>1</sup> Asterisks in this document are in the source text.

## 5. Compensation

(a) Was the land area which was destroyed or rendered useless of any agricultural or economic value and, if so, does the Administering Authority plan to compensate the owners or users? \* How?

(b) If there was damage to any property outside the test area, are there any plans to compensate the owners or users? How?

(c) To the extent that marine life (an important source of food) was contaminated, has any compensation or assistance to the inhabitants affected been undertaken or planned?

(d) Was any compensation made for injuries sustained by indigenous inhabitants?

6. What kind of advance notification was given? Was it adequate to warn all shipping and aircraft which might enter the area?

7. Is the Administering Authority contemplating further H-bomb experimentation in this area, and, if so, what steps are contemplated to provide adequate safeguards for inhabitants or other persons who might be affected by "fall out" radioactive material at an even greater distance than before?

It is possible that questions concerning the international obligations of the United States may also be asked. The Department of State is preparing answers to questions of this type, of which the following are examples.

1. Is not the testing of such destructive devices incompatible with the obligations of the United States under the Trusteeship Agreement and the Charter?

2. In view of the fact that the Administering Authority is not sovereign in the Trust Territory, by what legal right may the Administering Authority destroy portions of such territory?

3. Does the Administering Authority feel that it is justified in experimenting in the Trust Territory with weapons which it cannot control with any certainty?

4. What authority does the United States have for closing large areas of the ocean for these tests?

5. Did any notification include the UN? Was any kind of UN approval deemed necessary, sought, or obtained? Presuming there is a right to close large danger areas of this kind, does this right include the right to contaminate international waters and marine life? \*

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum by the Director of the Office of Dependent Area Affairs  
(Gerig)*

OFFICIAL USE ONLY

WASHINGTON, May 10, 1954.

DRAFT FOR SECRETARY'S PRESS CONFERENCE, TUESDAY, MAY 11

Subject: Marshall Islanders Petition.

The Department has been informed, confidentially from the United Nations Secretariat, that a petition has been received by the United

Nations signed by 111 Marshall Islanders, who have complained regarding the explosion of H-bombs within their territory and have alleged that a number of their people were affected. They urge that these experiments be stopped or, if this is not possible, that certain safeguards be provided. The petition is in restrained and sympathetic terms, but will doubtless create considerable reaction when it is circulated to the United Nations Members, possibly day after tomorrow, May 12.

It is recommended that if a reporter should have obtained knowledge of the existence of this petition before tomorrow and raises a question, you might wish to reply along the following lines:

The Department has no official knowledge of any such petition but if such a petition has been received and when it is brought to the attention of this Government, we will naturally give it serious consideration.

For your information, the Department is preparing a statement in sympathetic terms to be made by Ambassador Lodge when the petition is released to the United Nations Members. It has been drafted in cooperation with the Atomic Energy Commission and the Departments of Defense and Interior.

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*Press Release No. 1917 Issued by the Mission at the United Nations,  
May 14, 1954<sup>1</sup>*

STATEMENT BY AMBASSADOR HENRY CABOT LODGE, JR., REPRESENTATIVE  
OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, CON-  
CERNING THE MARSHALLESE PETITION ON THERMONUCLEAR TESTS IN  
THE PACIFIC TRUST TERRITORY

The United States Government is very sorry indeed that some inhabitants of the Marshall Islands apparently have suffered ill effects from the recent thermonuclear tests in the Pacific proving grounds, as described in the petition to the United Nations. This is a matter of real and deep concern to the American people and government, who take very seriously our responsibilities toward the inhabitants of the trust territory of the Pacific Islands.

I can assure them, as well as the members of the United Nations, that the authorities in charge are doing everything humanly possible to take care of everyone who was in the area affected by the unexpected falling of radioactive materials caused by a shift in the wind during the March 1 test.

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<sup>1</sup>This statement was based on a substantial revision of the Department of State draft, the revision being transmitted by Lodge in telegram 706, May 7, 1954, 7:07 p. m., file 799.021/5-754, and approved by the Department in telegram 549, May 10, 1954, 6:57 p. m., file 799.021/5-754, neither printed.

The 236 Marshallese citizens in the affected area were immediately given the same medical examination as the American personnel of the test group who were similarly exposed. They were promptly evacuated to the United States Naval Station at Kwajalein, where their needs were immediately provided for by the United States Navy. In addition, a team of medical experts from the Atomic Energy Commission, United States Navy and Army, was promptly formed and sent to Kwajalein—and the services of the American Red Cross office at Kwajalein were enlisted—to assure any necessary medical attention and care for the personal well-being of all concerned. They are remaining under close observation and any of them who may need it will continue to receive the best medical attention.

I am informed that there is no medical reason to expect any permanent after-effects on their general health, due to the falling of radioactive materials.

The United States Government considers the request and the suggestions of the petitioners both reasonable and helpful. The restraint and moderation with which they have been presented evokes admiration and sympathy.

Regarding the petitioners' request, that "all experiments with lethal weapons within this area be immediately ceased," attention is called to the United States Government's announcement of May 13 that "the 1954 series of tests . . . have been completed," and that "within a few days sea and air traffic may be safely resumed within the 'warning area' which was set up for safety purposes for the time when the tests were taking place. Official notice to mariners and airmen will be published."

As the petitioners rightly imply, the United States would not have been conducting such tests if it had not been determined after very careful study that they were required in the interests of general peace and security. The selection of test sites in this particular area was made only after very careful examination of the alternative possibilities, and in an effort to insure that the tests were carried out with least possible danger. It will be recalled that, pursuant to the provisions of the trusteeship agreement which designate the trust territory as a strategic area, the United States notified the United Nations on April 2, 1953 that the area of the Pacific proving grounds was being closed for security reasons in order to conduct necessary atomic experiments.

Let me also assure all the inhabitants of the Pacific trust territory, and the members of the United Nations, that the United States authorities are doing everything possible to prevent any recurrence of possible danger. United States Government is taking and will continue to take "all possible precautionary measures. . . . before such weapons are exploded," as suggested by the Marshallese citizens. We also agree that "all people in the area be instructed in safety measures," and that

instructions be given to Marshallese medical practitioners and health aides which will be useful in detecting danger and avoiding harm.

Further, it is reasonable and right, as the petitioners suggest, that any Marshallese citizens who are removed as a result of test activities, will be re-established in their original habitat in such a way that no financial loss would be involved.

The United States Government, and the officials immediately concerned with the administration of the territory, greatly appreciate the words of commendation of the petitioners with respect to the way the territory is being administered.

The welfare of the inhabitants has been the constant concern of the United States Government, and particularly of the High Commissioner, who will continue to spare no effort necessary to give effect to the Trusteeship Agreement.

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum of Conversation, by Robert R. Robbins, of the United States Delegation to the Trusteeship Council*<sup>1</sup>

OFFICIAL USE ONLY

NEW YORK, June 8, 1954.

Subject: Marshall Islanders' Petition

Participants: Sir Alan Burns—United Kingdom Delegation  
Mr. B. O. B. Gidden—United Kingdom Delegation  
Mr. Robert Robbins—USUN/UND  
Mr. Curtis C. Strong—USUN/UND

Before the opening of the Trusteeship Council today, Sir Alan Burns and Mr. Gidden approached us to inquire how the United States Delegation planned to handle the petition from the Marshall Islanders. In particular, they wanted to know if and at what time we would submit written observations on this petition. They also inquired as to whether we expected to handle the petition in any special way. They went on to say that the reason for this inquiry was due to the fact that they would be required to obtain instructions from London and they would need to transmit our written observations to London in this connection.

They were assured that we expected to submit written observations on the petition and that these were now under preparation in Washington. We went on to say that the observations would be similar to the statement already made by Ambassador Lodge, and that we expected that, in addition to the United States' written observations, the Special

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<sup>1</sup> Messrs. Robbins and Strong were advisers to the U.S. Representative on the Trusteeship Council, Mason Sears.

Representative would be prepared to present further data.<sup>2</sup> We also stated that we expected the petition would be handled in the usual way, (i.e. through the Petitions Committee). Sir Alan and Mr. Gidden were glad to have assurances from us that there would be a sufficient interval between the receipt of the United States written observations and the consideration of the petition to enable them to send it to London and receive instructions on it.

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<sup>2</sup> The High Commissioner of the Trust Territory, Frank E. Midkiff, was to appear before the Trusteeship Council as an U.S. Special Representative in connection with the presentation by the United States of its annual report on the Trust Territory of the Pacific Islands to the Trusteeship Council.

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ODA files, lot 60 D 257, "TTPI—Nuclear Testing—1954"

*The General Manager, Atomic Energy Commission (Nichols) to the Assistant Secretary of State for United Nations Affairs (Key)*

WASHINGTON, June 9, 1954.

DEAR MR. KEY: The Atomic Energy Commission agrees that the United States representative on the United Nations Trusteeship Council should be well informed on tests in the Marshall Islands and their effects on the Trust Territory and its inhabitants. The Commission has undertaken to answer the questions posed in your letter of May 7, 1954.

It should be noted that in developing the answers, discussions have taken place between members of the Department of State, Department of the Interior, and the Atomic Energy Commission. The information contained in the attached answers also is unclassified and, therefore, can be utilized without security restrictions.

It is hoped that this information will prove helpful in allaying any possible concern of Trusteeship Council members and in minimizing any propaganda advantage of unfriendly nations. The Commission will be glad to furnish any further assistance you may wish.<sup>1</sup>

Sincerely yours,

K. D. NICHOLS

[Enclosure]

ANSWERS TO STATE DEPARTMENT "LIST OF POSSIBLE QUESTIONS"  
SUBMITTED BY ATOMIC ENERGY COMMISSION

The following answers are in the same general order as the questions submitted.

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<sup>1</sup> On June 17, 1954 a copy of this letter with enclosure was forwarded by the Director, Office of Dependent Area Affairs (Gerig) to William C. Strand, Director, Office of Territories, Department of the Interior, with the suggestion that it be transmitted to the High Commissioner of the Trust Territory (Midkiff), and inviting comments from both Strand and Midkiff. (ODA files, lot 62 D 225, "Trust Territory of Pacific Islands")



1. The area of the Trust Territory was chosen for testing purposes because of its remoteness from populated centers and from established air routes and sea lanes. Another consideration was to obtain climatic conditions which present few obstacles to operations which are rendered quite difficult even under optimum conditions.

2. It is expected that there will be no deleterious, long-run effects on the physical well-being of the native inhabitants. This is based on the best medical estimates of external radiation doses as well as on the body burden of the ingested and/or inhaled fission products. Should a technical discussion develop on this subject the Atomic Energy Commission will be pleased to make available a person competent to answer such questions as may arise.

It is, of course, difficult to evaluate precisely the psychological impact of an incident of this kind. The Atomic Energy Commission has observed, however, that

(a) the evacuees were very satisfied with their treatment and living conditions at Kwajalein and with the announced plans to restock their islands;

(b) possibly the greatest concern to the natives in their minds is the uncertainty of the time of return of some of them to their home islands. Reassurances of their return and the time thereof have been made and will continue to be given.

3. The danger area as established before the start of Castle and as extended after the first shot of the series included no inhabited areas aside from the Atolls of Eniwetok and Bikini which were occupied solely by American Test Personnel. However, outside of the established danger area, the Atolls of Rongelap and Utirik, inhabited by Marshallese, and Rongerik, temporarily occupied by American Weather Personnel, were contaminated by radioactive fall-out because of an unexpected shift in wind conditions. As a result, the Commander, Joint Task Force Seven, ordered these Marshallese and United States Weather Personnel evacuated temporarily to Kwajalein Atoll, where they were given a thorough medical examination including blood counts. They have been kept under constant surveillance by an Atomic Energy Commission-Department of Defense team of medical experts. In addition to receiving the best of medical care, the people were well provided for in terms of food, clothing, shelter, and recreation. Sixty-four Marshallese were evacuated from Rongelap, eighteen from Ailinginae, and one hundred and fifty four from Utirik. The radiation level to which the Utirik inhabitants were exposed did not demand that they be removed but they were transported as a precautionary measure. About 40 persons from Rongelap showed beta radiation burns principally on their scalps and necks. Nearly all of these burns have healed leaving no permanent marks. Some 3 of these same persons also suffered loss of hair in patches on the scalp. It is expected that there will

be regrowth of normal hair in these areas. It should be noted that the people who were on Ailinginae were residents of Rongelap but were engaged at the time of fallout in harvesting food. The 28 American Weather Personnel were evacuated at the same time in the same manner. The period of close medical observation having been completed, the inhabitants of Utirik have now been moved to their original homes and established under living conditions equivalent to or better than those which obtained at the time of evacuation. The people from Rongelap are being provided with improved homes on Majuro Atoll fabricated from plywood with aluminum roofs. This type of construction will enable them more efficiently to collect rain water which will enhance their subsistence. These new dwellings on Majuro Atoll are being built on a temporary basis and they will be removed from Majuro with the natives when they are re-established in their original home-site on Rongelap in approximately six months to one year. At that time they will be furnished livestock, provisions, and impediments [*implements*] which will establish living conditions at least equivalent to those which obtained immediately prior to the initial evacuation.

4. There was no land destroyed or damaged outside the Pacific Proving Grounds (Eniwetok and Bikini Atolls). With respect to other atolls the fallout that occurred did not damage the land in the sense that it could not be reinhabited or could not be used for agricultural pursuits. Except for possibly the uninhabited northern islands of Rongelap Atoll, all of the islands could be re-entered safely in the near future by personnel who had not previously experienced significant radiation exposures. Since the indigenous inhabitants have already received some radiation exposure, it has been deemed wise not to allow them to return until the activity has decayed to an insignificant level. The amount of activity in the soil does not constitute a hazard to the growth and edibility of plant life. The amount of activity in Bikini and Eniwetok lagoons would make it unwise to eat fish at this time from these areas without monitoring them first. The information presently available indicates that the fish in all the lagoons, except Bikini and Eniwetok, and in the open sea are suitable for consumption at this time, as the activity is so small that no deleterious effects may be expected to the fish themselves nor will the edibility of the fish be impaired. It is pertinent to note that the fish which normally inhabit the lagoons are not of the migratory species and that those migratory fish which enter the lagoons are not apt to become radioactive during the short period in which they remain in the lagoons. No sea areas need decontamination. The radioactivity on practically all of the islands will be at a very low level in a few months.

5. As pertains to compensation for injuries and loss of income suffered by the natives, personnel of the Atomic Energy Commission and the Department of Defense are now investigating means for settling

any claims which may arise. As of this date no claims have been registered by native personnel. In connection with Bikini and Eniwetok Atolls steps are being taken by the Department of the Interior and the Navy Department to settle claims in favor of the former inhabitants of those atolls for the use of their lands.

6. Prior to the Castle test series the United States established a danger area around the Pacific Proving Grounds. The area was bounded by the meridians  $160^{\circ}35'$ – $166^{\circ}16'$  East Longitude and the parallels  $10^{\circ}15'$ – $12^{\circ}45'$  North Latitude. Formal notices were published warning vessels and aircraft to avoid the area designated above. This information was disseminated through all practicably available channels such as Notice to Mariners, Notice to Airmen, daily memoranda from the various Hydrographic Branch Offices Pacific, and scheduled radio broadcasts by Hydrographic Office Pacific. After the experience of the first shot of Castle, the danger area was extended to include the above area plus a sector from  $240^{\circ}$  clockwise to  $095^{\circ}$  out to a distance of 450 miles from a point  $12^{\circ}$  North  $164^{\circ}$  East. This new enlarged danger area was made known prior to continuation of the test series through the channels noted above and in addition special notification was given to the Japanese Government through our State Department and our Far East Command.

In addition to the above warnings, the Commander, Joint Task Force Seven, maintained an active sea and air patrol of the area at all times. During periods immediately prior to shot times these patrols were intensified and extended. Areas of predicted fallout were searched from ground zero over a sector extending 600 miles out and 120 miles in width. The Atomic Energy Commission considers the above measures were adequate. If during these patrols and survey periods the Task Force had noted any personnel within the danger area it would have taken measures to warn such personnel to leave the area and the shot would have been deferred until they had moved to a safe location. The danger area was abolished on May 21, 1954 and the only areas from which transient aircraft and shipping are now precluded are the closed areas of Bikini and Eniwetok Atolls and the water areas of their lagoons within three miles to the seaward side of the peripheries of the land areas of these atolls.

7. At future tests the Atomic Energy Commission will exercise all caution possible to avoid injury to personnel or damage to property. Based on knowledge gained in past experiments, the Commission feels that it can assure that future tests can be conducted without any untoward incidents.

ODA files, lot 62 D 225, "Trust Territory of the Pacific Islands"

*Memorandum by Bernard Fensterwald, Office of the Assistant Legal Adviser for United Nations Affairs, to Dwight M. Cramer of the Office of Dependent Area Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] June 10, 1954.

Subject: Thermonuclear tests in Trust Territory of the Pacific Islands

You have requested the views of this Office on a number of questions that arise out of recent United States thermonuclear tests in the Pacific and that may be asked of the United States Representative on the United Nations Trusteeship Council at the forthcoming meeting of the Council in July.

*Question 1.* Is not the testing of such destructive devices incompatible with the obligations of the United States under the Trusteeship Agreement and the Charter?

*Answer.* The testing of such devices is not incompatible with the obligations of the United States under the Trusteeship Agreement and the Charter. On the contrary, it is entirely compatible.

Article 5 of the Trusteeship Agreement provides that "the administering authority shall ensure that the trust territory shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the administering authority shall be entitled: . . . (3) to make use of volunteer forces, facilities and assistance from the trust territory in carrying out the obligations toward the Security Council undertaken in this regard by the administering authority, as well as for the local defense and the maintenance of law and order within the trust territory." This provision reproduces almost verbatim the duties of administering authorities which are specified in Article 84 of the Charter.

In all honesty and candor it can be stated that the tests have been undertaken by the United States as an integral part of its over-all program to strengthen itself to play a leading role in the maintenance of international peace and security. This role of the United States is an actual one, as typified by our enormous contributions in manpower and material to the collective United Nations action to repel aggression in Korea. We have been using certain facilities and assistance of the Trust Territory to strengthen our ability to carry out our obligations. We are specifically entitled to use such facilities and assistance

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<sup>1</sup> On June 17, 1954 a copy of this memorandum was forwarded by the Director, Office of the Dependent Area Affairs (Gerig) to William C. Strand, Director, Office of Territories, Department of the Interior, with the suggestion that it be transmitted to the High Commissioner of the Trust Territory (Midkiff), and inviting comments from both Strand and Midkiff. (ODA files, lot 62 D 225, "Trust Territory of Pacific Islands")

under Article 84 of the Charter and Article 5 of the Trusteeship Agreement.

*Question 2.* In view of the fact that the Administering Authority is not sovereign in the Trust Territory, by what legal right may the Administering Authority destroy portions of such territory?

*Answer.* The abstract problem of the possessor of the "sovereignty" of the territory has little or no bearing upon the question of the legal right of the governing authority to use public property for public purposes. This right depends not on sovereignty but on the authority to govern. For example, let us assume for purposes of argument that the administering authority of a trust territory under the United Nations possesses no "sovereign rights" over the territory. This notwithstanding, there is little doubt that the governing authority has the right to build a dam and hydroelectric plant and to "destroy" real property by flooding it. If this property is private property, the governing authority can legally acquire it by exercising its right of eminent domain . . . a right which is common to governments everywhere.

In the instant case the United States has used several small parts of atolls for public purposes. Whether or not such use resulted in the destruction of the property is irrelevant as long as the property was legally acquired and used for public purposes. It is suggested that UND make an accurate determination of the ownership prior to the tests of the land actually destroyed and that rendered uninhabitable, in order to relate to the Council what parts were public domain or under private or feudal ownership. In addition, all facts relating to compensation should be marshalled; these facts should include the manner in which partial compensation has been provided by the furnishing of new homes, supplies, etc.

*Question 3.* Does the Administering Authority feel that it is justified in experimenting in the Trust Territory with weapons which it cannot control with any certainty?

*Answer.* It is believed that this is primarily not a legal question. The question seems to be based on some assumptions which may be questionable.

*Question 4.* What authority does the United States have for closing large areas of the ocean for these tests?

*Answer.* The United States does not claim the right to close off areas of the high seas. However, there has been a long-standing practice by naval powers, which has been generally acquiesced in by other nations, of using areas of the high seas for military maneuvers and tests, provided suitable warnings are given to vessels of other states for the duration of the maneuvers or tests.

Use of the term "closed area" should be avoided except when referring to the islands, atolls and their territorial waters. The high

seas areas were "danger areas" or "warning areas" from which ships or planes were warned away.

The permissibility of this practice in a particular instance depends, *inter alia*, upon the reasonableness of the location and size of the area closed, the period of time involved, and the effectiveness of the warnings given to vessels and aircraft using the area.

The reasonableness of the location and size of the area will naturally depend upon the type of maneuver or test being carried out. It is general practice to hold such maneuvers and tests in locations designed to create a minimum amount of interference with navigation and fishing. As modern warfare develops more destructive weapons, the test areas, of necessity, increase in size. The size of our test areas in the recent thermonuclear experiments were, if anything, too small rather than too large.

The reasonableness of the length of time of closure of the area will also depend upon the type of maneuver or test being carried out. In the case of a series of thermonuclear tests the period may be an extended one because, due to weather and other factors, the date of each explosion often must be delayed in order to provide the maximum safety both within and without the test area. In addition, the area may not be safe for a period after each explosion. The rule should probably be that warnings in regard to test areas on the high seas should not be for periods longer than are reasonably necessary for safety precautions.

Warnings given by the United States have been extensive. In addition to circular diplomatic notes communicated well in advance and broad public notice given through the press and other media, United States ships and planes have given warnings to all ships or planes of other states found in or near the affected areas, particularly at times when tests were imminent. Strenuous attempts have been made to keep the areas free of ships or planes whose safety might be endangered by entry.

It can be concluded that our designation of danger areas has been in accordance with international practice and the exigencies of thermonuclear experimentation.

*Question 5(a).* Did any notification include the United Nations?

*Answer.* A search of the files of DC/R by a member of L/UNA revealed no such notification in the pre-1950 tests. However, notification may have been made to the Trusteeship Council. We have no information concerning post-1950 tests.

*Question 5(b).* Was any kind of United Nations approval deemed necessary, sought, or obtained?

*Answer.* There is nothing in the United Nations Charter or the Trusteeship Agreement which would require approval by any United Nations organ. No approval was sought or obtained. As to the use of

the islands and their territorial waters, Article 1 of the Agreement designates the whole of the trust territory as a "strategic area"; and Article 13, which provides that the provisions of Articles 87 and 88 of the Charter shall be applicable, states that the administering authority "may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons." (Underscoring added)

*Question 5(c).* Presuming there is a right to close large danger areas of this kind, does this right include the right to contaminate international waters and marine life?

*Answer.* *No categorical answer to this question should be made.* It is suggested that any U.S. spokesman confine himself to the following three points:

1. The high seas and the marine life are common property of all states and no one state has the right to contaminate them indiscriminately with impunity. However, regarding the theoretical legal question of state liability for contamination of the high seas, it should be pointed out that this is a field of the law which has never been developed or explored to any great degree. In particular, there are very few, if any, real analogies to contamination resulting from thermonuclear experimentation. International lawyers will have to give careful study to the problems involved before any firm conclusions can be reached.

2. From a factual standpoint very little is known as to the extent of contamination caused by thermonuclear tests. We know very little about the immediate effects upon marine life, the length of time that harmful characteristics may last, etc. Studies of these aspects are being undertaken and will have to be completed before it will be possible to reach any firm conclusions concerning liability.

3. In the meantime, all claims will be given sympathetic and speedy attention, and the United States will make compensation for damages resulting from thermonuclear tests where the facts warrant it.

It is requested that all position papers, draft speeches, etc. on this subject be sent to L for comment and clearance. It is also suggested that someone from L be sent to New York to advise our delegate on the Trusteeship Council on these matters when they are under active discussion.

