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Chairman: Mr. Károly CSATORDAY (Hungary).

AGENDA ITEM 107

The inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty (continued) (A/5977; A/C.1/L.343/Rev.1, L.349/Rev.1 and Add.1, L.350 and Corr.1, L.351, L.352, L.353/Rev.2, L.354)

GENERAL DEBATE (continued)

1. Mr. PANNI (Pakistan) said he was grateful to the representative of the USSR for having focused the Assembly's attention on the need to re-emphasize the principle of non-intervention, for that principle was as readily violated in deed as it was accepted in words and therefore needed periodic reaffirmation. He welcomed the fact that the eighteen Latin American States, the United Arab Republic, the United States and the United Kingdom had submitted draft resolutions or amendments, which would be useful in the preparation of a joint text. Motivated by the same desire, the Pakistan delegation had submitted amendments (A/C.1/L.352) to the USSR draft resolution (A/C.1/L.343/Rev.1).

2. The principle of non-intervention was a corollary of the principle of the sovereign equality of States. In the context of the present world situation, its repeated violation was bound to become a source of international friction and thus a threat to world peace and security. In his delegation's view, that consideration should be incorporated in the preamble to any proposed declaration.

3. He thought it pointless to dwell on the definition of the term "intervention", the essential thing being that intervention in all its forms, direct and indirect, should be unequivocally condemned.

4. History showed that the weaker countries had always been the victims of periodic intervention in their internal affairs; today, too, reactionary forces, racism, colonialism and neo-colonialism were poised to undermine the independence and economic progress of those countries. It must be recognized, however, that those forces did not emanate from only one

quarter and were not the monopoly of one people. For the proposed declaration to be effective, therefore, it must not be directed against a particular State or group of States.

5. It was essential also to ensure that the principle of non-intervention could not be interpreted cynically. There were States which denied their peoples the most fundamental human rights and which, when condemned, hid behind the perversely interpreted principle of non-intervention. There were other States which had seized certain areas and were trying to annex them by denying their peoples their right of self-determination. To consolidate their rule and to crush the will of the people, they did not hesitate to employ measures amounting to genocide. When the world community expressed its concern at such barbarous acts, those States pleaded that such matters were essentially within their domestic jurisdiction. Such attempts to justify violations of the United Nations Charter should be condemned in clear and unequivocal terms in the proposed declaration.

6. The first of the three amendments submitted by Pakistan (A/C.1/L.352) sought simply to register the fact that international agreements and the resolutions of the United Nations were as much a source of international law as the United Nations Charter. The principle of non-intervention should not serve as an excuse for the evasion of obligations accepted by States under international agreements or United Nations resolutions. A chaotic position would result if the Assembly were to formulate the principle of non-intervention in a way that would throw into doubt the binding nature of obligations undertaken in international treaties.

7. The second amendment was self-explanatory and he would like to see it incorporated both in the preamble and in paragraph 3 of the Soviet draft, and in any other text commonly agreed upon.

8. The last amendment sought to make clear one of the moral and political implications of the principle of non-intervention. It was evident that the refusal of a State to resolve an international dispute by recognized methods exerted a pressure on the destiny of other States which amounted to the deadliest and most insidious intervention.

9. The last phrase of the Pakistan amendment did not seek to expunge the reservations which Member States had made in accepting the jurisdiction of the International Court of Justice. It accordingly did not make it compulsory for States to have recourse only to the International Court. They could employ other methods, namely negotiation, mediation or arbitration. But if those other methods failed to produce any result, then the obligation imposed on Member States

by Article 33 of the Charter should not be considered to have been exhausted. In that event, the only other possible method was that of judicial settlement.

10. Peaceful settlement of disputes between States must become a *sine qua non* for the conduct of international relations. The principle in question, which had already been incorporated in the Charter, must be reasserted. His delegation therefore requested the Committee to give its suggestion careful consideration.

11. Mr. FEDORENKO (Union of Soviet Socialist Republics) stressed the importance of the question of the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty—a question which had been placed on the General Assembly's agenda on the proposal of the Soviet Union. The representatives of the overwhelming majority of African, Asian and Latin American States had expressed their adherence to that principle and voices had been raised in condemnation of the acts of certain Powers which were engaging in military intervention and infringing the independence and sovereignty of young States. The application of the principle of non-intervention would serve primarily the vital interests of the small States, which must be protected against the arbitrary acts of the imperialists. No ideological, economic, political or other motive could justify interference in the domestic affairs of States. Every people had the sacred right to decide how its own development was to take place and to determine its future as it saw fit; that was an elementary rule by which all States should be guided in their international relations.

