

GENERAL

A/Permanent Members.AEC/SR.14
26 January 1950

ORIGINAL: ENGLISH

CONSULTATIONS OF THE SIX PERMANENT MEMBERS OF THE
UNITED NATIONS ATOMIC ENERGY COMMISSION

Summary Record of the Fourteenth Meeting
Lake Success, New York

Thursday, 19 January 1950, at 10:30 a.m.

Chairman:	Dr. H. R. WEI	(China)
Members:	General A. G. L. McNAUGHTON	(Canada)
	Mr. Jean CHAUVIEL	(France)
	Mr. Y. A. MALIK	(Union of Soviet Socialist Republics)
	Sir Alexander CADOGAN	(United Kingdom of Great Britain and Northern Ireland)
	Mr. John D. HICKERSON	(United States of America)
Secretariat:	Mr. C. E. ZINCHENKO	Assistant Secretary-General
	Dr. G. FREY	Secretary

Mr. MALIK (Union of Soviet Socialist Republics) said that he wished to make a statement before the agenda was considered. On 18 November 1949 and on January 1950 the Central People's Government of the People's Republic of China had addressed communications to the United Nations stating that it did not recognize the right of the representatives of the Kuomintang Group to represent China in the organs of the United Nations or to speak in the name of the Chinese people, that it considered the presence of those representatives in United Nations organs as unlawful and that it insisted on their exclusion from those organs. The USSR delegation to the United Nations and the USSR representatives in various organs of the United Nations had already stated that they supported the above-mentioned communications of the Government of the People's Republic of China, that they did not recognize the representatives of the Kuomintang Group as representatives of China or of the Chinese people and that the USSR delegation regarded the presence of such representatives

/as unlawful

as unlawful and insisted upon their exclusion. Accordingly, Mr. Malik wished to state in his capacity as USSR representative in the consultations on the international control of atomic energy, that the USSR delegation did not regard the representative of the Kuomintang Group as the representative of China and that it insisted on his exclusion from membership of the Consultative Conference. Mr. Malik further stated that the representative of the USSR would not take part in the consultations so long as the representative of the Kuomintang Group continued to participate in them. He therefore submitted the following draft resolution:

"The Consultative Conference of the representatives of the six States - permanent members of the Atomic Energy Commission decides:

"To exclude from its membership the representative of the Kuomintang group."

General McNAUGHTON (Canada) said he viewed the USSR draft resolution as out of order in a meeting of the six Power group, since that body had neither the right nor the responsibility to determine its membership. It consisted of the six permanent members of the Atomic Energy Commission and proper representation at the consultations was consequent upon membership in the Atomic Energy Commission which in turn was consequent on membership in the Security Council, with the addition of Canada in accordance with General Assembly resolution 1 (I). They came to meetings as a result of action taken by the General Assembly in electing certain members to the Security Council, and therefore to the Atomic Energy Commission and therefore to the six Power group. General McNaughton accordingly submitted that the USSR draft resolution was out of order.

Mr. CHAUVEL (France) said that a review of the documents cited by the representative of Canada led the French delegation to the same conclusion. They did not believe the group could take a decision as to its membership or its powers.

/The CHAIRMAN

The CHAIRMAN agreed with the Canadian and French representatives that the USSR draft resolution was out of order. He had before him the resolution of the General Assembly which established the composition of the Atomic Energy Commission, and therefore of the six Power group. He quoted section 3 of that resolution, as follows:

"Composition of the Commission

The Commission shall be composed of one representative from each of those States represented on the Security Council, and Canada when that State is not a member of the Security Council. Each representative on the Commission may have such assistance as he may desire."

The Chairman said, however, that if the USSR representative insisted upon challenging his ruling, he would put the question to a vote.

Mr. MALIK (Union of Soviet Socialist Republics) asserted that the contention that the draft resolution was out of order was invalid. Neither the decision of the General Assembly concerning the participation of the permanent members of the Atomic Energy Commission nor their right to participate were being challenged.

There was no dispute over the status of China as a permanent member of the Security Council and of the United Nations Atomic Energy Commission, or over the right of China to participate in the six Power consultations and in the work of other organs of the United Nations.

