



CONTENTS

	<i>Page</i>
Agenda item 62:	
Question of Algeria (<i>continued</i>)	157

Chairman: Mr. Victor A. BELAUNDE (Peru).

AGENDA ITEM 62

**Question of Algeria (A/3197, A/C.1/L.165)
(*continued*)**

1. Mr. GUNWARDENE (Ceylon) said that a grave conflict had been raging for over two years between the Algerian population and French troops now numbering over 500,000 men. According to the estimate given by the Algerian nationalists, 100,000 Algerians had been killed since the commencement of the insurrection and up to June 1956. According to French estimates, during the year 1956 some 20,000 people had been killed. In spite of the disparity of those figures, they showed the seriousness of a conflict which was causing some \$4 million in damages every day. No one could remain indifferent to such a state of affairs.
2. Efforts had, of course, been made to bring the fighting to a halt. Thus, in June 1956, France had offered certain terms: an immediate cease-fire followed by free elections on the basis of universal suffrage three months later. The nationalists had not accepted those terms because a cease-fire and pacification would not bring them any closer to their objectives. The elections would have been for the French National Assembly, and would have been a legal confirmation of the attachment to France. What the Algerian nationalists were asking was the right of self-determination.
3. Mr. Robert Lacoste, Minister residing in Algeria, had stated that by September 1956 pacification would be achieved. It was now apparent, however, that France, in spite of the efforts of its best fighting troops and the equipment of the North Atlantic Treaty Organization (NATO) which was available to them, had met with nothing but failure. And the carnage was continuing unabated.
4. It had been thought that the uprising would be quelled if the leaders were captured, and five of those leaders had been arrested in circumstances which were known to all, but the fighting still continued. There could be no doubt, therefore, that the people of Algeria were determined to gain their legitimate rights.
5. All credit was due to France for the far-seeing action taken in restoring to freedom Morocco and Tunisia, but that had only increased the desire of the Algerians to obtain their independence. Libya and the Sudan were free; Ghana and Nigeria were on the road to freedom. The leaders of an insurrection could be incarcerated, but the spirit of a people could not be controlled in that way. Repression only made people more ready to make sacrifices, and the fire continued

to spread. He asked how long France was going to continue a campaign in which the French civilian population was itself the victim of terrorism; and whether it was not clear that the Algerians were not going to yield until they had obtained their freedom.

6. Attempts had been made to blacken the Algerian nationalists by describing them as Communists. It was, however, a fact that in all countries which had struggled for their independence, political parties had buried their ideological differences, and had joined forces in a common effort to obtain a freedom which was a necessary prerequisite to the attainment of the other freedoms.

7. There could be no doubt that Algeria was a separate entity. It had definite boundaries and a population, the overwhelming majority of which was united in its common aim. It could not be seriously claimed that there was any antagonism or any profound differences between the two great Algerian races, the Arab and the Berber. They were united in their language, religion and civilization. Algeria could not be assimilated, for it was a proud Arab land having a Moslem civilization which had proved its worth.

8. In their attempt to turn Algerians into French citizens the French had, in fact, only created a legal fiction. The French people were not by nature a colonial Power; they were too civilized to keep any people in bondage and had therefore found that intellectual device by which Algeria had been made a French province. Just as they had been unable to assimilate the Indo-Chinese, so they had failed to assimilate a people belonging to the ancient and sturdy Moslem civilization.

9. No one would think of belittling the considerable efforts made by France, particularly in recent times, to improve conditions for the Algerians. Prime Minister Guy Mollet had, in particular, announced important reforms, but, as the Ceylonese people themselves had found, good government was no substitute for self-government.

10. Every nation had a right to be free, and the first to concede that had been the French people. It was a strange fact that that very French people should deny a small nation its right to self-determination. Not many years had elapsed since France had stood alone among the great nations, as an example of a country without colour prejudices which received Asian students among the many others in its universities.