12. His delegation was gratified that the Soviet Government's initiative had met with such broad understanding on the part of the great majority of representatives. It noted, however, that in the course of the debate some delegations had tended to divert attention from the main issue, which was the armed interventions now taking place in several parts of the world. Some had referred in particular to the various forms of indirect intervention in the domestic affairs of States, and others had gone so far as to condemn national liberation movements, and even to make communism the root of all evil. However that might be, certain imperialist Powers were interfering most blatantly in the internal affairs of other States on the pretext that the latter were being subjected to subversion. That attitude was fraught with dangerous consequences and, after the Dominican Republic, Panama and the Congo, one might wonder who would be the next victim. It must not be forgotten that the main reason for the existing explosive situation was precisely armed intervention in the affairs of States. That was the source of international tension and it was that intervention which was gravely threatening the independence and sovereignty of States and peoples. The United States was endeavouring to achieve its selfish aims by resort to force and armed intervention. In doing so it was trampling upon all the principles of the United Nations Charter and upon international agreements and the generally accepted rules of international law. At the present time it was slaughtering innocent people in Viet-Nam and seeking to impose its will on an Asian people. The war being waged in Viet-Nam was increasingly endangering peace in

South-East Asia and throughout the world. The United States had no right to act in that way; it was guided only by arbitrary principles both in Viet-Nam and in the Dominican Republic. It was that that should disturb the peace-loving forces, and not the alleged dangers of world communism.

13. It was significant that the amendments submitted by the United States (A/C.1/L.350 and Corr.1) and the United Kingdom (A/C.1/L.351) to the Soviet draft declaration on the inadmissibility of intervention in the domestic affairs of States were designed basically to alter its substance and to confuse the issue. They were directed against national liberation movements which, as was well known, the imperialists called "subversive activity", and they sought to block consideration of the question before the Committee. Nor could it be overlooked that the Latin American draft resolution (A/C.1/L.349/Rev.1 and Add.1) unfortunately contained provisions that were hardly likely to promote the principle of non-intervention, although he was fully aware of those countries' good intentions and their efforts to ensure the application of that principle. Interventionists might use certain parts of that draft resolution to justify interference in the Latin American countries. His delegation was therefore unable to support that draft.

14. The discussion of the item under consideration had been very useful and many delegations had made constructive statements prompted by the desire to safeguard the peace and by the need to put an end to intervention in the domestic affairs of States. That draft resolution submitted by the United Arab Republic and a number of other countries (A/C.1/L.353/Rev.2) contained some useful provisions which were also to be found in the Soviet draft. The latter text served the interests of all peoples and in particular those of the small countries of Asia, Africa and Latin America. He appealed to all members of the Committee to support the ideas set out in the Soviet text and to facilitate the adoption of a decision which would meet the demands of the present international situation.

15. The Committee had the opportunity to formulate forthwith a document which would enable the United Nations to make a major contribution towards protecting the independence and sovereignty of the countries of Asia, Africa and Latin America, defending peace and freedom and putting an end to international brigandage, armed intervention and other forms of interference in the domestic affairs of States. The Committee must not simply file away a question of such great importance. The peoples expected the United Nations not to engage in sterile and endless discussions but to take practical measures as soon as possible. If it failed to do so, it would not justify the hopes of the peoples which were vehemently protesting against the interventions of certain imperialist Powers. All who really wished to put an end to aggression and the violation of the fundamental principles of the United Nations Charter and of international law should repulse the attempts that were being made to prevent the speedy adoption of a declaration on the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty.

16. Mr. TOMEH (Syria) said that man, confronted with the alarming world situation, did not know whether he should face the harsh realities or apply the idealism expressed, for example, in the United Nations Charter. The power of an idea should not be underestimated: the United Nations was a political institution, but the more the great principles of the Charter were embodied in resolutions, the more solid would be the foundations of the international Organization. The role which a small country such as Syria could play derived from the sum of its experience as a part of the developing and non-aligned world, as a part of the Arab world and as a country which had been under the yoke of imperialism and had suffered the repeated humiliation of having its territory divided and sub-divided. Those three factors placed that small country in opposition to Western imperialism and, in that connexion, he described the stages of a policy represented successively by the "defence of the Middle East", the Baghdad Pact and the Eisenhower Doctrine. In fact, the aim of that policy had been not to defend the Arab world but to check communism; events had proved, however, that the real enemy in that part of the world was not communism but imperialism and neo-colonialism, as had been shown by the aggression perpetrated against Egypt. As John F. Kennedy himself had admitted in one of his books, the concepts of the Baghdad Pact and the Eisenhower Doctrine were unhappy monuments to Mr. Dulles in the Middle East.

17. From those historic trials had emerged positive neutralism—a doctrine which recognized the right of each people to its own appropriate way of life, evolution and institutions. Each people should be able to benefit from outside experience but be able to embark on the course of its choice without outside interference. Those principles had found expression in section II of the Declaration adopted at the Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade in 1961. Internationally, neutralism meant both non-alignment and the rejection of aggression or intervention under any guise, and nationally, it implied the strengthening of independence and sovereignty, freedom to develop without any outside interference, and efforts to achieve economic and social progress, using the best available experience of mankind.