China had always been and would remain a permanent member of the Security Council and of the Atomic Energy Commission so long as the United Nations and that Commission remained in existence. What was challenged was not China's right but the right and powers of the representative of the Kuomintang Group to take part in the discussions on the atomic question among the six permanent Members of the United Nations Atomic Energy Commission; the participation of that representative in those discussions was illegal and could only be harmful both to the cause for which those discussions were held and, indeed, to the United Nations as a whole.

/That was why

That was why the USSR delegation did not consider it appropriate for that representative to participate further in their discussions. Mr. Malik repeated that he did not challenge the indisputable rights of China but the rights and powers of the representative of the Kuomintang Group whom the Central People's Government of the People's Republic of China did not recognize as lawful representative of China.

Mr. Malik emphasized that the Kuomintang representative represented neither China nor the Chinese people and was merely a private person representing no one. If the Canadian and French representatives wished to hear the views of a private person representing no one they were free to do so; the USSR delegation, however, did not intend to have any consultations with that private person. The representative of the Kuomintang Group had no right to take part in consultations so that the USSR proposal for the exclusion of the Kuomintang representative from membership of the Consultative Conference was both lawful and well founded. That proposal should be examined in accordance with rules covering cases when the powers of some representatives were challenged. Mr. Malik insisted that his proposal should be discussed and voted upon. He repeated that he could not take part in consultations on so important a question as atomic energy so long as a person representing no one was participating.

The CHAIRMAN, speaking as the representative of China, observed that the USSR representative had offered no new arguments beyond those raised in the Security Council. The statements of the representative of China in that body had been adequate to answer the false charges, and Dr. Wei would not repeat them. He reminded the group that international control of atomic energy was one of the world's most pressing questions, as had been underlined by the President of the General Assembly. The possibility of a hydrogen bomb made the problem of control even more urgent. Anyone who refused to continue the discussions would bear the responsibility for the consequences. China clearly had the right to participate in the consultations, and moreover represented the mass of the peoples of the world who did not have the capacity or the desire to produce atomic weapons and whose interest was in bringing about the control of atomic energy and advancing the possibility of its peaceful uses. Dr. Wei agreed that the group could not challenge the representation of members nor pass judgment on their powers.

/Mr. MALIK

Mr. MALIK (Union of Soviet Socialist Republics) could not agree that the consultative group of six members had no right to consider and discuss questions concerning the organization of its work including the right of any representative to participate and to reach appropriate conclusions. Nor could he agree with the assertion that the adoption of the USSR proposal would be inconsistent with the resolution of the General Assembly. Such assertions were deprived of any foundation whatever, since, under the rules of procedure and established practice every organ of the United Nations had the right to discuss the organization of its work, including the right to examine the credentials of its members. As an example Mr. Malik said that if a secretary from his staff had come to take part in the current meeting, his credentials would have been questioned. Mr. Malik even thought that the Canadian representative would have been the first to raise that question. He believed that to raise such a question in the organs of the United Nations was a perfectly normal and justified procedure which was consistent both with the rules of procedure and established practice.

Previous speakers had repeatedly stressed the importance of the purpose for which the consultations were being held. In his opinion that was one of the main arguments in favour of his draft resolution proposing the exclusion of the representative of the Kuomintang Group from the membership of the Consultative Conference; indeed, it was extremely important that the credentials of all the participants in the consultations should be quite in order. Each representative had to speak on behalf of the State and people whom he represented. One of the participants -- the representative of the Kuomintang Group -- had no such credentials. Consequently, it could not be asserted that the views of that representative carried any weight whatever since he represented neither China nor the Chinese people. Mr. Malik added that the statements of the representative of the Kuomintang Group did not call for any reply since they were made by a private person.

/Mr. CHAUVEL

Mr. CHAUVEL (France) remarked that if the USSR theory was accepted some representatives would be placed in an embarrassing position. He himself had no special powers to attend the six Power consultations. He came as the representative of France to the Security Council and felt he could attend only while he held that capacity. It was in that sense that Mr. Chauvel had understood the statement of the Canadian representative to the effect that representation in the six Power group was consequent on membership in the Atomic Energy Commission, etc. Accordingly, it was not for the six Power group, but for the Security Council, to examine the powers of delegates.

