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英漢對照

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中華民族憲法全文

TEXT OF THE PROPOSED INTERNATIONAL AGREEMENT ON FREEDOM OF INFORMATION

The draft was prepared, at the request of William Benton U.S. State Department Assistant Secretary of Public Affairs, by Richard J. Finnegan, publisher of the Chicago Times and others; made public on September 7, 1947.

國際新聞自由協定草案全文

美助理國務卿班敦請芝加哥時報發行人費南根領導
擬訂者於一九四七年九月七日公佈

Individuals and peoples improve their understanding of each other through the communication of facts and ideas. In order to promote freedom of expression by every means of communication, including speech, writing, press, radio, motion picture and art, and to assure to their respective peoples the benefits of free access to information and opinion, the High Contracting Parties agree to the following articles:

Article 1. For the purposes of simplification and understanding, certain terms used hereinafter are hereby defined.

(A) "Information agencies" shall mean: newspaper, magazine and book publishing organizations; press associations and news or feature services; radio and television stations and networks; motion-picture producing companies.

(B) "Correspondents" shall mean: properly accredited journalists, press reporters, photographers, columnists, editors and publishers; radio and television reporters, commentators and technicians;

個人與民族，以交換事實與觀念之方法，改進彼此之諒解。為促進表達之自由，利用各種交通方法，包括演說、寫作、報紙、無線電、電影及藝術，並為向各個人民保證報導與輿論自由之利益起見，立約人同意如下各條：

第一條、為簡化及明瞭起見，本協定內所用之名辭，予以解釋如下：

(甲)「報道機關」應解釋為報紙、雜誌及書本之發行機構，報業協會及新聞社或特稿社，無線電台與傳影電台及新聞網，影片攝製公司。

(乙)「特派員」應解釋為正式認可之記者、外動記者、攝影記者、專欄家作、編輯及發行人、無線電與傳影

news artists and illustrators; newsreel and other documentary picture production personnel. A correspondent shall be deemed to be properly accredited if he is the holder of a passport duly issued to him by his own nation, certifying that he is a correspondent, and provided he is admissible to the nation of destination under its general laws governing the entry of visitors or immigrants.

(C) "Copy" shall mean all reports of information or opinion, whether visual or auditory, intended by correspondents or information agencies for publication.

Article 2. Correspondents from each signatory (together with their equipment) shall have free ingress to and egress from the territories of the other for the purpose of carrying on the activities of their calling.

Article 3. Correspondents from each signatory shall be permitted freely to travel within the territories of the other and to have access to all places and all news sources available to the correspondents of the most-favored nation.

Article 4. All copy of correspondents or information agencies of each signatory shall be permitted free egress from the territories of the other without censorship, deletion or editing; Provided that: each of the signatories may make and enforce regulations applicable to foreign correspondents relating directly to the maintenance of national military security, if such regulations apply equally to all such correspondents. In the event that the copy of any correspondent is detained or delayed,

記者、評論家與技術家、新聞藝術家與畫家、新聞電影及其他文件影片之攝製人員。特派員若持有其本國簽發之護照，證明渠為一特派員，

渠准可按照外賓或移民入境法律，進入指定之國家，則渠須被認為正式認可之特派員。

(丙)「原稿」應解釋為一切報道或意見之報告，不論為供人閱看或聽聆者，由特派員或新聞社作為出版之用。

第二條、每一簽字國之特派員、連同其所帶之配備、得自由出入其他簽字國之領土，以便執行其職業上之活動。

第三條、每一簽字國之特派員得准許在其他簽字國之領土內，自由旅行，並得進入各地方與一切新聞來源，享受最惠國特派員之待遇。

第四條、各簽字國家之記者及新聞機構所作之全部稿件，應可自其他簽字國家疆界中自由傳出，不經檢查、刪改或編寫；惟每一簽字國家可以對外國記者製訂並實施直接有關維持國家軍事安全之規律，僅需此此等規律係平等實施於全體記者。假定某一

the corerspondent shall be notified immediately of such action and given a full explanation of the reasons therefor.

Article 5. The correspondents of each signatory in the territory of the other shall have access to all facilities for the transmission of copy and may transmit copy on the same basis and at the same rates applicable to all other users of such facilities for similar purposes.

Article 6. Each of the signatories agrees to permit all copy of the information agencies of the other to enter its territory and reach its information agencies on the same conditions as are accorded to information agencies of the most-favored nation.

Article 7. Nothing herein shall be construed as depriving the nationals of any signatory of the remedies provided by the domestic laws of such signatories concerning the publication of libel, slander or obscene material.

Article 8. (A) In order to facilitate attainment of the objectives of this agreement, the International Information Commission (hereafter called the Commission) shall be established, to be composed of representative correspondents or executives of information agencies designated by their respective governments.

(B) The Commission shall have jurisdiction over all cases arising out of a petition filed by a party in interest alleging breach of one or more of the terms of this agreement. It shall be empowered to decide all questions as to its jurisdiction arising hereunder, and to promulgate rules of

記者之稿件被扣留或延阻時，該記者將立即接到關於此項行動之通知並提供其理由之完全解釋。

第五條、每一簽字國家之記者在其他國家領土內工作時，將可取得各種傳遞稿件之設備，並可於同樣之基礎上按照與其他為相似目的而應用此項設備者相同之收費標準傳遞稿件。

第六條、每一簽字國家意准許其他國家新聞機構之稿件進入其領土之內，並按對最惠國新聞機構相同之條件使其稿件傳遞至該國之新聞機構。

第七條、在此協定中不能製訂如剝奪任何簽字國家國內法律中所規定之對於誹謗及猥褻性出版物之管治。

第八條、(甲)為求促進達成此項目標，國際新聞委員會（以下簡稱委員會）將予成立，該會將由各國選派之記者或新聞機構之代表合組而成。

(乙)該委員會當某一團體有意非據本協定條文中之一項或數項被破壞而提出陳訴時，對於此等案件應有裁判權。該委員會將具有權力以決定因裁判而發生之一切問題，公布規律，

procedure, evidence and such other rules as it may deem necessary to fulfill its functions hereunder, subject to such restrictions as are hereinafter set forth.

(C) A party in interest in the original instance shall be any correspondent or information agency alleging injury because of violation of this agreement.

(D) Opportunity shall be given the respondent to answer the petition. Thereafter, upon the initiative of the Commission or at the request of either party, a public hearing shall be held.

(E) Upon conclusion of the hearing, the Commission shall publish a written report which shall include the findings and opinion of the majority of the Commission, together with any special concurring or dissenting opinions. The Commission, wherever it deems appropriate, may make an abridgement of the report which shall be published simultaneously with the text of the report.

(F) In the event of the non-appearance of the respondent in any case arising hereunder, a public hearing shall be conducted ex parte and a report shall issue as in the case of adversary hearings.

(G) The signatories agree that any report or abridgement thereof, of the Commission, shall be made freely available to all information agencies of all nations, and to such repositories of information as libraries, schools and universities, and shall be made available at cost to all nationals of the respective signatories.

Article 9. If, after the Commission has issued its report, diplomacy fails to

程序、證據以及實踐其以後工作必要之規律，惟將仍受日後所訂限制之約束。

(丙)最初有意提出陳訴之團體、應於任何由於觸犯此項協定而有損之記者或新聞機構。

(丁)被提出陳訴之對方，應授以答覆陳訴之機會，然後，由於該委員會之發動或由於雙方中任何一方之請求，將舉行一次公審。

(戊)公審結束時，該委員會將發表一項書面報告，其中將包括該會大多數委員之調查正及意見，以及其特殊贊同及反對者之意見。該委員會如認為適當，可在全部報告發表時，公佈報告之節略。

(己)被告如不到場，則須進行公開之缺席審問，審問結果如不利，則須發表一報告。

(庚)簽字國同意委員會之任何報告或其摘要，須免費供給各國通訊社及圖書館與學校等，並照成本售與各簽字國之國民。

第九條、委員會發出報告後，外

settle the dispute between the signatories concerning the interpretation of this agreement, or the consistency of the report of the Commission, either signatory by unilateral application may invoke the jurisdiction of the International Court of Justice.

交方面對於簽字國有關本協定解釋之

爭執如不能解決，則簽字國任何一方

得片面申請國際法庭之管轄。

NOTES AND ANNOTATIONS

1. "access to" 『接近』。 We cannot have access to such great persons = Such great persons are difficult of access, 此等偉人吾人不易接近。 We have easy access to the university library, 吾人出入學校圖書館甚為便利。

MARSHALL ON THE NEW PHASE OF THE LIFE OF THE UNITED GENERAL ASSEMBLY

*A speech delivered, September 14, 1947, before the American Association
for the United Nations.*

馬歇爾演講聯合國大會新階 之重要性

一九四七年九月十四日於美聯合國協會開幕時發表

I am glad to participate in the opening of United Nations Week.