18. That philosophy, if applied to the question under consideration, meant that disputes among States could not be resolved by direct or indirect intervention but only by the influence of world public opinion, as interpreted in the United Nations. The Organization pointed the way in three main directions: against imperialism and neo-imperialism, through independence and sovereignty; through liberation, against domination; and through free economic and social progress, against the exploitation of man by man. The inadmissibility of intervention thus seemed to be a self-evident truth. Even in the West, voices were being raised warning against the dangers of a holocaust; as proof, he quoted the recent statement by the National Council of Churches in the United States on the conflict in Viet-Nam. The deliberations of the First Committee had served a very useful purpose—the elucidation of a problem which lay at the very heart of contemporary society. The inadmissibility of intervention in the

domestic affairs of States and the protection of their independence and sovereignty were self-evident concepts, and it was to be hoped that they would become evident to all.

19. Mr. RAFAEL (Israel) welcomed the consideration by the Committee of the important and timely subject of the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty.

20. Many attempts had been made by the United Nations to define with greater precision the basic principles of the Charter, not because they were inadequate but because there was a widening gap between the principles and their application. In 1961, when addressing the General Assembly,^{1/} Mrs. Meir, the Foreign Minister of Israel, had emphasized the need to reaffirm the principles of respect for territorial integrity and political independence, of non-intervention and of the peaceful settlement of disputes, in an instrument binding on all Member States, which would unreservedly pledge themselves to implement them in their international relations. The Soviet Government, on its side, had made a similar proposal in December 1963, for the renunciation of the use of force in the settlement of territorial disputes. Mr. Eban, the Deputy Prime Minister of Israel, had stressed in the debate on that subject at the nineteenth session of the General Assembly^{2/} that the most urgent need was to reaffirm the right of States to maintain their political independence and territorial integrity in strict avoidance of the threat or use of force, that there was wider agreement than ever before on the need to maintain the integrity of the world's territorial structure and that in future man should devote his energies to liberating society from economic and social servitudes rather than to changing frontiers by force.

21. His delegation had hoped that the debate on the question under consideration would distinguish itself by an earnest search for common ground on which to build a most stable and peaceful international order. Indeed, the statements made by the Latin American countries, and their draft resolution, showed the wisdom of those countries, which, having learned the hard way how to protect their independence and sovereignty, had based their relations on instruments which all should emulate. Unfortunately, the discussion had sometimes taken a disappointing turn. It appeared to have been more of a free-for-all for settling accounts than an effort to advance the settling of disputes. There were currently over thirty-five territorial disputes in the world represented in the Committee, not counting ideological differences. Those disputes ranged from open military action to long-pending practices of belligerency, from threats to the territorial integrity of sovereign Member States to unabated incitement to subversion and terrorist action. The Committee's task was not to fight those specific disputes over the Committee table but to find a common denominator for international conduct which would facilitate the settlement of those problems. Yet certain texts which had been sub-

^{1/} See Official Records of the General Assembly, Sixteenth Session, Plenary Meetings, 1030th meeting.

^{2/} Ibid., Nineteenth Session, Plenary Meetings, 1296th meeting.

mitted to the Committee included provisions which would not strengthen but would undermine the very principle of non-intervention because their sponsors, although they claimed to condemn intervention in the domestic affairs of States, had left escape clauses that in fact would encourage irredentist movements to serve as a pretext for foreign intervention.

22. In addressing the General Assembly at the nineteenth session, the Foreign Minister of the Soviet Union had correctly stated that territorial disputes among sovereign States, as well as any other disputes between States, should be solved exclusively through peaceful means.^{3/}

23. Many representatives had pointed out the danger of indirect acts of intervention. In that connexion, he would draw attention to the harmful effects of certain radio programmes whose aim was to threaten sovereign States with aggression or incite their populations to civil strife. The radio was known to exert a powerful influence and its misuse constituted a means of indirect intervention. That instrument of subversion should therefore be specifically mentioned in any text dealing with the forms of indirect intervention.

24. It was not enough to reiterate pious aspirations; what was needed was a declaration which would have a practical effect, was unambiguous and non-contentious. The effort to achieve that objective should by all means be pursued and, if necessary, somewhat more time and tolerance should be devoted to it, because a declaration solidly built on the Charter would help to consolidate a more stable and peaceful order. It was that objective which should be sought.

25. Mr. BURNS (Canada) said that it would be very difficult to devise a declaration to which the large majority could adhere. As several representatives had pointed out, the question under consideration had already been studied and would undoubtedly be studied further by the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States, which had met at Mexico City; in addition, it seemed that the Sixth Committee was going to ask the Special Committee or a new special committee to consider *inter alia* the principle of non-intervention with a view to submitting a declaration or statement dealing with all the principles of friendly relations to the General Assembly at its twenty-first session. Experience had shown, with respect to the definition of aggression, how difficult it was to give precise meaning to such important concepts; the First Committee was engaged in an extremely delicate task, requiring patient and thorough efforts if a genuine consensus was to be reached. In view of the stage reached in the Committee's discussions, the Canadian delegation considered that the best course, when the general debate had been concluded, would be to refer the question for further consideration by the Special Committee, which would naturally bear in mind all the remarks and proposals made in the First Committee.

