

UNITED NATIONS



NATIONS UNIES

*Malawi  
Misc Trouble Areas*

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EXECUTIVE OFFICE OF THE SECRETARY-GENERAL  
CABINET DU SECRETAIRE GENERAL

REFERENCE:

25 October 2007

Excellency,

I have the honour to refer to your letter of 28 September 2007 to the Secretary-General, requesting reconsideration of the decision not to receive the "latest application for membership in the United Nations" submitted by His Excellency Mr Chen Shui-bian, President of the Republic of China (Taiwan) on 19 July 2007. The "membership application letter" was submitted to the Secretary-General through a communication from the Permanent Missions to the United Nations of Solomon Islands and the Kingdom of Swaziland requesting that he forward it to the Security Council. Your letter requests the Secretary-General "to review Taiwan's application on its merit and refer it to the appropriate bodies of our organization for accommodating Taiwan in accordance with the United Nations Charter."

In the light of General Assembly resolution 2758 (XXVI) of 25 October 1971, which determines that for United Nations purposes the representatives of the People's Republic of China are "the only legitimate representatives of China to the United Nations", it is not possible for the Secretary-General to receive the above "application for admission to membership" in the United Nations of the "Republic of China (Taiwan)". Nor can he forward it to the Security Council in accordance with the Rules of Procedure. In this regard, the application referred to above is hereby respectfully returned.

It is noteworthy to recall that on 21 September 2007, the General Assembly considered the inclusion in the agenda of the 62nd session of the General Assembly of a supplementary item entitled "Urging the Security Council to process Taiwan's membership application pursuant to rules 59 and 60 of the provisional Rules of the Procedure of the Security Council and Article 4 of the Charter of the United Nations".

His Excellency  
Mr. Bingu Wa Mutharika  
President of the Republic of Malawi  
Zomba



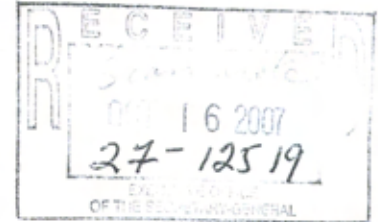
As you would have been made aware, the decision of the General Assembly, taken without a vote, was not to include the above item on the agenda of the General Assembly for this session. This matter falls within the purview of Member States and the Secretariat, not being in a position to determine on this question, will follow the guidance received from Member States.

Please accept, Excellency, the assurances of my highest consideration.



Vijay Nambiar  
Chef de Cabinet

✓✓✓  
Note to Mr. V. Nambiar



Letter concerning the application for membership to the United Nations from the  
"Republic of China (Taiwan)" ✓

- 27-12519
1. On 28 September 2007, the President of Malawi, Dr. Bingu wa Mutharika, sent the attached letters requesting reconsideration of the decision not to receive the application for membership submitted by "Republic of China (Taiwan)" through a previous communication dated 19 July 2007 from the Permanent Missions to the United Nations of Solomon Islands and the Kingdom of Swaziland.
  2. I have attached a proposed response on behalf of the Secretary-General to the President of Malawi for your consideration. It follows texts which you have previously approved. This, however, is the first letter we have received from a Head of State on this issue. For protocol reasons, the Secretary-General may consider that it would be more appropriate for his Office to respond. Please advise accordingly.

Nicolas Michel  
12 October 2007

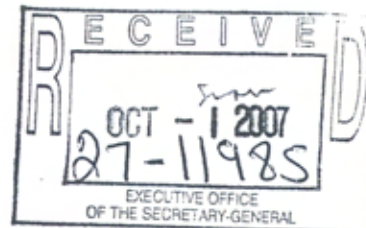
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2J/WM

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cc= AMZ o/r

REPUBLIC OF MALAWI  
THE PRESIDENT



ACTION Michael ✓  
COPY Pascoe  
Vn/KWS/NH

STATE HOUSE  
LILONGWE  
MALAWI

Mr Johnson

28th September, 2007

Mr Ryan (lyb)  
NH

Excellency,

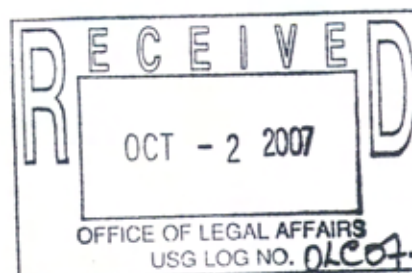
On the occasion of the General Debate of the 62<sup>nd</sup> Session of the United Nations General Assembly, I wish, once again, to congratulate you on your appointment as Secretary-General of the United Nations.

I wish to assure you of my Government's full support and cooperation during your tenure of office.

I wish to raise an issue of great concern to me and my country. This concerns the membership of Taiwan in the United Nations and its Specialized Agencies.

As you know the United Nations was established, *inter alia*, on the principle of universality, equity and justice as enshrined in its Charter. Our concern is that, contrary to that principle, one country, Taiwan, continues to be excluded from the membership of the United Nations and is not even allowed observer status.

**His Excellency Ban Ki-Moon**  
**Secretary-General**  
**United Nations**  
**NEW YORK**





Excellency, I learnt with deep regret that recently an application for membership by Taiwan submitted on its behalf by some Member States was rejected outright although this application followed the rules of procedure of the United Nations and was submitted on its behalf by fully-fledged members of our global organization. My Government has not received an explanation of the basis upon which Taiwan's application was rejected. //

During the past three sessions of the General Assembly Malawi has pleaded to the United Nations that a window be opened to enable Taiwan to participate in its debate and to contribute to global prosperity. With 23 million people and a vibrant economy, Taiwan cannot be ignored, certainly not by the United Nations, which in recent times has admitted into its membership States in similar circumstances as Taiwan from Eastern Europe and other regions.

The Government and people of Taiwan have demonstrated their unflinching desire to promote international peace and security, and willingness and capacity to contribute actively to global partnership for development in such areas as science and technology, global climate change, health, disaster relief, agriculture and food security.

Excellency, I am fully aware of the "One China Policy" but I am also convinced that Taiwan's participation in the world community of nations is morally and legally the right thing for the United Nations. Therefore, I call upon Your Excellency to review Taiwan's application on its merit and refer it to the appropriate bodies of our organization for accommodating Taiwan in accordance with the United Nations Charter.

Please accept, Excellency, the renewed assurances of my highest consideration and esteem.



Dr. Bingu Wa Mutharika  
**PRESIDENT OF THE REPUBLIC OF MALAWI**

y please quote No.....



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of Malawi to the United Nations**

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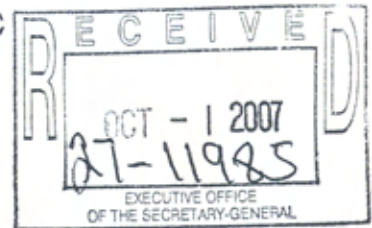
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**OFFICE OF THE PERMANENT REPRESENTATIVE**

**FILE POL 3/23**



September 28, 2007

Excellency,

I have the honour to forward a letter addressed to Your Excellency from His Excellency Dr. Bingu wa Mutharika, President of the Republic of Malawi.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Steve D. Matenje'.

**Steve D. Matenje, SC  
Ambassador  
Permanent Representative**

His Excellency Ban Ki-Moon  
Secretary-General  
United Nations  
New York