11. The French people would certainly arrive at a different opinion if they were given a chance to examine the position free from emotionalism and from the influence and pressure of the settlers in Algeria. The presence of a minority, however deserving of respect, was no argument to prevent the development of a country which was ready for independence. Ceylon itself had been freed in spite of the existence of a minority problem. The situation in Algeria was difficult, but human intelligence could surely devise a system of government

in which the legitimate rights of the French settlers would be protected.

12. Ceylon, India and Burma, which had been in the forefront of the independence movement, were now turning to the United Kingdom as their best friend and were proud of the British heritage on which they were building their future. The same would be true of the Algerians in their relations with France. But France must distinguish between patronage and friendly partnership: the countries associated in the Commonwealth, for example, had the right to disagree.

13. Nations striving for independence were over-sensitive to any suggestion of intolerance or supremacy. However childish such an attitude might seem, it was nevertheless a natural one and no doubt constituted the deep cause of terrorism. People behaved in an insane way because of an insane desire for freedom.

14. The statement of the United States representative (835th meeting) had been somewhat surprising. It was understandable that he should speak as the apostle of Western solidarity, but that was not enough. Pious hopes that, if external intervention did not occur, a settlement might be reached in a conflict which involved the independence of a people sounded somewhat strange when coming from the representative of a country which had been one of the first to struggle for its freedom and which, on that occasion, asked for, and received, the help of the French nation itself. He could not imagine a situation in which no external assistance would be forthcoming. Such a situation would condemn the Algerians to being crushed, which was unthinkable. The Algerians could hope not only to receive support from Morocco and Tunisia, with which they shared common aspirations, but they could also count on the help of other neighbours, near and far, such as Sudan and Libya. In those circumstances, it was untenable to say that a conflict of that kind was a French conflict of a purely domestic character. If that theory were accepted, that would sound the death-knell of all liberation from colonial bondage. The United States could repeat that Algeria was a part of France, but that did not change the real position, for a technical argument could not be opposed to a popular movement.

15. As for the Cuban representative, who had upheld the same argument in his statement (836th meeting), it might be asked whether he would accept that his country should be considered as a province of Spain, even though it was Spanish in language, culture and traditions.

16. If Algeria was not an exclusively French problem, it was not an exclusively Arab problem either. It was a world problem, as had been stated by the Prime Minister of Ceylon.

17. Mr. Nehru, Prime Minister of India, had enlarged on the view thus expressed by the Prime Minister of Ceylon, and he too had made a personal appeal on 5 June 1956 to the French Government urging a speedy solution of the conflict. Those were not the only official appeals which had been made to France, a country whose influence was felt and admired throughout the East. The Colombo Plan Powers and the members of the African-Asian Conference at Bandung in 1955 had declared themselves in favour of Algerian independence. If due weight was to be given to world opinion, it had to be remembered that two-thirds of the population of the world were represented by the signatories to those appeals. In 1956, the African-Asian group had appealed to the United Nations and had brought the Algerian situation to the attention of the Security Council

(S/3589 and Add.1). The Ceylonese delegation had refused to sign that request for a Security Council meeting (S/3609) because it had believed that all doors had not been closed and that France, faithful to its traditions, would be able to create improved conditions. Unfortunately, the situation had continued to deteriorate.

18. The Cuban delegation had referred (836th meeting) to the question of Hungary and had spoken of double standards. In fact, when people in Hungary fought for freedom they were called heroes, whereas in Algeria they were described as incendiaries and terrorists. When the Hungarians executed their oppressors, they were acclaimed, but when Algerians did the same they were branded as criminals. That was where the system of double standards lay; it could not be said that the carnage was any worse in Hungary, because the number of persons killed was certainly greater in Algeria. Furthermore, the unrest in Algeria could start a third world war, while it was improbable that the same risk existed with respect to Hungary.