26. His delegation did not wish to enter into a detailed discussion of the various draft resolutions submitted and reserved the right to explain its

^{3/} Ibid., 1292nd meeting.

point of view if it was decided to vote on them. It would be guided largely by the need to take into account forms of intervention which had now become one of the principal sources of concern to the international community. Canada shared, for example, the concern felt by the sponsors of the Latin American draft resolution about the use of direct forms of intervention and the increasing recourse to indirect forms of intervention; its experience in South-East Asia had enabled it to assess the importance of States refraining from interference in their neighbours' affairs. For example, when the report of the International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference had been issued, the Canadian Government had had occasion to point out the acts of aggression committed against Laos by the Democratic Republic of Viet-Nam, in violation of the Declaration on the Neutrality of Laos and its Protocol, which had been signed by the Government of North Viet-Nam. With regard to the situation in Viet-Nam itself, it was sufficient to recall the words of the Canadian Prime Minister, Mr. Pearson, to the effect that there could be no "permissible" kinds of international violence.

27. Consequently, any declaration on the subject of non-intervention should have the full support of the world community and should be broad enough to embrace the type of intervention which began in a clandestine way and employed the techniques of subversion and terrorism. The United Nations must ensure that any declaration adopted on that subject would carry with it the full commitment of States to respect its principles in their relations with their neighbours and other States. It was therefore essential that such a declaration should receive the overwhelming support of the entire membership of the General Assembly. In order to achieve that aim, greater attention should be paid to the drafting of a text which could be adopted unanimously; several representatives had said that they were engaged in consultations with a view to producing a joint text and there was nothing he would like better than that those efforts should be crowned with success, but the attitude of the Soviet Union towards the other texts gave little ground for optimism. That was why the Special Committee, whose work had already produced positive results in the search for a consensus on another subject and which was to meet again in 1966, seemed ideally suited to study the draft resolutions and the amendments currently being considered in the First Committee. That procedure would not involve any undue delay because the Special Committee would undoubtedly report to the General Assembly at its twenty-first session. It would have much more time than the First Committee to resolve differences of views; if it succeeded in that task, it would have made a marked contribution to the achievement of friendly relations among States and a stronger basis for international security.

Mr. Fahmy (United Arab Republic), Rapporteur, took the Chair.

28. Mr. ROSSIDES (Cyprus) said that the United Nations Charter was based fundamentally on the principle of equal rights and self-determination of peoples, which included the principle of the sovereign

equality of States, and on the principle that States should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. From those principles flowed the principle of non-intervention by States in the domestic affairs of other States, the significance of which for peace could not be too strongly emphasized. It must, however, be acknowledged that those principles were unfortunately not respected and that action must be taken to ensure their better application. To that end, the General Assembly had, at its seventeenth and eighteenth sessions, entrusted a Special Committee with the study of certain principles of international law concerning friendly relations and co-operation among States. Meanwhile the situation had only worsened and the United Nations had a duty to exercise a restraining influence by restating and clarifying the meaning, content and scope of those principles in a solemn declaration. The Charter would thus be revitalized and in addition the possibility of adducing a wrong interpretation of its provisions to justify its violation would be eliminated. The interest displayed by members of the Committee in the debate also showed the importance and timeliness of the item before it. While stressing different aspects of the matter, all were agreed in their condemnation of intervention. The Soviet delegation was therefore to be congratulated on having initiated such a valuable debate.

29. History showed that the escalation of intervention in the affairs of small States always led to catastrophic wars. Intervention, whether direct or indirect, whether rooted in colonialism or foreign dictatorship or in unequal or illegal treaties, always proceeded from the concept of force and domination. One of its most sinister forms was that concealed under a cloak of supposed legality, because it then became unabashed, particularly when it was claimed to be in exercise of treaty rights. His delegation was particularly opposed to that form of intervention. Treaties which purported to confer upon a State a right of intervention in the domestic affairs of another State, such as matters relating to its constitution and internal administration, violated the principle of sovereign equality, and particularly the right of each State to choose its constitution and its political, social, economic and cultural systems, since those matters were the very substance of internal sovereignty and independence, and it was therefore inconceivable that a State could contract out of them, by treaty or in any other way, and still remain a sovereign, independent State. Furthermore, such a treaty would be contrary to Article 2, paragraph 7, of the Charter, which, by prohibiting intervention by the United Nations in matters which were essentially within the domestic jurisdiction of any State, a fortiori ruled out such intervention by individual States. Such a treaty, being in conflict with Charter obligations, was therefore invalid and inoperative.

