

GENERAL ASSEMBLY

TWELFTH SESSION

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Chairman: Mr. Djatal ABDON (Iran).

AGENDA ITEM 59

The question of Algeria (A/3617 and Add.1) (continued)

1. Mr. DE LA COLINA (Mexico) said he wished to clear up a historical point. At the 915th meeting, Mr. Zeineddine, the representative of Syria, and Mr. Pineau, the French Minister of Foreign Affairs, had referred to a famous saying the source of which he had not mentioned precisely and which summed up the aspirations of all Mexicans. The author of that saying was Benito Juárez, the moving spirit of the Mexican national resistance against the empire of Maximilian established by Napoleon III. With unshakable faith and tenacity, President Benito Juárez had put heart into those who had faltered and had proclaimed steadfastly, even in defeat, the triumph of democracy and national sovereignty.

2. On 15 July 1867, on his victorious return to the Mexican capital, Juárez had said in a historic manifesto: "Mexicans, let us now unite to enjoy and to consolidate the benefits of peace. Under its aegis, the law and the authorities will protect effectively the rights of all inhabitants of the Republic... Among individuals as among nations, respect for the rights of others is peace." The humblest Mexican treasured those words of justice and peace, which were reflected in Mexico's whole foreign policy.

3. Mr. TUENI (Lebanon) said that peoples and nations in many parts of the world were paying a tribute to those who had made the debate imperative. Men and women, young and old, had sacrificed their lives for the sake of their country's right to live.

4. The Algerian fighters had shown beyond doubt that there was nothing they cherished more than freedom. He wanted to echo the tribute paid to them by all freedom-loving peoples. He wished also to pay a tribute to those noble Frenchmen who, true to their national traditions, had valiantly defended the Algerians' right to live in freedom and dignity. Cardinals, priests, officers and soldiers, men of letters and publicists, and thousands of simple, common men had all stood by the human values that had made France the great nation it was. Indeed, the role of France and its mission to the world depended, not on military might or colonial wealth, but on the preservation of those moral and spiritual values so often ignored at the present time. Human rights had always been a subject of great concern for France.

5. It was most unfortunate that the United Nations Conference on International Organization had not accepted the French amendment mentioned by the representative of Belgium at the Committee's 914th meeting. Even if the Committee were to admit, for the sake of argument, the thesis of French domestic jurisdiction over Algeria, it could not fail to see, in the history of the Algerian conflict, a most convincing proof that the violation of human rights endangered world peace and hence should be considered an international question, for which specific provision should have been made in the Charter.

6. However, the international character of the Algerian question lay beyond the framework of mere Latin legalism. It would accordingly be futile to refer articles, provisions, amendments, precedents and even the scope of Article 73 of the Charter, or to cite the numerous French official pronouncements implicitly recognizing the international character of the Algerian question.

7. Inasmuch as the Algerian struggle for self-determination had developed into a war and endangered peace and security in the area, it was both the right and the duty of the United Nations to investigate and to continue its quest for an equitable solution.

8. When Mr. Félix Gaillard, the French Prime Minister, had said in his investiture address of 5 November 1957 that the personality of Algeria should be allowed to develop fully, he had tacitly recognized the national character of the Algerian question. He had also admitted that the only political solution his Government could find lay along the lines of the principle of self-determination. The development of the personality of Algeria could mean nothing other than the realization of Algerian national sovereignty, of which Mr. Bourguiba, the President of Tunisia, had recently been speaking.

9. In his statement (913th meeting) Mr. Pineau had given a brilliant performance of formal logic, but if some delegations disagreed with his conclusions, it was because the very premises from which he had started were erroneous. Two of those premises were the "French presence" in Algeria and the role of communism in the Algerian question.

10. No one doubted that Algeria had been technically incorporated into France since the promulgation of the Constitution of the Second Republic. But no one had ever said that the natural boundaries of France extended to the heart of the Sahara or that the Duke of Aumale had gone to North Africa in response to any "authentically French" will of the Algerians yearning to be united with their mother land. As far back as the nineteenth century, many eminent French authors had spoken of the resistance of the Algerians and their rebellion against colonial rule. No one had ever spoken of any Algerian who claimed to be—"authentically" or "non-authentically"—anything like a Frenchman.