ODA files, lot 62 D 225, "TTPI—Nuclear Tests Marshallse Petition"

*Memorandum of Conversation, by the United States Representative  
on the Trusteeship Council (Sears)*

OFFICIAL USE ONLY

NEW YORK, June 10, 1954.

Subject: Marshall Islanders Petition

Participants: Mr. Mikhail Mikhailovich Sumskoi, Second Secretary,  
USSR Del.

Mr. Mason Sears, US Representative, Trusteeship  
Council

In the course of a friendly talk at the apartment of Ambassador Guidotti (Italian Observer at UN) last night with Mr. Sumskoi of the Soviet Delegation, the latter raised the question of the Marshall Islanders Petition and asked how we intended to handle it. I assured him that we were prepared to handle it to suit the convenience of the Council. Mr. Sumskoi gave me reason to believe that the Soviets planned to give a good deal of attention to the petition. He has been sitting for the USSR on the Petitions Committee and seemed interested in knowing whether we expected the petition to be considered, in the first instance, by that Committee.

In the course of our conversation I had occasion to say that there had been a number of atomic explosions in the USSR and that I wondered what had happened there. Mr. Sumskoi's reply was, "but that was not in a trust territory".

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711.5611/6-1154

*The United States Representative at the United Nations (Lodge)  
to the Secretary of State*

CONFIDENTIAL      PRIORITY      NEW YORK, June 11, 1954—1 p. m.

820. Re Marshallse petition. USUN has received copy second AP story on effect H-bomb Marshall Islanders, which quotes Dwight Heine, as spokesman and as one of authors of petition, as regretting failure US to put Marshall Islander on TCDel this year when presence NY particularly important. While USUN appreciates reasons for decision on composition TCDel this year, AP story written in way which will evoke public sympathy with Heine's position. *New York Times* story criticizing US on this point killed temporarily.

Under these circumstances USUN and TCDel strongly urge that Department's concerned reconsider inclusion Marshall Islander on del. Suggest that competent person from among signers of petition, such as Heine, be added to delegation with understanding that when peti-



tion considered he would be released from delegation to speak for petitioners.

Recognize that no request for oral hearing yet made but this could be precipitated.

In view absence budgetary provisions for indigenous member TCDel this year, suggest AEC financing be requested if funds not otherwise available.<sup>1</sup>

LODGE

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<sup>1</sup> Dwight Heine, Marshallese petitioner, was subsequently appointed to the U.S. Delegation.

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*The Director, Office of Territories, Department of the Interior  
(Strand) to the Director of the Office of Dependent Area Affairs  
(Gerig)*

CONFIDENTIAL

WASHINGTON, June 24, 1954.

DEAR MR. GERIG: In reply to your classified letter of May 10, 1954,<sup>1</sup> to which was attached a copy of a letter from Ambassador Henry Cabot Lodge raising several questions with respect to the Marshallese petition to the United Nations, I am enclosing a copy of a classified letter received from High Commissioner Midkiff.

On page 2 of his letter the High Commissioner raises the question which logically comes to mind as a result of your inquiry as to whether the Department of State wishes to suggest a change in the present situation as regards the channeling of petitions. We shall be glad to receive any suggestions you may have on this question.

On page 3 of the attachment<sup>2</sup> to his letter, I believe the High Commissioner has made an erroneous reference to James Milne as the writer of the petition. The writer was apparently Dwight Heine as stated on page 2 of the letter itself and in a recently published newspaper story.

If we can provide any further information on this subject, we shall be glad to do so.

Sincerely yours,

WILLIAM C. STRAND

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<sup>1</sup> See footnote 1, p. 1487.

<sup>2</sup> Not printed. It was entitled "Report on a trip to Kwajalein and Ebeye to confer with officials and with the people of Rongelap, Uterik and Ebeye; and to Majuro, (Ulga and Ejit) to inspect and confer with the Marshallese petitioners (to UN) and with Trust Territory staff". (799.021/6-2554)

[Enclosure]

*The High Commissioner of the Trust Territory of the Pacific Islands  
(Midkiff) to the Director, Office of Territories, Department of the  
Interior (Strand)*<sup>a</sup>

CONFIDENTIAL EN PLANE MAJURO TO KWAJALEIN, May 21, 1954.  
PERSONAL

DEAR BILL: I have just completed conferences with the people of Rongelap, Ailinginae and Uterik. A factual report is attached.

I talked carefully with several persons down at Majuro to try to get a line on (1) why the petition was sent to the United Nations direct; (2) whether or not some member of our administration had helped draft the petition; and (3) whether the petition indicates a lack of confidence on the part of the Micronesians in the present U.S. administration.

1. I was informed that the Micronesians repeatedly have been told by visiting United Nations missions to feel free at all times to send petitions directly to the United Nations if they desire. Also, this accessibility—I was once told by members of a visiting mission—has been found necessary and wise in connection with certain of the old line trusteeships where colonialism has been a practice. Many petitions have gone directly to the United Nations via the visiting missions. However, these missions in the past have provided copies of the petitions for us for study prior to the time when they have been delivered to the Trusteeship Council. The Mission Secretary has given them to us in advance somewhat *sub rosa*.

The Majuro district officials had heard of efforts to secure names on a petition but the district administrator had thought that the petition would in due course be presented through channels. He was surprised to find that it already had gone forward. However, he felt that from previous instructions from U.N. visiting missions, it would be quite out of order for him to try to sidetrack or short circuit a petition from the people to the United Nations and, hence, he avoided following up to an extent that, in hindsight, he now feels to have been over liberal.

I think we have never had a suggestion from State about this subject of channeling petitions. I see from the letter of inquiry on the subject that this present petition and experience pretty well crystallized State's attitude. I suggest that it would be well to try to get a statement from State on the subject. We could run afoul of the United Nations

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<sup>a</sup> Under cover of a letter of June 25 the Director of the Office of Dependent Area Affairs (Gerig) transmitted a copy of this letter to the U.S. Representative on the Trusteeship Council (Sears) for the information of Ambassador Lodge (799.021/6-2554). The decimal file copy of the Gerig letter included only the attachment ("Report") and not the May 21 letter itself. No copy of the source text was attached to the Gerig letter.

on the issue, particularly if the next visiting Mission should have a member from an unfriendly country on it.

2. As to (2), whether or not a member of our American personnel helped Mr. Dwight Heine write the petition, I have his word that he wrote it unassisted except for the support and conference of the President of the Marshallese Congress. The latter speaks little English but is very fluent in Marshallese and is quite a flowery orator. Both he and Dwight Heine are brilliant and able. Heine has had two years at the University of Hawaii and besides has studied elsewhere in Honolulu and New Zealand. He is a hard worker, loves his people, is trying to serve them well.

I learned that there has been existing ever since March 1 a genuine fear of the bombs and their fall out, and of the possible loss of more land and islands. The Rongelap People when I first went there really were depressed about fears for their future health but even worse about fear that they would never get back to their home atoll. They knew of the experience of the Eniwetok People and the Bikini People. I am informed that the latter especially state that they had been assured by representatives of the AEC and Navy that they would soon be returned to their atoll. They are still on Kili and are rather unhappy about it. They value their home islands and land far more than we of America, with vast miles of unused areas, can appreciate.

While I was in Washington last, I received a pitiful letter from Amata Kabua, son of a high chief and land owner in the Marshalls, expressing great fear for the safety of his people and for the threat to the atolls. The young man is presently at Maunaole College in Hawaii. He asked me how he could get help to limit the tests, etc., and if it would be proper for him to write on behalf of his people to the President of the United States. I wrote a letter of reply to him telling him all will be well and to have no fear; I gave reasons in so far as possible. He replied thanking me and stated that he was sending my letter on to Majuro. However, my letter was received in Majuro after the petition to the United Nations had left there.

I saw the March 1 explosion. I was stopped from giving out information about it when I went on to Majuro. However, I did speak in generalities, told of the story that had appeared in *Newsweek* (article by the Chairman of the Joint-Congressional Committee on Atomic Energy), and tried to assure them they need not fear and that the experiments were for the safety of the Pacific and their islands. I learned of the "fall out" after I left Majuro on March 4 to go to Ponape via Kwajalein. I was told that for some weeks, when the people were losing their hair, were nauseated, had white, non-pigmented patches on their bodies, and when the AEC Medicos, without ability to let the people know why, came down and took blood samples from the people of Majuro—that fear was terrible amongst the Marshallese.

I can now report that they feel reassured as to their future health and personal safety and the security of their lands. (By the way, I wish we could get payments concluded from AEC and Navy for land before the end of this fiscal year, and before I go to U.N. That would be a big help to our prestige and a restoration of confidence.)

3. Now as to whether or not the Marshallese have lost confidence in the Administration, etc. There are many who look back upon the active Japanese occupation, when there was lots of work available, money in circulation, new and interesting recreation, etc. and to the Navy occupation and vast activities as contrasted with our cut-back programs, and feel that the great United States is neglecting the Trust Territory by comparison. We are trying and are succeeding in creating an understanding on this score.

I believe there was a reasoning amongst the Marshallese leaders that to get results on this AEC bomb testing program, it would be best for them to appeal to the U.N. quickly. My conversations do not cause me to question their cooperative attitude toward our administration or to doubt that they are aware of and appreciate the good faith and intentions of the United States.

I conclude that their direct appeal to the U.N. was due to their desire to do in what they regarded as a fearsome emergency, that which might get the best results most quickly. I know that they are happy to be under the United States and wish to help the administration of the Trust Territory in all practicable ways. I am sure there is no cause for worry as to their cooperative attitude.

If you have any further points or think certain other data might help Ambassador Lodge to understand the situation, I should be glad to hear from you about them.

Yours very truly,

FRANK E. MIDKIFF

ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memoranda of Two Conversations, by Robert R. Robbins of the  
United States Delegation to the Trusteeship Council*

OFFICIAL USE ONLY

NEW YORK, June 29, 1954.

Subject: Marshall Islanders' Petition

Participants: (1) Mr. B. O. B. Gidden, Counsellor, Colonial Affairs,  
UK Mission to the UN

Mr. Robert R. Robbins, USUN/UND

(2) Sir Alan C. Burns, UK Representative in the  
Trusteeship Council

Mr. Mason Sears, US Representative in the Trust-  
eeship Council

(1) Mr. Gidden called at USUN today to talk over at his request the question of the handling of the Marshall Islanders' petition. He said that his delegation wanted to be as helpful as possible to us both in the Petitions Committee, where the petition would first be considered, and in the Trusteeship Council. It was important to know in so far as possible what our approach would be in order that the United Kingdom would be in a position to know what we would or would not accept by way of a report from the Committee.

What Mr. Gidden wanted to know specifically was whether or not we would accept a report recommending that the United States give assurance that the atomic and hydrogen experiments would cease—he assumed that we would not.

I told Mr. Gidden that we would not give such assurances which were not insisted on even by the petitioners. However, as he knew from our statements to date we were prepared to deal with the matter in a completely frank manner and to satisfy the petitioners on all other points raised.

After discussing the United States case in general terms with Mr. Gidden, he said that there were a number of good points which he felt that it would be easier for them to make rather than us. For example, we had heard no outcry about the Americans who had been injured by the thermonuclear fall-out. He added, however, that there was strong public opinion in Britain on the matter, and they would be obliged to act cautiously.

He felt that it was important for some friendly member of the Petitions Committee to take the initiative and, as he saw it, it would have to be the UK, France or Belgium. He would be glad to take the initiative, if we wish it. He felt that India and Syria might line up with the Soviet Union against us, and that it was possible that we would come out of the Committee with no report at all on two diametrically opposed recommendations.

I told Mr. Gidden that we wouldn't have our cause of action clearly outlined until after the High Commissioner, Mr. Midkiff arrived. However, we would be pleased and grateful if the United Kingdom would take the lead in the Petitions Committee, and would keep him

informed of developments. He said that his delegation would be guided by instruction from London which could best be worked out by knowing what we wanted. He added that in this period of misapprehension on the part of the governments in a number of other fields, this was a matter on which we ought to be able to stand together.

I mentioned to Mr. Gidden that we hoped to have Mr. Dwight Heine, one of the signers of the petition as a member of our delegation. He said that he thought this was a good idea. He expressed the opinion that if Mr. Heine was to serve on our delegation, he should be designated as Assistant to the Special Representative or Assistant Special Representative and to speak and answer questions from the Council table. To turn him loose to be questioned as a petitioner would not only involve procedural difficulties, but might have unfortunate results.

(2) After talking with Sir Alan Burns this afternoon on the handling of the United States draft resolution on British Togoland and the Gold Coast we proceeded to discuss the Marshall Islanders' petition.

Sir Alan assured me of the full cooperation of the UK Delegation.

He assumed that we would probably get a 3-3 vote in the Petitions Committee, and that in the Council we might expect to get one or more abstentions from China, Haiti and El Salvador.

I told Sir Alan that as soon as we were in a position to do so, we would sit down and go over the whole matter with him.

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711.5611/6-2954 : Telegram

*The United States Representative at the United Nations (Lodge) to the Department of State*

OFFICIAL USE ONLY

NEW YORK, June 29, 1954—8 p. m.

892. Re Marshall Islands Petition. In handling the Marshallese petition, the following points are indicative of the general approach that Sears believes would be most effective.

First—obviously the blame for the miscalculation that endangered the Marshall Islanders lies entirely on the United States. It should never have happened.

Second—the Atomic Energy Commission has stated that “Based on knowledge gained in past experiments, the Commission feels that it can assure that future tests can be conducted without any untoward incidents”.

Third—the main facts in the case are as follows:

(a) 236 Marshall Islanders were endangered by the blast of these; 45 suffered some degree of burn. All of them have completely recovered. Two Atolls, Rongelap and Utirik, were affected by the blast. The larger one—Utirik—is back to normal and has been reoccupied. Rongelap will be reoccupied by its 82 inhabitants within a year.

(b) The Trusteeship Agreement of 1947 which covers the Marshall Islands was predicated upon the fact that the United Nations clearly

approved these islands as a strategic area in which atomic tests had already been held. Hence, from the very outset, it was clear that the right to close areas for security reasons anticipated closing them for atomic tests.

(c) Concerning the location of the Pacific proving grounds, the fact is that there is no other place to which the United States has access where these huge thermonuclear experiments can be conducted with less risk to human life. No one in his right mind would contend that the Soviets should be the only nation to conduct nuclear experiments. At issue, therefore, is not the right to conduct these experiments. The question is whether the United States authorities in charge have exercised due precaution in looking after the safety and welfare of the islanders involved.

The conducting of thermonuclear experiments is a most difficult task under any conditions. The March "fall-out" over Rongelap and Utirik was not the only radioactive "fall-out" on record. The Soviet authorities are well aware of this. Due to miscalculations on their part, an area in Japan was subjected to a "fall-out" emanating from Siberia on blank [*sic*]. Fortunately, it had no more effect upon the health of the Japanese concerned than in the case of the people of Utirik in the Marshalls. But it happened.

(e) We are glad to have on our delegation Mr. Heine, who is one of the signers of the petition. He is, in fact, one of the two men who did the actual drafting of the petition. Through him and on our own behalf we are anxious to cooperate in every way possible to see that this petition receives the kind of attention that it deserves. The issue is not to be minimized because all those affected have already recovered, or because fewer people than would live in one apartment house are involved. Neither is it a simple case of taking private property under the law of eminent domain. Rather, it is a moral question which is highlighted because it occurred in a trust territory and comes against a background of experiments so powerful that all thinking people are aghast at the possible consequences.

In view possibility complex technical questions may be raised, it would be most helpful if AEC adviser could be present when this item is considered. Consideration not expected before July 7, but will advise on timing.

LODGE

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711.5611/7-654 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

NEW YORK, July 6, 1954.

Received 11:36 p. m.

10. Reference Marshallese petition. US trusteeship delegation was today shown by UN Secretariat copy of draft resolution submitted by USSR on Marshallese petition and given informal translation of Russian text. Main points as follows:

Preamble declares H-bomb experiments in trust territory inconsistent with UN charter, especially Article 83(2), and with trusteeship agreement and US obligations under trusteeship system.

Operative paragraphs recommend that:

- (a) US stop tests in trust territory.
- (b) Provide full compensation to those affected by recent tests.
- (c) Restore full rights of inhabitants to all land used for tests.

Resolution will be circulated tomorrow morning as document TC/.2/L.101.

WADSWORTH

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711.5611/7-654 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

OFFICIAL USE ONLY

NEW YORK, July 6, 1954—11 p. m.

11. Re Marshallese petition. Sears today handed informally to UK TCDel following draft resolution, approved by Midkiff, as indicative of kind of resolution US would like to see emerge from TC consideration of Marshallese petition. Its informal and suggestive character was emphasized. UKDel indicated it would give text careful study and see how far it could go toward introducing resolution along these lines in petitions committee: Having examined the petition from the Marshallese people concerning the trust territory of the Pacific Islands under US administration in consultation with the US as the administering authority concerned (T/P 10/28, T/OBS. 10/3, T.L. blank) [*sic*]: Bearing in mind the terms of the trusteeship agreement for this territory, and in particular that in article 1 of the agreement, the territory is designated as a strategic area, that according to article 13 the administering authority may specify any areas in the territory as closed for security reasons, and that according to article 5 the territory shall play its part in the maintenance of world peace and security:

1. Expressed its genuine and deep regret that a number of inhabitants of two atolls in the Marshall Islands suffered ill-effects as a consequence of the recent series of nuclear tests conducted by the administering authority in the territory, that these two atolls suffered some damage, and that the inhabitants of one of them will be unable to return to their homes for about a year;

2. Notes the measure taken by the administering authority to provide the necessary medical attention and care for the personal well-being of all the affected inhabitants;

3. Notes with satisfaction that the good health of those affected is now reported to be completely restored, that the inhabitants of Utirik, the larger of the two atolls, have been returned to their homes where new housing and other facilities have been provided them, and that provision has been made for the payment of any justified claims that may be submitted by the two atolls affected;



4. Notes the assurance of the administering authority that the best medical advice indicates that there will be no permanent deleterious after effects on the general health of the inhabitants affected:

5. Notes also the concern of the petitioners that additional Marshallese may be removed from their home atolls;

6. Welcomes the assurance of the administering authority that it does not intend to remove any further inhabitants from their present homes;

7. Urges the administering authority to return the inhabitants of Rongelap to their homes as soon as the condition of the atoll permits and to provide them all possible assistance in their re-settlement;

8. Recommends that all affected inhabitants be given periodical medical examination to assure that no unexpected or belated after-effects are overlooked;

9. Urges that prompt and sympathetic attention be given to all justified claims for damages submitted by the affected inhabitants, as well as to any justified remaining claims on the part of inhabitants removed from Bikini and Eniwetok;

10. Recommends that if the administering authority considers it necessary in the interests of world peace and security to conduct further nuclear experiments in the territory, it take such precautions as will ensure that no inhabitants of the territory are again endangered, including those precautionary measures requested by the petitioners."

Although draft resolution has been shown only to UKDel, China and New Zealand have already indicated general support of US on this matter.<sup>1</sup>

WADSWORTH

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<sup>1</sup> A draft resolution along the lines of the above was introduced by Belgium, France, and the United Kingdom and was circulated as a revised draft resolution on July 9 in UN Doc. T/C.2/L.102/Rev. 1. This three-power draft reflected changes of substance with respect to paragraphs 6 and 9 (in the end paragraph 9 was dropped altogether) which the Department of State communicated to the Mission at the United Nations on July 8 (Gerig memorandum, July 8, 1954, ODA files, lot 62 D 225, "Trust Territory of Pacific Islands").

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711.5611/7-954 : Telegram

*The Deputy United States Representative on the Security Council  
(Ross) to the Department of State*

OFFICIAL USE ONLY  
PRIORITY

NEW YORK, July 9, 1954—10 p. m.

26. Re TC-Marshallese Petition. In TC today Menon (India) after long though fairly moderate statement on general advancement in TTPI discussed at length Marshallese petition. He declined support USSR draft resolution. He challenged right of US to use area for nuclear proving ground and introduced amendment completely revising Belgian, French, UK draft resolution. Major operative paragraph would refer question of US right utilize TTPI for nuclear tests to ICJ and would recommend that pending a decision we desist from

further tests in territory.<sup>1</sup> Menon forecast that if defeated he would put item on agenda of ninth GA under Article 96 of Charter.

Menon's arguments focused on question whether it is legitimate to use TT for nuclear tests. Emphasized injury to inhabitants and "annihilation" of land and assets. Maintained that Articles 1, 5 and 13 of agreement do not provide authority for such tests which are "not strategic exercises". Emphasized US obligations under Article 76(b) of Charter, Article 6 of agreement and challenged anyone to prove that tests are in any way beneficial to people of territory and claimed they were not consonant with Charter and agreement. Stated repeatedly that he was not requesting here US cease such tests—that was not appropriate question for TC.<sup>2</sup> But was only asking that US cease using TTPI for such tests pending determination by ICJ of our legal right to continue them in territory. Matter will be taken up in petitions committee at 10 a. m. Monday, July 12.

TC delegation urgently requests detailed statement of US legal position, including coverage above ICJ proposal, for use in committee Monday morning. Also considers it essential that representative Legal Adviser's office be present in committee Monday to advise on legal aspects of problem.<sup>3</sup>

Ross

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<sup>1</sup> The Indian proposal was circulated on July 10 in UN Doc. T/C.2/L.103, as an amendment to the revised draft resolution submitted by Belgium, France, and the United Kingdom. In a memorandum of July 12 it was described by the Director of the Office of Dependent Area Affairs as "clever and subtly vicious . . ." (Gerig to Christopher Phillips, Special Assistant to Assistant Secretary Key, July 12, 1954, ODA files, lot 62 D 225, "Trust Territory of Pacific Islands").

<sup>2</sup> The Indian Government had earlier taken separate action on this question in the Disarmament Commission; for documentation on this matter, see volume II.

<sup>3</sup> In response the Department of State assigned Leonard C. Meeker, Assistant Legal Adviser for UN Affairs, to the U.S. Delegation to the Trusteeship Council (telegrams 26 and 27, to New York, July 13, 1954, 12:02 p. m., 350/7-1054).

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711.5611/7-1254 : Telegram

*The Deputy United States Representative at the United Nations  
(Wadsworth) to the Department of State*

OFFICIAL USE ONLY

NEW YORK, July 12, 1954—10 a. m.

NIACT

27. From Sears for Key. In view importance clearly favorable vote three-power resolution Marshall Islanders petition, consider it essential that Department take appropriate steps to assure affirmative vote El Salvador and Haiti. It is not expected that any of three draft resolutions will receive majority vote in petitions committee. Thus all three expected to come before TC for action by Wednesday, July 14.

If affirmative vote El Salvador and Haiti received, expect favorable vote three-power draft nine-three (USSR, India, Syria).<sup>1</sup> [Sears.]

WADSWORTH

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<sup>1</sup> For the voting, both in the Standing Committee on Petitions and in the Trusteeship Council itself, see Gerig memorandum of July 26, 1954, *infra*.

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum by the Director of the Office of Dependent Area Affairs (Gerig) to George C. Spiegel in the Office of the Secretary of State's Consultant for Atomic Energy Affairs*

[WASHINGTON,] July 26, 1954.

Subject: Trusteeship Council Action on the Marshallese Petition Concerning Nuclear Tests in the Trust Territory of the Pacific Islands

Attached are two copies of Trusteeship Council Document T/L.510, the 57th Report of the Council's Standing Committee on Petitions. This report relates to petitions concerning the Trust Territory of the Pacific Islands and summarizes the Committee's consideration of the petition from the Marshallese People concerning the conducting of nuclear tests in the Territory.<sup>1</sup>

The report contains the full text of three draft resolutions on this matter introduced respectively by: (1) the USSR, (2) Belgium-France-United Kingdom, and (3) India. It indicates that all three resolutions failed of adoption in the Committee. The votes were as follows:

- (1) USSR draft—1 in favor (USSR) ; 3 against (Belgium, France, UK) ; and 2 abstentions (India, Syria)
- (2) Three-power draft—3 in favor (sponsors) ; 3 against (India, Syria, USSR)
- (3) Indian draft—2 in favor (India, Syria) ; 3 against (Belgium, France, UK) ; and 1 abstention (USSR).