30. It should be borne in mind that that theory was not new. Even before the establishment of the United Nations, any treaty which purported to confer upon a State the right of intervention in the domestic affairs of another State under the guise of a treaty of

guarantee or other instrument had already been condemned as illegal, for example by Professor William Edward Hall in A Treatise on International Law, and by the great jurist Oppenheim, who had also established a distinction between external and internal independence. It had long been generally recognized by jurists, therefore, that the essence of a State's internal independence could not be restricted by treaty, for the effect of such a treaty would be to reduce the State concerned to the status of a protectorate or trust territory, a status incompatible with the sovereignty of an independent State and United Nations membership, as recognized by Article 78 of the Charter. That thesis was clearly set out in Professor Ellery C. Stowell's work Intervention in International Law, published in 1921, and was made mandatory under Article 103 of the Charter, which stated that in the event of a conflict between the obligations of a Member of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter should prevail. Such instruments as the Charter of the Organization of American States, signed at Bogota in 1948, the Declaration of the Asian-African Conference held at Bandung in 1955, the Declarations of the Conferences of Heads of State or Government of Non-Aligned Countries held at Belgrade in 1961 and Cairo in 1964, and the Charter of the Organization of African Unity, which all represented world opinion, emphatically condemned intervention in all its forms. Those declarations, which reflected the spirit of modern times, were significant factors in the development of international relations.

31. When intervention was accompanied by the use of force, it constituted a still graver violation of the United Nations Charter by contravening paragraph 4 of Article 2, which prohibited the threat or use of force against the territorial integrity or political independence of any State. That Article had marked a new era by setting aside the very concept of the use of force in relations between States. It was a peremptory norm of international law, and any treaty calculated to defeat it by providing for military or other forcible intervention by one State against another could not therefore be valid or have effect. That rule of law had been reaffirmed by the International Law Commission when it had unanimously adopted article 37 of the draft law of treaties,^{4/} which in fact stated that any treaty conflicting with a peremptory norm of international law was void. If such a treaty were to be considered as valid, thereby sanctioning war, the very concept of the United Nations would lose all meaning and the Organization would have no purpose.

32. The danger of treaties which authorized intervention by force was that one of the parties, relying on the rule pacta sunt servanda as covering all treaties regardless of their validity or legality, might be encouraged to commit acts of intervention by force, thereby creating situations threatening peace. The International Law Commission had qualified that rule by providing, in article 55 of the draft law of treaties^{5/} that in order to be binding a treaty must be "in

^{4/} Ibid., Eighteenth Session, Supplement No. 9, chap. II.

^{5/} Ibid., Nineteenth Session, Supplement No. 9, chap. II.

force", i.e., it must be legally valid and enforceable. In other words, any treaty which did not comply with that requirement was not binding. The Cypriot delegation believed that the invalidity of treaties which violated the Charter must be clarified and stressed in order to avoid situations of conflict and unrest which arose from such treaties.

33. Bearing in mind the threat to international peace posed by treaties of intervention, it would be desirable to condemn such treaties in the draft resolution which the Committee would ultimately send to the General Assembly by adding the following provision: "Treaties purporting to authorize intervention by States in the domestic jurisdiction of other States in violation of the Charter are condemned as a source of international friction and a threat to peace."

34. Numerous examples of the various forms which intervention could take had been given during the debate. He recalled that at the beginning of the session, when the Committee was discussing the organization of its work, he had stressed that the question of Cyprus, which the Committee was to examine next, was closely linked to the principle of non-intervention. Cyprus was a living example *par excellence* of all forms of intervention, whether by colonialism, a sham granting of independence, armed aggression, subversion, the imposition of a constitutional régime against the will of the people, unjust and illegal treaties or the domination of an ethnic minority. He was confident that in due course the tragedy of Cyprus would be fully revealed.

35. Mr. VAKIL (Iran) said that the reaffirmation of the principle of non-intervention in the domestic affairs of States and its effective application were important for all States, but more particularly for those which, like Iran, had repeatedly suffered from foreign intervention and which awaited the outcome of the current debate with great expectation. Since it had appeared on the world political stage in the nineteenth century, Iran had been the scene of great-Power rivalry. Although it had persistently followed a policy of neutrality for more than half a century, Iran had been invaded by troops of both the Allied and the Central Powers during the First World War. But it had not been allowed to speak at the Paris Peace Conference in order to obtain redress. Iran's neutrality had again been violated by the allied intervention in August 1941.

36. At the time of the convocation of the San Francisco Conference, Iran had still been under foreign occupation. It was therefore natural that his delegation had associated itself with certain small States which had sought to incorporate in the Charter a solemn commitment on the part of States to respect the independence and sovereignty of other States; the Dumbarton Oaks proposal, for its part, had made no reference to such a principle as respect for the territorial integrity and political independence of Member States, which, according to the sponsoring Government, was implicit in the fact that the Organization was based on the principle of the sovereign equality of all its Members. All that those delegations had been able to achieve was the condemnation, in Article 2, paragraph 4, of the Charter, of the use or threat of force and, consequently, of any act of armed aggression. The

Charter also prohibited intervention in the domestic affairs of any State, a principle later incorporated in the Bandung Declaration of 1955.