11. In the space of about 130 years, French colonialism had been able to create a European community living in Algeria. But it had been unable, despite all its attempts, to wipe out the differences in language, traditions, culture, outlook or religion between that European community and the Algerians, or between the Algerians and the more "authentic" brands of Frenchmen, wherever they lived.

12. French colonialism seemed to have failed in its attempt to create an artificial situation with the intention of transforming the original personality of Algeria, and it was utterly unrealistic to speak of integrating the Algerians into France despite themselves, or of partitioning the country between the Algerians and the European inhabitants. Similar schemes had caused enough tragedies and problems in the world.

13. It was not a problem which had arisen out of internal conflict, within what the representative of the United Kingdom had called a "multiracial community" (915th meeting), and which was capable of a solution by conciliation or partition. Nor was the problem attributable to the upheaval of some community against the central authority, as the representative of France had tried to imply when speaking of the rebellion of the Moslem Algerians.

14. It was a national question, such as Europe had known at the time when France itself had been developing the concept of the sovereign national State. Such questions could only be solved by independence.

15. So far as the "French presence" was concerned, he said that the Tunisian and Moroccan Governments had given proof of the friendship which countries liberated from French rule could have for France. Lebanon also, since the termination of French Mandate, had had more friendly relations with France than ever before.

16. Colonialism had defeated its own purpose when it had ceased to be a paying enterprise. The cost of maintaining the "French presence" through military pacification by far exceeded all the benefits that France could ever hope to reap in Algeria.

17. Before any prospect of jointly developing the Sahara could be considered, the Algerian question would have to be settled and peace would have to be restored. That purpose could not be achieved by military operations or by unilateral legislation passed by the French Parliament which could not be binding upon the Algerians.

18. When France withdrew its troops from Algeria, it would have other means of maintaining its "presence". He was sure that the future Algerian republic would know how to make the best of the French heritage. Only a sovereign Algerian State could ensure that the legitimate interests of France were guaranteed. Nothing would prevent the French and European residents in Algeria from living in peace with the Algerians and participating in the country's development. In proof of the truth of his remarks he mentioned the examples of Tunisia and Morocco.

19. As Mr. Gaillard had said, the Algerians could not expect so much understanding and so much unselfish support from any country other than France. That was precisely why France should respond to the offer made by the Governments of Tunisia and Morocco,

and so end a long tragedy and start a new era in French-North African relations.

20. Mr. Pineau had spoken of the communist threat, a surprising argument, for communism had actually been imported from France into North Africa where the Communist Party had, until quite recently, been receiving its orders directly from the French Communist Party. That argument was even harder to understand if one considered that the Communist Party was not unlawful in France. It would appear to be more advantageous to espouse the cause of Algerian independence than to allow the communists to exploit it. Communism was strengthened most when democracy identified itself with colonialism, capitalism and the systematic exploitation of the masses. If the democracies had been able to understand the constructive nature of nationalism in the countries now awakening or reawakening to consciousness of their rights, the communists would not be able to profit by the situation.

21. The defenders of the Algerian cause could not be accused of receiving their instructions from Moscow any more than the sympathy which the hierarchy of the Roman Catholic Church of France had for the Algerians could be ascribed to a growing communist trend in that Church.

22. Lebanon appealed to the Western democracies to reconsider their policy regarding national liberation movements. Self-determination was the basis of the Western conception of government. It was in the free world that national movements should find the encouragement, support, and guidance which they needed.

23. France's policy was known to all. It was unfortunate that the National Assembly should have chosen to adopt in principle the *loi-cadre* (basic law), since, instead of encouraging the establishment of democracy in Algeria, it would perpetuate a state of terror, poverty, totalitarianism and anarchy. A peaceful, democratic and just solution could be reached only through negotiations and a system based on respect for the Algerians' right to independence.

The meeting was suspended at 3.40 p.m. and resumed at 3.55 p.m.