Subsequently these three draft resolutions were considered in a plenary session of the Council. At the conclusion of the debate the Indian and USSR drafts were rejected and the three-power draft was adopted. The votes in the full Council were as follows :

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<sup>1</sup> An informative report on the meetings at New York, July 7 through 13, was written in a memorandum from Deputy Director of the Office of Philippine and Southeast Asian Affairs (Day), to the Deputy Assistant Secretary of State for Far Eastern Affairs (Robertson), July 14, not printed (799.021/7-1454). The report *inter alia* described: (1) the British, French, and Belgian Representatives as being "of great assistance"; (2) Frank Midkiff, the High Commissioner, as "most impressive in his manner and in the extent of his knowledge in submitting to the questioning . . ."; and (3) Dwight Heine as "an effective spokesman for the Micronesians, for the Administering Authority and for the 'free world' . . ."

## (1) Indian draft—

(a) operative paragraphs 1 & 2: 2 in favor (India, Syria); 7 against (Australia, Belgium, China, France, New Zealand, US and UK); 3 abstentions (El Salvador, Haiti, USSR),

(b) resolution with above paragraphs and most of preamble deleted: 3 in favor (India, Syria, USSR); 7 against (same as above); 2 abstentions (El Salvador, Haiti).

(2) USSR draft—1 in favor (USSR); 9 against (same as above plus El Salvador and Haiti); 2 abstentions (India, Syria).

(3) Belgian–French–British draft—9 in favor (same 9 as opposed to USSR draft); 3 against (India, Syria, USSR).

I should like to call particular attention to the proposal of India to refer the question of the legality of conducting nuclear tests in the Trust Territory to the International Court of Justice. The Representative of India stated that his Delegation would seek to place this proposal on the agenda of the Ninth General Assembly. UND has already initiated a study of the legal and other aspects of this problem and will be in touch with S/AE in connection with the development of a United States position on this question.

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ODA files, lot 62 D 225, "Trust Territory of the Pacific Islands"

*Memorandum by the Director of the Office of Dependent Area Affairs (Gerig) to the Assistant Legal Adviser for United Nations Affairs (Meeker)*

OFFICIAL USE ONLY

[WASHINGTON,] July 19, 1954.

Subject: Legal Questions re Reference of Marshall Islands Nuclear Tests to ICJ

In preparation for colonial policy talks with the representatives of the United Kingdom, UND would appreciate having legal opinion on the following questions which have arisen as a result of the Indian proposal refer to the ICJ the question of the legality of U.S. testing of nuclear weapons in the Trust Territory of the Pacific Islands:

1. Is there any legal basis for the view that an Indian proposal to place on the agenda of the Ninth General Assembly an item whereby the GA would request an advisory opinion of the ICJ on the legality of U.S. nuclear weapons tests in the Trust Territory of the Pacific Islands raises a question that is not within the competence of the GA and should therefore not be placed on its agenda? In other words would there be a legal basis for an effort to keep such an Indian proposal off the Assembly's agenda?

2. What effect would seizing the Security Council of such a proposal have on the consideration of this item by the General Assembly?

3. How sound is the United States position that it is acting in conformity with the terms of the Trusteeship Agreement and the Charter in conducting the nuclear tests in the Trust Territory?

4. What type of majority vote would be required in the General Assembly to defeat a proposal to refer to the ICJ the legality of conducting such tests in the Territory, a simple or a two-thirds majority?

In light of the fact that the talks with the British are to be held on Monday, July 26, it would be greatly appreciated if you could give early consideration to these questions.<sup>1</sup>

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<sup>1</sup> For documentation on the colonial talks with the British on July 26, see pp. 1395 ff.

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711.5611/7-2154

*Memorandum by the Assistant Legal Adviser for United Nations Affairs (Meeker) to the Director of the Office of Dependent Area Affairs (Gerig)*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 21, 1954.

Subject: Reference of Legal Questions re Marshall Islands Nuclear Tests to ICJ

The following answers are given in response to the questions presented in your memorandum of July 19 on the above subject.<sup>2</sup>

1. In the view of this Office, it is within the competence of the General Assembly to seek an International Court of Justice advisory opinion on the legality of our tests. We know of no legal basis for keeping the Indian proposal off the Assembly's agenda. Article 10 of the Charter provides that the General Assembly "may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter . . ." (Underscoring supplied.) The Indian proposal, at least in so far as discussion of the matter by the General Assembly is concerned, certainly falls within these broad bounds.

It should also be noted that Article 96, paragraph 1 of the Charter authorizes the General Assembly to "request the International Court of Justice to give an advisory opinion on any legal question".

2. Paragraph 1 of Article 12 of the Charter is as follows:

"While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests."

Consequently, as long as the Security Council is considering the matter, the General Assembly could discuss it but not make recommendations concerning it.

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<sup>1</sup> This memorandum was sent jointly by Meeker and a member of his staff, Bernard Fensterwald; it was drafted by Fensterwald.

<sup>2</sup> *Supra.*

3. The strength of the legal position of the United States would vary greatly with the drafting of the questions to be asked of the ICJ. Therefore, no generalized answer can be given to your third question. However, our over-all position is not invincible, and we believe that every effort should be made to keep the problem from being sent to the ICJ.

4. It seems probable that a two-thirds majority would be required for the referral to the Court of the question of the legality of our tests, since under Article 18(2) "questions relating to the operation of the trusteeship system" require such a majority. The question in the instant case appears to fall squarely within the "operation of the trusteeship system".

However, an argument may be made that, *regardless of subject matter*, requests to the ICJ for advisory opinions are not important matters and require only a simple majority. There are precedents on both sides of this issue. In the consideration of the problem of Indians in South Africa the Assembly, acting under Article 18(3), decided 29-24 that the particular request in that case was an important matter and required a two-thirds majority; and the proposal to refer failed to secure this majority. Conversely, in relation to resolution 338(IV) submitting questions concerning South West Africa, the President of the Assembly ruled that only a simple majority was required for a referral to the Court. Although the resolution as a whole passed 40-7-4, the second part of operative paragraph 2 was adopted only by a vote of 21-20-11, less than a two-thirds majority. This is a precedent for the proposition that while the substantive agenda item may be regarded as being "important" under Article 18, a request to the ICJ by separate resolution regarding the same agenda item need not be regarded as "important".

In any event, even if it is decided that the request for an advisory opinion in the present case does not fall within the provisions of Article 18(2), it should be kept in mind that under Article 18(3) a simple majority can decide that a two-thirds majority shall be required for passage of the resolution containing the referral.

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799.022/7-2354

*The United States Representative on the Trusteeship Council (Sears)  
to the Secretary of State*

CONFIDENTIAL

NEW YORK, July 23, 1954.

DEAR MR. SECRETARY: From the point of view of the United States the most important item on the agenda of the recently concluded Fourteenth Session of the Trusteeship Council was the petition of the Marshallese people protesting the use of their islands, which are among

the Pacific islands administered by the United States under a Trusteeship Agreement with the United Nations, as a proving ground for nuclear weapons. In the Council the United States secured the adoption by a vote of 9-3 (USSR, Syria, India) of a resolution tacitly approving our continuing such tests in the Territory. A Soviet resolution which would have recommended that we discontinue the tests, as well as an Indian resolution which would have sought an advisory opinion from the International Court of Justice on the legality of conducting such tests in the Trust Territory, were both decisively defeated.

However, the Trusteeship Council's action in no sense concludes the matter. The Indian Delegation has stated that it will place an item on the agenda of the Ninth General Assembly whereby the Assembly would seek the Court's opinion on the legality of our using the Trust Territory for these tests. Furthermore, information on the consequences of the radioactive fall-out after the test of March 1, 1954, which caused damage to the health and property of certain inhabitants of the Trust Territory outside the closed area, will have to be included in the United States report to the United Nations on its administration of the Trust Territory for the period July 1, 1953-June 30, 1954.

It is important, therefore, that the appropriate branches of the Government realize that this problem is a continuing one which will require careful consideration both immediately and in the future. I should like to emphasize two aspects of the problem which must be followed up promptly and dealt with satisfactorily if we are to minimize possible future repercussions of this issue that could be damaging to United States interests.

First of all, we cannot afford a recurrence of the accident which caused injury to a number of Marshallese as well as Americans and Japanese. We have formally and publicly undertaken to take every precaution against recurrence of this type of disaster. Should there be a repetition of the accident, we might have difficulty in obtaining the support of even our closest Allies in the United Nations in our attempt to justify the continuation of nuclear experiments in the Trust Territory and in allaying criticisms of this Government for the additional harm which they would have caused. Moreover, there would probably be considerable criticism in this country as well.

The second important matter relates to our undertakings to compensate adequately the peoples of the Trust Territory who as a result of nuclear tests have suffered ill effects as regards their health, property or capacity to gain a livelihood. One aspect of this question relates to compensation due the Bikini people, who were removed from their home island in 1946. The slowness in making a settlement of the compensation promised these people is causing increasing criticism in the Trusteeship Council. This criticism is heightened by the fact that

conditions on Kili Island where they have been resettled are not satisfactory to the Bikinians. Moreover, this is the second resettlement scheme that has proved unsatisfactory to them.

Finally, as a result of the injuries, damage and displacements caused by the hydrogen bomb tests, just compensation has been promised to the Rongelap and Uterik peoples affected. There is no doubt that attention will be focused in the Trusteeship Council next year on the question of whether just and prompt settlements have been made to these people. I urge that these settlements be worked out and made forthwith.

It is my duty to place on record the above problems and to suggest that all agencies of the Government concerned be made fully aware of the need for dealing with them promptly and effectively so that the United States will not be placed at a disadvantage in the United Nations on a matter vital to our security.

Sincerely yours,

MASON SEARS

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711.5611/8-454

*The Deputy United States Representative at the United Nations (Wadsworth) to the Acting Assistant Secretary of State for United Nations Affairs (Wainhouse)*

OFFICIAL USE ONLY

NEW YORK, August 4, 1954.

DEAR DAVE: Prior to his departure for Africa, Mason Sears sent Ambassador Lodge his views on a number of questions relating to nuclear tests in the Pacific Trust Territories. Mr. Sears pointed out that the Indian proposal for an International Court of Justice opinion on the legality of our using the Trust Territories for tests will probably be on the agenda of the 9th General Assembly and that information on the consequences of the radio-active fall-out after the test of March 1, 1954 will have to be included in the United States Report to the United Nations on its administration of the Trust Territory. He felt in particular that two aspects of the problem should be followed up promptly to minimize possible future repercussions on this issue that could be damaging to United States interests.

The first of these is that we must avoid a recurrence of the accident which caused injury to a number of Marshallese, as well as Americans and Japanese. Should there be a repetition of the accident we might have difficulty obtaining the support of even our closest allies in the United Nations in our attempt to justify continuation of nuclear experiments in the Trust Territory. The second matter relates to our undertakings to compensate the peoples of the Trust Territory who, as a result of nuclear tests, have suffered damage to their health, property, or capacity to gain a livelihood. In this connection Mr. Sears



points out that the slowness in making a settlement of compensation promised the people of Bikini who were removed from their home island in 1946 is causing increasing criticism in the Trusteeship Council. This criticism is heightened by the fact that conditions on Kili Island where they have been resettled are not satisfactory to the Bikinians, and this is the second resettlement scheme that has proved unsatisfactory to them.

Finally, since just compensation has been promised to the Rongelap and Uterik peoples affected by the hydrogen bomb tests, he points out that attention will be focused in the Trusteeship Council next year on whether just and prompt settlements have been made to these people.

It seems to us that Mr. Sears has made a strong case for United States action in working out settlements of the above questions promptly and effectively so that the United States will not be placed in a disadvantageous position in the United Nations on a matter vital to our security. I would appreciate receiving the Department's comments and advice as to the steps being taken in this matter.<sup>1</sup>

Sincerely,

JAMES J. WADSWORTH

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<sup>1</sup> Wainhouse responded in a letter drafted on Aug. 9:

"I have received your letter of August 4 concerning Mason Sears' expression of views to Ambassador Lodge on questions relating to nuclear tests in the Trust Territory of the Pacific Islands. I agree with you that Mr. Sears has made a strong case for US follow-up action and I feel it would be helpful to have something additional from the Mission which would give impetus to consideration of these problems on our side, and which would give the opportunity for further State Department action with other agencies of the Government. I feel personally that it would be most appropriate for the letter to come to the Secretary from our Representative on the Trusteeship Council and believe that Mr. Sears' suggestion that copies be sent to the Department of the Interior and the Atomic Energy Commission is a good one. A letter from Mr. Sears to the Secretary would undoubtedly enable us to spur these other agencies into more rapid action in resolving which we agree are most important matters on which we will have continuing obligation to report in the United Nations.

"I trust that you will agree with me on this and will have Mr. Sears' letter sent to the Secretary. In this connection I believe it would be helpful if Ambassador Lodge wished to send a covering letter of endorsement as suggested by Mr. Sears." (ODA files, lot 62 D 225, "Trust Territory of Pacific Islands")

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum for the Files, by Charles D. Withers of the Office of  
Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON,] August 19, 1954.

On August 17 a meeting was held in the office of Mr. Gerig (UND) to discuss US strategy in the General Assembly in dealing with a threatened Indian move to have the GA recommend a cessation of nuclear tests in the Trust Territory of the Pacific Islands pending an ICJ opinion on the legality of those tests. Participating in the meeting were the following:

L/UNA—Mr. Fensterwald,  
Mrs. Fleming;  
L/FE—Miss Fite;  
EUR—Mr. Allen;  
ARA—Mr. Monsma;  
UND—Mr. Gerig,  
Mr. Ross,  
Mr. Withers;  
UNP—Mr. Bechhoefer,  
Mr. Meyers;  
NEA—Mr. Howard.

Participants in the meeting were in agreement in general on the following points:

The Indians are determined to bring up the question of nuclear tests in general, and probably the Trust Territory bomb tests in particular, before the General Assembly. As a matter of fact, the Indian proposal for a general moratorium on nuclear tests is an annexed document to the report of the Disarmament Commission, and, as such, will be on the First Committee agenda. No advance appeal to the Indians would deter them from raising the issue.

In addition to the Disarmament Commission report in Committee One, it is believed that India will ask for a separate agenda item for the Fourth Committee on the tests in the Trust Territory. It is possible, however, that instead of specifying the Trust Territory of the Pacific Islands, the Indians may broaden the issue to tests of this nature in any Trust Territory. For us to have the issue raised by a friendly power in the Security Council in order to dispose of it before its consideration in the General Assembly would be poor strategy in as much as it would be obvious to others that this move was designed to preclude a resolution by the General Assembly. And if the Indian idea on the tests in the Trust Territory of the Pacific Islands did not prevail the door would be left open for them to broaden the issue in the General Assembly, possibly to our disadvantage. Our basic policy requires the continuation of the nuclear tests in the Trust Territory and we do not want to be placed in a position of having to defy an opinion by the ICJ. It was felt that we have a strong position, legally and morally, in this matter. However, we realize that there is risk of an adverse Court decision, due to the possibility of political factors entering into the decision. We must therefore endeavor to keep the issue away from the Court.

As to the voting position in the plenary of the Assembly, it was recommended that we oppose strongly any move to have those nuclear test issues decided by a simple majority vote. Under Article 18, questions involving the "maintenance of peace and security" and the "operation of the trusteeship system" require a two-thirds vote. It would be highly important to secure at least 31 votes against the Indian proposal in the committee stage, and if this fails to have at least 21 or more to defeat it in the plenary. In view of the general predilection in the Sixth Committee for referring nearly all disputes to the Court, we should endeavor in the strongest way possible to keep the issue out of Committee Six.

In view of the decision that it would be almost impossible politically and practically to keep the Indian theme from being discussed in the General Assembly and in view of the inadvisability of having the problem seized on our initiative by the Security Council, the main problem is to enlist as much support in the Assembly as possible toward defeating any resolution which would refer the question to the Court. To this end, it was agreed that an *Aide-Mémoire* should be sent to *selected* posts in the field covering (1) a general restatement of our position on disarmament, (2) our position on the Indian proposal for a general moratorium, scheduled for Committee One when the Disarmament Commission report is discussed, and (3) our position on the possible Indian move in the Fourth Committee on tests in the Trust Territory of the Pacific Islands. The *Aide-Mémoire* would be held in abeyance to see whether or not the Indians make their move to inscribe the item before the deadline of August 21. Should they do so, the *Aide-Mémoire* should be delivered to selected friendly governments in an endeavor to enlist their support. At the same time it was recommended that an instruction should be sent to New Delhi requesting the Ambassador, at his discretion, to bring to the attention of the Government of India our position on this Indian move.

(Should the Indians fail to make a move before August 21 and elect to attempt to inscribe the item later on an urgent basis, our position might be to fight this move on the ground that the general subject is being or will be discussed in Committee One under the Disarmament item.)

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ODA files, lot 60 D 257, "Trust Territory of Pacific Islands—Nuclear Testing—1954-1955-1956"

*Memorandum by the Deputy Director of the Office of Dependent Area Affairs (Robbins) to Bernard Fensterwald, Office of the Assistant Legal Adviser for United Nations Affairs*

OFFICIAL USE ONLY

[WASHINGTON,] August 23, 1954.

Subject: Request for opinion of L/UNA on attached memorandum for possible use during the forthcoming General Assembly on "Legal Right of Administering Authorities to Conduct Nuclear Tests in Trust Territories under their Jurisdiction"

Attached is a memorandum containing relevant provisions of the Trusteeship Agreements approved by the Security Council (in the case of the Pacific Islands) and the General Assembly (in the case of the other Trust Territories) for the administration of UN Trust Territories which would appear to allow Administering Authorities concerned to conduct nuclear tests in Trust Territories in the interest of international peace and security. This paper was prepared with a view to use in justifying a possible United States contention that all Administering Authorities would have such a right, in the event the Indians broaden their threatened resolution calling for cessation of nuclear tests in Trust Territories pending an opinion of the International Court of Justice.

[Enclosure]

LEGAL RIGHT OF ADMINISTERING AUTHORITIES TO CONDUCT NUCLEAR TESTS IN TRUST TERRITORIES UNDER THEIR JURISDICTION <sup>1</sup>

According to the provisions of the ten Trusteeship Agreements approved by the General Assembly, as well as the one approved by the SC, for the administration of Trust Territories under the supervision of the United Nations, it would appear that all Administering Authorities would be within their legal rights to conduct nuclear tests in these territories in order to contribute to the maintenance of international peace and security. Provisions contained in all the agreements, except that of Nauru, state that the Administering Authorities shall be responsible for seeing that the trust territories under their administration shall play their part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security.

Five of the Agreements (i.e. British Cameroons, British Togoland, Tanganyika, Western Samoa, and the Pacific Islands) specifically provide that the Administering Authority shall be entitled to establish bases and to make use of "facilities and assistance" from the Trust Territory concerned in carrying out obligations to the Security Council undertaken by the Administering Authority. Provisions of the Agreements incorporating these provisions are as follows:

## TRUSTEESHIP AGREEMENTS APPROVED BY THE GENERAL ASSEMBLY FOR BRITISH CAMEROONS, BRITISH TOGOLAND, TANGANYIKA (ARTICLE 5 OF EACH AGREEMENT—OFFICIAL RECORD, 2ND PART, 1ST GENERAL ASSEMBLY, SUPPLEMENT 5)

The Administering Authority shall be entitled "to establish naval, military and air bases, to erect fortifications, to station and employ its own forces in the Territory and to take all such other measures as are in its opinion necessary for the defence of the Territory and for ensuring that it plays its part in the maintenance of international peace and security. To this end, the Administering Authority may make use of volunteer forces, *facilities and assistance* from the Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Territory".

## TRUSTEESHIP AGREEMENT APPROVED BY THE SECURITY COUNCIL FOR THE PACIFIC ISLANDS (ARTICLE 5)

"In discharging its obligations under Article 76(a) and Article 84 of the Charter, the Administering Authority shall ensure that the Trust Territory shall play its part, in accordance with the Charter of

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<sup>1</sup> Drafted by Elizabeth C. Driscoll of the Office of Dependent Area Affairs.

the United Nations, in the maintenance of international peace and security. To this end, the Administering Authority shall be entitled:

. . . "3. to make use of volunteer force, facilities and assistance from the Trust Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for the local defence and the maintenance of law and order within the Trust Territory".

The Trusteeship Agreement for Western Samoa (Article 10) provides that the Administering Authority shall be entitled to:

(Paragraph 3) "to make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and maintenance of law and order within the Trust Territory".

(Paragraph 4) "to take all such other measures in accordance with the purposes and principles of the Charter of the United Nations as are, in the opinion of the Administering Authority, necessary for the maintenance of international peace and security and the defence of Western Samoa".

By granting to the Administering Authority the right to make use of facilities from the Trust Territories in carrying out obligations to the Security Council, it may be argued from a legal point of view that the United Nations has recognized the right of the Administering Authorities to take such measures in these territories as may be necessary to maintain international peace and security, including the conducting of nuclear tests.

In the case of Ruanda Urundi (Article 5 of the Agreement), French Togoland (Article 4*b*), and French Cameroons (Article 4*b*), the Administering Authorities are authorized by Trusteeship Agreements to "take all measures of organization and defence appropriate (within the limits of the Charter) for ensuring . . .

"(b) the respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council" and

"(d) the defence of the Territory within the framework of special agreements for the maintenance of international peace and security".

These provisions, while not as explicit as those referred to above, might under certain circumstances be held to provide a legal basis for the conducting of nuclear experiments in these Territories for the maintenance of international peace and security.

The Trusteeship Agreement for New Guinea, by Article 4, makes the Administering Authority "responsible for the peace, order, good government and defence of the Territory and for this purpose" gives to Australia "the same powers of legislation, administration and jurisdiction in and over the Territory *as if it were an integral part of*

*Australia*, and will be entitled to apply to the Territory, subject to such modifications as it deems desirable, such laws of the Commonwealth of Australia as it deems appropriate to the needs and conditions of the Territory". This article would therefore seem to permit Australia to conduct such experiments, particularly since it is additionally authorized by Article 7, "to take all measures in the territory which it considers desirable to provide for the defence of the Territory and for the maintenance of international peace and security".

By Article 4 of the Trusteeship Agreement for Nauru, the Government of Australia is made "responsible for the peace, order, good government and defence of the Territory and for this purpose, in pursuance of an agreement made by the Governments of Australia, New Zealand, and the United Kingdom, the Government of Australia will on behalf of the Administering Authority and except and until otherwise agreed by the Governments of Australia, New Zealand and the UK continue to exercise full powers of legislation, administration and jurisdiction in and over the Territory". By this article, there would seem to be no legal restriction imposed on Australia to test nuclear weapons in Nauru if it deemed to do so is in the best interests of international peace and security.

According to the Trusteeship Agreement for Somaliland, Italy (by Article 2) is made "responsible to the United Nations for the peace, order, and good government of the Territory in accordance with the terms of this Agreement". By Article 6, Italy is authorized to "maintain police forces and raise volunteer contingents for the maintenance of peace and good order in the Territory" and "*after consultation with the Advisory Council*, may establish installations and take all measures in the Territory, including the progressive development of Somali defence forces, which may be necessary within the limits laid down in the Charter of the United Nations, for the defence of the Territory and for the maintenance of international peace and security".

These provisions of the Trusteeship Agreement for Somaliland, as in the case of other Trusteeship Agreements, would appear to permit the Administering Authority to conduct nuclear experiments in Somaliland so long as they are being conducted for the express purpose of maintaining international peace and security.

320/8-2454 : Circular instruction

*The Secretary of State to Certain Diplomatic Missions*<sup>1</sup>CONFIDENTIAL  
No. CA-1368

WASHINGTON, August 24, 1954.

