

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1952 No. 20

Overgelegd aan de Staten-Generaal door de Minister
van Buitenlandse Zaken

A. TITEL

*Handvest der Verenigde Naties; San Francisco, 26 Juni 1945
(Griekenland Resoluties en Duitsland Resolutie)*

B. TEKST

De Engelse tekst (en vertaling in het Nederlands) van het Handvest is bekendgemaakt bij Koninklijk besluit van 21 December 1945 (*Staatsblad* No. F 321).

C. VERTALING

D. GOEDKEURING

E. BEKRACHTIGING

F. TOETREDING

G. INWERKINGTREDING

Zie *Tractatenblad* 1951 No. 44.

J. GEGEVENS

Zie *Tractatenbladen* 1951 Nos. 44, 45, 68, 69, 127 en 155.

Voor het Statuut van het Internationale Gerechtshof, welk Statuut deel uitmaakt van het Handvest der Verenigde Naties, zie *Tractatenblad* 1952 No. 9.

De zesde Algemene Vergadering van de Verenigde Naties heeft in haar 351ste bijeenkomst op 7 December 1951 met 48 stemmen vóór (waaronder Nederland), 5 tegen en 1 onthouding twee resoluties inzake de bedreiging van de politieke onafhankelijkheid en territoriale integriteit van Griekenland aangenomen, waarvan de Engelse tekst luidt als volgt (V.N. signatuur No. A/1984):

A

The General Assembly,

Having considered the report of the United Nations Special Committee on the Balkans,

1. *Approves* the said report;
2. *Expresses* its deep appreciation of the invaluable services rendered for the preservation of peace and security in the Balkans by the members of the Special Committee;
3. *Expresses* its warm gratitude for the gallantry with which the observers of the Special Committee have carried out their difficult and dangerous task;
4. *Decides* to discontinue the Special Committee within sixty days after the adoption of the present resolution.

B

The General Assembly,

Recalling its resolution 377 (V) ("Uniting for peace"), part A, section B, establishing a Peace Observation Commission which could observe and report on the situation in any area where there exists international tension, the continuance of which is likely to endanger the maintenance of international peace and security,

Considering that the situation in the Balkans may require prompt establishment of observation as contemplated in resolution 377 (V), part A, section B.

Resolves to request the Peace Observation Commission to establish a Balkan sub-commission, composed of not less than three nor more than five members, with its seat at the United Nations Headquarters, with authority:

- (a) To dispatch such observers as it may deem necessary to any area of international tension in the Balkans on the request of any State or States concerned, but only to the territory of States consenting thereto;
 - (b) To visit, if it deems necessary, any area in which observation requested under sub-paragraph (a) is being conducted;
 - (c) To consider such data as may be submitted to it by its members or observers and to make such reports as it deems necessary to the Peace Observation Commission and to the Secretary-General for the information of Member States.
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De zesde Algemene Vergadering van de Verenigde Naties heeft in haar 356ste bijeenkomst op 20 December 1951 met 45 stemmen vóór (waaronder Nederland), 6 tegen en 8 onthoudingen een resolutie aangenomen inzake de benoeming van een onpartijdige internationale commissie voor het instellen van een gelijktijdig onderzoek in de Bondsrepubliek Duitsland, in Berlijn en in de Sovjet-zone van Duitsland teneinde na te gaan, of de toestanden aldaar het mogelijk maken om in die gebieden werkelijk vrije verkiezingen te houden. De Engelse tekst van deze resolutie (V.N. signatuur No. A/2020) luidt:

Whereas the Governments of the United Kingdom of Great Britain and Northern Ireland, the United States of America and France, acting on a proposal made by the German Federal Chancellor, have brought before the General Assembly a request for the appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas,

Whereas the statement made by the representatives of the Federal Government of Germany, of Berlin, and of the Soviet Zone of Germany before the *Ad Hoc* Political Committee reveal differences of opinion with regard to the conditions existing in these areas, which make it essential that such an investigation shall be carried out by an impartial body,

The General Assembly,

Having regard to the Purposes and Principles of the United Nations as set out in the Charter, taking due account of the responsibilities of the four Powers regarding Germany, and desiring to make its contribution to the achievement of the unity of Germany in the interests of world peace,

1. *Considers* it desirable to give effect to the above request;
2. *Resolves* to appoint a Commission composed of representatives of Brazil, Iceland, the Netherlands, Pakistan and Poland which shall carry out immediately a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany to ascertain and report whether conditions in these areas are such as to make possible the holding of genuinely free and secret elections throughout these areas. The Commission shall investigate the following matters in so far as they affect the holding of free elections;
 - (a) The constitutional provisions in force in these areas and their application as regards the various aspects of individual freedom, in particular the degree to which, in practice, the individual enjoys freedom of movement, freedom from arbitrary arrest and detention, freedom of association and assembly, freedom of speech, press and broadcasting;

(b) Freedom of political parties to organize and carry out their activities;

(c) The organization and activities of the judiciary, police and other administrative organs;

3. *Calls upon* all authorities in the Federal Republic, in Berlin, and in the Soviet Zone to enable the Commission to travel freely throughout these areas; and to allow the Commission freedom of access to such persons, places and relevant documents as it considers necessary in the course of executing its task and to allow it to summon any witnesses whom it wishes to examine;

4. (a) *Directs* the Commission to report at the earliest practicable date to the Secretary-General, for the consideration of the four Powers and for the information of the other Members of the United Nations, on the results of its efforts to make the necessary arrangements with all the parties concerned to enable it to undertake its work according to the terms of the present resolution;

(b) *Directs* the Commission, if it is able to make the necessary arrangements throughout the areas concerned, similarly to report on the findings resulting from its investigation of conditions in these areas, it being understood that such findings may include recommendations regarding further steps which might be taken in order to bring about conditions in Germany necessary for the holding of free elections in these areas;

(c) *Directs* the Commission, if it is unable forthwith to make these arrangements, to make a further attempt to carry out its task at such time as it is satisfied that the German authorities in the Federal Republic, in Berlin, and in the Soviet Zone will admit the Commission, as it is desirable to leave the door open for the Commission to carry out its task;

(d) *Directs* the Commission in any event to report, not later than 1 September 1952, on the results of its activities to the Secretary-General, for the consideration of the four Powers and for the information of the other Members of the United Nations;

5. *Declares* that the United Nations is prepared, after being satisfied that the conditions throughout the areas concerned are such as to make possible the holding of genuinely free and secret elections, to offer its assistance in order to guarantee the freedom of the elections;

6. *Requests* the Secretary-General to furnish the Commission with the necessary staff and facilities.

Uitgegeven de elfde Februari 1952.

De Minister van Buitenlandse Zaken,

STIKKER.