The interest and the sense of public responsibility shown by the American Association for the United Nations and the scores of other national organizations who have joined in preparing this week of public education in the world of the United Nations is deserving of commendation. It should result in a deepened understanding of the purposes, the accomplishments and the difficulties of the United Nations and a more understanding determination on the part of the American people to make it succeed.

The General Assembly will convene at Flushing Meadow on Tuesday for its second regular session. Delegates from the 55 member states are now arriving in this country for this meeting. They will receive a warm and cordial welcome from our people, who will follow their work with close and sympathetic attention. The Assembly will consider a number of unusually complex political problems, including those relating to Greece and

我參加這聯合國週的開幕典禮，覺得很快樂。

美國聯合國同志會以及其他幾十

個參加這個聯合國週籌備事宜的全國

團體，他們所顯示的興趣和責任感是

值得稱贊的。此舉結果當能加深對聯

合國目標，成就和種種困難的瞭解，

並使美國人民更決心促其成功。

大會將於星期二在富勒與草地召開第二次常會，五十五會員國的代表人現正抵達本國，出席這一次會議。他們將獲得我們人民熱誠的歡迎，我們民對於他們這些代表的工作，將寄予密切同情的注意。大會將考慮若干非常複雜的政治問題，包括關於希臘和巴勒斯坦的問題，對此問題必須求

Palestine, for which solutions must be found. There are already approximately 80 items on the agenda, with still others to be raised in the course of debate.

It is important that the peoples of the world should turn their eyes toward the United Nations while the General Assembly is in session. It is of particular importance that the people of the United States closely follow the proceedings and gain a full appreciation of the nature of the problems faced by the General Assembly. The broad outlines of our foreign policy are determined by our citizens. The American people, fortunately, are free to speak out on matters of policy. They vote; they form their own opinions; and they organize themselves into innumerable groups to give expression to their views. Through a free press and radio and through the film and other means of communications, they have full access to all shades of thought and opinion.

In order that the conclusions of the American public will be firmly based upon fact and upon mature reflection and realistic consideration of the issues involved, it is of importance that all sources of information and aids to the enlightenment of public opinion be used to the full. We are faced with policy questions which are baffling and far-reaching. Even when all the facts are available, it is seldom easy to reach a decision with complete certainty that the right decision has been made. Without the facts, sound judgment of the issues is impossible.

得解決的辦法、在議程中已有八十種項目，還有其他項目將在辯論行進時提出來。

當大會舉行會議之時，世界各國人民的目光應移向聯合國，這是重要的。尤其重要的是美國人民應密切注意會議的進行，並完全瞭解大會所面臨的各種問題的性質。我們明外交政策的廣泛的綱要，是由我們的公民來決定的。幸運的是美國人民對於政策問題，都有發表言論的自由。他們投票，他們形成他們自己的輿論，他們組成無數集團，發表他們的意見。通過自由的報紙和無線電，並通過電影和其他交通方法，他們能完全聽到各種的思想和意見。

爲了要使美國公衆的結論將完全以事實爲根據，而基於對各種問題成熟的思考和現實性的考慮，必須儘量利用一切報道的來源和啓發輿論的協助。我們所面臨的政策問題是複雜而深遠的，有時甚至雖有了一切事實的根據，也不容易完成一個完全可靠的決議。如果沒有事實爲根據的話，那末對各種問題的健全判斷是不可能的了。

This is why your endeavors deserve the support of all those who work for a peaceful world. The achievements of your organizations in the past have been truly remarkable. Without your help and the help of like-minded people in other parts of the world, the United Nations might not have come into existence. Without such continued help, it can only have a limited future. There is still much to be done and it is of utmost importance that it *be done*.¹

A recent survey of public opinion revealed that one out of three people in the United States still does not know what the United Nations is and what it does. The same study showed that only one in five knows what is meant by the veto.

The problem of creating a broad understanding of the many specific issues before the United Nations bodies is particularly great. The annual report of the Secretary General to the General Assembly shows that from July 1, 1946 through June 30, 1947 the General Assembly held 443 plenary and committee meetings, the Security Council 347, the Economic and Social Council 168, the Trusteeship Council 56 and other United Nations bodies 897, or a total of 1911 meetings in one year. The most cursory glance at the subjects discussed at these meetings indicates that as Americans we are concerned with almost every topic dealt with. The entire range of our foreign policy is involved.

To do our share in the work of the United Nations, the Government of the

因此，爲和平世界而工作的人對於諸位的努力，是必然予以擁護的。諸位的機構在過去的成就，確是特出的，沒有諸位的幫助，和世界方同樣思想之人的幫助，聯合國不見得會成立。沒有這種繼續的幫助，其前途也很有限。尙有不少事情須待完或，而且它們的完成是極其重要的。

最近一次的輿論測驗，表示在每三個美國人中，仍有一個不知道什麼是聯合國，以及它所做的是什麼。至於否決權的意義，五個人中也祇有一個知道。

在聯合國各機構許多問題中建立廣泛的瞭解，這問題是特別的緊重。聯合國祕書長的年報中稱：自一九四六年七月一日以迄一九四七年六月三十日，聯合國全體大會共舉行全體與附屬會議四四三次，安全理事會舉行會議三四七次，經濟與社會理事會一六八次，託管理事會五十六次，其他聯合國機構八百九十七次。換一句話說，也就是說在一年中舉行會議一九一一次。我們略一瀏覽這些會議裡面所討論的議題，指明我們以美國人的地位差不多對會議所處的每一問題都有關係。我們整個的外交問題都遷涉在裡面。

我們對於各項會議中所討論的題目，就是相略的看一遍，也可以知道

United States must operate as an effective team under the leadership of the President. Almost every department and agency of the Executive branch of the Government is necessarily involved. Congress, too, is heavily involved in international matters and plays a determinant role in the implementation of our foreign policies from the financial point of view.

But the American public plays the decisive role. They set the objectives, they select the principal officers of government and they weigh and criticize results. That is the democratic process. If it is to be fully effective, the public needs leadership—not only the leadership of formally elected and appointed officers of government—but the leadership of informed and discerning men and women in each community throughout the country. This is pre-eminently the role of the organizations which are cooperating in this United Nations Week.

The Department of State welcomes public scrutiny of its efforts and the criticism which helps us to check the wisdom of our actions. We try in every possible way to find out what the American public thinks about the great issues before us and to explain to them what we think and do about them. Many of you have participated in the regular meetings we have organized with representatives of national organizations. Many of you have spoken to officers of the State Department, who are all available for consultation. Letters from organizations and individuals, which we receive in great numbers, are carefully

我們美國人對於每一涉及的問題，都有關係。我們整個的外交政策，都牽涉在裏面。爲了要盡我們在聯合國的一部份，美國政府必須在總統領導之下以一個有效的隊伍的方式進行工作。美政府行政部份內幾乎每一部份和機構都牽涉在裏面。美國會同樣的也是很看重國際事件。從金融觀點來講，它在執行我們外交政策中、担任決定性的角色。

但是美國人民所扮演的角色，是最後性的。他們決定的目標，他們挑選了政府的主要官員，他們衡量並且批評結果。那就是民主的程序。假使要使它充分有效，公衆需要領導——不特是正式選出和委任的政府官員的領導，而且是全國每一社團中博聞廣見聰明男女的領導。這是參加聯合國週各團體的特殊責任。

美國國務院歡迎公衆詳細調查並批評它的努力，因爲這可以幫助我們判斷我們的行動是否賢明。我們企圖用各種可能的方法去發現美國人民對我們面遇各項問題的想法，並且向他們說明我們的想和做法。我們和國家機構代表所組成的經常會議，你們許多人都曾參加，同時你們也有許多人曾經與負責對外諮詢的國務院官員談話，我們從各團體和私人接到的信件，很多很多，正在鄭重予以考慮。沒

studied. No organization or individual expressing opinions or judgments on important public issues should conclude that such views are of no interest or assistance. The contrary is the case. Let me urge you, therefore, that you continue throughout the year activities of the type which you have developed for this United Nations Week.

We learned during the recent war that every household, every farm, every village and every business are deeply involved in the great problems of peace and security for the solution of which we have established the United Nations. These same problems, and the efforts to meet them in the United Nations, therefore require intelligent attention in all of our schools, our churches, our civic, business and social organizations—wherever, in fact, citizens gather to discuss their vital interests.