[Here follow several pages setting forth the Department of State's position on various items of the agenda of the forthcoming General Assembly, in which the Department stresses the need for advance diplomatic consultations with some foreign offices and suggests that an *aide-mémoire* be presented on certain "technical subjects". A section of some length concerning disarmament (paragraph *g*) precedes this extract.]

*(h) NUCLEAR TESTS IN TRUST TERRITORIES*

In the recent session of the Trusteeship Council a question related to the disarmament question was raised, namely the use of the Trust Territory of the Pacific Islands for nuclear tests. India proposed that the Council recommend to the General Assembly that it request an advisory opinion from the International Court of Justice on the legality of using the Trust Territory for nuclear tests and that, pending the Court's decision, the United States desist from further tests. This proposal and a Soviet proposal calling upon us to desist from further tests in the Trust Territory were rejected, the key parts of the Indian proposal by 7 votes (Australia, Belgium, France, New Zealand, United Kingdom, United States and China), to 2 (India, Syria), with 3 abstentions (El Salvador, Haiti and the USSR), and the Soviet proposal by 9 votes to 1 (USSR) with 2 abstentions (Syria and India). We supported a UK-French-Belgian resolution which the Council adopted by 9 votes to 3 (India, Syria, USSR). This resolution recognized that the agreement provides that the territory "shall play its part in the maintenance of world peace and security" and recommended that if we, as the administering authority, consider it necessary to continue further nuclear tests in the interests of peace and security, we should take such precautions as will ensure that no inhabitants are endangered.

We anticipate that India may introduce in the General Assembly a proposal similar to its proposal in the Trusteeship Council. We would strongly oppose such a proposal. Our conducting of nuclear tests in the Territory is clearly in conformity with our rights and obligations as set forth in the Charter and the Trusteeship Agreement. Article 84 of the Charter and Article 5 of the Agreement state in almost identical language that the Administering Authority "shall ensure that the

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<sup>1</sup> Sent to 54 posts (including USUN) for action; and to Moscow, Praha, Tokyo, and Warsaw for information only. (The posts listed at the end of this instruction were to take special action vis-à-vis last paragraph.)

Trust Territory shall play its part in the maintenance of international peace and security". We are clearly entitled to use the facilities of the Trust Territory to this end. It would be contrary to the security of the United States and of the free world for us to agree to desist from tests which are an essential part of the development of our strength in nuclear weapons. In areas under our jurisdiction there is no place where these tests can be conducted with less danger than in the Trust Territory. We recognize that in conducting such tests we must take every possible precaution to safeguard the welfare of the inhabitants. While we will, of course, continue to take every such precaution, as in the Trusteeship Council, we would not object to and would in fact support a resolution by the General Assembly calling attention to our obligations in this regard.

[Here follows discussion of two other agenda items.]

*For:*

AMembassies—all Latin American capitals

AMembassy Addis Ababa

" Ankara  
 " Athens  
 " Baghdad  
 " Bangkok  
 " Beirut  
 " Belgrade  
 " Copenhagen  
 " Karachi  
 " Manila  
 " Monrovia  
 " Oslo  
 " Reykjavik  
 " Stockholm  
 " Taipei  
 " Tehran  
 " Tel Aviv

You are requested in your discretion to leave with the Government to which you are accredited an *aide-mémoire* containing the substance of paragraphs (g) and (h) above on the questions of disarmament and nuclear tests in the Trust Territory of the Pacific Islands.

DULLES

799.021/8-2654

*The United States Representative at the United Nations (Lodge) to  
 the Secretary of State*

CONFIDENTIAL

NEW YORK, August 26, 1954.

DEAR FOSTER: Before going off to Africa with the United Nations Visiting Mission, Mason Sears brought to my attention the vital im-



portance which he attaches to the United States' carrying out promises made, in both public and private, to the Marshall Islanders in connection with our atomic experiments. Attached is a letter from him on this matter, expressing views with which I heartily concur.<sup>1</sup>

It seems to me that we cannot hope to carry out an effective program in the United Nations, and especially in the Assembly this coming Fall, if the United States is so vulnerable to charges not just from the Soviets and their crew, but from the Indians and similar neutralists, that our promises to compensate the Marshallese and to arrange to protect them from future dangers springing from atomic experiments are so much sound and fury signifying nothing.

Attacks of the kind the Soviets and Indians will make must be met head-on, and with as convincing a record as is possible. Now that so much time has elapsed since our promises were made, restoring the record to a balance favorable to us will not be easy. However I am convinced that an active program by the State Department pursued with the other agencies of the Government could give the tangible results needed to honor our commitments.

Faithfully yours,

HENRY CABOT LODGE, JR.

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<sup>1</sup>Not attached to source text; refers apparently to the Sears letter of July 23, 1954, p. 1513.

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IO files, SD/A/C.4/126

*Position Paper Prepared in the Department of State for the United States Delegation to the Ninth Regular Session of the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 7, 1954.

INDIA'S PROPOSED MOVE TO HAVE THE GENERAL ASSEMBLY SEEK AN  
ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE ON THE  
LEGALITY OF US NUCLEAR TESTS IN THE TRUST TERRITORY OF THE  
PACIFIC ISLANDS

THE PROBLEM

It is anticipated that India will raise in the General Assembly, as it did in the Fourteenth Session of the Trusteeship Council, the question of the legality of our nuclear tests in the Trust Territory of the Pacific Islands. Their move to have the Council recommend that the General Assembly request an advisory opinion of the International Court of Justice on the question and, pending that opinion, to ask the United States to cease the tests in the Territory, was defeated. In its stead a resolution sponsored jointly by the United Kingdom, France and Belgium implying the necessity of continuing the tests and recommending that we take stringent precautions in protecting the Territory

and its inhabitants was passed. The problem is to determine our stand in the event the Indians revive this question in the General Assembly.

## UNITED STATES POSITION

1. The Delegation should oppose any proposal which would have the effect of recommending suspension or cessation of nuclear tests in the Trust Territory of the Pacific Islands.

2. The Department believes that, regardless of the question of the jurisdiction of the General Assembly over strategic areas, it would be politically unwise for the Delegation to attempt to preclude, through the use of any technicalities, discussion of the issue in the General Assembly.

3. Should the Indians endeavor to have a separate item inscribed on the agenda and, as a result, the General Committee is considering the appropriateness of its inscription, the Delegation should state that under Article 84 of the Charter and Article 5 of the Trusteeship Agreement we have a clear right to conduct these tests in the Trust Territory and reference to the Court is unnecessary, but that if the majority of the Members of the General Committee believe such a discussion is worthwhile, we would be prepared to discuss the item in the appropriate committee. In a vote on inscription the Delegation should either abstain or vote in favor at its discretion in the light of circumstances in the Committee.

4. If then the General Committee is faced with the problem of assigning such an item, the Delegation should :

(a) if the item includes a proposal for cessation of the tests pending a Court opinion, urge strongly that this matter be considered together with the general disarmament question in the First Committee; or,

(b) if the item does not include a proposal for cessation of the tests, urge that as a trusteeship matter it should be discussed in the Fourth Committee.

5. With the thought in mind that the wisest course of action would be to face this issue squarely and to make every effort to defeat any move for a referral of the question to the Court and for a cessation of the tests, the Department has circularized its diplomatic missions in friendly countries, informing those missions of our position and instructing them to enlist the support of those governments. The Delegation should pursue this course in its contacts with delegates from friendly nations.

6. The Delegation should oppose strongly any move to have the nuclear test issue decided by a simple majority vote, citing Article 18 of the Charter, which places "the operation of the trusteeship system" in the category of questions requiring a two-thirds vote, as well as noting that this is also a recommendation affecting the maintenance of

international peace and security and so requires a two-thirds vote under this Article.

7. Should the delegation believe that introduction of a resolution along the lines of the one passed by the Fourteenth Session of the Trusteeship Council would assist in attaining the Department's objective it may seek to secure the introduction and adoption of such a resolution.

8. Should any delegation introduce independently any resolution along the lines of the one adopted by the Trusteeship Council, the Delegation should support it.

#### COMMENT

Following the hydrogen bomb test of March 1, 1954 in the Trust Territory of the Pacific Islands and the resultant radioactive "fall out" which harmfully but temporarily affected certain inhabitants of the Marshall Islands, representatives of the Islanders petitioned the United Nations to have the United States cease the nuclear tests or, if this were considered impossible under present world conditions, to request the United States to take extraordinary precaution toward averting future occurrences of this nature. The petition at the same time praised the American administration of the Trust Territory. During a discussion in the Trusteeship Council of this petition, the Representative of India proposed that the Council recommend to the General Assembly that it request an advisory opinion from the International Court of Justice on the legality of using the Trust Territory for nuclear tests and that, pending the Court's decision, the United States desist from further tests. That resolution failed in the Trusteeship Council, only India and Syria favoring its principal operative parts; El Salvador, Haiti and the USSR abstained. However, India's aversion to our nuclear tests in the Pacific and to nuclear weapons in general has been clearly enunciated on numerous occasions, including public statements by Prime Minister Nehru himself, and although they failed to request an agenda item on this issue before the deadline of August 21, we anticipate their pursuance in the General Assembly of their abortive move in the Trusteeship Council. Already the Indians have made certain proposals to the Disarmament Commission for a general moratorium on nuclear tests. Their submission is an annex to the Report of the Disarmament Commission and, as such, will be on the agenda of the First Committee.

The Trust Territory of the Pacific Islands is in a different category from other trust territories in that it has, under Article 82, been designated as a strategic area. Article 83 of the Charter states, in part, that United Nations functions relating to strategic areas shall be exercised by the Security Council, which avails itself of the assistance of the Trusteeship Council. It could thus be argued that the Security

Council is the appropriate place for a discussion of this issue. However, the Trusteeship Agreement for the Territory, agreed to by the United States and the Security Council, provides that the General Assembly may discuss the administration of the Territory. The Department takes the position that this gives the General Assembly the right to discuss the nuclear tests. From the political point of view the Department has taken the stand that to attempt to throttle discussion would evoke a reaction unfavorable to the United States, even from some of our friends.

The United States, in considering this probable Indian presentation, should follow the basic premise that under present circumstances it remains necessary for us to continue the tests and that the most practical place so far found is in the Trust Territory. The United States considers that it has been and is acting within its legal rights under the United Nations Charter and the Trusteeship Agreement. It is, however, to our best interest to keep the question off the ICJ docket. It is not possible to predict whether the Court would render an opinion favorable to the United States since it must be anticipated that political factors may have some effect upon the Court's findings. We would not want to risk the possibility of an adverse opinion in the Court, because our interests and those of the free world require that the tests go on in the Trust Territory; and we certainly would not want to be placed in the position of noncompliance with even an advisory opinion of the Court.

Regardless of the possible outcome of a Court opinion, it is in the interests of the United States that international consideration and publicity of this matter be terminated at the earliest possible moment, since it serves only to embarrass the United States and to provide material for the communist propaganda grist mills. Referring the matter to the Court would simply prolong and accentuate the publicity given to this matter.

In its discussions with other delegations pursuant to Recommendation No. 4 above, the Delegation should pursue the following lines: Our conducting of nuclear tests in the Territory is clearly in conformity with our rights and obligations as set forth in the Charter and the Trusteeship Agreement. Article 84 of the Charter and Article 5 of the Agreement state in almost identical language that the Administering Authority "shall ensure that the Trust Territory shall play its part in the maintenance of international peace and security." We are clearly entitled to use the facilities of the Trust Territory to this end. It would be contrary to the security of the United States and of the free world for us to agree to desist from tests which are an essential part of the development of our strength in nuclear weapons in the absence of agreement on comprehensive and safeguarded disarmament. In areas under our jurisdiction there is no place where these tests can

be conducted with less danger than in the Trust Territory. We recognize that in conducting such tests we must take every possible precaution to safeguard the welfare of the inhabitants. While we will, of course, continue to take every such precaution, as in the Trusteeship Council, we would not object to and would in fact support a resolution by the General Assembly calling attention to our obligations in this regard.<sup>1</sup>

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<sup>1</sup>In the event the issue did not arise in the Ninth Session of the General Assembly.

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799.021/8-2654

*The Acting Secretary of State to the Secretary of Defense (Wilson)*

CONFIDENTIAL

WASHINGTON, September 11, 1954.

DEAR MR. SECRETARY: I am enclosing copies of letters received recently by the Secretary from the United States Representative to the United Nations, Ambassador Henry Cabot Lodge, Jr., and the United States Representative on the Trusteeship Council, Mr. Mason Sears. Both letters refer to discussions in the United Nations of nuclear tests in the Trust Territory of the Pacific Islands and both stress the importance of carrying out promises made to the Marshall Islanders affected by the tests concerning compensation for damages suffered from past tests and safeguards against possible harmful consequences of any future tests.

I fully share the views expressed by Ambassador Lodge and Mr. Sears. The United States will certainly be exposed to serious criticism in the United Nations and elsewhere if the promises we have made to the Marshallese people are not kept.

I would appreciate your calling to the attention of the officers concerned in your Agency the importance which the Department of State attaches to prompt fulfillment of these promises. I would also appreciate your informing the Department of State of the steps taken to this end so that our representatives in the United Nations will be in a position to deal effectively with any charges that may be made concerning our actions in the Trust Territory. In this connection, I should like to draw your attention to the fact that while India has not thus far placed on the agenda of the forthcoming session of the General Assembly an item concerning the legality of nuclear tests in the Trust Territory of the Pacific Islands, it continues to be probable that this matter will be discussed in the Assembly.

I am sending similar letters to the Atomic Energy Commission and the Department of the Interior.<sup>1</sup>

Sincerely,

WALTER B. SMITH

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<sup>1</sup>Neither printed.

711.5611/9-1154

*The Acting Secretary of State to the United States Representative at  
the United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON,] September 11, 1954.

DEAR CABOT: In the absence of the Secretary, I am writing to acknowledge your letter to him of August 26, 1954, enclosing a letter from Mason Sears and endorsing his views on the importance of carrying out promises made to the Marshall Islanders in connection with our nuclear experiments in the Marshall Islands. I heartily concur with the views expressed by you and Mr. Sears and am sending copies of your letter and that of Mr. Sears to the Atomic Energy Commission and the Departments of the Interior and Defense. Copies of my letter of transmittal are enclosed. I have asked that this matter be pursued energetically so that we may present the best possible record when our activities in the Trust Territory of the Pacific Islands are discussed in United Nations bodies.

To assist you in dealing with this question when it arises, I am requesting that you and Mr. Sears be kept informed of the steps taken to keep the promises to which you have referred. I am also enclosing a brief note of acknowledgement to Mr. Sears which I would appreciate your passing on to him when he returns from Africa.<sup>1</sup>

Faithfully,

WALTER B. SMITH

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<sup>1</sup> Letter to Sears not printed. It was virtually identical with the text of the letter to Lodge, except for the following statement: "I am sure the Secretary would wish me to express his appreciation to you for stressing the importance of this matter . . . ." (799.021/9-1154)

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ODA files, lot 62 D 225, "Trust Territory of Pacific Islands"

*Memorandum for the Files, by Charles D. Withers of the Office of  
Dependent Area Affairs*

CONFIDENTIAL

[WASHINGTON,] September 14, 1954.

Subject: Indian Move on Nuclear Tests in the Trust Territory of the  
Pacific Islands

(Background: New Delhi's Telegram 336<sup>1</sup> said that a memorandum incorporating the substance of paragraphs "g" and "h" of Department's CA-1368<sup>2</sup> on disarmament and the nuclear tests had been included in a memorandum and given to the Government of India. In as much as New Delhi was omitted from the list of missions instructed to present an *aide-mémoire* to their Government on these two items, we requested the Embassy to telegraph the text of the memorandum given

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<sup>1</sup> Sept. 8, 1954, 5 p. m., file 320/9-854, not printed.

<sup>2</sup> Aug. 24, 1954; see p. 1522.

to the GOI. New Delhi's 357 informed the Department that the text of the pertinent paragraphs of CA-1368, with certain language changes, had been handed to Natarajan, Deputy Secretary for UN Affairs, GOI Ministry of External Affairs).

In a discussion today with Mr. Meyers of UNP, it was agreed that no special instruction would be sent at present to New Delhi directing the Chargé d'Affaires to seek an appointment with Nehru for the purpose of explaining our position, consistent with security factors on the nuclear test issue should it arise. Instead, it was agreed that the Delegation would attempt to find out in New York what, if any, steps the Indians proposed to take in the matter and that if there were a clear indication that the Indians in fact expected to bring up the matter, the Department would then instruct the Embassy in New Delhi to contact Nehru. It was agreed that such an approach at the present time might defeat our objective and that it would be better to wait and see what, if any, effect the Embassy's memorandum left with the GOI would have on India's thinking.

C. D. WITHERS

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799.021/8-2654

*The Secretary of State to the United States Representative at the  
United Nations (Lodge)*

CONFIDENTIAL

[WASHINGTON,] October 29, 1954.

DEAR CABOT: In your letter of August 26, 1954, you stressed the importance which you and Mr. Mason Sears attach to this Government's carrying out the promises made last summer in the Trusteeship Council to the Marshall Islanders in connection with nuclear tests carried out in their islands. In letters of September 11, 1954, Acting Secretary Smith informed you and Mr. Sears that your letters to me on this matter, along with the Department's endorsement of the views expressed therein, had been transmitted to the Secretary of the Interior, the Secretary of Defense and the Chairman of the Atomic Energy Commission. I have recently received comments on your letters from each of them.<sup>1</sup> It is clear from those comments that there is complete agreement with the views which you and Mr. Sears expressed, namely, that we must prevent any recurrence of the accident which caused injury to Marshall Islanders and others. I am assured that every precaution will be taken to that end.

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<sup>1</sup> Letters not printed. Admiral Strauss' letter was sent Sept. 30 but has not been found in the files of the Department of State. The letter of the Secretary of Defense was dated Oct. 15, 1954 (799.021/10-1554) and that of the Secretary of the Interior was dated Oct. 20, 1954 (799.021/10-2054).

With regard to the question of compensating those Marshall Islanders who suffered injuries, damages or losses as a result of the March 1st test, Secretary of Defense Wilson informs me that, after consultation with the Atomic Energy Commission, the Department of Defense has accepted responsibility for settling any legitimate claims submitted by the Marshallese in this connection. It has been determined that the Foreign Claims Act provides the Defense Department with statutory authority for payment of such claims not in excess of \$5,000.

Secretary of the Interior McKay informs me that as a result of this decision, he has asked the Government of the Trust Territory of the Pacific Islands to inform the Marshall Islanders of their right to submit claims and to assist them in the preparation of their claims. Thus, while no claims have been received by the Departments concerned in Washington, the necessary preliminary steps for their submission and settlement at an early date have been taken.

Secretary McKay points out that the situation with regard to the compensation of the people removed from Bikini Atoll is somewhat more complicated. It is inextricably bound to the entire question of the conditions under which land in the Trust Territory is to be reserved and utilized by the military. He indicates that the Interior Department is actively engaged in discussions with the Department of the Navy on this question and that some progress is being made.

The Department has been informed by the Atomic Energy Commission that the Commission, in cooperation with the Navy Department, has undertaken the first of its periodic medical examinations of the Islanders who suffered ill-effects from the nuclear explosion. The Commission is also making plans for a resurvey of the affected atolls and the collection of biological specimens and soil samples. We are informed that this survey will be undertaken in the very near future.

With regard to the problem of assisting the Bikinians in their adjustment to the island of Kili on which they have been resettled, Secretary McKay informs me that a community development project designed to improve the Islanders' agricultural production and to help them develop other economic enterprises is now under way. Additional measures to improve communication and transportation between Kili and the nearby island of Jaluit are planned.

The Department will keep you informed of further developments on this matter as they arise.<sup>2</sup>

Sincerely yours,

JOHN FOSTER DULLES

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<sup>2</sup> In a letter of the same date Secretary Dulles transmitted to the U.S. Representative on the Trusteeship Council (Sears) a copy of the instant letter, informing him that "the Department will keep you informed of developments in this matter as they arise." (799.021/8-2654)



711.5611/12-254

*The Chairman of the United States Atomic Energy Commission  
(Strauss) to the Secretary of State*

CONFIDENTIAL

WASHINGTON, December 2, 1954.

DEAR MR. SECRETARY: In my letter dated September 30 to Under Secretary Walter Bedell Smith,<sup>1</sup> I noted the Commission's interest in an expeditious settlement of the problems arising from the use of certain locations in the Marshall Islands for the conduct of nuclear experiments. Mr. Smith, in his letter of September 11, forwarding copies of letters received from Ambassador Lodge and Mr. Mason Sears, had requested that the Commission inform the Department of State of the steps being taken to carry out the commitments made by the U.S. Government to the Marshall Islanders affected by the Pacific tests. In my interim letter to Mr. Smith I stated that the Commission would prepare a detailed reply on this subject.

In the recent meetings of the U.N. Trusteeship Council the United States gave assurances that it would take every precaution to prevent the recurrence of casualties as a result of fallout such as occurred following the March 1 experiment. As you know, immediately following that test, which was the first of the Castle series, the warning area around the test site was greatly enlarged. A warning area of similar scope will certainly be established in any future experiments conducted in the Pacific Proving Grounds. You may be assured that the Commission is determined that no repetition of such an accident shall occur.

As Mr. Mason Sears has recorded in his letter to you of July 23, a copy of which Mr. Smith forwarded to the Commission with his letter of September 11, there are two outstanding problems which relate to compensation to the Marshall Islanders as the result of Pacific test activities. The first of these concerns compensation due the inhabitants of Bikini, who were displaced in 1946. In respect to this aspect of the problem a Memorandum of Understanding is now being negotiated between the Departments of Navy and Interior under the terms of which use and occupancy agreements will be negotiated between the Department of the Navy and the Government of the Trust Territory for the use of Bikini and Eniwetok atolls by the Atomic Energy Commission. The Commission has authorized the Department of Navy to represent the Commission in these negotiations. As presently visualized the agreements for the use of Bikini and Eniwetok, when completed, will provide for lump sum payments to the Government of Trust Territory from funds appropriated by the Congress to the Department of the Navy. These payments will enable the Government of Trust Territory to compensate the Bikinians. The Commission has

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<sup>1</sup> Not found in Department of State files.

been advised that the Department of the Navy is continuing the negotiations with the Department of Interior, and it is our hope that this aspect of the compensation matter can be finally discharged in the near future.

The second aspect of this problem refers to the promises made to compensate the Rongelap and Uterik people for damages resulting from the March 1 fallout. The Department of Defense, under authority derived from the Foreign Claims Act, has agreed to consider and settle these claims. It should be noted, however, that such claims must be presented within one year after the occurrence of the incident out of which the claim arises. The Commission is not aware that any claims from the people of Rongelap and Uterik have yet been received.<sup>2</sup>

Immediately after the March 1 fallout, it was deemed necessary, as you know to remove the natives of Rongelap and Uterik to Kwajalein for medical observation and care. The natives received the finest medical attention available. It soon became apparent that the natives of Uterik had not been exposed to dangerous amounts of radioactive fallout and they were returned to their native homes, under living conditions equivalent to or better than those existing before their evacuation. Continued medical attention was given, however, to the natives of Rongelap who had received significant amounts of radioactive contamination. Because of residual radioactivity on Rongelap, it was deemed wise to resettle the Rongelapians on another atoll until the activity had decayed to a safe level. These people have therefore been temporarily housed on the island of Ejit in Majuro Atoll. Housing was constructed for them under supervision of an A.E.C. contractor, using funds supplied by Joint Task Force 7. These houses, of plywood with aluminum roofs, have been so constructed as to make it possible to remove them to the natives' original home when it is safe for them to return.

Meanwhile the Atomic Energy Commission has accepted the responsibility for continued medical examinations of the natives of Rongelap as a routine precautionary measure. The first medical recheck has just recently been completed and was conducted for the Commission by medical teams from the Naval Medical Research Institute and the Navy Radiological Defense Laboratory. The preliminary report of these medical teams has been reviewed in the Commission and reveals that no permanent impairment of the natives' health is to be expected. A further medical recheck will take place probably around February 1955 and further checks will be made thereafter.