37. It was interesting to note that in practice the United Nations had also concerned itself with "indirect intervention". In November 1947, the General Assembly had adopted resolution 110 (II) condemning all forms of propaganda; subsequently, in resolution 290 (IV), adopted in December 1949, it had called upon all States to refrain from direct or indirect threats aimed at impairing the independence of any State; and in its resolution 380 (V), adopted in November 1950, it had condemned intervention by a State in the internal affairs of another State for the purpose of changing its legally established Government. The United Nations had also dealt with the principle of non-intervention in the course of its study of the question of defining aggression, in drawing up a declaration on the rights and duties of States, and in its draft code of crimes against humanity. The Sixth Committee was also engaged in considering that principle with a view to its ultimate codification. Although those studies had not yet brought about the expected results, there was general agreement on the part of the Members of the United Nations to treat that principle as a positive rule of international law. At the regional level, it was gratifying that that principle had been incorporated in the charters of the Organization of American States, the Organization of African Unity and the League of Arab States. It was also included in declarations and resolutions handed down by several international conferences. Regional organizations could play an important role, for it was mainly on a regional and bilateral basis that that principle could usefully be applied.

38. Unfortunately, the principle was still not being observed in present-day international politics. But respect for the principle of non-intervention was of the highest importance for the United Nations, since without it the Organization would not be able to achieve its primary objective of maintaining international peace and security and safeguarding the equal rights of States. The United Nations should therefore constantly be mindful of the necessity of reaffirming old rules and formulating precise new principles, in order to keep coexistence peaceful. In that context, his delegation welcomed the Soviet Union's initiative in requesting the inclusion in the agenda for the twentieth session of the question of the inadmissibility of intervention in the domestic affairs of States, thus providing Member States with another opportunity to reaffirm in a solemn declaration the prohibition of direct or indirect intervention by States in the domestic and external affairs of other States. By reaffirming in clear and strong language its support for the principle of non-intervention, the General Assembly would undoubtedly contribute to the consolidation of peace and friendly relations between States. It was high time for States to understand that intervention was no longer profitable, for the small countries were becoming increasingly jealous of their independence.

39. There were no grounds for deferring the drafting of a declaration on the question under consideration. Twenty years after the entry into force of the United

Nations Charter, a declaration on non-intervention would be neither premature nor redundant. His country had always scrupulously respected the independence and sovereignty of other States, and had nothing to lose from the results of the discussion. As the representative of the USSR had quite rightly said, the implementation of the principle of non-intervention would, first of all, serve the vital interests of small countries, which were often unable to protect their rights or defend their independence by their own unaided efforts.

40. Mr. MOD (Hungary) thought that the General Assembly would be failing in its duty if it closed its eyes to violations of the fundamental laws governing the coexistence of States. It should therefore have the moral courage to deal with the problems raised by the realities of international life.

41. The main obstacles to international peace and security were intervention and policies of force. Interventionist policies had for centuries been a natural concomitant of the development of capitalism, and had been based on the idea that the international law of the "civilized nations" did not apply to the so-called "uncivilized" peoples.

42. But the triumph of socialism and the disintegration of the colonial system had changed the situation. Overt intervention had become more difficult, for the principle of non-intervention had gained ground and had been confirmed in the United Nations Charter. But it had not ceased; it was in fact becoming more frequent, thus raising an increasing threat to world peace. How could the continuance of interventionist policies be explained?

43. Interventionism implied that a State had the right—for political, economic or ideological reasons—to change the course of events in another State to its own advantage or to maintain a status quo in another State which was in its own interests. That approach to international politics, as applied by the main imperialist Powers, led to the threat and use of force. It was encouraging the United States to embark on increasingly dangerous adventures, under the slogan of anti-communism and the "defence of the free world". Walter Lippmann had described the policy as "globalism"—in other words, global ideological struggle against revolutionary communism. But the present policy of the United States showed that such references to communism were nothing more than a cloak to conceal the defence of political or economic interests; and that was in fact clearly proved by the series of acts of aggression against countries in the Near East, Africa, Asia and Latin America which had been committed with the assistance of the numerous allies of the United States in aggressive military blocs such as the North Atlantic Treaty Organization.

44. The Hungarian Government was following events in South-East Asia with particular concern, and condemned the intensification of aggression against Viet-Nam. An extensive and carefully co-ordinated Press campaign had been launched to prepare the United States people for an extension of that aggression. In that dangerous situation, the only course for those countries which were seeking peace and justice to follow was to give the people of Viet-Nam every possible assistance and at the same time to redouble

their efforts to prevent the situation from deteriorating into a new world war.

45. Non-intervention was one of the fundamental principles of international law. It had been embodied in the United Nations Charter and in several important international instruments. It was essential to emphasize that fact, since certain countries often argued that the principle was vague and ill-defined and could not therefore be applied to specific cases. The Romanian and Indian representatives had abundantly refuted that argument at the last meeting, and he would merely refer to article 5 of the Pact of Non-Aggression between France and the USSR, signed on 29 November 1932,^{6/} which defined the principle of non-intervention very precisely. He also recalled that the Inter-American Juridical Committee had prepared in 1959 a draft instrument relating to violations of the principles of non-intervention. While the Latin American members of that Committee had unanimously approved the draft, the United States representative had refused to concede that the principle in question could be defined, and had denied that some of the cases listed by the Committee constituted acts of intervention. By a very interesting coincidence, the cases which the United States had refused to recognize had been those whose definition also applied to the acts of intervention which the United States had since committed in Cuba and the Dominican Republic. In Cuba, the United States had made every effort to overthrow a revolutionary government; and in the Dominican Republic it was trying to impose a particular government.