We American must obtain a clear understanding of the role which we ourselves are called upon to play in the United Nations. We must understand the roles which others are playing or are failing to play. We must continually remind ourselves that the United Nations succeeds or fails according to the conduct of the members themselves and their willingness to act in accordance with the Charter. We must become familiar with the terms of the Charter. I think this might well be included in the curriculum of our high schools and colleges.

The limitations inherent in this great organization for the preservation of peace

有任何對公共重要問題發表意見或判斷的的機構或私人，應該認為這些意見是沒有關係或幫助。事實恰巧相反。因此，讓我請求你們在整個繼續你們為聯合國週所開始的這一類的活動。

在最近一次戰爭中，我們獲悉每一家戶，每一農場，每一鄉村和每一企業，都與和平安全問題有深切的關係，我們建立聯合國，也是爲了要解決這些問題。因此，這些問題以及聯合國從事解決它們的努力，都需要我們學校，教堂以及公民，企業和社會團體的賢明的注意。事實上，每逢人民集合討論他們有關的問題時都需要注意。

我們美國人民必需對於我們需要在聯合國擔任的任務得到一個清楚的了解。我們必需了解其他國家所擔任的以及失敗的任務。我們必需繼續提醒自己：聯合國的成敗，要看各會員國家目的行爲以及他們是否有按照憲章行事的志願。我想這也許應該收羅在我們中學及大學的課程之中。

這個偉大的組織爲保存和平而設置的限制，應當使我們的公民明瞭。

should be made clear to our citizens. We make a grave error to suppose that every international problem should be handled by the United Nations. Actually, this would neither be desirable nor practicable. The American Government, for example, is conducting negotiations continuously with every recognized government in the world on hundreds of subjects. Other governments are doing the same. The great majority of these matters are satisfactorily settled by mutual agreement between the parties directly concerned. Nothing would be gained and much would be lost by complicating the procedures of day-to-day negotiation by multiplying machinery where simple methods suffice.

Even in cases of international disputes the continuance of which might endanger the maintenance of peace and security—in other words, in matters of primary interest to the United Nations—the Charter enjoins the parties first of all to seek solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice. Clearly, this means that parties to disputes should use such peaceful means in good faith and in a spirit of mutual accommodation. Recourse to United Nations agencies in such matters may constitute an abuse of the Charter if the purpose be merely to better a bargaining position, to obtain a larger forum for propaganda, or to create greater, rather than less, international

我們假定每一國際問題都應該交給聯合國去處理，實乃做了一件重嚴的錯事。事實上，這是既不必要又不實際的。舉例說，美國政府正繼續和每一個世界被承認的國家從事協商千百項問題。其他的政府也在從事同一工作。這些事情中之絕大多數都是由直接有關國家以相互協定得到滿意的解決。假定將這些用簡單方法足可應付日常交涉、改用繁複機構處理而使其程序繁複，就會有許多損失而毫無成功。

即使在糾紛延長可能危害和平與安全的維持的國際性糾紛中——換句話說就是聯合國主要關切的問題中——聯合國憲章也是促導當事國家儘先利用協商，調查、調解、調處、仲裁、司法解決法，地方性機構解決法或當事國家自己選擇的和平方式，從事覓致解決。很明白地，這就是說有糾紛的國家，應該具有良好的信心及互相和解的精神來利用這些方法。這些問題中當然也可向聯合國機構申訴，但是如果其目的僅在求得一個較好的討價還價地位，得到一個較大的宣傳的講壇戰者造成一個更大而不是更小的國際磨擦，那就會促成聯合國憲章

friction. Ultimately, of course, the United Nations is there and should be freely used where a basis for agreement does not exist and action or advice of the United Nations is needed for the maintenance of good relations.

Those who would understand its functions must also be aware of the part which is to be played by the specialized agencies which are now being related to the United Nations under the general coordination of the Economic and Social Council. These agencies are designed to encourage international cooperation in specific fields; they are not, in general, agencies with extensive resources of their own or with direct responsibility for the execution of policy within the United Nations, although some have important operating functions. Some of them, such as the International Labor Organization, have long histories of accomplishment in the international field, others, such as the proposed International Trade Organization, to be considered at the forthcoming international trade conference in Havana in November of this year, are very young, indeed. Others, such as the International Refugee Organization, are envisaged as temporary agencies to be disbanded when a particular job is done. The International Bank for Reconstruction and Development and the International Monetary Fund are agencies with direct operational responsibilities in a particular field.

I have touched upon these matters merely as reminders that an intelligent participation by the United States in the

的濫用。當然，到最後，假定缺乏協定基礎，而爲了維持良好關係需要聯合國的行動與意見，則聯合國是可以自由予以使用的。

凡想瞭解聯合國功能的人

也要深知附屬在經濟及社會理事會以下的與聯合國有關的專門機構所負的任務。這些機構是用以促進某方面的國際合作的，一般說來，它們不是本身具有廣泛資源或在聯合國內負有執行政策直接責任的機構，雖然有些具有重要的執行功能。其中有一些機構，例如國際勞工局，就具有國際工作成就的悠久歷史；其他，如計劃中的國際貿易局，則誠屬年青，該局將於今年十一月在哈瓦拿舉行之國際貿易會議中考慮其成立。再如國際難民救濟協會，則被認爲是個臨時性的機構，一旦其特殊工作完成以後，即將解散，至於國際復興開發銀行及國際貨幣基金則是並不具有某方面直接工作責任的機構。

我提起這些問題不過想提醒諸位，就是美國參加聯合國這一個賢明的

United Nations requires persistent effort by our citizens and by organizations such as yours. I will turn now to the relation between the United Nations and the foreign policy of the United States.

The President and other responsible Americans have on many occasions declare that support for the United Nations is the cornerstone of our foreign policy. On this we are a united people—without party or regional differences.

Our “fidelity to the United Nations”—to use the words of the President in his recent address to the inter-American conference at Rio—goes deep. Our faith in the United Nations has its roots in the basic moral values and spiritual aspirations of the American people. These aspirations of ours are identical with the purposes and principles of the Charter. The late President Roosevelt had this in mind when he spoke of freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear—everywhere in the world.

How do we translate these general principles into practical terms? What precisely does our support for the United Nations mean?

First, it means that we ourselves must faithfully live up to our obligations under the Charter.

Second, it means that our public acts must be consistent with the Charter, whether they are carried out through the United Nations or through other means.

Third, it means that we must refer to the United Nations problems which

舉措，需要我們公民及像諸位所組織的那樣機構的堅持的努力。現在我要講到聯合國和美國外交政策之間關係。

總統和其他美國負責人物曾屢次宣稱：支持聯合國，是我們外交政策的基石。在這個基石上面，我們是萬眾一心的，沒有黨派或區域的分別。

引用總統最近在里約熱內盧訊美會議中所說的話，我們「對聯合國的忠心」是深切的。我們對聯合國的信念，其根本在於美國人民的基本道德價值和精神的願望。我們這些願望是和憲章的目標與原則相合的。已故羅斯福總統，當他說到言論自由與表達自由的時候，思想中抱有崇拜自由，免除貧乏自由和免除恐懼的自由，在世界各地都是如此。

我們怎樣把這些原則譯成實際的名辭呢。我們對聯合國的支持，意義究竟是什麼呢。

第一、我們必須忠實履行我們在憲章下所負的義務。

第二、我們的共和行為必須符合憲章，不論其是否經由聯合國或其他方式實施之。

第三、我們無法和平解決的問題

have failed of solution by other peaceful means and which require solution under the Charter.

Fourth, it means that we must work persistently and loyally within the several organs and agencies within the United Nations toward the successful accomplishment of their assigned tasks.

Fifth, it means that we must seek to improve the procedures and machinery of the United Nations Organization itself and to join with others in providing the resources which are necessary for its efficiency.

Sixth, it means that we must join with other members to make it unmistakably clear that aggression against the territorial integrity or political independence of others, will be resisted by the combined efforts of the members of the United Nations.

Seventh, it means that we must exert every possible effort to conclude the remaining peace treaties, thereby creating the normal conditions under which the United Nations was designed to function. It is intended to maintain peace, not to make peace, after this war.

Eighth, it means that we join with others in seeking to improve the world's economic situation, to bring about the economic conditions necessary to international stability.

These are clear rules for our conduct; in fact, they accurately reflect our national policy.