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<sup>2</sup> Marginal notation by C. Dudley Withers of the Office of Dependent Area Affairs states: "Interior (Yeomans) says deadline has been brought to attention of those affected. CDW 12/16/54". William Yeomans was an officer in the Interior Department's Office of Territories.

The A.E.C. has also accepted the responsibility for such periodic resurveys of Rongelap and the collection of biological specimens and soil samples as may be necessary to determine the earliest possible time when the natives may be safely returned to their homes. The first such resurvey is presently being planned and it is expected that it will be made within the next two months. It is still the Commission's view that the residual level of radioactivity will decay to insignificance and the natives will be returned to their homes by May 1955.

You will be interested in two further programs which the Commission is considering in order to improve the living conditions of the Marshall Islanders.

Acting on a suggestion made originally by Mr. Midkiff, then High Commissioner of the Trust Territory of the Pacific Islands, the Commission has agreed to bear the cost of constructing an island communication system between Kili and Jaluit and the construction of family housing units on Jaluit which will enable the Bikinians on Kili to fish in the lagoon at Jaluit. It is planned that the actual construction will be supervised by A.E.C. contractor personnel and paid for from A.E.C. funds.

The Commission's Division of Biology and Medicine, in cooperation with the Trust Territory and the University of Hawaii, is investigating the possibility of undertaking certain agricultural programs to increase food production for the people on Kili and Majuro and for the Marshall Islands generally. The objective is to provide the islanders displaced from their homes by the Pacific experiments with a satisfactory ecological environment. This project, in which the Commission is deeply interested, would have an importance to the Marshallese far beyond the alleviation of distress arising from the conduct of nuclear experiments.

I hope that the information which is set forth in this letter will place the Department in the position to deal effectively with any charges which may be made in the United Nations discussions or elsewhere concerning our test activities in the Trust Territory.

Inasmuch as the responsibility for carrying out the commitments made to the Marshall Islanders are shared with the Commission by the Department of Defense and the Department of Interior, I have taken the liberty of sending copies of this letter to Secretary Wilson and Secretary McKay.<sup>3</sup>

Sincerely yours,

LEWIS STRAUSS

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<sup>3</sup> In a letter of Dec. 29, 1954, Assistant Secretary Key, writing in the name of the Secretary of State, informed Admiral Strauss saying that the information which the Commission had furnished would enable the Department to deal effectively with any charges which might be made in the Trusteeship Council or elsewhere. (letter, Key to Sears, Dec. 30, 1954, 711.5611/12-3054)

**C. QUESTIONS RELATING TO FRENCH NORTH AFRICA**

[Documentation on this subject is presented in volume XI.]

**D. THE SOUTH WEST AFRICA QUESTION**

[Documentation on this subject is presented in volume XI.]

## UNITED STATES POLICY REGARDING THE DRAFT UNITED NATIONS COVENANTS ON HUMAN RIGHTS: THE 1953 CHANGE<sup>1</sup>

Sandifer files, lot 55 D 429, "Human Rights—General—1947-1956"

*Memorandum of Telephone Conversation, by the Officer in Charge  
of United Nations Cultural and Human Rights Affairs (Cates)*

WASHINGTON, February 8, 1952.

Subject: Universal Declaration of Human Rights

Mr. Dulles called to inquire what action the United States had taken with respect to the Universal Declaration of Human Rights. His interest grew from the fact that, in connection with the approval of the Japanese Peace Treaty,<sup>2</sup> objections had been raised in Congress to the inclusion in the Preamble of a reference to the Universal Declaration of Human Rights.<sup>3</sup> Mr. Dulles wanted to be sure that the United States was not committed to any action under the Declaration—that we had never "signed" anything.

He also desired information on just where we stood with regard to the Draft International Covenant on Human Rights.<sup>4</sup>

In outlining briefly the situation with regard to the Universal Declaration and the Draft Covenant, I explained that in our references to the Declaration we always took pains to point out that it was drawn up as "a common standard of achievement" to be, in the words of former Secretary Marshall, "a standard of conduct for all" but not a binding obligation.<sup>5</sup>

<sup>1</sup> For previous documentation on this subject, see *Foreign Relations*, 1951, vol. II, pp. 735 ff.

<sup>2</sup> For documentation on the ratification of the Japanese Peace Treaty, see volume XIV.

<sup>3</sup> For documentation on the adoption of the Universal Declaration of Human Rights by the General Assembly at Paris on Dec. 10, 1948, see *Foreign Relations*, 1948, vol. I, Part 1, pp. 289 ff. For text of the Universal Declaration and accompanying instruments, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings, Resolutions*, pp. 71 ff. (Resolution 217 (III)).

<sup>4</sup> For a detailed exposition of the U.S. position on the Draft International Covenant on Human Rights, prepared for the instruction of the U.S. Delegation to the Sixth Regular Session of the General Assembly, Nov. 6, 1951–Feb. 5, 1952, see *Foreign Relations*, 1951, vol. II, pp. 735 ff.

<sup>5</sup> Mrs. Eleanor Roosevelt, the U.S. Delegate in the Third Committee (she was also chairman), made an explicit statement as to the U.S. position to the plenary meeting of the General Assembly on Dec. 9, 1948; see *Foreign Relations*, 1948, vol. I, Part 1, footnote 3, p. 304.

Sandifer files, lot 55 D 429, "Human Rights—General—1947-1956"

*Memorandum of Conversation, by an Adviser of the United States  
Mission at the United Nations (Hyde)*

CONFIDENTIAL

NEW YORK, May 15, 1952.

Subject: General Discussion on Human Rights

Present: Mrs. Roosevelt	Mr. Lubin
Miss Whiteman	Mr. Murden
Ambassador Gross	Mr. Bolte
Mr. Simsarian	Mr. Maffitt
Mr. Ross	Mr. Cory
Mr. Hyde	
Mr. Stewart	

Ambassador Gross opened up the question of what Mrs. Roosevelt's estimate is on how the current meetings of the Human Rights Commission will come out in considering the two Covenants<sup>1</sup> and also on what treatment the Economic and Social Council, as well as the General Assembly, will give them.

He asked if she would care to comment on a report of Cordier that there is some sentiment in the Human Rights Commission that favors slowing down on the drafting of the Covenants and perhaps emphasizing the Declaration. He also recalled that at the April Security Council dinner, Santa Cruz stated his feeling that it was a mistake to go ahead with the Covenants.

Mrs. Roosevelt felt that the approach in the Commission now is a political approach in that representatives are not voting on the technical question of what is in each article of the Covenants, but rather on the basis of general political attitudes. She feels that the Tunisian case is reflected in this vote.

There is a great need for the State Department to undertake a general public relations program to meet the attack on U.S. participation in the United Nations which is now concentrated on the work in the human rights field. Something needs to be done at home to make for understanding of the U.S. position. If public opinion at home develops along the lines of these recent attacks, the U.S. Representative in the Human Rights Commission will be in the same position as the Soviet Representative, that is, engaged in a propaganda activity and not

<sup>1</sup>The work on the division of the draft covenant into two instruments, one including civil and political rights and the other economic, social and cultural rights, began in the Commission on Human Rights and in the Economic and Social Council in 1951. This was a position supported and encouraged by the United States; for documentation, see *Foreign Relations*, 1951, vol. II, pp. 735 ff.; see also article by James Simsarian entitled "Economic, Social and Cultural Provisions in the Human Rights Covenant: revisions of the 1951 session of the Commission on Human Rights", in Department of State *Bulletin*, June 25, 1951, pp. 1003 ff.

working on something which the Senate, when a treaty is finally agreed, would even consider on its merits. It is time to meet the attacks being made on the United Nations which take the line that it is a highly dangerous organization.

Going on to comment on Ambassador Gross' report of two conversations, Mrs. Roosevelt felt that it is for the General Assembly to say what should be done in the future, assuming that the Covenants are completed at this session of the Human Rights Commission. She added that she is beginning to feel that there is much in Mr. Cohen's position that in the present political climate a good deal can be accomplished with the Declaration.

At this point Ambassador Gross put forward as a tentative summary that the U.S. as a government does not want to retreat from the main line of its effort in the field of human rights. In the face of the attacks on the effort to draft Covenants, we have the duty to protect the continuity of this effort.

He wondered how this position can be protected and saved without having it become an issue in the political campaign. The question of a Human Rights Covenant and the broader question of U.S. participation in the United Nations are issues we wish to keep out of the campaign.

Mrs. Roosevelt restated the need for the State Department to realize, meet and inform public opinion. This opinion has changed but she feels that the genuine interest of the American people continues in international affairs. In world affairs the U.S. should lead, not only in military and economic affairs but in standing for the rights of human beings. Herein lies a dynamic force which is of real value in our relations with Asia. This is the basic fact that needs to be understood. The Declaration has come out of this feeling and the Covenants may or may not come out of it. She is not inclined to want to abandon work on the Covenants, because the Soviet Union will continue to favor it and will then class the U.S. with the United Kingdom as forming a group of colonial powers opposing the Covenants for that reason. In our future handling of the Covenants we must be alive to the way in which the USSR can capitalize on what we do.

This brought Mrs. Roosevelt back to the need of organizing public opinion and telling the Non-Governmental Organizations how they can make their own views felt. On the issue of human rights, Mrs. Roosevelt stated that her mail has tripled in recent months which shows the concern of many people who need to be reassured as to the usefulness of what the U.S. is doing in this field.

Finally, she agreed with Ambassador Gross that in the economic field there is much we can do to meet the diminution of interest in the United Nations. Indeed, we must use the economic field to push the

United Nations. As one specific example, she mentioned the possibility of an Arab-Israel *rapprochement* on the basis of pure self-interest resulting from their economic interdependence.

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IO files, lot 71 D 440, SDA/C.3/155

*Position Paper Prepared in the Department of State for the United States Delegation to the Seventh Regular Session of the General Assembly*

RESTRICTED

[WASHINGTON,] September 24, 1952.

DRAFT COVENANTS ON HUMAN RIGHTS

THE PROBLEM

To determine the position of the United States Delegation concerning the draft Covenants on Human Rights,

RECOMMENDATIONS

1. The United States Delegation should express support for the resolution adopted by the Economic and Social Council at its fourteenth session instructing "the Commission on Human Rights to complete its work on the two covenants at its next session in 1953 and to submit them simultaneously to the Economic and Social Council".

2. The United States Delegation should oppose the *detailed review of the individual articles* of the draft Covenants at this session of the General Assembly, relying on the above resolution of the Council and the resolution adopted by the Commission at its eighth session that it should be allowed an opportunity to complete its work on the two covenants prior to their consideration by the Council and the Assembly. The Delegation should not, however, oppose a *general* discussion of the Covenants in the Assembly if general sentiment favors such a discussion.

3. The United States Delegation should oppose any resolution requesting the General Assembly to reconsider its decision to have two separate covenants.

4. A separate position paper on the self-determination questions considered by the Commission on Human Rights is being prepared.

5. A separate position paper on the United States position with respect to the individual articles of the two Covenants is also being prepared, for use by the United States Delegation in the event the Assembly does not agree to the postponement of the detailed review of the individual articles of the draft Covenants.

COMMENT

The Commission on Human Rights at its eighth session (April 14 to June 13, 1952), devoted practically its entire time to the revision of



the substantive articles and the Preambles of the two draft Covenants. The Commission did not have sufficient time to complete the drafting of the two Covenants and accordingly did not revise the provisions on implementation or the formal articles at the end of the two documents and also did not prepare its recommendations (as requested by the General Assembly) on a reservation article and a federal-state clause for inclusion in the two Covenants.

The Commission, at the end of its eighth session, adopted a resolution pointing out that the Economic and Social Council and the General Assembly should not consider the two draft Covenants prior to their completion by the Commission at its next session in 1953.

On the recommendation of the Commission, the Economic and Social Council adopted the following resolution at its fourteenth session (on July 30, 1952) by a vote of 11 to 3 (Czechoslovakia, Poland and USSR) with 4 abstentions (Egypt, Iran, Mexico and Pakistan). The 3 negative votes and the 4 abstentions were cast because of the reference in the resolution adopted to the two covenants to be drafted (these 7 countries preferring the drafting of a single covenant).

The resolution adopted by the Council reads as follows:

*"The Economic and Social Council,*

*"Having considered the resolution of the Commission on Human Rights (eighth session) on the completion of its work concerning the draft international covenants on Human rights,*

*"Instructs the Commission on Human Rights to complete its work on the two covenants at its next session in 1953 and to submit them simultaneously to the Economic and Social Council."*

The following 11 countries on the Council voted for the above resolution: Argentina, Belgium, Canada, China, Cuba, France, Philippines, Sweden, United Kingdom, United States, Uruguay.

The General Assembly at its sixth session (February 5, 1952) adopted a resolution by a vote of 27 to 20 with 3 abstentions calling on the Commission on Human Rights to draft two Covenants on Human Rights. (See Annex for vote on this resolution). At the end of the eighth (1952) session of the Commission on Human Rights, the USSR proposed a resolution calling on the General Assembly to reconsider its decision for two Covenants. This proposal of the USSR was rejected by the Commission 8 to 10.

The USSR submitted a similar proposal in the fourteenth session of the Economic and Social Council, and this proposal was also rejected (July 30, 1952) by a vote of 6 to 10 with 2 abstentions. The 6 countries voting for the USSR resolution were Argentina, Czechoslovakia, Egypt, Mexico, Poland and USSR. The 10 countries voting against the resolution were Belgium, Canada, China, Cuba, France, Philippines, United Kingdom, United States, Sweden, Uruguay. The 2 abstentions were Iran and Pakistan. Cuba and the Philippines voted

against the USSR resolution although in the General Assembly Cuba voted for one covenant and the Philippines abstained on this issue.

The USSR pointed out in the Commission on Human Rights that it also intended to submit a resolution on this issue in the Economic and Social Council and in the General Assembly.

Annex

VOTE IN GENERAL ASSEMBLY (SIXTH SESSION) ON TWO COVENANT  
ISSUE

The resolution calling on the Commission on Human Rights to draft two Covenants on Human Rights was adopted by the General Assembly in plenary on February 5, 1952 by a vote of 27 to 20 with 3 abstentions. This vote was not a roll-call one, and it therefore is difficult to state exactly which countries voted for and against the resolution. There was, however, a roll-call vote in the plenary session of the General Assembly the same day on an amendment submitted by Chile calling for one covenant. This amendment was rejected 25 to 29 with 4 abstentions. The vote on this amendment was as follows:

<i>For amendment</i>	<i>Against amendment</i>	<i>Abstentions</i>
Afghanistan	Australia	Dominican Re-
Argentina	Belgium	public
Burma	Bolivia	Panama
Byelo-Russia	Brazil	Philippines
Chile	Canada	Syria
Colombia	China	
Cuba	Costa Rica	
Czechoslovakia	Denmark	
Ecuador	France	
Egypt	Greece	
Ethiopia	Honduras	
Guatemala	Iceland	
Haiti	India	
Indonesia	Lebanon	
Iran	Liberia	
Iraq	Luxembourg	
Israel	Netherlands	
Mexico	New Zealand	
Pakistan	Nicaragua	
Poland	Norway	
Saudi Arabia	Paraguay	
Ukraine	Peru	
U.S.S.R.	Sweden	
Yemen	Thailand	
Yugoslavia	Turkey	
	United Kingdom	
	United States	
	Uruguay	
	Venezuela	

El Salvador and the Union of South Africa were absent. In an earlier vote on this issue in the Third Committee, El Salvador voted for one covenant.

In the earlier Third Committee vote, Colombia and Panama voted for two covenants, and Burma, Guatemala and Israel abstained. In the above vote on the Chile amendment in plenary, Burma, Colombia, Guatemala and Israel switched to vote for one covenant and Panama abstained. Syria had voted in the Third Committee for two covenants, but switched in the above vote to an abstention. Although the Dominican Republic abstained on the Chile amendment, it voted for the final resolution in plenary for two covenants.

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Hickerson-Murphy-Key files, lot 58 D 33, "Memoranda to Secretary and Under Secretary (General, 1953)"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*<sup>1</sup>

RESTRICTED

[WASHINGTON,] February 9, 1953.

Subject: American Foreign Policy and the Promotion of Human Rights Through the United Nations

*Problem:*

To examine and re-define United States policies and action in the United Nations relating to the promotion of human rights under the Charter. Such a review is necessary in order to lay down firm policies which will be responsive:

- (a) to the need of maintaining United States leadership in rallying and strengthening the free peoples of the world; and
- (b) to domestic criticism of specific action taken or contemplated in the promotion of human rights in the United Nations, particularly with respect to the proposed Covenants on Human Rights.

*Background:*

The following major considerations enter into any reformulation of policy:

1. The promotion and encouragement of respect for human rights and fundamental freedoms by joint and separate action is one of the purposes of the United Nations. The United States, as a Member of the United Nations, must continue to comply with this obligation.

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<sup>1</sup>The source text was an attachment to a covering memorandum of Feb. 12, 1953, from Hickerson to Secretary Dulles, which read in part: "In a democracy it is appropriate that from time to time policies being followed be re-examined and reviewed. The change of administration makes this a particularly appropriate occasion for such a review. I asked my Bureau, in association with the officers in the Legal Adviser's Office who have worked on the problem, to make a complete review of our policy respecting the promotion of human rights through the United Nations. I enclose a copy of this review for your consideration . . ."

2. In the discharge of this obligation the United States has thus far held a position of leadership ever since the inception of the United Nations. The establishment of the Commission on Human Rights (Article 68 of the Charter) was due to United States initiative in San Francisco. The United States participated actively in the drafting of the Universal Declaration of Human Rights, and supported its completion and approval by the General Assembly in 1948.

3. United States leadership in the promotion of human rights and our championship of the fundamental freedoms has been a significant factor in the cold war. It has helped to bring into focus the basic differences between the countries aspiring to greater freedom on the one hand, and those under the control of totalitarian Communism on the other. It has helped to strengthen the ideological basis for common action on the part of the free nations and for greater unity among them.

4. The United States has participated actively, ever since the submission of an initial draft by the United Kingdom in 1947, in the drafting of a Covenant on Human Rights in the Commission on Human Rights.

In participating in the drafting of such a treaty, the United States has been guided by the following objectives:

(a) To promote and strengthen the observance of human rights which are basic to the maintenance of free and democratic institutions; and

(b) To assure that the final text would conform to American constitutional principles, would in no way restrict or derogate from any rights set forth in the American Constitution, and would not be self-executing.

5. The United States had hoped to confine the proposed Covenant to civil and political rights as set forth in the American Bill of Rights. When a majority vote in the General Assembly called for the inclusion of economic, social and cultural rights, it was due to a persistent effort on the part of the United States that the General Assembly decided on the drafting of two separate Covenants which would permit separate consideration and ratification of one Covenant on Civil and Political Rights and another Covenant on Economic, Social and Cultural Rights.

6. In recent years vocal criticism has developed in the United States concerning United States participation in the drafting of these Covenants, with the expression of fear by many that such international treaties would supersede the Constitution and impose obligations upon the United States destructive of some of the basic concepts of the United States Constitution. Such criticism, initially formulated by a Committee of the American Bar Association, is reflected in the proposed "Bricker Amendment" to the Constitution (S. J. Res. 1).<sup>2</sup> See Tab A [B]. It has been strongly urged by these groups that the United States should cease to participate in the drafting of the Covenants. This view has been opposed by a number of other groups in this country, however, including the New York City Bar Association.

7. In contrast, there has been evident a growing determination within the UN itself to complete the Covenants. These proposed

<sup>2</sup> For documentation on the Bricker Amendment, see volume I.

treaties have to an overwhelming majority of the Members of the UN become symbols of the loftiest aspirations of the UN. Many Asian-Arab-Latin American countries insist on the drafting of treaties for the expression of their aspirations in the field of human rights. For the United States to withdraw at this stage from participation in the elaboration of these treaties would greatly weaken the position of leadership of the United States in the UN as a whole, and would be exploited to the full by countries hostile to the United States, and particularly the USSR.

8. While the Draft Covenants as developed to date (See Tab B [A])<sup>3</sup> are not entirely satisfactory from the American point of view, it has proved possible, by and large, to gain acceptance of texts which do conform in essentials to American constitutional principles. Should the United States abandon the Covenants, it is certain that before their completion, the texts would substantially deteriorate and articles would be included utterly unacceptable to the United States. The Covenants will no doubt serve as accepted standards of conduct after their approval by the UN, whether the United States does or does not ratify them.

*Recommendations:*

It is recommended:

1. That the United States should continue to participate actively in all measures considered in the United Nations for the promotion of respect for and observance of human rights and freedoms.

2. That, with regard to the Covenants, the United States should continue to participate in the drafting of these treaties in order to achieve the best possible results. In doing so, the United States should avoid being "out in front," but should assume its responsibilities as one of the 60 Members of the Organization. United States Representatives should as appropriate point out that there are many ways other than through the Covenants to promote more effectively human rights and freedoms, particularly in the field of economic, social and cultural rights. See recommendation 4 below for an elaboration of this point. If a majority view develops in the UN for a further delay in the completion of the Covenants, United States representatives should support this view.

3. That in drafting the Covenants the following policies be observed:

(a) Support the drafting of two separate Covenants, one Covenant on Civil and Political Rights and the other Covenant on Economic, Social and Cultural Rights, in order to stress the sharp differences between these two groups of "rights."

Civil and political rights are of such a nature as to be given legal effect promptly by the adoption of legislation or other measures as may be necessary. Since these rights, as now embodied in the draft of the Covenant on Civil and Political Rights are generally in line with the American Bill of Rights, ratification of this first Covenant by the United States would not restrict or derogate from rights under the United States Constitution.

<sup>3</sup> Texts of the Draft Covenants on Human Rights are not printed in *Foreign Relations*, but a detailed analysis of the draft articles is printed in *Foreign Relations*, 1951, vol. II, pp. 735 ff.

Economic, social and cultural rights, while spoken of as "rights" are, however, to be recognized as objectives to be achieved progressively by private as well as public action, subject to available resources.

(*b*) In the light of (*a*) above, the United States should lend support primarily to the Covenant on Civil and Political Rights. While cooperating in the drafting of the Covenant on Economic, Social and Cultural Rights, the United States should not hesitate to express its doubts regarding the usefulness of such a Covenant since it deals with matters which, in many instances, do not lend themselves to legislation.

(*c*) Support the retention of language in the Covenants to assure that they are non-self-executing.

(*d*) Support the retention of language in the Covenants to make it clear that they will not in any way restrict or derogate from any rights in the Constitution of the United States.

(*e*) Urge the inclusion of a federal state article in the Covenants to make it expressly clear that the obligations of a federal state, such as the United States, under the Covenants will be limited to matters which, under the Constitution of the country, are within the federal jurisdiction and to ensure that the constitutional balance between the powers delegated by the federal Constitution to the federal government, on the one hand, and the powers reserved to the States, on the other hand, would not be altered by the Covenants.

(*f*) Oppose the inclusion of provisions in the Covenants to authorize the proposed Human Rights Committee to receive or consider complaints or petitions from organizations or individuals concerning alleged violations of the Covenants. If such provisions are included, the United States should urge that they be set forth in a separate protocol or protocols.

(*g*) Support the inclusion of non-judicial procedures in the Covenant on Civil and Political Rights relating to complaints with respect to alleged violations of the Covenant, limited to States Parties to the Covenant and simply authorizing the proposed Human Rights Committee to ascertain the facts in each case and make available its good offices to the States concerned, with a view to a friendly solution of the matter on the basis of respect for human rights as recognized in the Covenant. A report should be prepared by the Committee on each case and published by the United Nations.

If these policies are fully reflected in the Covenants as finally approved, and particularly in the Covenant on Civil and Political Rights, the objectives of the "Bricker Amendment" (S.J. Res. 1) would be attained (see Tab A [*B*]).

4. That the Department consider and propose, as appropriate, other and possibly more effective methods of promoting human rights such as:

(*a*) Less ambitious and more specific international treaties or recommendations (for instance the Convention on Political Rights of Women or the Declaration on the Rights of the Child).