24. Mr. GISCARD D'ESTAING (France) stated that the debates in the French National Assembly on the *loi-cadre* had been particularly long and extensive because the National Assembly had wished to discuss all political formulas capable of bringing to Algeria a democratic, peaceful and equitable system which would embody the hope expressed by the United Nations. One very clear conclusion could be drawn from the National Assembly's proceedings: owing to its complexity the Algerian question could not be solved by the use of a magic password.

25. The arguments presented by the Tunisian representative, Mr. Slim (914th meeting), overlooked the special features of the Algerian question and the characteristics of the country itself. The country was referred to in the abstract, much as one might refer to Illyria, a favourite subject of theoretical debate in the eighteenth century. The arguments applied to an unnamed country with a homogeneous population which had clear-cut opinions. They did not take into account the existence of a large minority of European origin, altogether 1.2 million persons, that was to say, one-eighth of the country's population or more than one-third of the population of Tunisia. If the omission had

been unintentional, it considerably weakened the case; if it had been intentional, it was serious.

26. Moreover, there was no analogy between the question under debate and the Tunisian and Moroccan questions either in law, or in fact, or as to state of mind. France had never challenged those countries' statehood; it had concluded agreements with them which had always been considered as international treaties, for the notion of "protectorate" implied the recognition of the statehood of the parties concerned. Neither in Morocco nor in Tunisia did Moslems and Europeans live in such close intimacy as in Algeria. With regard to the state of mind in those countries, he said that neither the Moroccans nor the Tunisians nor the French living in Morocco or Tunisia had ever considered the possibility of assimilation with France, but such a possibility had been considered in the case of Algeria. It was surprising that the only suggestion which had been made was that Algeria should remain at a stage of development dating back to the revolution of 1848, or revert to the system of the Deys of Algiers. New ways must be found to deal with new situations.

27. What was needed was a formula which would ensure balance among the various communities. Any type of organization which implied the supremacy of one community over one or more other communities would not fulfil the country's needs. The application of the principle of self-determination, enabling each community to exercise its rights within its own political organization in the region where it had a majority, was not a satisfactory solution either. In demanding the right of independence for what they regarded as a homogeneous and unitary Algeria, the rebels were doing violence to the realities of the Algerian situation and were running the risk of causing a partition of the territory which would be as prejudicial to the interests of the people as to world peace. Moreover, the severance of political ties with metropolitan France, which spent several hundred thousand million francs on Algeria's economic and social development each year, would cause a serious lowering of the Algerian standard of living or would force the young and impoverished community into the arms of the highest bidder.

28. The only acceptable solution was to establish balance within a common organization which permitted co-operation between the communities. That was precisely the purpose of the *loi-cadre*. It provided for a single electorate for all elections to all representative assemblies and divided the country into a number of regions according to economic and human characteristics. It granted those regions the right freely to manage their own affairs through a territorial assembly and a government responsible to the assembly under conditions laid down by the assembly. It established, for the whole of Algeria, federative institutions consisting of an assembly and an executive branch. The law provided that, after a period of two years following its elections, each territorial assembly would be free to specify which of its powers it intended to vest in the federative organs and reserved to the Republic the limited powers which it needed to act as arbitrator among the Algerian communities. Lastly, the law provided for the further development of the Algerian institutions by means of joint discussion among all the competent assemblies. The law made it possible, in short, to institute a democratic way of life in Algeria.

29. If the rebels triumphed, they would decide the fate of the minority communities. France, for its part, proposed to ensure respect for the rights of all communities by providing a common democratic system.

30. The democratic setting would be created by the single electorate. It was surprising that the Tunisian representative had not mentioned that point but had merely stated, without justifying the assertion, that the *loi-cadre* was a retrograde step in comparison with the transitional Statute of 1947, which had separated the Moslems from the rest of the population and had gradually deprived them of their *élites*, who, by reason of their capabilities, were to have been transferred from the secondary to the primary electorate. The reform just adopted would have far-reaching effects. It would make it possible to determine the true wishes of the inhabitants of Algeria. In addition, it would bind the various communities more closely together and so promote the development of a more homogeneous democratic environment and ensure the selection of the future political *élite* from among all the communities.