We have heard in this country, particularly in recent months, expressions of

必須依照憲章提交聯合國解決。

第四、我們必須在聯合國的各種機構內堅毅而忠地工作，務求各種派定的任務。

第五、我們必須設法改善聯合國機構本身的程序和組織，並與其他國家共同提供必需的資源。

第六、我們必須與其他會員國共同聲明：聯合國會員國對於一切對他國領土完整或政治獨立的侵略，將協力予以抵抗。

第七、我們必須努力完成其餘的和約，藉此造成在專為此而締造的聯合國之下正常的情形。這用意是在於維持戰後的和平，而不是製造和平。

第八、這意味着我們聯合其他國家努力改進世界經濟局勢，以使這經濟局勢適為國際安定所必需。

這些便是我們行為的明白規律，事實上，它們正確地反映了我們的國策。

我們曾經在本國，尤其是最近幾月裏，聽到對於聯合國前途表示關切

concern about the future of the United Nations. I do not believe that it stems from lack of confidence in the possibilities of the United Nations Organization or in its technical efficiency. This apprehension is caused rather by doubt as to whether all members are willing to adjust their national policies to the common interest of all humanity. This common interest is expressed in article after article of the Charter enjoining its members to pursue in their international conduct the principles and purposes of the Charter. I can, of course, speak only for the United States.

I have, I hope, made it clear that our national policies will continue to conform to these principles and purposes. Obviously, if all members do not similarly strive to meet their obligations under the Charter, the United Nations will be imperiled.

The forthcoming session of the General Assembly may begin a new phase in the life of the United Nations. During the course of this session, on October 24, the second anniversary of the coming into force of the Charter will be celebrated. These two years have, to a very considerable extent, been taken up with the work of organization and with the development of techniques and procedures. With the establishment of the Trusteeship Council in March and April of this year, the major organizational development of the United Nations was completed.

During these two years of birth and

的意見。我不相信這些表示，起因於對聯合國組織的前途或其技術效率缺乏信心。這種憂懸實在是起於對全體會員國家是否願意調解其國家政策以符合全體人類的共同利益的疑慮。這共同的利益已經逐條顯示於聯合國憲章中，要求各會員國家在國際行為上追求憲章的原則與目標。當然，我祇能為美國發言。

我希望我已經明白說明我國的國策是繼續符合這些原則與目標。很明顯地，假定所有的會員國並不同時努力以實現他們在憲章下的義務，聯合國將蒙受危險。

即將到來的聯合國大會可能於聯合國生命史中展開新的一頁。在這些會議中，當十月二十四日，將慶賀憲章生效的第二週年。這兩年之中，大部份之時間已被用於組織工作及技術及程序之發展。今年三四月託治理事會成立以後，聯合國的主要組織工作已經完成。

在此誕生與成長的兩年之中，各

growth, governments and peoples have been slow to criticize and have shown commendable sympathy toward the initial efforts of this new world organization for peace and security. That initial period is coming to an end. Our work will now be subjected to more critical examination. Apprehension and anxiety over the future of the United Nations reflect insecurity about the aims and intentions of the members themselves. There is genuine danger that our hopes of two years ago will give way to skepticism.

The General Assembly is the forum in which this skepticism must be forestalled and the forum in which our disagreements must be resolved. The great moral and political forces of the peoples of the world must somehow *be brought to bear* with full effect through the General Assembly.

Within a few days' time, the U.S. delegation will be making a number of proposals to the General Assembly which we believe will help to resolve some of the issues which are now disturbing good relations among nations. You will appreciate that presentation of these proposals must await the meeting of the Assembly. However, I believe you will be interested in two or three general considerations which bear upon our work in the coming General Assembly.

We are not unalterably opposed to every proposal for a revision of the Charter although we believe that there is at the present time no need for major revisions of the Charter or for a chance

的政府及人民都沒有急於批評，且而表現了對這新世界和平安全組織的初步努力的可貴同情。這初期階各現在已經相近結束。我們的工作現在受更多批評的試鍊。對於聯合的憂慮和不安，反映出會員國家自對於其目標及努力尚無信心。現在有着一種真正的危險，就是我們對於兩年中的希望，將被懷疑主義者所代替。

聯合國大會是一個公斷的場所，在這裏，懷疑主義必需予以阻止而不協同的意見需予解決。經由聯合國大會，全世界人民的偉大道德及政治力量必需使其具有完全的效力。

在幾天的時間之內，美國代表將要在大會中提出許多建議，這些建議，我們相信將能有助於解決某些爭端，這些爭端現在正阻撓各國間的良好關係。你們想必能了解：這些建議的提出，必需等到大會開會的昨候，但無論如何，我相信你們對於未來大會中，我們的建議所將受制的兩三種一般性的考慮定將發生興趣。

我們並非澈底反對各種修憲章的建議，雖然我們相信目前對於憲章或聯合國一般的性質，並沒有重大改修

in the general character of the United Nations.

Many articles of the Charter have not yet been *brought into play*⁴ and given life and meaning by practical application. Some of the principal organs as yet has not fully exerted the authority and influence which are possible under the existing Charter. The members themselves as represented in the General Assembly have by no means exhausted the potentialities of the Charter in finding ways and means of overcoming obstruction and of meeting their common problems. While we might be willing to accept certain amendments to the Charter, we believe that rapid progress can be made in the immediate future within the general framework which we now have and that we shall ourselves make proposals for utilizing more fully existing machinery.

In the meantime, there are serious matters in the political and security field which require prompt action by the Assembly. We are particularly concerned with the aid and assistance which are being provided by Yugoslavia, Bulgaria and Albania to the guerrillas in Greece—a direct threat to the territorial integrity and political independence of that country. We seek nothing in that situation but the protection of the Greek people which is their due under the Charter. We have no interest beyond the pacification of that troubled area. The solution must be the cessation of the threat—and we earnestly hope that the General Assembly will be able to devise means for accom-

的需要。

憲章中有不少條文還沒有在實際運用使它發揚並得有生氣。各主要的機構，一個也沒有根據現有憲章完全實施權限和勢力。出席大會的各會員國本身也沒有用盡憲章的潛能，來設法克服障礙和應付共同的問題。我們也許願意接受對憲章的若干修正，但我們相信在我們現有的範圍內，不久將有迅速的進步，而我們將建議更充分地利用現有的機構的。

同時，在政治和安全的範圍內，有各種嚴重的問題，需要大會採取迅速的行動。我們特關心於南斯拉夫，保加利亞和阿爾巴尼亞的協助希臘游擊隊，這對於希臘的領土完整和政治獨立，是一種直接的威脅。我們在這個局勢中，不求別的，祇求在憲章之下，予希臘人民以應得的保護。我們除了綏靖這個不安的區域以外，並無別的关注。解決的辦法必須中止這個威脅，我們竭誠希望大會能設法完成

plishing that end.

The matter of Palestine will be before the forthcoming Assembly for solution. We believe that the techniques which have been used by the Assembly thus far in dealing with this question have been soundly conceived. After preliminary consideration, the General Assembly established a commission of representatives of disinterested states which has inquired into the problem and reported its conclusions and recommendations to the Assembly. We believe that it is of the greatest importance that every effort *be made* to obtain maximum agreement in the General Assembly on a solution for that problem and that the peoples directly concerned will accept the recommendations of the coming General Assembly as a basis for a definitive solution of this complex matter.

Throughout the General Assembly, the U.S. delegation will be motivated by a desire to develop the United Nations as the central organization for the maintenance of international peace and the promotion of international cooperation. We do not look upon it as a handy instrument for obtaining temporary national advantage. We have no desire to slip back upon the road to international anarchy out of which we have been hoping we are beginning to emerge. We look forward to the early admission into the United Nations of the remaining nations who might now be qualified for membership. If the United Nations is to serve the genuine self-interest of all members over the longer period and if it is to be, as suggested in

這個目的。

巴勒斯坦問題將提交這一次大會予以解決。我們相信大會對於應付這個問題所用的技術，已健全地想像到。經過初步考慮以後，大會已設立一個無關係國家代表之委員會，調查此一問題，並將其所得結論向大會報告。我們信相最重要的是：我們應該竭力取得一致的解決辦法，而有直接關係的民族，將接受即將奉行之大會的建議，作為解決這個複雜問題的基礎。

在大會從頭到末的過程中，美國代表將動議發展聯合國，使其成爲一個維持國際和平與促進國際合作的中央機構。我們並非把聯合國當作謀取國家暫時利益的現成工具。我們不欲回到國際無政府狀態的路上。我們希望其餘具有會員資格的國家，都從早加入聯合國。如果聯合國要想爲全體會員的利益服務更久長，並照憲章第一條的建議，成爲一個調和各國行動

Article I of the Charter, a center for harmonizing the actions of nations, we believe that its world-wide membership must be preserved as far as possible in accordance with its original design.