(*b*) Fuller information and publicity regarding constructive measures adopted by various countries to advance human rights.

In this connection consideration might be given to the appointment of a *Rapporteur* on Human Rights, similar to the appointment of a *Rapporteur* on Freedom of Information by the Economic and Social Council at its 1952 session.

(c) An exchange of experience regarding measures taken in various countries to overcome disrespect for human rights particularly in the field of discrimination.

(d) The improvement of living standards which require economic and social measures rather than legislation.

(e) The fuller development of mass media, particularly in the under-developed countries to assure greater freedom of information.

5. That as a corollary of 4(a) above, the President authorize the signature on behalf of the United States of the Convention on the Political Rights of Women completed at the 1952 session of the General Assembly (see Tab C)<sup>3</sup> and the approval by the Senate of the Genocide Convention (see Tab D).<sup>4</sup> Appropriate understandings or reservations will have to be filed with each of these conventions. The ratification of the Genocide Convention by the United States is particularly urgent. The Convention is already in force with 40 countries having adhered to it. Non-ratification by the United States has deprived us of the opportunity to make full use of the Convention in branding as Genocide basic policies and actions of the USSR and its satellites.

6. That the United States take every opportunity to expose and publicize the violation of human rights and freedoms by the USSR and its satellites, as illustrated by forced labor in these countries, religious persecutions and the disregard of basic principles of justice in the trial and punishment of persons in these countries.

#### *Clearances:*

This memorandum has been cleared by L.

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<sup>3</sup>Tab C "Convention on Political Rights of Women," not printed here. The General Assembly of the United Nations voted on Dec. 20, 1952 to open for signature and ratification at the end of its 7th Regular Session (1952-53) the Convention on the Political Rights of Women. For text of the convention, see United Nations, *Official Records of the General Assembly, Seventh Session* (during the period Oct. 14-Sept. 21, 1951), *Resolutions*, p. 28.

<sup>4</sup>Tab D "Convention on the Prevention and Punishment of the Crime of Genocide" (not printed here). The convention was approved by the General Assembly on Dec. 9, 1948 and came into force on Jan. 12, 1951 (40 countries having ratified or acceded to the convention). For text of the Genocide Convention, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Resolutions*, 174-177. President Truman forwarded the Genocide Convention to the Senate for ratification on June 16, 1949; for documentation, see *Foreign Relations*, 1949, vol. II, pp. 384 ff. For documentation on the U.S. position in support of the convention in the deliberations at Paris in 1948 leading to the adoption of the Genocide Convention by the General Assembly, see *ibid.*, 1948, vol. I, Part 1, pp. 295-302.

Subsequently, in 1953, Secretary of State Dulles indicated in testimony before a Senate Judiciary subcommittee that the Executive Branch did not propose to press for approval of the Genocide Convention.

[Attachment—Tab B]

S.J. RES 1 SUBMITTED BY SENATOR BRICKER AND OTHER  
SENATORS ON TREATIES

S.J. Res. 1 submitted by Senator Bricker and a number of other Senators in the 83d Congress lists three tests with respect to treaties.

1. "A provision of a treaty which denies or abridges any right enumerated in this Constitution shall not be of any force or effect."

This test is proposed to be met by recommendation 3 (*d*). Under this recommendation, the Covenants would expressly provide that they are not in any way to restrict or derogate from any right in the United States Constitution. As a matter of fact, Justice Field in 1890 pointed out in *Geofroy v. Riggs* that the treaty-making power of the United States "does not extend 'so far as to authorize what the Constitution forbids'."

2. "No treaty shall authorize or permit any foreign power or any international organization to supervise, control or adjudicate rights of citizens of the United States within the United States enumerated in this Constitution or any other matter essentially within the domestic jurisdiction of the United States."

This test is proposed to be met by recommendations 3 (*f*) and 3 (*g*). Under these recommendations, the Human Rights Committee proposed to be established under the Covenant on Civil and Political Rights would have no authority to receive or consider complaints or petitions from a citizen of the United States or from any other individual. Also, the proposed Human Rights Committee would not be authorized "to supervise, control or adjudicate" rights or any other matters. The Committee would simply ascertain the facts in each case and make available its good offices to the countries concerned with a view to a friendly solution of the matter. A report of its efforts would then be prepared by the Committee and published by the United Nations. The Committee would address itself only to the obligations of countries under the Covenant.

3. "A treaty shall become effective as internal law in the United States only through the enactment of appropriate legislation by the Congress."

This test is proposed to be met by recommendation 3 (*e*). Under this recommendation, it is proposed that language be retained in the Covenants to assure that they are non-self-executing; that is, that they will not be enforceable as such in the courts of the United States. They will require implementing legislation to the extent such legislation has not already been enacted, and it will be this legislation that will be enforced in the courts of the United States.



Hickerson-Murphy-Key files, lot 58 D 33, "1952 Memoranda—General"

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Legal Adviser (Fisher)*

RESTRICTED

[WASHINGTON,] February 12, 1952.

Subject: Senator Bricker's Proposal for a Constitutional Amendment to Limit the Treaty Power.

The recent announcement of Senator Bricker's proposal for a Constitutional amendment to prevent the use of treaties and Presidential agreements "to undermine the sovereignty of the United States" emphasizes the urgency and importance of the Department having a fully developed position on the relationship between the Constitution and our international activities with special reference to the treaty-making powers of the President. Senator Bricker's proposal is obviously related to the draft Covenant on Human Rights and the Genocide Convention.

Criticism of our participation in the United Nations and allegations of our intent to use the treaty power to amend or circumvent the Constitution can no longer be dismissed, as some have urged, as isolated misinterpretations. It is not, of course, only our United Nations activities, especially the draft Covenant on Human Rights and the Genocide Convention, which are involved but the treaty-making powers generally.

I believe that some positive action by the Department is required. This might take the form of a statement by the Secretary, a letter to a Senator, or any other medium appropriate for placing the legal views of the Department before the public. The means of achieving this purpose are secondary. What is important is to make public a forceful legal opinion which would reassure public supporters of our international programs many of whom have unquestionably been confused by Senator Bricker's proposal.

I have just learned that the Department has been requested to transmit a report on the Bricker Resolution to the Senate Committee, and that action has been assigned to L/UNA. This might serve as an appropriate occasion for making known our position.

JOHN D. HICKERSON

L/UNA files, "Human Rights—Conventions and Treaties—1949-1965"

*Memorandum by the Legal Adviser (Phleger) and the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] February 18, 1953.

Subject: United States Policy Regarding Draft International Covenants on Human Rights

Since the meeting in your office last week,<sup>2</sup> we have discussed further with Mrs. Lord<sup>3</sup> the problem of a change in United States policy toward the Human Rights Covenants. The memorandum which is attached has been prepared in the light of these discussions. It sets forth arguments for and arguments against a change in the policy of support for the Covenants. It then goes on to suggest three possible courses of action which might be followed if a decision is made to change the policy which this Government has pursued up to the present time. These courses are considered in terms of their effectiveness in accomplishing a change in United States policy with the least damage to our public position at home and abroad.

When a decision is reached on the question of basic policy and on the course to be followed if a change in policy is decided upon, we expect to work with Mrs. Lord further on the preparation of a general policy statement for her to make in the Human Rights Commission at its forthcoming session in Geneva.

If a decision is made to change United States policy toward the Covenants, it has occurred to us that it might be useful to include in a letter of instructions to Mrs. Lord prior to her departure for Geneva the following elements: (1) a recital of United States efforts for several years on drafting the Covenants in the Human Rights Commission, which has been proceeding under instructions from the General Assembly; (2) a statement of our view that codification of human rights in the Covenants is not an appropriate and effective way of furthering the observance of human rights throughout the world at the present stage in international relations; (3) an authorization to the United States representative to put forward methods other than the Covenants for appropriate action through the United Nations to further the goals proclaimed in the Declaration of Human Rights; and (4) statements of the importance attached by this Government to the pursuit of human-rights goal through appropriate procedures in the United Nations and of wholehearted support for suitable steps to this end. In the event of a decision to change existing United States

<sup>1</sup> Drafted by the Assistant Legal Adviser for UN Affairs (Meeker).

<sup>2</sup> No record of this meeting has been found in Department of State files.

<sup>3</sup> Mrs. Oswald B. Lord was U.S. Representative on the UN Commission on Human Rights.

policy toward the Covenants, the change would presumably be foreshadowed if not announced in your testimony before the Senate committee holding hearings on the Bricker amendments to the Constitution. It is, therefore, our thought that you might wish to make a public release of the letter of instructions to Mrs. Lord before her departure. Public indications of a changed policy, in the hearings on the Bricker amendments and in a letter to Mrs. Lord, could be helpful in reassuring large numbers of people in this country about United States participation in the United Nations and could prepare the ground for Mrs. Lord's work at the session of the Human Rights Commission by making it clear that her actions in Geneva stem from instructions given by the highest authorities in this Government.

[Attachment]

[WASHINGTON,] February 17, 1953.

UNITED STATES POLICY REGARDING DRAFT INTERNATIONAL COVENANTS  
ON HUMAN RIGHTS <sup>4</sup>

I. SHOULD PRESENT UNITED STATES POLICY IN SUPPORT OF THE DRAFT  
COVENANTS BE CHANGED?

A. *Arguments For:*

1. It seems unlikely at the present stage in international relations that the observance of human rights throughout the world will be furthered by means of international agreements which lack real enforcement provisions. At the present time progress can best be made, not through the imposition of legal obligations, but through means of public discussion and persuasion.

2. It is highly problematical that even the Covenant on Civil and Political Rights can gain the consent of the U.S. Senate to ratification.

3. It is by no means clear that a significant number of countries whose existing standards in the human rights field would be affected by the Covenants, would ratify them and actually give effect to their provisions.

4. The Covenants, once adopted and in force among some states, could work to the disadvantage of United States interests, whether this country became a party or not. The Covenants would be a source of propaganda attack on positions taken by the United States and on conditions within this country. The Covenants might contain pro-

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<sup>4</sup> Drafted by Meeker and an officer of his staff, W. E. Hewitt. The two officers had jointly prepared a draft on Feb. 16 which differed from the instant memorandum in form, substance, and emphasis, although much of the material was the same and simply presented differently (memorandum by Meeker and Hewitt, Feb. 16, 1953, L/UNA files, Human Rights—Conventions and Treaties—1949-1965”).

visions on economic self-determination and the right of nationalization which would be detrimental to United States interests in certain areas abroad.

5. Continued United States effort in support of the Human Rights Covenants might appear, at least to some observers and critics in this country, as inconsistent with the Administration's policy on civil rights in the United States, where the emphasis is now on persuasion as against any new federal civil rights legislation.

6. The Covenants are under attack by large and important groups in this country such as the American Bar Association and a number of members of the U.S. Senate. For the administration to press ahead with the Covenants would tend to keep alive and strengthen support for the Bricker amendments to the Constitution.

*B. Arguments Against:*

1. The United States has believed that continued friendly relations among nations depends in part upon the observance of human rights throughout the world, and that the draft Covenants will be a means by which progress may be made in this field. The United States has therefore for several years supported the idea of incorporating basic civil and political rights in a binding international instrument. A change in position now would be difficult to explain.

2. Sentiment in other countries, especially those of Latin America and the Middle and Far East, strongly favors the Covenant. United States support for the Covenants has helped in our relations with those countries, which together have a majority in the General Assembly. To withdraw support from the Covenants would have a marked negative effect on these relations.

3. To withdraw support from the Covenants would be interpreted by at least some other countries as a step backward in the world effort to promote universal observance of human rights. Countries unfriendly to the United States, particularly the Soviet bloc, would be presented with a propaganda weapon for use in the cold war, which we could expect them to exploit particularly in under-developed areas.

4. Withdrawal of United States support of the Human Rights Covenants will not necessarily prevent their completion. United States interest requires that the final texts of the Covenants, in the event that they are accepted by some countries, be in as satisfactory a form as possible. United States efforts to this end will be less effective if we have withdrawn support from the Covenants.

5. A considerable body of organized opinion in the United States favors support for the Covenants.

6. The Covenants would not increase federal power over the states in the human-rights field. The United States has been insisting on the

inclusion of a federal-state clause in the Covenants, by which the existing federal-state relationship would remain the same.

II. IN THE EVENT OF A SHIFT IN UNITED STATES POLICY AWAY FROM ACTIVE SUPPORT OF THE COVENANTS, THE PROBLEM OF HOW BEST TO IMPLEMENT THE NEW POLICY MUST BE CONSIDERED. THERE ARE A NUMBER OF POSSIBLE COURSES FOR GIVING EFFECT TO SUCH A SHIFT IN POLICY. FOR BREVITY AND CONVENIENCE, THE PRESENT MEMORANDUM WILL SUGGEST THREE VARYING AND REPRESENTATIVE POSSIBILITIES, GIVING THE ARGUMENTS FOR AND AGAINST EACH.

A. The United States would invite United Nations Members engaged in drafting the Covenants to take stock of their efforts and consider whether long experience has not shown that it is difficult or impossible to produce mutually satisfactory instruments which will at the same time operate effectively to promote human rights; the United States would express its view that now is not the propitious time for seeking the codification of human-rights standards in such general form as the Covenants, that a greater degree of general acceptance of goals in this field must be achieved before the time will be ripe. The United States would urge that the United Nations give attention and emphasis to means other than the Covenants for making progress toward the goals set forth in the Declaration of Human Rights; the United States would suggest consideration of such means as (i) a human-rights *rapporteur* designated by the Human Rights Commission to survey and report on the progress being made in the different countries, the results of his study to be discussed by the Commission with appropriate attention to special problems and systematic denial of rights; (ii) periodic reporting by member governments, with the assistance of national advisory groups, on forward steps being taken in their respective countries, such reports to be discussed as appropriate by the Human Rights Commission; (iii) the provision of advisory services, through a panel designated by the Human Rights Commission, to countries desiring what amounts to technical assistance in the human rights field. In view of the instructions given to the Human Rights Commission by the General Assembly, and in view of the likelihood that other members of the Commission would wish nevertheless to proceed with work on the Covenants, the United States would continue to participate in the work of drafting despite its general position on principle expressed above.

1. *Arguments For:*

(a) This would be a wholly candid position, making a clean break with the past where experience has led the United States to conclusions different from those held by this Government four or five years ago.

(b) The position would have maximum influence in drawing support away from the Bricker amendments.

(c) It comprises elements of positive policy which would minimize the difficulties to be anticipated, in a change of basic position, from other countries and from the United States groups particularly interested in human rights policy.

(d) By continuing to participate in the drafting process, the United States would retain some measure of influence over the texts of the Covenants, perhaps preventing the inclusion of provisions which would be detrimental to American interests.

2. *Arguments Against:*

(a) Work on the Covenants might well continue despite the change in United States position, with resulting instruments less satisfactory than those which might be anticipated if the United States continued its policy of support for the Human Rights Covenants.

(b) Reporting, either by a *rapporteur* or by member governments, on human rights developments in the different countries might facilitate propaganda charges against conditions in the United States.

(c) This position would most clearly express our opposition to the Covenants, and for that reason would, in comparison with alternatives II.B. or II.C. below, accentuate the disadvantages of a change in policy referred to in part I of this memorandum.

B. The United States would state its opposition to the Covenant on Economic and Social Rights, arguing our view that these rights must be furthered in other ways; the United States would reserve its position altogether regarding the Covenant on Civil and Political Rights; and the United States would express willingness to continue to participate in drafting, with the hope that the latter Covenant might eventually emerge in acceptable form.

1. *Arguments For:*

(a) In stating frankly this position, the United States still would not be opposing stubbornly the will of the majority and would continue to cooperate in their drafting efforts.

(b) The United States would be able to exercise influence toward securing relatively satisfactory Covenant texts, particularly in the case of the Covenant on Civil and Political Rights.

(c) This position would to some extent serve to reassure the groups in the United States most strongly opposed to the Human Rights Covenants.

2. *Arguments Against:*

(a) This position might be interpreted by other countries as implying a patronizing attitude on the part of the United States, an attitude especially resented by the less developed countries.

(b) United States influence in the drafting process would be relatively less than in the past, with the possible result of frequent American defeats in voting.

(c) This position would lack elements of positive and constructive policy in the human rights field, such as could help the United States Government, which are of importance to other countries and to the groups in the United States particularly interested in the promotion of human rights.

C. The United States would continue to participate in the work of drafting the Covenants; the United States would refrain from asserting leadership in the work, and would actually follow a course calculated to delay, if not prevent, the completion of the Covenants. The United States would pursue this course as perhaps the first stage in carrying out a new policy, to be followed later by announcement of a change in position and by pursuit of a course such as that indicated in II.A. or II.B. above.

1. *Arguments For:*

(a) The above course of action might soften the propaganda disadvantages to the United States of a change in policy toward the Human Rights Covenants.

(b) Lack of positive leadership by the United States might make it more difficult to reach agreement on the final texts. Eventually, therefore, other countries might be persuaded that the whole idea of concluding the Covenants is not a practical undertaking at the present time.

(c) The United States might find it easier, after a period of expressing repeatedly its dissatisfaction with the progress in drafting the Covenants, to announce and follow a basically changed policy.

2. *Arguments Against:*

(a) The above course of action would readily be sensed by other delegations as indicating a basic change in policy. Charges of duplicity and bad faith might then be added to charges of unfriendliness to the United Nations human rights programs.

(b) Failure of the United States frankly to state its basic policy change at the outset would make it more difficult for the United States to gain adherence later to positive programs in the human rights field which this country might decide to put forward.

(c) The tactic of veiled and gradual withdrawal of support for the Covenants would have only minimum effectiveness in diminishing the prospects of the Bricker amendments [*sic*].

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Hickerson-Murphy-Key files, lot 58 D 33, "Memoranda-General-1953"

*Memorandum by the Deputy Assistant Secretary of State for United Nations Affairs (Sandifer) to the Director of the Office of United Nations Economic and Social Affairs (Kotschnig)*

[WASHINGTON,] February 19, 1953.

Subject: United States Policy Regarding Draft International Covenants on Human Rights

Mr. Phleger's and Mr. Hickerson's joint memorandum to the Secretary, dated February 18, 1953, on the subject "United States Policy Regarding Draft International Covenants on Human Rights" was considered at a meeting in the Secretary's office today attended by Mrs. Lord, Mr. Phleger, Mr. Hickerson, and myself.

After reading the memorandum the Secretary indicated his view that we should proceed with a change in policy along the lines set forth in part II.A of the memorandum. The Secretary also liked the idea of a letter from him to Mrs. Lord. He emphasized the importance of great care in its preparation and also spoke of the need for careful scrutiny of alternative approaches of the character listed in part II.A to avoid any new mechanisms which might give the Soviets an opportunity for prying around in human rights conditions in the United States. It was agreed, upon Mr. Phleger's suggestion, that Mrs. Lord should prepare a first draft of this letter.

It was also agreed that work should proceed on the preparation of a general policy statement for Mrs. Lord's use in the Commission as suggested in paragraph 2 of Mr. Phleger's and Mr. Hickerson's memorandum.

It was understood as a part of this general decision that the United States would continue in the Human Rights Commission to participate in the technical work of the completion of the Covenants, as stated in the last sentence of part II.A. Mr. Dulles said that in view of our change in policy we would of course not insist on drafting changes as we had in the past where we thought they were necessary to bring them in line with our own constitutional law and practice. Our role would be one of helpfulness but not one of pressing our views upon the Commission.

DURWARD V. SANDIFER

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340.1 AG/2-2053

*Memorandum by the Secretary of State*<sup>1</sup>

[WASHINGTON,] February 20, 1953.

The question of change of policy in relation to the Human Rights Convention was discussed with the President in Cabinet today and met with general approval.<sup>2</sup>

J[OHN] F[OSTER] D[ULLES]

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<sup>1</sup> Addressed to the Legal Adviser (Phleger), the Assistant Secretary of State for UN Affairs (Hickerson), and the UN Representative on the Commission on Human Rights (Mrs. Lord).

<sup>2</sup> Discussion of human rights at the Cabinet meeting on Feb. 20, 1953 occurred within the context of a discussion on the Bricker Amendment. The following exchange occurred: "The Vice President suggested that support for the amendment developed considerably from opposition to the U.N. Genocide Convention. Mr. Dulles reported a change in United States policy in regard to the Convention which can be helpful in combating the Bricker Amendment." (Minutes of Cabinet Meeting, Feb. 20, 1953, 10 a. m. to 12:15 p. m.; see extract of the whole discussion on the Bricker Amendment in volume I; Eisenhower Library, Eisenhower papers.)



340.1 AG/3-2653

*Memorandum by the Assistant Secretary of State for United Nations Affairs (Hickerson) and the Legal Adviser (Phleger) to the Secretary of State*<sup>1</sup>

[WASHINGTON,] March 26, 1953.

Subject: United States Policy Concerning Proposed Covenants on Human Rights

In accordance with our conversations concerning United States policy for the next session of the UN Commission on Human Rights which opens in Geneva on April 7, it is proposed that Mrs. Oswald B. Lord point out in the Commission that in the present stage of international relations it is the opinion of the United States that there are more effective ways to promote the human rights objectives of the UN Charter than through the drafting of the proposed Covenants on Human Rights; that a greater degree of general acceptance of goals in this field must be achieved before it will be useful to draft treaties of the scope of the proposed Covenants; and that the Commission on Human Rights should accordingly give attention and emphasis to means other than the Covenants for making progress toward the human rights goals of the UN Charter. (Tab A)

Mrs. Lord is asked to point out to the Commission on Human Rights that the United States attaches great importance to the achievement of the human rights goals of the UN Charter and the Universal Declaration of Human Rights and accordingly is prepared to support at this session of the Commission the following means for the achievement of these goals:

1. The institution of world-wide surveys by the Commission on Human Rights on various aspects of human rights, through the assistance of a *rapporteur* appointed by the Commission. The first two subjects suggested are freedom of religion and the right to a fair trial. The *rapporteur* would consult non-governmental organizations as well as governments and the Specialized Agencies for relevant data for sub-

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<sup>1</sup>Drafted by the Officer in Charge, UN Cultural and Human Rights Affairs (Simsarian). This memorandum was cleared with the geographic bureaus, a normal procedure with many questions affecting U.S. policy at the United Nations (each bureau had an UN adviser who acted in a liaison capacity between each bureau and the Bureau of UN Affairs). In this particular instance the clearance of the Bureau of Inter-American Affairs was rather ambiguously qualified, the clearance being conditioned upon views expressed in a memorandum of Mar. 20, 1953 by the Assistant Secretary for Inter-American Affairs (Cabot) to the Director of the Office of UN Economic and Social Affairs (Kotsehnig), regarding specific items on the agenda of the Human Rights Commission. Assistant Secretary Cabot seems to have been concerned that the Latin American states might be criticized for violations of human rights if certain procedures were adopted. Cabot wrote: "We should avoid, as far as possible, procedures which are likely to result in a situation where countries which are basically anxious to cooperate with the UN would receive a substantial share of the criticism, while the countries which are the major violators of human rights would be able to avoid much, if any, criticism." (340.1 AG/3-2053)

mission to the Commission. The report of the *rapporteur* would be considered in the Commission on Human Rights and general recommendations are anticipated relating to the particular subject discussed. The procedure proposed here is similar to that already undertaken by the UN Economic and Social Council in the field of freedom of information.

2. Annual reports on developments in the field of human rights from each Member Government of the United Nations, prepared in each instance with the assistance of a national advisory committee, such reports to be considered in the Commission at the time the survey reports of the proposed *rapporteur* are submitted. The proposed national advisory committee on human rights would be appointed by the Secretary of State and would be available on a consultative basis to assist in the preparation of the annual reports to be prepared under the general supervision of the Department of State.