Mr. MALIK (Union of Soviet Socialist Republics) replied that he had not invented any "new" theory and that what he had said was not new. The "theory" and practice were that during discussions on any questions, and all the more so during discussions on important questions -- international control of atomic energy was an extremely important question -- all participants in international consultations of such questions should have full powers as representatives of their countries. In the case of the present international consultations one of the participants had no such credentials, and that created an abnormal and unlawful situation. That was not only theory but also a practical consideration.

A vote was taken by a show of hands on the Canadian motion that the USSR draft resolution was out of order. The motion was carried by 5 votes to 1, with no abstentions.

Mr. MALIK (Union of Soviet Socialist Republics) stated that as he had already indicated earlier, the representative of the USSR would not take part in the consultations of the six Powers so long as the representative of the Kuomintang Group participated in them. The Government of the USSR would not recognize as lawful any decision or recommendation adopted by the said Consultative Conference with the participation of the representative of the Kuomintang Group. The Government of the USSR would not consider itself bound by any decision or recommendations adopted in those circumstances. In view of the above considerations and of the rejection of the USSR proposal to exclude

/the representative

the representative of the Kuomintang Group, Mr. Malik said that his delegation would leave the meeting.

The representative of the USSR withdrew from the conference room.

Mr. HICKERSON (United States of America) said he was sure that all present deplored the action of their USSR colleague. The six Powers were meeting at the request of the General Assembly, expressed in resolution 191(III) of 4 November 1948 and restated in resolution 299 (IV) of 23 November 1949. Mr. Hickerson read the operative paragraphs of the latter resolution, and particularly desired to stress the third paragraph, reading as follows:

"The General Assembly,

Requests the permanent members of the United Nations Atomic Energy Commission to continue their consultations, to explore all possible avenues and examine all concrete suggestions with a view to determining whether they might lead to an agreement securing the basic objectives of the General Assembly in this question, and to keep the Atomic Energy Commission and the General Assembly informed of their progress;"

It was perfectly clear that the General Assembly had never intended that those important and serious consultations should be interrupted by the raising of wholly extraneous and irrelevant issues. The United States took the instruction of the General Assembly very seriously and Mr. Hickerson had been prepared, on the instructions of his Government, to continue the consultations if a different decision as to the representative of China had been reached. His Government wanted an agreement and would have felt under an obligation to proceed with the discussions whatever the decision had been on the technical point of the representation of China. Although he deplored the absence of the USSR delegation and recognized the fact that that delegation alone was blocking agreement, Mr. Hickerson said he was ready to continue without it towards such limited objectives as could be achieved in the circumstances.

Sir Alexander CADOGAN (United Kingdom of Great Britain and Northern Ireland) agreed in deploring the withdrawal of the USSR representative, particularly because the prime object of forming the group and of their work

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was to bridge the gap between the Government of the Soviet Union and the other Governments. Sir Alexander thought they should issue some report on the meeting which would bring out the point that while the Soviet Union did not participate their main object was defeated. As the United Kingdom delegation felt that no effort should be spared, they were prepared to continue discussions among five Powers only, although plainly they could not solve the matter without participation by the Soviet Union. The five Powers perhaps could examine the various proposals put forward during the General Assembly and agree in their views thereon, but they could not arrive at a final solution. Sir Alexander then presented a draft containing briefly the above ideas.

Mr. CHAUVEL (France) associated his delegation with the expressions of regret at the departure of the USSR representative. Being fully cognizant of the consequences of delay in solving the problem, the French delegation deplored the cessation of the collaboration of the Soviet Union for irrelevant considerations. Clearly, as their purpose was to bridge the gap between the views of the majority and the minority, the absence of one element left the consultations without a practical object. The French delegation viewed the event merely as a suspension of their work. They were ready to continue discussions, but those would not be on the same basis as the six Power consultations.

Any communique should make clear the responsibility of the Soviet Union for making impossible the continuation of their work. Mr. Chauvel suggested that they might also ask the Secretariat to inform the Members of the United Nations of their difficulties. They might, further, provide for the publication of the record of the meeting in order to show all positions. That procedure would require the agreement of the USSR representative.