31. As Alexis de Tocqueville had stated with reference to the United States, the local communities were the basis of the democratic way of life. Within such a framework, political *élites* were formed by contact with specific problems. Where there were no well-established political traditions, a handful of agitators might easily exploit democratic aspirations for their own ends if discussions were not confined to practical considerations and veered away from a practical approach. In view of the emotionally-charged atmosphere in Algeria, which was slowly making a recovery, it was particularly important to start at the level where daily interests were identical and where many personal contacts already existed, in other words, at the level of the commune. The first meeting of ideas would occur at the territorial level in an assembly still concerned with administrative and technical problems. In Algiers, on the federative level, the political debate would be tempered by prior understandings reached in the territorial assemblies.

32. The territories enjoyed full powers except for those traditionally reserved to the central authorities. Social, economic and cultural life, finance, and the territorial public services fell within their competence. The groundwork for that reform had been laid by the establishment of 1,135 new communes and of provisional assemblies, 80 per cent of whose members were Moslems. That represented one stage only; in the future all functions would be vested in those freely chosen by the people.

33. Some critics had said that under the *loi-cadre* Algeria would remain an integral part of the French Republic. The need for permanent machinery of arbitration among the communities presupposed the existence of an impartial authority, which could be none other than the Republic. It was hard to imagine, moreover, how a Government could propose legislation at variance with the Constitution in force.

34. The existence of a common political framework was all the more necessary in that it guaranteed that Algeria would receive the large amounts of resources it needed. If that link were broken, offers of assistance would no doubt be forthcoming, but to anyone familiar with the magnitude of the need, it was idle to ask the identity of the donor: the desert would take over before help came.

35. It had been argued that the *loi-cadre* would not be applied. If representatives considered that a matter for regret, their regret must imply that the law was a good one. The genuineness of the elections had been questioned, but no mention had been made of the French proposal to invite countries which held free and democratic elections to send observers. It had been said that the progress envisaged by the *loi-cadre* was too slow. Was that any reason for delay in putting it into effect?

36. Mr. Slim had claimed that the *loi-cadre* was inconsistent with the threefold proposal for a cease-fire, elections and negotiations. Mr. Slim believed that the first step in bringing the war to an end must be negotiations. His reversal of the order in which those objectives were to be met was undoubtedly explained by his unwillingness to take any positive stand on free elections. Algerian political evolution, however, hinged on the question of free elections, which presupposed the restoration of tranquillity in the country, and hence the question of the cease-fire logically took precedence.

37. Turning to the offer of good offices that had been made by the Governments of Tunisia and Morocco, he noted that by dropping the term "independence" the two Heads of State had sought to avoid imposing a preliminary condition that would block any further progress. It was regrettable, therefore, that Mr. Slim had not envisaged any solution other than independence and had presented as a new fact which "gave grounds for every hope", the communiqué of the National Liberation Front (FLN) which merely reaffirmed that preliminary condition. If the purpose of good offices was to bring about a meeting of minds, the intermediary must surely refrain from siding with one of the parties from the very beginning.

38. The Syrian representative advocated (915th meeting) negotiations on the basis of independence. He himself had selected the subject-matter of those negotiations and had decided what their outcome would be. There was nothing for France to do except yield. In order to satisfy France, they would even go so far as to permit it to conclude agreements with spokesmen who would be chosen by the other side; those agreements would then be ratified by an Algerian assembly which would have been elected in a manner which could easily be surmised.

39. As for the representative of Saudi Arabia, he had suggested (916th meeting) a procedure which provided for the recognition of Algeria's independence by France, the conversion of the FLN into a provisional government, and, only later, a cease-fire and negotiations.

40. Would not everything be clearer if it was acknowledged that the Algerian voter was in fact the only person qualified to make his opinion known by the use of his ballot? Thus, the application of the last two terms of the threefold proposal stemmed from the *loi-cadre* itself.