It would be a sore, a tragic disappointment if experience should prove that the harmony which was achieved at San Francisco was only temporary. We find it difficult to believe that members of the organization would deliberately seek to destroy its structure by persistence in acts of aggression or by obstruction of a nature to paralyze the principal organs of the organization.

Our own attitude and sense of responsibility will have much to do with the success of the coming General Assembly. Under the pressure of our war effort we developed in this country a laudable impatience for obstacles which stood between us and the attainment of victory, obstacles which were removed by an application of astonishing energy, ingenuity and singleness of purpose. The problems of peace require moral courage and stern determination but they also demand patience and deliberation if we are to find a common agreement upon which a lasting peace can be found.

In reflecting upon our own experience, the American constitutional development, we find that even where we were one people and there were generally agreed objectives, a long time, much of forbearance and a willingness to compromise were needed in building our great constitutional system. We believe that the peoples of the

的中心，那末我們相信聯合國必須遵照原來的宗旨，儘量保持普及全世界的會員國。

假使經驗證明在舊金山獲得的協調祇是暫時的，那就是一種慘痛的失望。我們很難相信：聯合國的會員會用侵略的行動或是促使機構主要部份麻木的阻撓行爲，故意毀壞它的機構。

我們本身的態度和責任感，對於未來大會的成功，關係甚大。在我們作戰努力的壓力之下，我們曾在我國發展一種可讚揚的，對於處於勝利的獲得及我們之間的阻撓的不滿，這些阻撓，結果由於應用驚人力量，機智及任務的一元化而使其移去了。和平問題需要道德勇氣及堅強意志但是他們也需要忍耐及考慮，假定我們要想找到一個共同協定以作基礎，而在其上建立持久的和平。

反映在我們自身經驗上的，美國憲法的發展，我們發現即使單獨我們一個民族，在建立我們偉大的憲法系統時候，也需要有一普遍同意的目標，長久的時期，許多寬容和協調的意願。我們相信聯合國的人民也具共有

United Nations also have common basic purposes which provide the foundation for effective machinery for international co-operation. We should be neither surprised nor discouraged if time and great effort are required to move forward. We hope that the effort itself will produce increasing unanimity of purpose, a unanimity which will in turn, make possible more effective international action.

The U.S. delegation to the General Assembly will have continually in mind the basic purposes of the American people and will strive to give them effect. We seek at this Assembly not a U.S. success but a United Nations success. The latter will include the former since our objectives are the objectives of the Charter itself. We earnestly solicit your backing for this great effort in which we are now engaged.

同的基本目標，以作為國際合作有效機構的基礎。假定向前發展需要時間及大量勞力，我們不應該驚異或者氣餒。我們希望這些勞力，本身可以造成目標的日漸一致，這一致的目標則將進一步促成更有效的國際行動。

美出席大會代表將經常記取美國人民的基本目標，並將促其實現。我們希望這次大會不僅是美國的成功而且是聯合國的成功。後一個成功可將包含前者在內，因為我們的目標也就是聯合國憲章的目標。我們熱切地企求你們對於我們現在從事的區大努力予以支持

NOTES AND ANNOTATIONS

1. "be done" subjunctive mood, present tense, passive voice. 在 natural, no wonder, necessary, important, strange 等字之後通常用 "should" 如：It is natural that he should do that, "should do" 是 subjunctive future, "be" 是 subjunctive present 有時可替代。2. "be" 是 subjunctive present 表 condition, 通常用 indicative mood, "is" 代之。3. "to be brought into play", "to bring into play", 『發揮』, 『發揚』。When you write a good story, all your power of imagination must be brought into play, 寫故事，須使想像力完全發揮。4. "to be brought to bear", "to bring--To bear", 『用威力，辯論』。All arguments must be brought to bear if we want to win, 吾人欲獲勝利則須用一切理由說服之。5. "be made" 是 subjunctive mood, present tense, passive voice 見 1.

MARSHALL'S STATEMENT OF U.S. POLICY BEFORE THE UNITED NATIONS GENERAL ASSEMBLY

Delivered at Flushing Meadow, U.S.A., September 17, 1947

馬爾關於美國政策向聯合國大會 發表重要聲明

一九四七年九月十七日於美富勒興草地聯大開幕時發表

Mr. President — Fellow-delegates:

I have been asked by the President of the United States to extend to you the cordial greetings of the Government and people of the United States, as well as his own warm personal welcome. We are happy to have you with us in this country. We trust that your stay will be productive of the far-reaching results which the peoples of all countries expect from this gathering.

Our point of departure for the deliberations of this Assembly might well be the annual report of the Secretary General on the work of the organization. It is a noteworthy document. It records realistically the progress and development of the United Nations, and its failures. It reflects the diligent efforts of the Secretary General and his staff to expedite the rapidly growing volume of United Nations business.

The situation we face today may be summarized by the statement that more than two years after the end of the war,

主席先生，諸位代表：

我受美國總統之囑咐，代表美國政府和人民，向諸位問候，並代表總統本人，向諸位熱誠歡迎。諸位駕臨敝國，我們覺得很快樂。我相信諸位在這裏，將產生深遠的結果，這種結果就是各國人民對這裏的集會所期望的。

我們在這次大會中討論的出發點，是秘書長關於聯合國機構工作的年報。這個報告是一種值得注意的文件。這報告內以客觀的態度，記錄着聯合國的進步和發展，同時也記錄着聯合國的各種失敗。這報告反映着秘書長及其下屬一班人員的努力，趕緊辦理聯合國的一切事宜。

我們今天所面臨的局勢，可以用一句話來概括：就是戰爭結束以後兩年多，和平與勝利的果實仍在我們，

the fruits of peace and victory are still beyond our grasp. Men look anxiously toward the future, wondering whether a new and more terrible conflict will engulf them. We have not yet succeeded in establishing a basis for peace with Germany and Japan, nor have we restored Austria as an independent state. Reconstruction lags everywhere; the basic requirements of life are scarce; there is desperate need throughout great areas. The complex economic machinery which was thrown out of joint¹ by the war has not yet been put back into rushing order. In place of peace, liberty, and economic security, we find menace, repression, and dire want.

A supreme effort is required from us all if we are to succeed in breaking through the vicious circles of deepening political and economic crisis. That is why the United States has placed on the agenda of this Assembly the question of threats to the political independence and territorial integrity of Greece.

The history of the Greek case in the United Nations is well known in this Assembly. You are aware that the Security Council, last December, adopted a resolution establishing an investigating commission to inquire into the situation² along the northern frontier of Greece and report the facts to the Security Council. You know that the commission and its subsidiary group, by large majorities, have attributed the disturbances principally to the illegal assistance and support furnished by Yugoslavia, Albania and Bulgaria to

的把握之外，世人懷着焦急的情緒，瞻望前途，懷着將來是否有一個更可怕的戰爭，會把他們吞沒下去。關於對德國與日本建立和平基礎一點，我們還沒有成功，我們也沒有恢復奧國的獨立國家地位。各處的重建工作都遲遲未能進行，生活的基本需要很缺乏，各大地區都有迫切需要。因戰爭而宣告脫節的複雜的經濟機構，還未能恢復原狀。我們找不到和平、自由、和經濟安全，我們所看到的是恐怖、壓制和貧乏。

我們如欲衝破政治和經濟危機加深的包圍圈，必需最高的努力。因此，美國已把威脅希臘政治獨立和領土

完整的問題列入大會的議程中。

希臘一案在聯合國中的歷史，是大會所熟知的，諸位記得去年十二月安全理事會曾通過一件決議案：設立一個調查委員會，從事調查沿希臘北部邊界的情形而把事實向安理會報告。諸位知道這個委員會和他附屬的調查團，以大多數的決議，認為糾紛的原因，由於南斯拉夫，阿爾巴尼亞和保加利亞協助游擊隊對希臘政府作戰。這裏所討論的問題的主要點，並不

guerrilla forces fighting against the Greek Government. The extent or effectiveness of such assistance to the Greek guerrillas is not *the point at issue* here. It is a universally accepted principle of international law that for one nation to arm or otherwise assist rebellious forces against another government is a hostile and aggressive act. Not only has this principle been upheld in a number of famous cases in international law, but it has also found expression in international agreements. The majority of the members of the Security Council have recorded their support of this principle by their action in this case. One permanent member of the Security Council, however, has three times vetoed the efforts of the Council to deal with the situation.