19. The charge made by the Cuban delegation that special treatment was being claimed was baseless. In fact, peoples throughout the world desired freedom and were striving towards the same ends. The Algerian people had as much right as any other to make progress towards independence.

20. It was easy to call the nationalists rebels. In that sense, rebels were very numerous throughout the world and included some outstanding personalities. Mr. Nehru had spent part of his life in prison. The Prime Minister of Ceylon had been imprisoned, and many others like him. The ruling Power had arrested them on the grounds that they represented nobody, but had been obliged later to acknowledge that those prisoners did in fact represent something.

21. The fact that they were rebels was not a satisfactory excuse to refuse to negotiate with the Algerian nationalists. A plebiscite had to be urgently organized on the question of independence, if it was considered that such a plebiscite was necessary. In any event, it was essential that the two opposing parties should make contact. The French people would then see that those who now called themselves their friends were in fact leading towards worse difficulties. They would then understand that their true friends were not those they thought. It was only by adopting such an attitude that the United Nations could help France.

22. In Ceylon, the transfer of power had been made progressively. If the same were done in the case of Algeria, that country would one day form with Morocco and Tunisia a kind of North African federation which would become France's closest friend. Such a policy would certainly have more advantageous results than one leading to a total loss such as had occurred in Indo-China.

23. France was meant to have an empire, but an empire in the hearts of men, rather than a colonial empire.

24. Mr. TRUJILLO (Ecuador) said that he wished to rectify a statement about Ecuador made by the representative of France. Mr. Pineau had rightly said that the countries of Latin America had agreed that in accordance with the doctrine of *uti possidetis*, their boundaries would forever remain those that had existed in 1810. The French representative had, however, made an involuntary mistake by adding that Ecuador had not adhered to that doctrine. In fact, the principle of *uti*

possidetis had always been the basis of Ecuador's international policy and Ecuador had always defended it as the most satisfactory means of avoiding territorial differences between the American States that had won their independence from European Powers.

25. His delegation, on the express instructions of his Government, wished to state that it sincerely hoped that the Algerian problem would be solved justly and speedily, in a manner which would reconcile the interests of France and those of the Algerian people. The conclusions of the French representative could certainly serve as a basis for a formula to restore peace to the Algerian people and to allow it to exercise its right of self-determination in the near future.

26. Mr. MAHGOUB (Sudan) expressed his delegation's concern for the Algerian people in its struggle for freedom and independence.

27. The French representative had said (831st meeting) that the United Nations was not competent to deal with the question. In fact, however, only the First Committee or the General Assembly could determine the question of competence, and not a party to the dispute. Furthermore, the Permanent Court of International Justice had stated that the question of reserved jurisdiction was essentially relative and depended upon the development of international relations.¹ Finally, Article 2, paragraph 7, of the United Nations Charter certainly could not prevail over the right to self-determination, which was confirmed by the provisions of Chapter XI and especially by Article 73 b and e.

28. The vital fact was that there were between 300,000 and 400,000 French soldiers in Algeria waging war, endangering world peace and security and violating human rights, as well as the Convention on the Prevention and Punishment of the Crime of Genocide, which France had ratified. For those reasons alone, the Algerian case was of international significance. It was noteworthy that, in 1946, during the debate in the Security Council on the Spanish question, the French representative had stated that if a situation inside a country threatened the peace of the world, that situation *ipso facto* became a matter of international concern.² That interpretation had also been confirmed by the United States representative during the discussion on the question of Indonesia.³

29. Similarly, the "Uniting for Peace" resolution (General Assembly resolution 377 (V)) was fully applicable, because the main objective in Algeria was to promote friendly relations based on respect of the right of peoples to self-determination. It seemed, therefore, that the General Assembly and the First Committee were competent to consider the question and to propose a solution.