41. There remained the cease-fire. Any action designed to bring about a cease-fire would render a real service to the cause of progress and peace in Algeria. It would be necessary, however, to avoid two pitfalls: on the one hand, that of endangering the possibilities of setting up an economic and political Franco-North African entity in attempting to solve the problem, for the countries of North Africa might be induced, undoubtedly against their will, to adopt views

that would be unacceptable to France; and on the other, that of frustrating certain efforts which might be made toward bringing about a cease-fire by bringing them into conflict with the legal principles contained in Article 2, paragraph 7, of the Charter of the United Nations.

42. France had not permitted itself to remain idle. To judge by the much more restrained tone of the criticisms which were directed at it today, its efforts had made themselves felt. It had restored security throughout the larger part of Algerian territory, and he noted that the rebellion had not succeeded in bringing a single area under permanent control: what had been described as a victorious army was actually only a few discouraged bands which were repudiated by the population. Time and patience would do more for Algeria than any intervention.

43. Speaking as a member of Parliament, and in the name of French public opinion and the generation to which he belonged, he observed that the French people were impelled by feelings of friendship to co-operate with young nations which were close to it. Crude colonial profit had become a very remote idea for those who were familiar, year after year, with the tremendous effort which they were called upon to make on behalf of the less favoured territories. It was possible to adopt any attitude toward the Algerian problem except that of evading it. The problem was to persuade populations to live together which were of different origins but linked to each other by a common land. Rarely had an attempt been made to bring democracy into being under more difficult conditions. In those circumstances, the patience, care and determination which France was devoting to the establishment of democracy in Algeria were all the more necessary.

44. Mr. AL-DALLI (Iraq) said that in previous debates his delegation had attempted to convince the French Government and the States which sided with it of the great dangers inherent in the situation in Algeria. In common with many other delegations, his delegation had called on the General Assembly to put an end to the human misery and bloodshed and had expressed the hope that brutal suppression and so-called "pacification" by force would give way to peaceful negotiations. Nevertheless, the tragic deadlock which had existed two years previously had still not been broken. The Algerian war had grown in scale, bringing human suffering, misery and destruction in its train and creating general insecurity, not only in Algeria but in all North Africa. The forces confronting each other were of considerable size. The army of the FLN, which had consisted of approximately 50,000 men in November 1954, now numbered approximately 100,000 well-disciplined men under a unified command. In addition, the French forces engaged in Algeria numbered more than half a million men. The greater part of those forces had been withdrawn from the divisions which were theoretically under the command of the North Atlantic Treaty Organization (NATO) for the defence of Europe against external attack.

45. As to losses in human life, *The New York Times* had reported on 9 November 1957 that according to French figures French losses as of 1 November 1957 had been 4,920 killed, while rebel losses had been about nine times that number. Some observers thought that the actual losses were higher than those figures, which were based on official French estimates.

46. The cost to France of the Algerian war had been estimated at between \$1,000 and \$2,000 million a year, or about \$3 million a day. On 10 September 1957, the newspaper *Le Monde*, quoting the *Economic Bulletin for Europe* published by the United Nations Economic Commission for Europe, had stated that the Algerian war had cost 700,000 million francs a year. According to the *New York Herald Tribune* of 24 November 1957, Mr. Gaillard had said that the actual cost of the Algerian war was 1,000 million francs a day and that most of that sum would have to be spent in any case to maintain the French Army and to carry out France's NATO commitments. That statement clearly showed that the Algerian war was being partly paid for out of NATO funds. His delegation would like to know whether the other members of NATO, which, according to its sponsors, had been created to defend liberty, democracy and justice in the world, were allowing the forces and funds of NATO to be used for the suppression of a people fighting for freedom and self-determination. Moreover, the effect of the Algerian war on the French economy had been depressing, as *The New York Times* had pointed out in a report published on 19 November 1957.

47. The Algerian war, like all wars, had had its tragic crop of tortures, atrocities, destruction, inhuman treatment of prisoners of war, and other excesses. His delegation was greatly concerned by that aspect of the war, which had led to what had been described as a "moral revolt" in France itself. It took note of Mr. Pineau's statement that the French Government intended to take action against those responsible for those crimes. In that connexion, he asked the representative of France what had come of the report of the Commission de sauvegarde des droits et des libertés individuels appointed to investigate conditions in Algeria.