This Assembly cannot stand by as a mere spectator while a member of the United Nations is endangered by attacks from abroad. If the United Nations should fail to protect the integrity of one small state, the security of all small states would be placed in jeopardy. The inability of the Security Council to take effective action in this case passes a grave responsibility to the General Assembly. I am confident that the General Assembly will not fail to meet this responsibility. It must do so if the organization is to carry out its fundamental purposes.

The U.S. delegation will, therefore, submit to the Assembly a resolution which will contain a finding of responsibility; call upon Albania, Bulgaria and Yugoslavia to cease and desist from rendering

是對希臘游擊隊協則的程度或效果。

一個國家，對於反抗另一國政府的叛軍，予以武裝或其他的協助，是一種敵對和侵略的行爲，這是國際法上普遍公認的原則。這種原則不僅在國際法中若干無名的案件內予以擁護，而且也來現在各種國際協定中、安理會大多數會員國都以實際行動，來支持這個原則。但有一個會員國竟連續三次運用否決權，以阻撓安理會的努力。

當聯合國的若干國家遭受國外攻擊的危險時，此次大會是不能夠作爲一單純的旁觀者的。假定聯合國不能夠保障一個小國的完整，則所有小國的安全都將處於危險的地位。安全理事會不能對本案採取有效行動，因此將嚴重的責任交給了大會。我相信大會將不致難於負起這項責任，假定這個組織想實踐它的基本任務，大會就必需如此行動。

因此，美國代表將向大會提出一項建議，其中將包括對責任之調查，要求阿爾巴尼亞，保加利亞及南斯拉

further assistance or support to the guerrillas in Greece; establish a commission to assist in the implementation of these recommendations and to investigate the facts with regard to compliance therewith; and make other appropriate recommendations to the states concerned.

The General Assembly is also faced with the problem of Palestine. The Government of the United States intends to do everything within its power at this session of the General Assembly to assist in finding a solution for this difficult problem which has stirred up such violent passions, and which is now resulting in the shedding of blood and in great mental and moral anguish. The solution will require of each of us courage and resolution. It will also require restraint.

The special committee on Palestine is to be highly commended for its contribution to the solution of this problem. Although the members of this committee were not able to agree unanimously upon a number of important issues, including that of partition, they have been able to find the basis for agreement on eleven recommendations to this Assembly. Their achievement in reaching unanimity on so many points represents definite progress.

We realize that whatever the solution recommended by the General Assembly, it cannot be ideally satisfactory to either of the two great peoples primarily concerned. While the final decision of this Assembly must properly await the detailed consideration of the report, the Government of the United States gives great

夫停止對希臘游擊隊供給更多的協助與支持，成立一委員會以實踐上項建議，並調查有關的事實，同時則向有關國家提出適當的建議。

大會同時面臨巴勒斯坦問題。美國願意在此次大會中竭盡力量以協助覓致這一項困難問題的解決。此困難問題曾經引起猛烈的情感，而且現在已經造成流血和道義的憤怒。這項解決需要我們每一國的勇氣與決心。但同時也需要抑制。

巴勒斯坦委員會對於此項問題解決的貢獻應當得到很高的評價。雖然該委員會的委員對於許多重要問題，其中包括分區問題，並不能有一致意見，但是他們已經獲得了對本次大會的十一項建議的協議的基礎。他們的若干問題上獲得一致意見的成就，表明了確實的進步。

我們明白：不論大會提議的解決方案是怎樣，它對於主要有關的兩大民族，並不能理想的滿意。此項大會的最後決定，必須適當的等候該項報告的詳細審查：同時對於曾獲特別委

weight not only to the recommendations which have met with the unanimous approval of the special committee but also to those which have been approved by the main committee.

Now to the question of the independence of Korea. At Cairo in December 1943, the United States, the United Kingdom and China joined in declaring that, in due course, Korea should become free and independent. This multilateral pledge was reaffirmed in the Potsdam Declaration of July 1945, and subscribed to by the Union of Soviet Socialist Republics when it entered the war against Japan. In Moscow in December of 1945, the Foreign Ministers of the USSR, the United Kingdom and the United States concluded an agreement which was later adhered to by the Government of China. It provided for the establishment of a Joint U.S.-USSR Commission to meet in Korea and, through consultations with Korean democratic parties and social organizations, to decide on methods for establishing a provisional Korean government. The Joint Commission was then to consult with that provisional government on methods of giving aid and assistance to Korea, any agreement reached being submitted for approval to the four powers adhering to the Moscow agreement.

For about two years, the U.S. Government has been trying to reach agreement with the Soviet Government through the Joint Commission and otherwise, on methods of implementing the Moscow

員會一致通過以及該委會大多數通過

的建議，國決予以重視。

現在我轉到朝鮮獨立問題。一九

四三年十二月在開羅，美英中三國共

同聲明朝鮮應成爲自由邦獨立之國家

。這多角的信約在一九四五年七月的

波茨坦宣言中再度獲得證實，而且也

是蘇聯在參加對日作戰時所表示信守

的。一九四五年十二月在莫斯科蘇英

美外長締結協定，中國政府隨後也予

以遵守，這協定規定成立美蘇混合委

員會，在朝鮮召開會議，並且在與朝

鮮民主路派及社會機構商談後，決定

成立韓國臨時政府的方法。混合委員

會其時規定與該臨時政府商討援助韓

國方法，任何協議，均須呈交莫斯科

協定四國批准。

在約有兩年的時候內，美國政府

不斷企圖就執行莫斯科協定，因而實

現韓國獨立問題，經由混合委員會及

agreement and thus bringing about the independence of Korea. The U.S. representatives have insisted that any settlement of the Korean problem must in no way infringe the fundamental democratic right of freedom of opinion. That is still the position of my Government. Today, the independence of Korea is no further advanced than it was two years ago. Korea remains divided at the 38th parallel, with Soviet forces in the industrial north and U.S. forces in the agricultural south. There is little or no exchange of goods or services between the two zones. Korea's economy is thus crippled.

The Korean people, not former enemies but a people liberated from 40 years of Japanese oppression, are still not free. This situation must not be allowed to continue indefinitely. In an effort to make progress, the U.S. Government recently made certain proposals designed to achieve the purposes of the Moscow agreement and requested the powers adhering to that to join in discussion of these proposals. China and the United Kingdom agreed to this procedure. The Soviet Government did not. Furthermore, the U.S. and Soviet delegations to the Joint Commission have not even been able to agree on a joint report on the status of their deliberations. It appears evident that further attempts to solve the Korean problem by means of bilateral negotiations will only serve to delay the establishment of an independent, united Korea.

It is, therefore, the intention of the U.S. Government to present the problem

其他方面與蘇聯政府成立協議。美方代表堅持韓國商題的任何解決方法均不能壞輿論自由的基本民主自由。在今天，韓國的獨立，並後有比兩年前有進步。在緯度三十八度上，朝鮮依然一分為二。蘇軍駐在北部工業區，美軍則駐在南部農業區。在兩區之間，貨物和服務的交換是很少者簡直沒有。朝鮮的經濟，因此被摧殘。

朝鮮人民，他們並非是過去的敵人而是從四十年來日本压迫下解放出來的人們，現在仍未自由。這種情勢必需不再讓其無限期的繼續存在。為求獲得進步起見，美國政府曾經提出若干建議以求達成莫斯科協定的目標，並要永和該協定有關的國家參加這亞建議的討論。中國和英國已經同意這項程序。蘇聯政府則否。除此以外。美國和蘇聯出席混合委員會的代表甚至不能同意於提出他們討論情勢的聯合報告。明白可見的是，想以雙方協商來解決朝鮮問題的進一步努力，祇有延遲獨立團結朝鮮的建立。

因為如此，美國有意將朝鮮的獨立問題提出於全體大會。我們雖然要

of Korean independence to this session of the General Assembly. Although we shall be prepared to submit suggestions as to how the early attainment of Korean independence might be effected, we believe this is a matter which now requires impartial judgment of the other members. We do not wish to have the inability of two powers to reach agreement delay any further the urgent and rightful claims of the Korean people to independence.

For the achievement of international security, and the well-being of the peoples of the world, it is necessary that the United Nations press forward on many fronts. Among these, the control of atomic and other weapons of mass destruction has perhaps the highest priority if we are to remove the specter of a war of annihilation.