Mr. HICKERSON (United States of America) agreed that the record of the meeting should be made public. If there were any doubt about securing the agreement of the USSR representative, they might request the Secretariat to make public their individual statements. With regard to the draft communique, Mr. Hickerson would prefer more extensive treatment, presenting

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their comments at the meeting. As to their future work, it was true that they would be unable to resolve their differences with the Soviet Union but they were obliged by the General Assembly to proceed as far as they could. They might examine some of the misconceptions revealed during the Assembly, and discuss some of the concrete suggestions made during the General Assembly debate. Mr. Hickerson was ready to have the date of their next meeting fixed.

Mr. CHAUVIEL (France) suggested that, if the five Powers were to proceed with discussions, they should make it clear that those would not be the same as the six Power consultations. It would be a different group with a different basis. They should let it be plainly understood that the consultations were suspended, although the five Powers were conducting discussions on the same subject. Indeed it might be convenient for such discussions to be held in delegation offices, with or without assistance from the Secretariat. There should, however, be no doubt that the six Power consultations had adjourned sine die.

Sir Alexander CADOGAN (United Kingdom of Great Britain and Northern Ireland) observed that the attitude of the United States representative might be influenced by the desire to follow the procedure of other United Nations organs and show that the withdrawal of the Soviet Union did not bring their activities to a close. While that was appropriate in other cases, their group was almost a mediatory body and their functions therefore changed upon the withdrawal of the Soviet Union. They might continue with discussions but they should be clear as to the changed basis. Perhaps in the communique they could refer to the nature of their future discussions and state they would be glad to resume the six Power consultations. However, Sir Alexander did not believe they could merely say in the communique that their meetings would continue.

General McNAUGHTON (Canada) drew attention to the decision taken at the previous meeting concerning the publication of summary records (Summary Record of the 13th Meeting, Page 2). That self-denying agreement not to publicize any statements made in the consultations until the whole could be released offered a satisfactory procedure and ought to be continued. With regard to the status of their discussions, it was evident that the division of

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opinion was between the five Powers still present and the Soviet Union. Recognition of that fact had led the General Assembly to invite the group of six Powers to consult together. At present they could not continue the mediatory process. It was important to make that clear to the public and not to continue with meetings which might be misconstrued as the consultations requested by the Assembly. No doubt it was important to continue efforts to conclude a scheme of control and if it was desired to hold discussions among the five Powers, the Canadian delegation would always be at their disposal. However, the different nature of the meetings should be made clear to the public.

The communique might express grave concern that the consultations had been suspended by the unilateral act of one party without valid reason. They might entrust the incoming Chairman with keeping the situation under review and calling together the six Powers at the first opportunity. General McNaughton believed that, by keeping the six Power consultations distinct and expressing the desire to resume them, their position would be clear to the world.

The CHAIRMAN suggested that they deal seriatim with the four questions confronting them: (1) releasing the summary records; (2) requesting the Secretary-General to inform all members of the situation (3) the form in which their work might continue; and (4) the contents of a communique. With regard to the records, the Chairman considered it appropriate to release all those not yet made public, including the current meeting.

General McNAUGHTON (Canada) stated he had just been informed that the Soviet Union representative had given his remarks to the press. General McNaughton said his earlier remarks had been governed by the desire to ensure that the Soviet Union representative would not be put at a disadvantage by his absence. The action taken, however, cleared up that aspect. The public should be given both sides.

There followed a brief discussion on the procedure to be followed in making the records public. It was agreed that the record of the current meeting should be released as soon as approved in the usual manner. Records of the previous meetings would be released only with the agreement of the USSR

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representative. In the meantime they would enlarge the communique to give a brief picture of the events at that meeting.

Consideration was given to the manner of bringing the situation to the attention of all members of the United Nations, there being no dissent from the proposal to request the Secretary-General to inform them. It was agreed that the incoming Chairman should draft a letter to be sent by the five Powers to the Secretary-General giving their views of the situation and requesting the Secretary-General to pass copies of the letter to all members, together with copies of the summary record of that meeting.

With regard to the conduct of further consultations among the five Powers, it was agreed that the incoming Chairman should determine the matter after informal discussions with the other representatives.

Suggestions were made as to the contents of a communique, which was then drafted and approved as Press Release No. AC/224.

It was agreed that the incoming Chairman should maintain contact with the Secretariat and, as soon as circumstances permitted, fix the date of the next meeting.

The meeting rose at 1.10 p.m.

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1913	Jan 1	100.00
1914	Jan 1	100.00
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