3. The establishment of advisory services on specific aspects of human rights defined by the UN Economic and Social Council, such services to be in the form of experts going to countries requesting the services, scholarships and fellowships being provided for training abroad and arrangements for seminars. These services would be along the lines of other advisory services now being provided in the United Nations in the economic, social and public administration fields. (Tab B)

*Recommendation:*

It is recommended that you approve the proposals in this memorandum. Mrs. Lord will be given instructions along the lines set forth in this memorandum for the next session of the Commission. Mrs. Lord has reviewed the proposals in this memorandum and considers them satisfactory.

[Attachment 1]

STATEMENT OF POLICY FOR 1953 SESSION OF COMMISSION ON  
HUMAN RIGHTS

The United States Representative should point out that in the present stage of international relations it is the opinion of the United States that there are more effective ways to promote the human rights objectives of the UN Charter than through the drafting of the proposed Covenants on Human Rights; that a greater degree of general acceptance of goals in this field must be achieved before the time will be ripe for the proposed Covenants; and that the Commission should accordingly give attention and emphasis to means other than the Covenants for making progress toward the human rights goals of the UN Charter.

The United States Representative should point out that the United States attaches great importance to the achievement of the human rights goals of the UN Charter and the Universal Declaration of Human Rights and accordingly is prepared to support at this session

of the Commission the following means for the achievement of these goals:

(a) The institution of world-wide surveys by the Commission on Human Rights on various aspects of human rights, through the assistance of a *rapporteur* appointed by the Commission.

(b) Annual reports on developments in the field of human rights from each Member Government of the United Nations, prepared in each instance with the assistance of an advisory committee, such reports to be considered in the Commission at the time the survey reports of the proposed *rapporteur* are submitted to the Commission.

(c) The establishment of advisory services on specific aspects of human rights defined by the Economic and Social Council, such services to be in the form of experts going to countries requesting the services, scholarships and fellowships being provided for training abroad and arrangements for seminars.

In view of instructions from the General Assembly and the Economic and Social Council that the Commission proceed at this session with its work on the proposed Covenants, it is expected that the Commission will do so. The United States Representative should urge, however, that adequate time also be set aside at this session for the consideration of the steps outlined above for the promotion of human rights in the United Nations. The United States Representative should as a loyal member of the Commission participate in a technical capacity in such drafting or redrafting of the proposed Covenants that may be undertaken at this session. In view of the United States change in policy with respect to the proposed Covenants, the United States Representative should not insist on drafting proposals as in the past when we considered it necessary to bring the provisions of the proposed Covenants in line with our own constitutional law and practice. The United States role should be one of helpfulness but not one of pressing our views upon the Commission. Detailed technical instructions on the draft Covenants have accordingly been prepared simply as a guide to the United States Representative in a technical participation in the drafting of the proposed Covenants at this session of the Commission.

[Attachment 2]

*Position Paper Prepared in the Office of United Nations Economic and Social Affairs for the United States Delegation to the Ninth Session of the United Nations Commission on Human Rights*

RESTRICTED  
CHR/D/13/53

[WASHINGTON, March 26, 1953.]

## ADVISORY SERVICES IN THE PROMOTION OF HUMAN RIGHTS

## PROBLEM

To determine the position of the United States Representative with regard to (1) the proposal of the Secretary General that advisory services be rendered by the United Nations to countries and territories which may request them in the promotion of human rights (Doc. E/1900, par. 56), and (2) the proposal on technical assistance in draft resolution K in Annex I of the 1952 Report of the Subcommittee on Prevention of Discrimination and Protection of Minorities (Doc. E/CN.4/670).

## RECOMMENDATIONS

I. The United States Representative should propose or support the adoption of a resolution on advisory services in the Commission on Human Rights to request the Economic and Social Council to ask the General Assembly:

## A. To authorize the Secretary General:

1. Subject to the directions of the Economic and Social Council, to make provision for the following services, with the cooperation of the specialized agencies where appropriate, and in consultation with non-governmental organizations having consultative status, in specific aspects of human rights defined by the Economic and Social Council:

(a) For the appointment of experts to provide advisory services at the request of governments which show the need for them in specific aspects of human rights defined by the Economic and Social Council;

(b) To enable suitably qualified persons to observe, and familiarize themselves with, the experience and practice of other countries on specific aspects of human rights defined by the Economic and Social Council;

(c) To enable suitably qualified persons who cannot receive professional training in their own country on specific aspects of human rights defined by the Economic and Social Council, to receive appropriate training in foreign countries having the necessary facilities for such training; and

(d) To plan and conduct seminars on specific aspects of human rights defined by the Economic and Social Council.

2. To include in his budgetary estimates of the United Nations the sums necessary for carrying out an effective operational program based on the provision of the above services.

B. To instruct the Secretary General to undertake the performance of the services as provided in A.1 above, in agreement with governments concerned, on the basis of requests received from governments and in accordance with the following policies:

1. The kind of service to be rendered to each country under A.1(a) shall be acceptable to the government concerned and shall be determined in consultation with that government;

2. The selection of the persons under A.1(b) and (c) shall be made by the Secretary General on the basis of proposals received from governments, which shall indicate their preferences with regard to host countries, and shall be acceptable to the host countries;

3. The amount of services and the conditions under which they shall be decided by the Secretary General with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting government shall be expected to assume responsibility, as far as possible, for all or a major part of the expenses connected with the services furnished to it, either by making a contribution in cash, or in the form of services for the purposes of the program being carried out.

C. To request the Secretary General to report regularly to the Commission on Human Rights and as appropriate to the Commission on the Status of Women on the measures which he takes in compliance with the terms of this resolution, and to request these Commissions to formulate recommendations from time to time concerning the continued action required to carry on the essential advisory services in the specific aspects of human rights defined by the Economic and Social Council.

II. The United States Representative should propose or support a recommendation from the Commission to the Economic and Social Council that it define the following specific aspects of human rights to which the above advisory services would be applicable:

(a) Improvement of judicial procedures.

(b) Establishment and improvement of techniques of mass information media, including such facilities as news agencies.

(d)<sup>2</sup> Increased participation in national and community civic affairs, especially for women recently granted the vote.

(e) Abolishing slavery and institutions and practices akin thereto.

(f) Legislative measures for the prevention of discrimination and the protection of minorities.

III. The United States Representative should reserve the position of the United States with respect to the amount that should be provided in the regular UN budget for the proposed advisory services. It is the United States view that this proposed program should not in any event exceed the costs of the current UN advisory services in public administration (which amount to about \$145,000). The United States Representative may indicate this maximum figure to the Commission if there is an indication in the Commission that a larger budget amount is anticipated.

<sup>2</sup> There is no sub-paragraph c in the source text.

## DISCUSSION

The Secretary General in Doc. E/1900 suggests that "assistance could be given for example, in the formulation of basic laws concerning human rights, in the establishment of judicial organs and in the drafting of rules of judicial procedure, in the establishment of institutions of self-government, in raising the status of women, in preventing discrimination and protecting minorities, in abolishing slavery and institutions and practices akin thereto, where such problems exist." The Secretary General at the same time also suggests that the United Nations might assist individual countries and territories in the promotion of economic, social and cultural rights. The inclusion of the latter field of activity in the promotion of human rights and fundamental freedoms is of doubtful validity since there are separate technical assistance programs going forward with respect to economic, social and cultural matters.

The United States Representative should urge that the scope of this program be limited to specific aspects of human rights (as enumerated above under recommendation II) defined by the Economic and Social Council rather than the general subject of "human rights."

The program recommended in this paper is preferable to the recommendation of the Subcommittee on Prevention of Discrimination and Protection of Minorities (*a*) that organizations participating in the technical assistance and other programs now providing aid or advice at the request of Member States, give sympathetic consideration to requests which governments may submit for such technical assistance in connection with measures aimed at the eradication of prejudice or discrimination or at the protection of minorities, (*b*) a technical assistance program to assist solely "in the eradication of prejudice or discrimination and in the protection of minorities," and (*c*) such services to include "educational programs designed to combat prejudice and discrimination."

The recommendations of this paper reflect to a considerable extent the wording and structure of General Assembly Resolution 418 (V), concerning advisory social welfare services, approved December 1, 1950.

It is assumed that the financing of the program herein envisaged would be under the regular budget of the United Nations, analogous to the regular budget activities of the United Nations in the field of social welfare and public administration. For administrative purposes it is assumed that the proposed program in human rights would be brought within the administrative jurisdiction of the United Nations Technical Assistance Administration. Such an arrangement exists on a reasonably harmonious basis at the present time between UNTAA and the Social Affairs Division of the UN Secretariat. In general, the

theory is that UNTAA is responsible only for administrative arrangements but looks to the Division of Social Affairs for substantive judgments.

#### BACKGROUND

The support of the United States for the advisory services program outlined in the recommendations of this paper is particularly important as illustrative of United States support for the promotion of human rights in ways more effective than the proposed Covenants on Human Rights. It is the United States view that the United Nations should no longer press ahead with the proposed Covenants since treaties of the broad scope of the Covenants are not the most effective way to promote human rights at the present time. The United Nations should instead now concentrate on ways to achieve a wider acceptance throughout the world of the human rights goals of the UN Charter and the Universal Declaration of Human Rights. The provision of advisory services in the specified aspects of human rights enumerated in recommendation II is one effective way to promote the human rights goals of the UN Charter and the Universal Declaration of Human Rights. It is expected that there will be wide support for a program of advisory services in this field in the Commission on Human Rights as well as later in the Economic and Social Council and the General Assembly.

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340.1 AG/3-3053

*Memorandum by the United States Representative on the Commission on Human Rights (Lord) to the Secretary of State*

[WASHINGTON,] March 30, 1953.

Subject: Telegrams to American Embassies Concerning New U.S. Policy on Draft Covenants on Human Rights

As a follow-up of my conversation with you Saturday,<sup>1</sup> I recommend that telegrams be sent to our Embassies in Belgium, France, Sweden and the United Kingdom requesting them to advise the Foreign Offices of these countries of the new United States policy concerning the draft Covenants on Human Rights.

On Belgium, the Belgian Delegation to the United Nations in New York told me that it would be advisable to have us wire Brussels for Belgian support, because without support from the Belgian Foreign Office, it was likely the Belgian Delegate would not support our new policy.

On France, I expect to meet with Ambassador Dillon and Members of the French Foreign Office in Paris on Saturday, April 4, but it

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<sup>1</sup> No record of this conversation has been found in the Department of State files.

would be helpful to advise them beforehand of our policy since the Commission meetings open April 7.

On Sweden, the Swedish Foreign Office and Delegate have cooperated with us in the past on the work of the Commission on Human Rights, and a wire to Stockholm now might win their support for our new policy.

On the United Kingdom, I expect to meet the British Delegate in Geneva Monday, April 6, but he is likely to have to wire London then for instructions on possible support of our position. It would be helpful to inform London now of our new policy in order that instructions might be given to the British Delegate before he leaves for the Geneva meetings.

I am looking further into the question of whether telegrams should also go to Lebanon and Chile. If in fact Mr. Charles Malik and Mr. Azkoul of Lebanon do not go, and a new man is to go instead, it may be advisable to send a wire to Beirut. As to Chile, I have been receiving adverse reports as to the views of the new representative of that country, Miss Mistral who is now in New York, and a wire to Santiago may be advisable.

There is no need to send telegrams to the other countries represented on the Commission. I am having direct conversations in New York with the representatives of Uruguay, the Philippines, Australia and China. I doubt the advisability of sending telegrams to India, Pakistan, Egypt and Yugoslavia. The other countries (other than the United States) on the Commission are Poland, the Ukraine and the USSR.

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340.1 AG/4-253

*Memorandum by the Legal Adviser (Phleger) and the Assistant Secretary of State for United Nations Affairs (Hickerson) to the Secretary of State*<sup>1</sup>

SECRET

WASHINGTON, April 2, 1953.

Subject: Proposal of Judge Halpern<sup>2</sup> on United States Policy Concerning Draft Covenants on Human Rights

*Discussion:*

When Judge Halpern was in the Department Tuesday afternoon, March 31, preparatory to going to Geneva as alternate and principal adviser to Mrs. Lord at the next session of the Commission on Human

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<sup>1</sup> Drafted by the Officer in Charge of UN Cultural and Human Rights Affairs (Simsarian).

<sup>2</sup> Philip Halpern, Associate Justice, Appellate Division, Supreme Court, New York State, had been appointed as Principal Adviser on the U.S. Delegation to the Commission on Human Rights.



Rights, he asked whether Mrs. Lord could include the following statement in her speech to the Commission: "We hope that there will be a time when human rights will be sufficiently respected in fact and when a human rights conscience will be sufficiently developed throughout the world so that a codification of the then prevailing principles will be worthwhile. When and if such a time comes the United States may give consideration to the ratification of a covenant on human rights, and for that reason we are concerned with the drafting of the Covenants now so that they will be in the most acceptable form and will require the least possible change if they are used as a model for future treaties."

Mr. Phleger assured Judge Halpern that it seemed to him that such a statement would be consistent with the letter to Mrs. Lord from the Secretary<sup>3</sup> and consistent with the policy of the Department on this subject, but that the statement should not be made until the Secretary had an opportunity to review this matter and expressed his approval of the statement.

Judge Halpern said that he felt that the United States Delegation would not have a defensible position in the Commission unless it could make this statement. He thought that without this statement, we would be vulnerable to attacks which would be difficult to meet and our moral position would be very difficult if not impossible to maintain.

*Recommendation:*

It is recommended that you approve the inclusion of this statement in Mrs. Lord's speech to the Commission on Human Rights and that you sign the attached telegram to Geneva for Mrs. Lord.<sup>4</sup>

<sup>3</sup> Apr. 3, 1953, *infra*.

<sup>4</sup> Not attached. In telegram 633, to the consulate at Geneva, Apr. 3, 1953, 6:40 p. m., the revision proposed by Judge Halpern was cabled verbatim for insertion by Mrs. Lord into the U.S. statement planned for Apr. 7. Mrs. Lord was cautioned that it was "important this information not be released prior to your statement April 7." (340.1 AG/4-353)

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340.1 AG/4-253

*The Secretary of State to the United States Representative on the Commission on Human Rights (Lord)*

[WASHINGTON,] April 3, 1953.

MY DEAR MRS. LORD: As you leave for Geneva to represent the United States at the High Session of the United Nations Commission on Human Rights, the best wishes of our Government and of the American people go with you. The President and I are anxious that you carry a personal message to the Commission.

We believe that the American people are determined to do all within their power to make the United Nations an increasingly vigorous instrument of international order and justice. It is our earnest wish that the United Nations become an ever more effective agency for promoting, in the words of the Charter, "respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

The United States stands for full and complete enjoyment of these fundamental rights. The whole American philosophy of government is based on the conviction that man was endowed with these rights by his creator and that they are inalienable. This conviction is expressed at many points in the legal structure of our national and state governments and is most clearly set forth in the Declaration of Independence and in the Bill of Rights in the Constitution of the United States.

Our history demonstrates that nationwide observance of fundamental human rights did not spring into being upon the enactment of statutes. In the years that have intervened between the ratification of the Bill of Rights and the present, we in the United States have made important advances. Through education and publicity, we have developed a human rights conscience which is perhaps the strongest factor in the progress we have made. In its most recent report to the United Nations for publication in the agency's *Yearbook on Human Rights*, the Government of this country has submitted detailed evidence of the progress recorded in a single year. We intend that these advances shall continue.

Moreover, our Government has noted with satisfaction the improvements in the observance of human rights which have taken place in other countries; but it has noted as well that much remains to be done. We recognize that injustices occur to a greater or lesser degree in all countries, including our own. They cannot be overcome in a day. We must work to eliminate them.

In the light of our national, and recently, international experience in the matter of human rights, the opening of a new session of the Commission on Human Rights appears an appropriate occasion for a fresh appraisal of the methods through which we may realize the human rights goals of the United Nations. These goals have a high place in the Charter as drafted at San Francisco and were articulated in greater detail in the Universal Declaration of Human Rights as adopted by the United Nations General Assembly at Paris in 1948.

Since the establishment of these goals, much time and effort has been expended on the drafting of treaties, that is, Covenants on Human Rights in which it was sought to frame, in mutually acceptable legal form, the obligations to be assumed by national states in regard to human rights. We have found that such drafts of Covenants as

had a reasonable chance of acceptance in some respects established standards lower than those now observed in a number of countries.

While the adoption of the Covenants would not compromise higher standards already in force, it seems wiser to press ahead in the United Nations for the achievement of the standards set forth in the Universal Declaration of Human Rights through ways other than the proposed Covenants on Human Rights. This is particularly important in view of the likelihood that the Covenants will not be as widely accepted by United Nations members as initially anticipated. Nor can we overlook the fact that the areas where human rights are being persistently and flagrantly violated are those where the Covenants would most likely be ignored.

In those circumstances, there is a grave question whether the completion, signing and ratification of the Covenants at this time is the most desirable method of contributing to human betterment particularly in areas of greatest need. Furthermore, experience to date strongly suggests that even if it be assumed that this is a proper area for treaty action, a wider general acceptance of human rights goals must be attained before it seems useful to codify standards of human rights as binding international legal obligations in the Covenants.

With all these considerations in mind, the United States Government asks you to present to the Commission on Human Rights at its forthcoming session a statement of American goals and policies in this field; to point out the need for reexamining the approach of the Human Rights Covenants as the method for furthering at this time the objectives of the Universal Declaration of Human Rights; and to put forward other suggestions of method, based on American experience, for developing throughout the world a human rights conscience which will bring nearer the goals stated in the Charter. In making such suggestions, I am sure you will want to give special weight to the value of bringing the facts to the light of day, to the value of common discussion of problems in the international forum of the Commission on Human Rights, and to the values of each country drawing on the experience of other countries for inspiration and practical guidance in solving its own problems.

We recognize that in presenting to the Commission a change in approach, extended discussion will be required in the Commission and later in the Economic and Social Council and General Assembly as well. By reason of the considerations referred to above, the United States Government has reached the conclusion that we should not at this time become a party to any multilateral treaty such as those contemplated in the draft Covenants on Human Rights, and that we should now work toward the objectives of the Declaration by other means. While the Commission continues, under the General Assembly's instructions, with the drafting of the Covenants, you are, of course,

expected to participate. This would be incumbent on the United States as a loyal Member of the United Nations.

Through the agency of the United Nations and its powerful moral influence, much has been and can be accomplished. Example and education can exert powerful influence. The United Nations can also play an important part, through health, welfare, and other technical assistance programs in raising standards of living throughout the world and bringing a full life to millions of persons who struggle merely to exist. The removal of restraints on the rights of expression and association can release the creative energies of the human spirit.

Firm in our belief that the United Nations is the most hopeful and effective means of bringing about world peace and of promoting the welfare of nations throughout the world, the United States Government will support your every effort to these ends.

Sincerely yours.

JOHN FOSTER DULLES

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340.1 AG/4-653 : Telegram

*The Secretary of State to the Embassy in the United Kingdom*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, April 6, 1953—3:48 p. m.

6615. Inform Foreign Office your discretion US Representative UN Commission on Human Rights will state new US policy early in the session opening at Geneva April 7 along following lines:

In present stage of international relations, US not prepared consider ratification proposed UN Covenants on Human Rights now being drafted. In US view there are more effective ways than proposed Covenants to promote human rights goals of UN Charter and Universal Declaration of Human Rights.

There is such wanton disregard of human rights in wide areas of world today, attention of Commission should be turned to creating higher level human rights conscience through education and publicity.

US Representative will propose following practical UN action programs in Commission: (1) comprehensive annual reports from each government on human rights developments in that country and consideration reports in Commission; (2) study of significant aspects human rights throughout the world, obtaining information from non-governmental as well as governmental sources and UN Specialized Agencies and consideration studies in Commission; (3) UN technical advisory services on specific aspects of human rights, including experts to countries desiring assistance, scholarships and fellowships and regional seminars under UN auspices.

DULLES

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<sup>1</sup> Sent for action also to the Embassies at Paris (5119), Brussels (1314), and Stockholm (1079). Sent for information to the Consulate General at Geneva (635), for Mrs. Lord; and to the Mission at the United Nations (374). The instruction was drafted by the Officer in Charge, UN Cultural and Human Rights Affairs (Simsarian), cleared in substance with Mrs. Lord, and signed by Assistant Secretary Hickerson.

340.1 AG/4-653: Telegram

*The Secretary of State to the Consulate General at Geneva*

PRIORITY

WASHINGTON, April 6, 1953—6:14 p. m.

636. For Mrs. Lord. Secretary included following in statement before Senate Judiciary Committee April 6:<sup>1</sup>

"1. The present Administration intends to encourage the promotion everywhere of human rights and individual freedoms, but to favor methods of persuasion, education, and example rather than formal undertakings which commit one part of the world to impose its particular social and moral standards upon another part of the world community, which has different standards. That is the point of view I expressed in 1951 in relation to the Japanese Peace Treaty. Therefore, while we shall not withhold our counsel from those who seek to draft a treaty or covenant on Human Rights, we do not ourselves look upon a treaty as the means which we would now select as the proper and most effective way to spread throughout the world the goals of human liberty to which this nation has been dedicated since its inception. We therefore do not intend to become a party to any such covenant or present it as a treaty for consideration by the Senate.

"2. This Administration does not intend to sign the Convention on Political Rights of Women. This is not because we do not believe in the equal political status of men and women, or because we shall not seek to promote that equality. Rather it is because we do not believe that this goal can be achieved by treaty coercion or that it constitutes a proper field for exercise of the treaty-making power. We do not now see any clear or necessary relation between the interest and welfare of the United States and the eligibility of women to political office in other nations.

These same principles will guide our action in other fields which have been suggested by some as fields for multilateral treaties."

Full text airpouched.

DULLES

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<sup>1</sup>The statement by Secretary Dulles before the Senate Committee on the Judiciary on Apr. 6, 1953 is printed in Department of State *Bulletin*, Apr. 20, 1953, pp. 591-595 ("The Making of Treaties and Executive Agreements"). The two numbered paragraphs extracted for this telegram appeared in the following context: "There has been a reversal of the trend toward trying to use the treaty-making power to effect internal social changes . . . . To illustrate my point about the change of trend, I am authorized to say: 1. The present administration intends . . . ." (p. 592).

340.1 AG/4-653

*Memorandum by the Secretary of State to the President*

RESTRICTED

[WASHINGTON,] April 7, 1953.

Subject: Statement on United States Policy on Human Rights in the United Nations Commission on Human Rights.<sup>1</sup>

As you know, I have pointed out in my statement in the Senate hearings on the Bricker proposal that we do not feel that the United States should, in the present stage of international relations, consider the ratification of the Covenants on Human Rights now being drafted in the United Nations and that attention should be given in the United Nations to the furtherance of human rights through more effective ways than the proposed Covenants.

The United Nations Commission on Human Rights opens tomorrow—April 7—and it seems useful to us to utilize this opportunity for the issuance of a statement by you stressing positive United States support for the human rights goals of the United Nations Charter and the Universal Declaration of Human Rights. This statement would be helpful in our information efforts abroad as well as in this country.

Accordingly I recommend that you issue the enclosed statement at noon on April 7.

JOHN FOSTER DULLES

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<sup>1</sup>The statement was proposed to the Secretary of State on Apr. 6, by the Assistant Secretary of State for Public Affairs (McCardle), in a memorandum of Apr. 6, 1953 which read:

“As a follow-up of your statement today concerning the draft Covenants on Human Rights at the hearings on the Bricker proposal, it would be advisable to have the President issue the attached statement tomorrow to stress positive United States support for the human rights goals of the United Nations Charter and the Universal Declaration of Human Rights. It would be useful to utilize the opening of the United Nations Commission on Human Rights in Geneva tomorrow—April 7—for this purpose. This statement would be helpful in our information efforts abroad as well as in this country.” (340.1 AG/4-653)

The original of the instant memorandum was signed by Dulles on Apr. 7 and handcarried to the White House at 9:30 a. m.