The preponderant majority of the Atomic Energy Commission has made real progress in spelling out in detail the functions and powers of an international control agency which would provide a framework for effective atomic energy control. Two nations, however, have been unwilling to join the majority in the conclusions reached. This is a disturbing and ominous fact. In dealing with the facts presented by the advent of atomic energy, the majority has devised a system of control, which, while it is bold, is, in our view, essential for security against atomic warfare. The majority has evidently been unwilling to face these same facts realistically. The mandate of the General Assembly remains unfulfilled. Failure to

備準提出如何但使朝鮮獨立實現的建議，但我們相信這是需要現在由其他各會員國家公共判斷的問題。我們不希望由於這兩大強國不能達成協議，而再使朝鮮人民迫切而正當的獨立要求受到任何拖延。

爲了獲致國際安全 and 世界人民的幸福，聯合國必需個許多問題努力推進。在這些問題之中。原子和其他大規模破壞性的武器也許具有最高的優先權，假定我們是要消除屠殺性戰爭的魔鬼的。

原子能委員會中的絕大多數委員會，已經獲得真正的進展而擬訂了足以作爲有效原子能管制的國際管制機構的功能及權力細則。但有兩個國家不願同意大多數國家所獲得的結論。這是一個麻煩而不利的事實。在應付由於原子能的誕生而帶來的問題時，大多數國家已經擬定訂了一種管制制度，這個管制制度是大胆的，但在我們看來，它乃是防止原子戰爭所必需。然而少數國家則明顯地不願現實地應付這相同的事實。對於足以成爲防

agree on a system of control which can provide security against atomic warfare will inevitably retard the development of the peaceful uses of atomic energy for the benefits of the peoples of the world and will accelerate an atomic armaments race.

The initial offer made by the United States on June 17, 1946, by which this country would give up its present advantage in exchange for an effective system of control, has found most gratifying acceptance by the majority of the nations represented on the Commission. They have worked earnestly together to hammer out specific proposals whereby such a system could be put into effect. All have made important contributions to the end-product. The majority is convinced that its proposals provide the only adequate basis for effective control.

Since the United States realizes fully the consequences of failure to attain effective international control, we shall continue our efforts in the Atomic Energy Commission to carry forward our work along the lines of the majority views. We must state frankly, however, that in the absence of unanimous agreement on the essential functions and powers which the majority has concluded must be given to the international agency, there will necessarily be limitations on the extent to which the remaining aspects of the problem can be worked out in detail. If the minority persists in refusing to join with the majority, the Atomic Energy Commission may soon be faced with the conclusion

止原子戰爭的保障的原子管管制制度的不能同意，將不避免地延遲，爲了全世界人民福利而進行的，原子能的和平用途的發明，凡同時將加速原子武器的競賽。

一九四六年六月十七日美國自動建議，願放棄其現有的利益，以交換一種有效的管制制度，當時委員會中大多數國家都表示接受。他們熱心地共同合作，以擬就特種的建議，使這種制度能付諸實行。他們對於這個成果，都有重要的貢獻。他們大多數相信這種建議是有效管制的唯一適當基礎。

美國完全明瞭有效國際管制失敗的後果，所以我們將在原子能委員會中繼續努力，遵循多數的意見進行工作。但我們必須坦白地聲明：如果關於國際機構的基本工作與權限，沒有一致的同意，那末這問題的其餘都份所定詳細擬定的範圍，必須有限制。如果有少數堅持拒絕與多數合作，那末原子能委員會不久將面臨如下的結

that it is unable to complete the task assigned it under its terms of reference laid down in the General Assembly resolution of January 24, 1946.

The United States also recognizes the importance of regulating conventional armaments. We regret that much more progress has not been made in this field. From this rostrum it is very easy to pay lip service to the sincere aspirations of all peoples for the limitation and reduction of armed forces. This is a serious matter which should not be the subject of demagogic appeals and irresponsible propaganda. I say frankly to the general system of the regulation of armaments cannot be put into operation until conditions of international confidence prevail. We have consistently and repeatedly made it clear that the regulations of armament presupposes enough international understanding to make possible the settlement of peace terms with Germany and Japan, the implementation of agreements putting military forces and facilities at the disposal of the Security Council, and an international arrangement for the control of atomic energy.

Nevertheless, we believe it is important not to delay the formulation of a system of arms regulation for implementation when conditions permit. The Security Council has accepted a logical plan of work for the Commission for Conventional Armaments. We believe that the Commission should proceed vigorously to develop a system for the regulation of armaments in the business-like manner

局：即無法完成一九四六年一月廿四

日大會決議所派定的任務。

美國也承認管理舊式軍備的重要性。我們引為遺憾的是，在這方面，我們並沒有更多的進步。在這裏會議中，對於一切人民所希望的限制與裁減武裝部隊，如果僅是空口談論，乃是很容易的事。這個嚴重的問題不應作為籠絡羣衆的呼籲與不負責任的宣傳的主題。我可以坦白的說：管理軍備的制度決不能付諸實行，除非國際間互信任。我們曾迭次聲明：管理軍備的先決條件必須有充分的國際諒解，使對德國和日本的和平條件，得以解決，將軍隊與軍備置於安理會支配之下的協定得以實行，並使原子能的管制問題，獲致國際的協議。

雖然如此，我們相信應該不要延遲軍備調整制度的成立和在環境許可時使該制度實現，安全理事會已經接受了舊式軍備委員會合于邏輯的工作選劃。我們相信這委員會應該積極努力，按工作計劃中所提出的商業方式

outlined in its plan of work.

The effective operation of the United Nations Security Council is one of the crucial conditions for the maintenance of international security. The exercise of the veto power in the Security Council has the closest bearing on the success and the vitality of the United Nations.

In the past, the United States has been reluctant to encourage proposals for changes in the system of voting in the Security Council. Having accepted the Charter provisions on this subject and having joined with other permanent members at San Francisco in a statement of general attitude toward the question of permanent member unanimity, we wished to permit full opportunity for practical testing. We were always fully aware that the successful operation of the rule of unanimity would require the exercise of restraint by the permanent members, and we so expressed ourselves at San Francisco.

It is our hope that, despite our experience to date, such restraint will be practised in the future by the permanent members. The abuse of the right of unanimity has prevented the Security Council from fulfilling its true functions. That has been especially true in cases arising under Chapter VI and in the admission of new members.

The Government of United States has come to the conclusion that the only practicable method for improving this situation is a liberalization of the voting procedure in the Council.

• 以劃制 調整軍備的制度。

聯合國安全理事會的有效運用，

乃是維持國際安全的決定性條件之一

• 安理會中否決權的運用，對於聯合

的成敗存亡具有最密切的影響。

在過去美國曾不願贊同在安全理

事會中改變投票制的建議，美國既已

接受憲章對於這一問題的規定，並參

加在舊金山時各常任理事對於常任理

事必需意見一致的一般態度的聲明，

我們願意使此制度獲得實際試練的充

份機會。我們一直充分明瞭：這 致

同意規定的成功運用，必需要常任理

事的限制使用，而我們也曾在舊金山

如此表示。

我們的希望是不管我們迄今為正

的經驗如何，這種限制使用必需由常

任理事在將來予以實踐。濫用 致同

意的權力，已經使安全理事會不能完

成它的真正功能。這在根據憲章第六

條而引起的問題及批准新會員國家參

加等問題上，尤見真實。

美國政府已獲得如下的結論：即

改善這種而勢的唯一實際方式是寬放

安理會的投票程序。

The United States would be willing to accept, by whatever means may be appropriate, the elimination of the unanimity requirement with respect to matters arising under Chapter VI of the Charter, and to treat such matters as applications for member-

We recognize that this is a matter of significance and complexity for the United Nations. We consider that the problem of how to achieve the objective of liberalization of the Security Council voting procedure deserves careful study. Consequently, we shall propose that this matter be referred to a special committee for study and report to the next session of the Assembly. Measures should be pressed concurrently in the Security Council to bring about improvements within the existing provisions of the Charter, through amendments to the rules of procedure, or other feasible means.

The scope and complexity of the problems on the agenda of this Assembly have given rise to the question whether the General Assembly can adequately discharge its responsibilities in regular, annual sessions. There is a limit to the number of items which can receive thorough consideration during the few weeks in which this body meets. There would seem to be a definite need for constant attention to the work of the Assembly in order to deal with continuing problems. Occasional special sessions are not enough. The General Assembly has a definite and continuing responsibility, under Articles 11 and 14 of the Charter,

關於在憲章第四條之下所引起的各種問題以及申請入會等問題，美國願意接受以不論何種適當的方法，撤消一致通過的需要。

我們承認這對於聯合國是一個重要而復雜的問題。我們認為如何達到寬放安理會投票程序這一個問題值得謹細的研究。因此，我們將建議於這個問題提交一個特別小組會加以研究，並向大會下屆會議報告。同時在安理會中應緊急採取措施，修正程序的規則，或其他可能實行的方式，以改善憲章現有的條款。

這次大會議程中各種問題的範圍和復雜性，已引起一個問題：就是大會在正常的年會中，是否能履行其責任。在大會開會的數星期內，能獲得澈底考慮的項目，為數甚有限。對大會的工作，似乎將有不斷注意的必要，以便對付繼續而來的各種問題。偶然的特別會議是不夠的。根據憲章第十一條與第十四條，大會在政治安全 and 保持國際支善關係的範圍內，有一

in the broad field of political security and the preservation of friendly relations among nations. In our fast moving world, an annual review of developments in this field is not sufficient.