46. One question which could not be evaded was that of national liberation movements, particularly as references to such movements seemed to appear in some of the draft texts and amendments submitted. In his delegation's view, subversion was to be found not in support for national liberation movements but in political, economic or other types of intervention—in other words, in the export of counter-revolution.

47. Excuses had always been sought for repressing revolutionary movements and opposing the march of progress. The Spanish monarchy had invoked legal arguments to justify its attempts to stifle the struggle for national freedom in the Netherlands, and the Portuguese colonialists were now doing the same in their colonies. The coalitions formed against the French Revolution had demanded the re-establishment of the old régime. The fourteen Powers which had intervened against the young Soviet State, and the Entente Powers which had intervened against the young Hungarian Republic in 1919, had also desired the restoration of the status quo. The United States, which in its Declaration of Independence had claimed the right to free itself from colonial rule, was now refusing the same right to the peoples of Viet-Nam, the Dominican Republic and other countries. As Senator Fulbright had declared on 15 September 1965, the United States was not the most revolutionary country in the world; rather, it was about to become the least revolutionary country in the world. Unfortunately, the United States had not learned any lessons from that fact. It still cherished the illusion that social and nationalist movements developing in

^{6/} League of Nations, Treaty Series, vol. CLVII (1935), No. 3615.

accordance with the irrevocable laws of history could be halted by force.

48. In those circumstances, the need for a declaration on the principle of non-intervention was obvious. From a legal and a political standpoint alike, the validity and present relevance of the principle could not be questioned; and the General Assembly would be failing in its duty if it did not draft a declaration on the subject which could become an important source of international law.

49. The Soviet delegation, as so often in the past, had submitted a proposal designed to solve one of the most important issues of international life. The draft declaration which it had presented was drawn up in unequivocal terms. The Hungarian delegation supported it and urged its adoption without amendment. Of the texts submitted by other delegations, he thought that the draft resolution submitted by the United Arab Republic and several other delegations (A/C.1/L.353/Rev.2) deserved the Committee's special consideration.

Mr. Csatorday (Hungary) resumed the Chair.

50. Mr. PACHACHI (Iraq) said he wished, like all the preceding speakers, to stress the importance of the principle of non-intervention as one of the cardinal principles which had governed relations between States ever since organized international society had laid down rules of civilized conduct. Yet violations of that vital principle were still continuing; and it could be said without exaggeration that non-observance of the principle was one of the main causes of friction in the world and the most dangerous threat to peace. Although the Charter prohibited intervention in the domestic affairs of States and although States Members were bound by the obligations they had assumed under the Charter, the number of acts of intervention committed in almost every part of the world now made it necessary for the United Nations to reaffirm the principle of non-intervention.

51. Unlike those who had argued that political issues and old disputes should be left out of the discussion, he thought that the Committee might run the risk of indulging in abstract discussions unless the debate was related to specific problems. The principle of non-intervention was based primarily on the concept of the equality of peoples, irrespective of their race, nationality or stage of development. Yet intervention was often justified on the grounds that some peoples were not yet entitled to be equal or were not capable of deciding their destiny; but such theories were the very basis of racial discrimination, apartheid, colonialism and the denial of the right to self-determination. The Arab nation, of which his country was an integral part, had suffered greatly from intervention of that kind. Several parts of its homeland had not yet been liberated; and even the Arab peoples which had gained independence were still on occasion the victims of economic or political pressure or even subversive activities by the great Powers, which encouraged secessionist movements and agitation in order to maintain their hegemony in the region. That situation was being repeated in other parts of the world; and that was why his country, together with other Arab States, had written the principle of non-

intervention into the Pact of the League of Arab States and had subscribed to the declarations adopted at the Bandung Conference and the conferences of non-aligned countries.

52. One of the worst forms of intervention was undoubtedly armed intervention, particularly when it was undertaken against a weak and defenceless people; and it should therefore be condemned in clear and unequivocal terms by the international community. But there was another form of intervention which was even more sinister—namely, the liquidation of an entire people in its own homeland and the attempt to obliterate its national identity. To describe that kind of injustice as a territorial dispute was a travesty of the facts and a cynical denial of the inalienable right of all peoples to self-determination.

53. His delegation supported, in general, the USSR draft resolution (A/C.1/L.343/Rev.1), as well as many parts of the draft resolution submitted by eighteen Latin American countries (A/C.1/L.349/Rev.1 and Add.1). But it felt that neither of those texts was as comprehensive as draft resolution A/C.1/L.353/Rev.2, of which Iraq was a sponsor, and which contained all the essential elements of the two other texts, supplemented by some additional concepts and principles which needed reaffirmation. Any declaration on non-intervention should contain references to the following basic principles: first, equality of rights among all peoples; second, strict observance of the principle of self-determination; third, the complete eradication of the colonial system and racial discrimination; fourth, respect for the independence, sovereignty and territorial integrity of States; fifth, condemnation of all forms of intervention, particularly armed intervention and intervention which deprived a people of its homeland; and sixth, the right of every people to determine the political, economic and social system under which it wished to live.