30. The French representative had contended that France had not conquered Algeria, but had legitimately occupied an area over which no sovereignty had been exercised (830th meeting). It was known, however, that Algeria had never been an uninhabited territory and had witnessed a succession of civilizations; the sovereign of Algeria had indeed maintained relations with the United States, the United Kingdom and

France itself. Even the declaration by Theodore Roosevelt, President of the United States, to Jules Cambon, the French Ambassador, which the French representative had invoked (833rd meeting), showed that Algeria had been a sovereign State before the French conquest. That State had been a vilayet of the Ottoman Empire. Subsequently, after the decline of the power of the Sublime Porte, it had acquired sovereign status under the supreme authority of the Dey of Algeria. Consequently, France had conquered Algeria by force and the present occupation was still based on that conquest. The French representative had tried to conceal that fact only because he knew that the United Nations did not recognize conquest as valid grounds for preventing a people from exercising its right of self-determination. Any act of the French Government purporting to annex or integrate Algeria was therefore null and void.

31. There was no doubt that some progress had been achieved in Algeria under French rule. Nevertheless, the reforms and accomplishments did not satisfy the aspirations of the Algerian people, who, ever since 1830, had continuously waged a campaign of both clandestine and open resistance to foreign domination.

32. In attempting to obscure the significance of Algerian nationalism, the French representative had spoken of Communist activity among the rebels. That was a common propaganda device, used by all those who opposed nationalism. It was indeed unexpected, after the achievements of the French Revolution and its repeated appeals to the spirit of nationalism, that France should now be stigmatizing nationalism in Algeria. Nationalism doubtless had some weaknesses and faults. It could not be denied, however, that it represented a dynamic force. Furthermore, nationalism was not solely confined to young States, nor did it imply a refusal to co-operate in the international field. The first act of all newly independent countries was to seek admission to the United Nations and to establish, on a footing of equality, cordial ties with the very States that had ruled over them. In denouncing nationalism, the French representative had done harm to his country. The Eurafrican theory was doomed to failure if its champions sought to force co-operation at the point of the bayonet; such co-operation could only be achieved on a footing of equality between Europe and Africa. Algerian independence would be the acid test of Europe's sincerity in that respect.

33. By culture, race, history and geography, Algeria was linked with Morocco, Tunisia and Libya and formed part of the Arab world. It was only logical, therefore, that it should wish to recover its independence like the other Arab States.

34. With reference to the French minority in Algeria, he pointed out that there was also a French minority in Morocco and Tunisia. Those States had nevertheless become independent and the minorities were duly protected. When the Algerians had won their independence, the French would be able to acquire Algerian citizenship with rights and obligations equal to those of the other citizens. The Algerian National Liberation Front favoured a peaceful solution of the dispute with France. The United Nations should therefore call on France to negotiate a settlement with Algerian representatives and thereby enable Algeria to exercise its right of self-determination in the immediate future.

35. He formally presented the eighteen-Power draft resolution (A/C.1/L.165). The first paragraph of the preamble accurately described the prevailing situation

¹ See *Publications of the Permanent Court of International Justice, Series B, No. 4* (Leyden, A. W. Sijthoff's Publishing Company, 1923), p. 24.

² See *Official Records of the Security Council, First Year: First Series, No. 2*, 34th meeting.

³ See *Official Records of the Security Council, Second Year, No. 68*, 172nd meeting.

in Algeria, while the second paragraph of the preamble merely recognized the right of the people of Algeria to self-determination. The three operative paragraphs were based on the thesis that Algeria was an entity separate from France. The Cuban representative had admittedly contended that France had signed the United Nations Charter on behalf of Algeria as well as of the metropolitan territory, because Algeria had then been an integral part of the Republic (836th meeting). The contention, however, was not valid and in any event, the case of Indo-China constituted a precedent to the contrary. Furthermore, the French Constitution of 1946 dealing with the relationship between Algeria and France had only been promulgated after France's adherence to the United Nations. Also, France had joined the United Nations simply as France and not as the French Union. Acceptance of the French argument would create a dangerous precedent which would be invoked on every occasion, especially during consideration of the questions of Cyprus and West Irian (West New Guinea). The relationship between France and the Non-Self-Governing Territories which it administered were regulated by the Charter and not by the provisions of the French Constitution. Lastly, the interpretation of Article 2, paragraph 7 of the Charter must be consistent with the rules of international law and not necessarily with unilaterally adopted constitutional provisions.