The facilities of the General Assembly must be developed to meet this need. I am, therefore, proposing today that this Assembly proceed at this session to create a standing committee of the General Assembly, which might be known as the Interim Committee on Peace and Security, to serve until the beginning of its third regular session next September. The committee would not, of course, impinge on matters which are the primary responsibility of the Security Council or of special commissions, but subject to that, it might consider situations and disputes impairing friendly relations brought to its attention by member states or by the Security Council pursuant to Articles 11 and 14 of the Charter and report to the Assembly or to the Security Council thereon; recommend to the members the calling of special sessions of the General Assembly when necessary; and might report at the next regular session on the desirability of establishing such a committee on a permanent basis. In our opinion, every member of the United Nations should be seated on this body.

The creation of the interim committee will make the facilities of the General Assembly continually available during this next year to all its members. It will strengthen the machinery for peaceful settlement and place the responsibility for

種確定而不中止的責任，在我們這個移變迅速的世界，對於這種範圍內的發展，每年檢討一次是不夠的。

大會的設備，必需加以改進來應付這種需要。所以我今天建議在這次大會中創設一個大會的常駐委員會，該會可以定名為和平安全臨時委員會，在明年九月第三屆大會開會前担任工作。這委員會當然不致和安全理事會及其他特種委員會的主要職權相衝突，而受其節制，該會可以討論由於會員國家向其提出或安全理事會根據憲章第十一及第十四條而向大會或理事會提出的損害友誼關係的情勢和糾紛：可以建議會員國家於必要時要求召集大會；該會也可以在下一屆大會中提出將該會建立於永久性的基礎之上。我們的意見是，聯合國的每一會員國家都必需在該會中取得席次。

臨時委員會的創立，將使大會的機能在下一年繼續可向會員國家服務。該會將增強和平解決的機構而將這種和平解決的責任廣泛地置於聯合

such settlement broadly upon all the members of the United Nations. Without interfering on the jurisdiction of the Security Council, it will provide an unsurpassed opportunity for continuing study, and at the adjournment of this Assembly, of the problems with which the United Nations must contend if it is to succeed.

The attitude of the United States toward the whole range of problems before the United Nations is founded on a very genuine desire to perfect the organization so as to safeguard the security of states and the well-being of their peoples.

These aims can be accomplished only if the untapped resources of the United Nations are brought to bear with full effect through the General Assembly and in other organs. The Assembly cannot dodge its responsibilities; it must organize itself effectively, not as an agency of intermittent action but on a continuous basis. It is for us, the members of the Assembly, to construct a record of achievement in dealing with crucial problems which will buttress the authority of the organization and enable it to fulfill its promise to all peoples.

The large powers bear special responsibilities because of their strength and resources. While these responsibilities bring with them special advantages, the great powers must recognize that restraint is an essential companion of power and privilege. The United Nations will never endure if there is insistence on privilege to the point of frustration of the collective will. In this spirit we have indicated our

國全體會員國家身上。該會並不觸犯安全理事會的權範圍，而將於大會結束以後，提供對於各項問題最好的繼續研究機會，聯合國如果希望成功則對此等問題必需予以解決。

美國對聯合國所而臨的全部問題的態度，是基於一種單純的使聯合國組織趨於完備以保衛各國的安全及其人民的幸福的願望。

祇要聯合國尚未開發的資源可以通過大會及其他機構而發生完全的效力這個目標是可以達到的。大會不能夠逃避它的責任，它必需自行有效的組織自己，它不能僅僅作為一個具有間竭力行動的機構而應當具有繼續性的基礎。我們聯合國大會的會員國家，應該建樹在應付決定性問題中的成績，這成績將支持聯合國的權威而使它能夠實踐對全體人民的諾言。

大國，由於它們的力量和資源，應該負有特殊的責任。當這些責任使它們得到特殊權益的時候，大國必需認清限制乃是權力與利益的必要同伴。假定這裏有堂持權益而破壞集體意志的情形存在，聯合國將不能長久支持。在這種精神方面，我們已經表明

willingness to accept a modification of our special voting rights in the Security Council. In the same spirit we appeal to the other permanent members of the Security Council, in this and in all matters, to use their privileged position to promote the attainment of the purposes of the organization.

The Government of the United States believes that the surest foundation for permanent peace lies in the extension of the benefits and restraints of the rule of law to all peoples and to all governments. This is the heart of the Charter and of the structure of the United Nations. It is the best hope of mankind.

我們願意接受修改我們在安全理事會中特殊的投票權力。我們並以同樣的精神要求安全理事會的常任理事，在這項或其他所有的事情上，利用它們的有均位來促成聯合國組織目標的達成。

美國政府相信：永久和平的最可靠基礎，寄託於將各種法律條文的政利和約束，擴展給各國人民和各國政府。這乃是聯合國組織及其憲章的靈魂所在。這是人類最好的希望。

NOTES AND ANNOTATIONS

1. "out of joint", 『脫節』故『紛亂』。 Without law and order the society would be thrown out of joint, 社會如無法律及秩序則紛亂。 2. "to inquire into the situation" (the cause—a case; "to inquire after a person" (—his business); "to inquire about some matter"; "to inquire of (ask) a person." 3. "the point at issue", 『爭點』。 The point at issue between them is who is to go, 彼等之爭點在座決定誰去。 4. "delay" 是 infinitive without "to" 在 "see", "hear", "feel", "watch", "make", "have" 等字後 infinitive 不用 "to". 5. "to pay lip service", 『口惠而實不至』。 To pay lip service to your friend is not to help him at all, 口惠不能助友。 6. "to give rise to", 『產生』, 『發生』。 Starvation will give rise to a general disorder, 飢餓將釀成騷亂。

中國文化服務社

最新新書



大學文學庫

中國親屬法原理

· 吳岐著 ·

本書係著者歷年在中山大學、武漢大學教授民法親屬篇的講義，屢經整訂而成。著者先就中華民族受宗法社會影響的親屬生活，窮究其發展演變之原委，以明其根本觀念之所在。再對現行法，推溯歐美先進國立法例之沿革，以明其立法指導原理之為何。然後於根本觀念與指導原理之間，研求可能適合兩者之最高觀念。取材旁徵博引，行文深入淺出，闡發法律者，此書不可或缺。

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現代銀行原理

· 王傳曾著 ·

本書係作者歷年在湖南大學、復旦大學教授貨幣銀行學的講義，屢經增修而成。採用分編體裁，將貨幣銀行，分別評述，各成一編。對於銀行的性質、業務、經營組織，多用歷史的眼光，作系統的論述。關於近代演變的趨勢，如其組織的集中化、業務的專門化及經營的社會化，尤為深加注意，均經詳細說明。於說明原理時，并就中英美蘇法德等國銀行，舉示實例。作為大學課本，洵屬相宜。

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英漢對照

英文報紙讀法

· 編履端施 白慕李 ·

本社為引起閱覽英文報紙興趣，鼓勵研究實用英文起見，編「英文報紙讀法」一書，其中選有最近英文長短報導共一百三十五篇，分軍事、政治、外交、經濟、工商、教育、文化、社會、交通、運輸、國際和平安全等項，英漢對照，俾讀者對直接閱讀英文報紙得有門徑。本書所有英文單字及短句，均切實用，附有注解，故讀者有此一書，既可訓練閱讀報紙能力，又可增加實用字彙，外又附世界各通訊社及英美各著名報紙內容之詳細介紹及新聞略語，使讀者於澈底瞭解英文報紙得有所指。

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商業英語會話

· 編履端施 ·

本書係根據戰後之中國商業與經濟新環境編著而成，全書分三篇，英漢對照，便於了解。第一篇為個人及商業方面實用之會話三十課，材料新穎，適合需要。第二篇為商業及經濟方面常用之單字。第三篇為商業上常用縮寫，係依字母次序編列，便於檢查。可作教本用，可作自修用。

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