

"Requests the Governments of India and Pakistan to report to the Security Council not later than thirty days from the date of the adoption of this resolution; and further

"Requests the United Nations Representative for India and Pakistan to keep the Security Council informed of any progress."

By letter dated 23 January 1953,¹⁸ the United Nations Representative informed the President of the Security Council that the Governments of India and Pakistan had agreed to continue the negotiations and to hold a meeting at the ministerial level under his auspices in the European Office of the United Nations, Geneva, beginning 4 February. He stated that the negotiations would be resumed "on the basis of the UNCIP resolutions of 13 August 1948 and 5 January 1949, bearing in mind the assurances, clarifications and elucidations given to the Governments of India and Pakistan by the UNCIP" but "without prejudice to a further consideration, should that become necessary" of the United Nations Representative's twelve proposals.

In his fifth report¹⁹ regarding the negotiations, submitted to the Security Council on 27 March 1953, the United Nations Representative stated that, in agreement with the representatives of the Governments of India and Pakistan, he had concluded the ministerial conference on 19 February 1953 since he had felt that there was no ground left at that stage on which to continue the conference.²⁰

QUESTION OF AN APPEAL TO STATES TO ACCEDE TO AND RATIFY THE GENEVA PROTOCOL OF 1925

INITIAL PROCEEDINGS

At the 577th meeting on 18 June 1952, the provisional agenda of the Security Council included the following item relating to a draft resolution submitted²¹ on 14 June 1952 by the representative of the USSR: "Appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons". With the addition of the words, "Question of an . . ." at the beginning of the title, the item was included in the agenda.²²

The Security Council considered the question at the 577th to 579th and 581st to 583rd meetings between 18 and 26 June 1952.

At the 577th meeting on 18 June 1952, the President, in his capacity as representative of the USSR, proposed adoption of his previously submitted draft resolution²³ which, stating that differences of opinion existed among statesmen and public figures in various countries concerning the admissibility of using bacterial weapons, and noting that the use of such weapons had been condemned by world public opinion, as expressed in the signing by forty-two States of the Geneva Protocol of

17 June 1925, provided for a decision by the Council to appeal to all States, which had not ratified or acceded to the Protocol, to do so.

At the same meeting, the representative of the United States proposed that the USSR draft resolution should be referred to the Disarmament Commission in accordance with rule 33 of the provisional rules of procedure of the Security Council.²⁴

Decision of 26 June 1952 (583rd meeting): Rejection of the USSR draft resolution

At the 583rd meeting on 26 June 1952, the USSR draft resolution was not adopted. There was 1 vote in favour with 10 abstentions.²⁵

At the same meeting, the representative of the United States, in view of the decision taken by the Council, withdrew his proposal to refer the USSR draft resolution to the Disarmament Commission, noting that the matter was in any case under discussion in the Commission.²⁶

The question remained on the list of matters of which the Security Council is seized.

QUESTION OF A REQUEST FOR INVESTIGATION OF ALLEGED BACTERIAL WARFARE

INITIAL PROCEEDINGS

At the 579th meeting on 20 June 1952, the representative of the United States requested that the item "Question of a request for investigation of alleged bacterial warfare" be placed on the provisional agenda for the next meeting.²⁷

He requested also that a draft resolution²⁸ be circulated to the members of the Council. Under this draft resolution, the Security Council, noting the concerted dissemination by certain governments and authorities of grave accusations charging the use of bacterial warfare by United Nations forces and the repetition of those charges by the Government of the USSR in organs of the United Nations; recalling that the Unified Command for Korea had immediately denied the charges and had requested an impartial investigation, would: (1) request the International Committee of the Red Cross to investigate the charges and to report the results to the Council as soon as possible; (2) call upon all governments and authorities concerned to accord to that Committee full co-operation, including the right of entry to and free movement in such areas as the Committee might deem necessary in the performance of its task; (3) request the Secretary-General to

¹⁸ S/2910, O.R., 8th year, Suppl. for Jan.-March 1953, p. 26.

¹⁹ S/2967, O.R., 8th year, Special Suppl. No. 1.

²⁰ S/2967, O.R., 8th year, Special Suppl. No. 1, p. 13.

²¹ S/2663. Also 577th meeting: para. 111.

²² 577th meeting: paras. 86-89. For consideration of the phrasing of the item on the agenda, see chapter II, Case 16.

²³ S/2663, 577th meeting: para. 111.

²⁴ 583rd meeting: para. 6.

²⁵ 583rd meeting: para. 23.

²⁶ 579th meeting: paras. 38-39. For preparation of the provisional agenda in connexion with the question, see chapter II, Case 1; for consideration of the inclusion of the question in the agenda, see chapter II, Cases 4 and 5; for consideration of the order of discussion of items on the agenda in connexion with the question, see chapter II, Case 11; for consideration of the question of extending an invitation to the representatives of the People's Republic of China and a representative of the People's Democratic Republic of Korea, see chapter III, Case 22.

²⁷ S/2671, O.R., 7th year, Suppl. for April-June 1952, p. 17.

furnish the Committee with such assistance as it might require.