36. Operative paragraph 1 requested France to respond to the aspirations of the Algerian people. Those aspirations were recognized by the Charter and France was bound to encourage them under Chapter XI, especially Article 73 b.

37. Operative paragraph 2 was essentially a conciliatory proposal, and there was no reason why France should not accept it.

38. Finally, operative paragraph 3 requested the Secretary-General to assist the parties in their negotiations.

39. The draft resolution was a restrained and modest request, which allowed the parties ample time. It would therefore be regrettable if France rejected it, solely on the grounds that it emanated from the United Nations.

40. The conflict in Algeria was tragic for Algeria, for France and for the world at large. The situation could have been avoided, and a settlement achieved. Algeria and France had many differences, but they also had many things in common. The ultimate answer to the problem lay with them, and fair concessions would not involve any loss of prestige for France. For those reasons, the Sudanese delegation hoped that the First Committee would agree that the eighteen-Power draft resolution offered an opportunity for a satisfactory solution.

41. Mr. PINARD (Canada) doubted the wisdom of discussing a situation which, according to the United Nations Charter, was one of purely domestic jurisdiction. His delegation had, however, been very appreciative of the fact that the French delegation had decided to meet the wishes of the majority by agreeing to explain its position. The information supplied by the representative of France (830th and 831st meetings) had shown what France had achieved in Algeria and what the French Government intended to do there in the future. For the rest, even if the Committee were competent to discuss the situation, the complexity of the problem was such that it was doubtful whether the Committee would be able to solve it in a manner satisfactory to all.

42. The French Government appeared to realize the need for adapting its policy to the exigencies of a world in process of evolution. The aims it was seeking to achieve should satisfy the legitimate aspirations of the two principal elements of the Algerian population. Such adaptation, however, must not be rushed if the success of the effort was not to be jeopardized. His delegation deplored the tragic events of the previous few years, but firmly hoped that good will and reason would prevail and that the parties concerned would find a peaceful solution by themselves, without outside interference. To adopt resolutions unacceptable to the chief party involved was as unlikely to promote a rational and peaceful solution as outside intervention.

43. The Canadians had first-hand knowledge of the valuable contribution France had made to world civilization. They also knew from practical experience the problems inherent in the achievement of harmonious political and social unity in a society composed of two races with different cultural, linguistic and religious antecedents. In Canada several generations had had to labour unceasingly to achieve that unity. It must be understood that the situation in Algeria was still more difficult and that exceptional moderation and wisdom were required. As the Prime Minister of Canada, Mr. Louis Saint-Laurent, had recently recalled in connexion with the problem of Canadian unity, the importance of the various cultural and economic factors likely to bring the groups together should not be minimized and, above all, divergent views prejudicial to understanding should not be needlessly stressed.

44. If the problem was to be approached objectively, the role of France in the advancement of Algeria must be given due weight. As the great humanitarian Mr. Albert Schweitzer had said in his recent appeal, a situation that was already difficult must not be made worse by needless debates.

45. The immense progress accomplished by France during the last few years in its relations with countries formerly under its administration was also a good omen. Morocco and Tunisia were today independent and respected Members of the United Nations. Togoland was enjoying political autonomy, and the progress of other African territories should be recognized.

46. His delegation therefore felt that France and the elected representatives of Algeria should be left to solve the problem of Algeria's future themselves. It did not, of course, underestimate the important role which Arab culture had played in the world. Side by side with the great cultures of Western Europe, Arab culture would substantially enrich world civilization.

47. Mr. KALIAN (Yemen) said that the United Nations was under a duty to help the Algerian people in obtaining the right to self-determination.