54. The United Nations had already adopted declarations amplifying and reaffirming certain basic principles of the Charter, such as the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples; he hoped that the First Committee would reach agreement during the present session on a draft declaration on the principle of non-intervention.

55. Mr. COULIBALY (Mali) said he hoped that the Committee's debate would prompt the Powers which were apt to intervene in the internal affairs of other States to examine their consciences. The principles of non-intervention in the domestic affairs of other States and respect for the sovereignty of all States had already been written into the United Nations Charter and the statutes of regional organizations such as the Organization of American States, the Organization of African Unity and the League of Arab States, and they were established rules of public international law. Regrettably, however, there had been a recrudescence—at a time when the beginnings of a relaxation of tension between East and West had aroused great hope among all peace-loving peoples—of arbitrary acts directed especially against the countries of the "third world". At the Second Conference of Heads of State or Government of Non-

Aligned Countries, held at Cairo in October 1964, the President of the Republic of Mali had deplored that situation, which had since then deteriorated still further. The Committee's debate would be useful only to the extent that it adequately stressed the serious consequences of foreign intervention in the internal affairs of other countries. Such intervention must be emphatically condemned, so that those guilty of it or those who supported it might have no doubts as to the general censure of their criminal acts.

56. The Government of the Republic of Mali, which consistently followed a policy of non-alignment, peaceful coexistence and respect for the sovereignty of other States, had always categorically condemned acts of intervention in the internal affairs of other countries. The trouble-spot which was at present causing the greatest concern to the international community was Viet-Nam. But it was not enough to indulge in sentiment over the sufferings of a courageous people which had been waging a fierce struggle against the colonialist and imperialist forces for more than twenty years. The situation in Viet-Nam had been aggravated by the culpable silence of most of the States Members of the United Nations. The case of Viet-Nam was at present the most blatant one, but foreign intervention in the internal affairs of small countries and newly independent States manifested itself in many other forms. The weapons of imperialism were varied; they ranged from armed intervention through economic blackmail and other methods of pressure to subversion. The grounds alleged for intervention were equally varied; but the objective of all of them was to prevent a country from choosing the institutions which best suited it.

57. The Government of the Republic of Mali considered that it was the duty of every State to contribute to the maintenance of international peace and security, and with that end in view to observe the principles of the Charter, in particular the principle of respect for the sovereignty of other States, and practise a policy of peaceful coexistence. Every people had its own peculiar form of civilization, in the context of which it shaped its national existence; that should be remembered in relations between States. The Republic of Mali was resolved to maintain friendly relations with all countries which respected its sovereignty. Profoundly dedicated as they were to African traditions, the people of Mali were convinced that all differences between States must and could be settled through negotiations and in the spirit of mutual respect for the sovereignty of the States concerned.

58. Turning to the various draft resolutions before the Committee, he said that a declaration could be

effective only to the extent that the Governments which drafted or accepted it were prepared to carry it out. The Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples contained all the elements of law necessary for the maintenance of peace and good relations between States. The Committee was now engaged in the preparation of another declaration which would merely repeat in different form provisions and principles which had already been affirmed in the preceding declarations. The substantive problem would not be solved by the adoption of one more declaration; what was necessary was the creation of an international climate of opinion hostile to war and to all practices which led to war. In every country, Governments, universities, the Press, the radio and all information and education media should condemn war and all forms of imperialism and violations of State sovereignty. In addition, there was need for greater will to respect international discipline and ethics.

59. Nevertheless, the delegation of Mali was prepared to co-operate with other delegations in drafting a declaration acceptable to the majority. He drew the Committee's attention to the proposals made by the Afghan and Tunisian delegations, the purpose of which had been to facilitate the Committee's work. His delegation did not wish to add to the plethora of draft resolutions and amendments already before the Committee, but reserved its position on the various texts. It felt that in view of the importance of the subject under discussion the Committee needed time to study the various drafts, so that the declaration ultimately adopted might carry the weight and authority which it needed for success.

60. Mr. VERGIN (Turkey), speaking in exercise of the right of reply, said that the representative of Cyprus, in his desire to use every item of the agenda in support of his case, had tried once again to establish a connexion between the question of Cyprus and the item before the Committee. Unfortunately, the question of Cyprus, as the Committee would realize when it came to consider the matter in all its details, was not as simple as the representative of Cyprus would have it believe. For the moment he preferred to make no statement which would divert the Committee's attention from the essence of the current debate, which, it was to be hoped, would culminate in the adoption, unanimously or by a large majority, of a declaration on non-intervention.

The meeting rose at 6.45 p.m.