At the 580th meeting on 23 June 1952, the Security Council discussed the adoption of the provisional agenda and at the 584th meeting on 1 July 1952, decided to include the question in its agenda.²⁹

The Security Council considered the question at its 584th to 590th meetings between 1 and 9 July 1952.

Decision of 3 July 1952 (587th meeting): Rejection of the United States draft resolution

At the 587th meeting on 3 July 1952, the United States draft resolution was not adopted. There were 10 votes in favour and 1 against,³⁰ the negative vote being that of a permanent member.

Decision of 9 July 1952 (590th meeting): Rejection of the United States draft resolution

At the same meeting, the representative of the United States submitted a new draft resolution³¹ to: (1) conclude, from the refusal of those Governments and authorities making the charges to permit impartial investigation, that these charges must be presumed to be without substance and false; (2) condemn the practice of fabricating and disseminating such false charges, which increased tension among nations and which was designed to undermine the efforts of the United Nations to combat aggression in Korea and the support of the people of the world for these efforts.

At the 590th meeting of 9 July 1952, the United States draft resolution was not adopted. There were 9 votes in favour and 1 against, with 1 abstention,³² the negative vote being that of a permanent member.

The question remained on the list of matters of which the Security Council is seized.

APPOINTMENT OF A GOVERNOR OF THE FREE TERRITORY OF TRIESTE

(b) LETTER DATED 12 OCTOBER 1953 FROM THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE PRESIDENT OF THE SECURITY COUNCIL (S/3105)

By letter dated 12 October 1953³³ addressed to the President of the Security Council, the permanent representative of the USSR referred to the statement on the question of Trieste issued by the Governments of the United States and the United Kingdom on 8 October 1953. In connexion with the statement he requested the President to call a meeting of the Security Council to discuss the question of the appointment of a governor of the Free Territory of Trieste. He also enclosed the text of a draft resolution³⁴ providing that the Council decide: (1) to appoint Colonel Flueckiger as Governor of the Free Territory; (2) to bring the Instrument for the Provisional Regime of the Free Territory into effect forthwith; (3) to establish the Provisional Council of

Government of the Free Territory in accordance with the terms of the Treaty of Peace with Italy; (4) to bring the Permanent Statute of the Free Territory into effect within the three months following the appointment of the Governor.

The Security Council discussed the question at the 625th, 628th, 634th, 641st and 647th meetings between 15 October and 14 December 1953.

At each of these meetings, the Security Council decided to postpone the consideration of the question.³⁵

Decision of 14 December 1953 (647th meeting): Postponement of consideration pending the outcome of efforts to find a solution

At the 647th meeting on 14 December 1953, the representative of the United States proposed³⁶ that the Council decide to postpone "further consideration of the Trieste item pending the outcome of the current efforts to find a solution" for this matter.³⁷

This proposal was adopted by 8 votes in favour, 1 against, with 1 abstention³⁸ (one member of the Security Council being absent).

The question remained on the list of matters of which the Security Council is seized.

THE PALESTINE QUESTION

Decision of 24 November 1953 (642nd meeting):

- (i) *Finding in the retaliatory action at Qibya taken by the armed forces of Israel a violation of the cease fire provisions of the Security Council resolution of 15 July 1948 and expressing the strongest censure of that action;*
- (ii) *Recalling to Israel and Jordan their obligations in connexion with the prevention of infiltration and acts of violence on either side of the demarcation line;*
- (iii) *Reaffirming the importance of compliance with obligations, and emphasizing the obligation to co-operate with the Chief of Staff, and requesting the Secretary-General and Chief of Staff to take various steps in connexion with the supervision of compliance with and enforcement of the general armistice agreements.*

²⁹ 625th meeting: para. 87.

³⁰ 628th meeting: para. 133; 634th meeting: para. 89; 641st meeting: para. 101. For consideration of the proposal to adjourn under rule 33 (5) of the provisional rules of procedure, see chapter I, Case 22 (628th meeting).

³¹ 647th meeting: para. 3. For observations on the bearing of Article 33, see chapter X, Case 2.

³² By letter dated 5 October 1954 (S/3301 and Add.1), the Observer of Italy and the representatives of the United Kingdom, the United States and Yugoslavia transmitted to the Security Council the text of a Memorandum of Understanding and its annexes concerning practical arrangements for the Free Territory of Trieste, initialled at London on the same date by representatives of their Governments. On 12 October (S/3305), the representative of the USSR informed the Council that his Government took cognizance of that agreement. In a letter dated 17 January 1955 (S/3351), the Observer of Italy and the representatives of the United Kingdom, the United States and Yugoslavia reported that the necessary steps had been taken to carry out the arrangements provided in the Memorandum of Understanding.

³³ 647th meeting: para. 43.

²⁹ 584th meeting: paras. 51-52.

³⁰ 587th meeting: para. 16.

³¹ S/2688, 587th meeting: para. 23.

³² 590th meeting: para. 17.

³³ S/3105, O.R., 8th year, Suppl. for Oct.-Dec. 1953, p. 3.

³⁴ 625th meeting: para. 70.