[Attachment]

*Proposed Statement by the President*

RESTRICTED UNTIL RELEASED

April 7, 1953.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES OF AMERICA TO  
THE MEMBERS OF THE UNITED NATIONS COMMISSION ON HUMAN  
RIGHTS AT THE OPENING OF ITS SESSION APRIL 7, 1953 IN GENEVA <sup>2</sup>

I am asking Mrs. Oswald B. Lord, the new Representative of the United States on the United Nations Commission on Human Rights to express to the Commission my deep personal interest in its work. In these days of international tension and strain, it is encouraging to know that the members of the Commission on Human Rights are working to develop effective programs to promote human rights and fundamental freedoms for all people and all nations throughout the world.

The United Nations Charter states the human rights goals which the United States and the other Members of the United Nations have pledged themselves to achieve in cooperation with the United Nations—the promotion of universal respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

For the people of the United States as well as for people everywhere, the United Nations Universal Declaration of Human Rights is a significant beacon in the steady march toward achieving human rights and fundamental freedoms for all.

People everywhere are seeking freedom—freedom to live, freedom from arbitrary restraint, freedom to think and speak as they wish, freedom to seek and find the truth. We must press ahead to broaden the areas of freedom. The United States is convinced that freedom is an indispensable condition to the achievement of a stable peace.

Unfortunately, in too many areas of the world today there is tyranny and the subjugation of peoples by totalitarian governments which have no respect for the dignity of the human person. This denial of the freedom of peoples, the continued disregard of human rights, is a basic cause of instability and discontent in the world today.

For these reasons, the work of the Commission on Human Rights assumes greater importance and meaning. For these reasons also, there

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<sup>2</sup> Released by the White House at noon on Apr. 7, 1953, the text was transmitted to Mrs. Lord at Geneva in priority telegram 638, Apr. 7, 10:51 a. m. The telegram indicated that the Department assumed that Mrs. Lord was releasing the text of the Secretary of State's letter to her of Apr. 3. These two documents and the text of Mrs. Lord's statement before the Human Rights Commission on Apr. 8 (see *infra*) were issued on Apr. 9 by the Mission at the United Nations in Press Release No. 1688 (Mrs. Lord had released the text of the Secretary of State's letter in Geneva on Apr. 7). All are printed in the Department of State *Bulletin*, Apr. 20, 1953, pp. 579-582 ("U.S. Policy on Human Rights").

is need for a new approach to the development of a human rights conscience in all areas of the world. I have accordingly asked Mrs. Lord to present positive UN action programs to the Commission which we feel will contribute to that recognition of human rights and fundamental freedoms which people are seeking throughout the world.

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USUN Press Release 1688, April 9, 1953

*Statement Made by the United States Representative (Lord) Before the Commission on Human Rights, Geneva, April 8, 1953*

As this is the first occasion in which I have had the privilege of serving in the Commission on Human Rights, I hope you will permit me to make a few general remarks about the agenda. I am happy to be a member of this Commission and to join with you in the vital task of helping to advance the cause of freedom. I accepted this appointment from the President of the United States because I personally am convinced of the importance of promoting respect for human rights through international cooperation.

At the very outset of our work, I wish to assure you that the United States Government continues to support wholeheartedly the promotion of respect for and observance of human rights and fundamental freedoms. Both President Eisenhower and Secretary Dulles have spoken to me personally about their deep concern that the United Nations move steadily forward toward the goals laid down in the Charter.

In order to assure steady progress toward those goals, the Government of the United States is suggesting a new and urgent approach to the promotion of human rights, to take account of changed conditions in the world. Today, disregard of the basic principles of human rights is widespread and fundamental freedoms are denied peoples in many areas.

Under these circumstances, the world does not yet appear ready for a treaty of such comprehensive scope as the proposed covenants on human rights. We need to work together immediately to develop a higher moral sense of human rights values in all areas of the world. For that reason, the United States is urging that this Commission give immediate consideration to the development of human rights action programs.

The Commission on Human Rights already has made an outstanding contribution to the constructive achievements of the United Nations. The Universal Declaration of Human Rights stands as a major landmark of progress in this difficult field. It is with understandable pride that I participate in this Commission, where our two past chairmen, Mrs. Roosevelt and Mr. Malik, and their colleagues have brought intel-



ligence and skill to bear upon some of the most challenging problems of our times.

The agenda of the Commission clearly falls into two distinct parts: the completion of the draft covenants and the consideration of a wide range of other matters.

The General Assembly and the Economic and Social Council have asked that the Commission complete the drafting of the covenants. This task will necessarily occupy a considerable portion of our time; but perhaps, if we could set May 1 as a target date for completing the remaining portions of the two covenants, we need not devote more than half of our session to this task.

Since the completion of the Universal Declaration of Human Rights in 1948, the Commission has been entirely engrossed in the drafting of the proposed covenants on human rights. As discussions have proceeded on the covenants, it begins to appear that they are not receiving the acceptance which had been initially anticipated and that they will not be ratified as widely as had been hoped. The climate of world opinion does not yet seem favorable to the conclusion of the covenants in the United Nations. The covenants will not have the expected effectiveness in the field of human rights. For these reasons, my Government has concluded that in the present stage of international relations it would not ratify the covenants.

Inasmuch as the United States is a loyal member of the United Nations, its delegation will continue to collaborate in the drafting of these covenants and to make suggestions for improving them. The Covenants will be looked upon as a more precise and definitive statement of the principles embodied in the Universal Declaration of Human Rights, irrespective of their ratification or non-ratification. My Government hopes that there will be a time when human rights will be sufficiently respected in fact and when a human rights conscience will be sufficiently developed throughout the world so that a codification of the then prevailing principles will be worthwhile. When and if such a time comes the United States may give consideration to the ratification of a covenant on human rights, and for that reason we are concerned with the drafting of the covenants now so that they will be in the most acceptable form and will require the least possible change if they are used as a model for future treaties.

It seems increasingly important, therefore, that alternative and more effective and acceptable ways be devised by the Commission to achieve the goals of the Charter for the promotion of human rights and fundamental freedoms.

The remaining part of our agenda contains a large number of items not related to the draft covenants. The United States delegation endorses the listing on the provisional agenda and the order of that listing. At the appropriate time, however, I shall suggest that some of

these items be given priority. A number of these items are of the utmost significance and deserve our most earnest consideration. It is for this reason that I hope that perhaps the last half of our session might be devoted to programs of practical action.

It is the view of the United States Government that the guiding principle for the work of the Commission should be to find the surest and speediest methods of raising the level of practice around the world in the observance of human rights. This would require that we initiate a number of action programs. I shall be prepared to make detailed proposals about such action programs in connection with specific agenda items. For the present I should like merely to outline the three principal proposals which my Government wishes me to submit to the Commission.

First, we will propose that the Commission institute a study of various aspects of human rights throughout the world. The Commission could undertake this with the assistance of a *rapporteur*. The *rapporteur* would consult with non-governmental organizations as well as governments and specialized agencies for relevant data to submit to the Commission. The report of the *rapporteur* would be considered in the Commission, which might then make general recommendations concerning the subject under discussion. Two subjects that might well be considered first are freedom of religion and the right to a fair trial.

Second, we will propose that annual reports on developments in the field of human rights be prepared by each member Government with the assistance of a national advisory committee. These reports would be considered in the Commission at the same time as the study of the proposed *rapporteur* would be submitted.

Third, we will propose that the United Nations establish advisory services on specific aspects of human rights along the lines of the advisory services now being provided in the economic, social, and public administration fields. These services would be in the form of experts going to countries requesting the services, scholarships and fellowships being provided for training abroad, and arrangements for seminars.

These are action programs that the Commission can undertake now. There is no need for the Commission to limit itself to the drafting of covenants on human rights, which in any event will have limited applicability. The Commission should give more of its attention to constructive programs which can be initiated without delay in the United Nations for the promotion of the human rights principles of the Charter. Indeed, it will be greatly to the advantage of the Commission itself if it can at this session begin work on some of these affirmative tasks even before the covenants are considered by the General Assembly. In this way the Commission could mark out the basic lines of its future action programs and establish firmly its position in this field.

With all these potential programs for immediate action at this session of the Commission, I think that you can appreciate my view that we should reserve adequate time for the consideration of these later items.

It is my earnest hope that the work of this session will be successful, especially in the launching of new programs that will contribute effectively to the safeguarding of human liberty.

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340.1 AG/4-853: Telegram

*The Consul General at Geneva (Ward) to the Department of State*

RESTRICTED

GENEVA, April 8, 1953—7 p. m.

605. From Mrs. Lord. President's excellent message Deptel 638 most helpful and included in statement this morning.

In light reactions and speeches after our statement urgently advise international-minded reporters be given background story by Secretary explaining that forthright statement in commission was needed at this time re covenants to meet arguments proponents Bricker Amendment. Representatives indicated would have preferred less frankness now and statement our position at conclusion drafting work. Some implied statement timed to sabotage work on covenants.

Also urge consideration further explanation for domestic and international opinion that without forthright statement at this time serious risk restriction on treaty-making which might have crippled American participation in UN in areas of collective security in which treaties essential while in human rights area objective can be attained without treaties. Thus demonstrate step taken in interest continuing American participation in UN areas dependent upon treaties.

Advise soonest whether suggestions acceptable and whether similar statements here authorized.

Indian response emotional. USSR seized opportunity associate itself with India. Impression created US alone in rejecting covenants despite statements by UK and USSR that they not committed to ratify but deferring decision to completion of covenant. (IPS has text US rebuttal statement.)

Point also raised privately by Sweden and implied by Chile, India and Uruguay that change attributable change in administration. Explanation re American constitutional background suggested would help dissipate this. Also helpful if shown that skepticism re usefulness covenants present state world affairs brewing several years. Statement by former delegation members like Ben Cohen who indicated similar views privately might be helpful. [Mrs. Lord.]

WARD

340.1 AG/4-853: Telegram

*The Acting Secretary of State to the Consulate General at Geneva*<sup>1</sup>

RESTRICTED

WASHINGTON, April 10, 1953—1:43 p. m.

651. For Mrs. Lord from McCardle. Reur 605.<sup>2</sup> Dept appreciates difficulty your position. You should continue press along lines indicated in Secretary's letter and further develop US alternative of UN action program. You should reiterate as necessary view that US considers greater progress in Human Rights field possible through action programs rather than through Covenants although US will continue participate in efforts to draft Covenant.

In response to questions you should indicate that US position on Covenants on Human Rights was not evolved as answer to proponents Bricker Amendment but represents basic approach this Administration to UN human rights issue.

Since this basic new approach was directly relevant to Bricker hearings, forthright statement on this issue was included in Secretary's statement to Senate Committee at this time.

Re report other delegations attribute change in policy to change in administration, you should not dissipate this impression, since new administration has in fact adopted new approach designed to further progress in human rights more effectively than heretofore.

Dept plans further background briefing of individual representatives of press along above lines. [McCardle.]

SMITH

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<sup>1</sup> Drafted and signed by Erasmus H. Kloman of the Bureau of Public Affairs; cleared with the Assistant Secretary of State for Public Affairs (McCardle), the Deputy Legal Adviser (Tate), the Chief of the Functional Policy Planning Staff (Oram), and the Officer in Charge, UN Cultural and Human Rights Affairs (Simsarian).

<sup>2</sup> *Supra.*

340.1 AG/4-2353

*The United States Representative on the Commission on Human Rights (Lord) to the Department of State*<sup>1</sup>

CONFIDENTIAL  
No. 232

GENEVA, April 28, 1953.

Subject: Reaction of other Delegations to the new United States Policy on Human Rights.

For the information of the Department, there are reported below the reactions of some of the other delegations in the Commission on Human Rights to the new United States policy in the field of human rights.

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<sup>1</sup> Drafted by Mrs. Lord and Judge Halpern.

The first public knowledge of the new United States approach to human rights resulted from the Secretary's statement before the Senate Judiciary Committee on Monday, April 6. This statement received brief notices in the Geneva press and in the Paris edition of the *New York Herald Tribune* on Tuesday, April 7. The Secretary's letter to Mrs. Lord was released to the press here on Tuesday. At the opening of the Commission meeting on Wednesday morning, April 8, Mrs. Lord made her initial statement, in which she included the President's message to the Commission. The warm and affirmative tone of that message and its arrival in time to be used in Mrs. Lord's statement did much to soften the impact of her announcement that the United States would not become a Party to the Covenants.

The reaction in the Commission was less hostile than our Delegation had anticipated, although the speeches of both the Indian and Philippine representatives were severely critical. The atmosphere would probably have been far more acrimonious had it not been for two different and fortuitous factors: the recent shift in general Soviet policy, resulting in a very mild comment from Mr. Morosov; and the presence of a considerable number of new and inexperienced representatives who were not prepared to make immediate comments on Mrs. Lord's statement.

Some of the representatives expressed admiration for the frankness of the American course. We suspect, however, that in some cases this was a left-handed compliment or that it was felt to be the diplomatic thing to say. It is quite evident that most of the delegates consider that frankness is not a part of traditional diplomacy. There are some who feel that we would have followed the usual diplomatic course if we had not had some ulterior or sinister purpose.

The suspicions of others were aroused, therefore, by our bluntness and by our making what they thought to be an unnecessary announcement before the completion of the Covenants. These representatives in particular are awaiting the details of our affirmative proposals to demonstrate that our Government will sincerely back international cooperation in the area of human rights.

A series of informal meetings is being held with Australia, Belgium, France, Sweden, and the United Kingdom to try to reach a common agreement or, at least, to avoid acrimonious public dissension, which can benefit only the Soviet bloc, on matters that will come up later, such as the Federal State Article, individual petitions, and self-determination. The Delegation is also consulting continually with delegations outside this group in order to explain our new policy and to exchange views on agenda items.

Our Delegation concludes that the initial impact of its negative position on the Covenants has begun to be dissipated, especially now that the Commission is preoccupied in the arduous task of drafting

the articles on implementation. It expects and hopes that its prestige in the Commission will be notably strengthened as soon as it has formally submitted its draft resolutions on the three new action programs. For this reason, the Delegation has hastened the preparation of these draft resolutions as working papers for the purpose of consultation with other non-Soviet delegations, the Secretariat, and the non-governmental organizations. The Delegation appreciates the promptness with which the Department, in restricted telegrams No. 659, No. 688 [668?] and No. 676 responded to its requests for assistance.<sup>2</sup>

[Here follows at some length an account by the representatives of the following countries: Australia, Belgium, China, Egypt, France, India, Lebanon, Philippines, the United Kingdom, Uruguay, and the Soviet Union; and by representatives of non-governmental organizations. Some of this reportage is reflected in Mrs. Lord's letter to the Secretary of State, May 30, 1953, *infra*.]

MARY P. LORD  
MRS. OSWALD B. LORD

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<sup>2</sup> Department of State telegrams 659, Apr. 15, 5:43 p. m. (340.1 AG/4-1453), telegram 668, Apr. 17, 6:21 p. m. (340.1-AG/4-1553) and telegram 676, Apr. 21, 7:03 p. m. (340.1-AG/4-2053), none printed; all related to the delegation's work in presenting the new U.S. action program as outlined in Doc. CHR/D/13/53, Mar. 26, 1953, p. 1559.

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340.1 AG/5-3053

*The United States Representative on the Commission on Human Rights (Lord) to the Secretary of State*

CONFIDENTIAL

GENEVA, May 30, 1953.

MY DEAR MR. SECRETARY: This is a brief, personal report on some of the highlights of the Ninth Session of the United Nations Commission on Human Rights, held at Geneva from April 7 to May 30, 1953.<sup>1</sup> I hope to offer the Department further information about the Session when I come to Washington on consultation.

*United States Proposals*

Our new action program did not get very strong support from our Western allies—Australia, Belgium, France, Sweden, and the United

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<sup>1</sup> The cable traffic of the U.S. Delegation at this Ninth Session of the Human Rights Commission is in Department of State file 340.1 AG; this file also includes some "official-informal" letters from certain delegation members in the Department, none printed.

The meetings of the Commission are included in the UN documents series E/CN.4/SR.339-410 (Apr. 7-May 30, 1953). The report of the 9th Session of the Human Rights Commission is printed as Doc. E/2447, which is Supplement No. 8 of the *Official Records of the Economic and Social Council, Sixteenth Session*.

Kingdom.<sup>2</sup> As a matter of fact, I had made an informal agreement with the representatives of these countries that they would not attack our program. I was disappointed that they not only referred to the importance of the Covenants and our not signing them but also went fairly far in pointing out the difficulties of such a program. The French Representative, however, was very constructive and helpful and carried out his promise to be of help by submitting amendments.<sup>3</sup> My impression is that the French Representative would like very much individually to go along with us but that he had had instructions from his government to resist some of our suggestions. The help we received from France and China in the debate was most helpful in developing a procedure.

The Representative of Egypt was also very helpful and has shown great friendliness during the whole conference. The Chairman of the Commission (Egypt) has consistently not only pushed to have the United States program presented but also had hoped to have it come to vote. It was due mainly to his insisting on its being included on the Agenda that we are about to make progress. Although my personal relationships have been excellent with the Indian and Lebanese Representatives and they had privately expressed enthusiasm about our program, they did not comment one way or another.

The Uruguayan Representative made no comment and abstained on the final resolution, proposed by Sweden, which asked Member States and Specialized Agencies to submit comments on our proposals by October 1, 1953—in time for discussion in the General Assembly. Only the Soviet bloc opposed this motion and only Uruguay abstained. I have not been able to establish as good relationships with the Uruguayan representative as I would have wished. The Chilean challenged the United States proposals on a legal basis of the whole procedure and his remarks were critical to a degree that it raised doubts in the minds of other delegations. Those making comments on their disappointment at our not signing the Covenants were the Soviet Union, Sweden, and Yugoslavia. The Soviet attacks on our proposals were rather violent and sarcastic. This was the only showing of unfriendli-

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<sup>2</sup> The British position had been foreshadowed in Mrs. Lord's despatch 232 of Apr. 28, *supra*. The British representative, Mr. Hoare, had indicated that although the United Kingdom did not expect to sign the draft Covenants, the British Government "would rather let the drafting go on indefinitely", thus "forestalling any necessity to state whether they would sign or not and also forestalling any inquiry into any specific problem of human rights such as that envisaged in our so-called action program. . . . Mr. Hoare's reaction to the so-called action program was violently adverse and he took the position that nothing could result from any reporting of existing conditions to the Commission except attacks upon the United States and United Kingdom for propaganda purposes . . . ."

<sup>3</sup> This French position had been presaged in despatch 2183 from Paris of Apr. 8, 1953, in which Ambassador Dillon had reported the unofficial reaction of the French Ministry of Foreign Affairs upon being apprised of the new U.S. policy on human rights: the new policy was a sound one but some concern was felt about the new action program. (340.1 AG/4-853)

ness on the part of the Soviet bloc during the whole meeting. The Yugoslavians were most helpful and had given us several suggestions before the debate and introduced some very helpful amendments.

I consider that we made a good deal of progress and gained ground by having the proposals forwarded to Member States and Specialized Agencies, even though I regret that we did not have time to get a final vote on the proposals at this session. A great deal of diplomatic preparation will be needed from here on to explain our proposals to other governments before the meetings of the Council and the General Assembly. We need especially to anticipate the kind of questions that we were asked by the Soviet, Chilean, and Belgian representatives about the legality of our proposals.

*Comments on Other Representatives*

Mr. Morosov of the Soviet Union as well as Mr. Druto of Poland have shown unusual friendliness both in and out of meetings. Mr. Morosov came to me yesterday, telling me he was going to vote for me for membership in the Subcommittee on the Prevention of Discrimination and the Protection of Minorities and expressed the hope I would vote for his candidate. I told him I would vote for his candidate.

We have made especially good friends outside the meetings with the representatives of Pakistan, Lebanon, India, Sweden, France, the United Kingdom, Australia, and Belgium. We have found the representative of the Philippines rather cold and unapproachable. He seems to suspect our motives in whatever we do and seems to feel that we wish to avoid anything that has to do with discrimination.

We have not been able to make any progress on a personal basis with the two Latin American representatives; but some of this might be due to the fact that the Uruguayan representative is so very much concerned about our tariff on wool and seems to take it as a personal discrimination against his country.

Mr. Humphrey of the Secretariat has been very helpful especially behind the scenes in advising us on strategy. As previously stated, the Chairman (Egypt) has been very friendly both during the work and on the outside.

I have a personal conviction that some of the misunderstandings of our motives in proposing a new program and in trying to outline an orderly system of work for the Subcommittee have been misrepresented to some of the delegates by Mr. Santa Cruz of Chile, who is here on a United Nations Mission and who openly stated to me in a rather violent way his feelings about the United States not signing the Covenants. In my mind, he is definitely a mischief-maker.<sup>4</sup>

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<sup>4</sup> Marginal notation, apparently by Maurice Bernbaum of the Office of South American Affairs: "No doubt!"



In spite of the fact that we began in a rather hostile atmosphere after our first statement, which came as a shock to all the representatives except the few I was able to talk to in New York, we feel we have overcome this hostility and that we have many countries that will fight for our program. For as the Chairman has said, and I think he reflects the opinion of others, "This program of the United States will save the Human Rights Commission".

[Here follow personal commendations concerning Members of the United States Delegation.]

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IO files, lot 71 D 440, US/A/M(SR) series

*Minutes of the Eleventh Meeting of the United States Delegation to the Ninth Regular Session of the General Assembly, New York, October 13, 1954, 9:45 a. m.*

SECRET

DISARMAMENT

[Here follows discussion of the disarmament question.]

HUMAN RIGHTS COVENANTS

Mr. Green then next reviewed the Draft International Covenants on Human Rights pointing out that while the US announced in 1953 that it will not sign the Covenants, it is continuing to assist in the drafting. He further commented that the US program for specific action in the field of Human Rights had not yet been acted upon by the Human Rights Commission. In concluding, he stated that the US did not favor having either Committee 3 or the Human Rights Commission concentrate on the final drafting of the Covenants to the exclusion of other matters nor do we favor convening a special plenipotentiary conference for this purpose.<sup>1</sup>

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<sup>1</sup>The position papers drafted for the instruction of the U.S. delegations to the Eighth Regular Session of the General Assembly in 1953 and the Ninth Regular Session of the General Assembly in 1954, Doc. SD/A/C.3/169/Rev. 1, Sept. 8, 1953, and Doc. SD/A/C.3/181, Sept. 2, 1954, respectively, neither printed, are useful in their recital of the highlights in respect of the progress (or lack of it) of the human rights action program and the formulation of the draft Covenants (IO files).

Regarding the action program, Mrs. Lord, the United States Representative, in reporting to the Secretary of State on the 10th Session of the Commission on Human Rights, held in New York from Feb. 23-Apr. 16, 1954 said: "The Commission devoted its first five weeks to the completion of the two draft covenants on Human Rights. With the conclusion of this work, which has taken most of the past six sessions of the Commission, the Commission will in the future be able to turn its attention to other activities. Our delegation took a secondary role in these debates . . . . The last forty minutes of the seven and a half weeks of substantive debate were devoted to the United States' proposals for an action program . . . . We will need another year of diplomatic consultations in order to persuade other governments, especially those of the British Commonwealth

In answer to Senator Smith's question as to why the US continues to assist in the drafting of Covenants which we will not sign, Mrs. Lord stated that US interest could be served by this procedure as we have some influence in toning down excessive demands by some of the less responsible States and also have the opportunity of getting the US viewpoint on Human Rights questions better understood by other governments.

Mr. Hotchkis indicated his support of continued US participation in the drafting of the Covenants insofar as economic rights are concerned as we could better defend US interests and continue to call attention to the fact that while the Soviets vote for political, economic and social rights, they do not grant such rights to their own citizens.

In answer to a question, Senator Smith confirmed his belief that the US Senate would not ratify the Covenants but expressed his support of continued US participation in the drafting of both Covenants. The meeting adjourned at 10:22 A.M.

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and Western Europe, to go along with us and to arrange with some governments to co-sponsor our proposals. There is also need for more thorough consideration within our own Government of the implications of our proposal to study individual rights . . . ." (Letter, Mrs. Lord to Secretary of State Dulles, May 5, 1954, file 340.1 AG/5-554)

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