48. France was wrong in asserting that the Algerian question did not come within the jurisdiction of the United Nations, since France and Algeria were two different peoples from the ethnical, cultural, historical and geographical points of view. France had imposed its domination on the Algerian people unilaterally. The present régime was more oppressive than colonialism itself, since it denied the national feeling of the Algerian people.

49. The Algerian problem as such was not complicated. The only difficulty derived from the refusal of France to meet the Algerian's legitimate demand for self-determination. The solution of the problem had been too long delayed; the General Assembly could

not remain indifferent to the problem, but should intervene to end the subjection and slaughter of a people. It must secure the Algerian people's right to self-determination.

50. The attainment of independence by Algeria would undoubtedly bring peace and prosperity in North Africa. It must therefore be hoped that the General Assembly would promote a just solution to the problem.

51. Mr. ARENALES CATALAN (Guatemala) praised the attitude of France, which had once again shown wisdom in not opposing a debate of the question. The work accomplished by France in Algeria during the twentieth century had certainly increased its prestige.

52. Concerning the competence of the United Nations in the matter, there was no need to examine the question of France's sovereignty over Algeria; it was sufficient to note that any situation likely to endanger the maintenance of international peace and security fell within the jurisdiction of the United Nations. Thus, under Articles 34 and 35 of the Charter, the Security Council and the General Assembly could concern themselves with such a situation, while Article 2, paragraph 7 merely excepted matters essentially within the domestic jurisdiction of any State from that provision. Moreover, the French representative himself had referred to foreign intervention, which certainly constituted sufficient grounds for placing the question on the agenda.

53. The fact remained, nevertheless, that the United Nations should strive to harmonize relations between States. Members of the First Committee should therefore say nothing during the debate which might exacerbate the situation, and they should consider the question with objectivity and without bias.

54. The Algerian problem could be examined from the standpoint of relations between France and Algeria or from that of the international impact of those relations. There was, however, no point in asking whether the problem was a colonial one or whether Algeria was, or was not, part of France. Those were historical considerations which had no particular bearing on the issue.

55. A number of speakers had asked whether nationalism was a vice or a virtue. His delegation fully endorsed the Irish representative's remarks on the sub-

ject (833rd meeting). Whatever the answer was, nationalism existed and drew strength from the opposition it met. Recent events in Hungary had shown that tyranny could subject, but not destroy it. Moreover, while independence was no panacea, the same was true of the denial of independence.

56. It should be noted that the Algerian problem was not merely one of nationalism. A Communist threat was also involved. That threat was often invoked to justify colonialism. But the best method of opposing communism was surely to improve social conditions. The justice of a cause could not be determined by support for communism or by its rejection. A cause was just as such. The Communist danger should therefore be no more than a reason for vigilance.

57. Economic and social factors, too, obviously came into play. The reforms instituted by France in that field deserved to be admired. Yet such reforms, however excellent, were not in themselves sufficient; the Algerian people must be persuaded to accept them. The Algerian question was complicated by the fact that the division of the people between rich and poor coincided with ethnic differences. Any solution would have to take into account the relations between the French of Algeria and the indigenous Algerians. Lastly, any reform should be considered in relation to its impact on the future.

58. His delegation considered that a cessation of hostilities might be proposed. The idea of mediation with a view to promoting negotiations between the parties should not be set aside. On the other hand, in the present circumstances, no specific solutions should be recommended; what was needed above all was cooperation between the French and the Algerians. It might be said in some quarters that such a solution was based on an intermediate position. What he was advocating was an interim solution resulting neither from weakness nor from lack of conviction, but based on wisdom and moderation.

59. Guatemala was confident that France would find a solution consonant with the interests of the Algerian and French peoples. In taking that attitude, Guatemala remained faithful to a cause it had always championed: that of defending peoples fighting for their independence.

The meeting rose at 6.15 p.m.

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