48. The estimated number of Algerian refugees, according to the United Nations High Commissioner for Refugees, was 300,000, of whom 50,000 were in Tunisia and 70,000 to 100,000 in Morocco. Seventy per cent of the refugees were women and children. All had fled from the battle area, pursued by the French police for nationalist activity. The refugees also included Tunisians and Moroccans with businesses in Algeria who had been suspected by the French police of having aided the nationalist forces. They had been driven from Algeria and their property had been confiscated or sequestered.

49. The economic and social strain which that exodus of refugees placed upon the administrations of Tunisia and Morocco was great, but the situation in Algeria had still graver and more far-reaching consequences in the neighbouring countries. During the eleventh session of the General Assembly (590th plenary meeting), the Moroccan Minister of Foreign Affairs, Mr. Balafrej, had spoken of the impact on his own country of the Algerian war, which, he had said, threatened to extend to Moroccan territory and to poison relations between his country and France. The Committee should ponder those words. The whole area was shaken by the Algerian war, owing to the religious, historical, family and other ties which bound Algeria to Morocco and Tunisia. The poisoning of Franco-Moroccan relations and the equally serious tension existing between France and Tunisia were a direct result of the Algerian war. Instead of reducing

or withdrawing its troops in those countries, France had maintained or reinforced them. Presuming upon the so-called right of pursuit, France violated the frontiers and sovereignty of Tunisia and Morocco almost daily. The outcry in France over the shipment of a very small quantity of small-arms to Tunisia had only added to the tension. The suspension of standing financial arrangements between France and the two States for the purpose of putting pressure on them to modify their attitude had crippled their plans for economic development and welfare. The recent devaluation of the franc had placed heavy burdens on the Moroccan and Tunisian masses and, in the words of a North African trade union paper, had made the people of Tunisia and Morocco participate against their will in the cost of a war waged against their brothers and kinsmen.

50. He drew the Committee's attention to two specific events which had shocked public opinion in that part of the world. The first was the kidnapping on 22 October 1956 of the Moroccan aeroplane carrying five FLN leaders on their way from Rabat to Tunis. It was hard to see what could be the legal or moral basis for such an action.

51. The second incident had occurred in June 1957 when French troops had fired on a committee of investigation which had gone to look into conditions among refugees on the Tunisian side of the frontier, seriously wounding the Tunisian Secretary-General of the Ministry of Foreign Affairs.

52. The repercussions of the Algerian war throughout the Arab and Moslem world needed no emphasizing. Opinion throughout the world, including metropolitan France itself, had been deeply moved by the Algerian people's struggle for freedom. The Press of the world had given prominence to news of the war showing the intensity of the struggle and the determination of the Algerian people to achieve independence.

53. Those facts and observations sufficed to show the large scale on which the Algerian war was being fought and the threat it represented to world peace and security. History showed that local wars had a habit of developing into great wars. For those reasons, against which no legal fiction or partial interpretation of the Charter could stand, his delegation thought the United Nations ought to take decisive action on the Algerian question during the current session, in accordance with its obligation to uphold the right of peoples to self-determination. In resolution 1012 (XI), the General Assembly had expressed the hope that a peaceful solution would be found. Unfortunately, it was just the opposite that had taken place. The merciless strife continued, and French spokesmen, in particular Mr. Robert Lacoste, Minister for Algeria, had declared that the French Government was wedded to the policy of pacification, meaning peace imposed by naked force. The Algerian leaders, on the other hand, had repeatedly shown readiness to negotiate with the French and to work out a solution with the help of other North African leaders. Quite recently, the leaders of the FLN had expressed their willingness to negotiate with France on the basis of the appeal made in Rabat on 21 November 1957 by the King of Morocco and the President of Tunisia. France, on the other hand, had shown no signs of modifying its previous attitude and did not wish to undertake any negotiation before a cease-fire, i.e., the complete surrender of the Algerian National Liberation Army.

54. Referring to the loi-cadre, he remarked that it had undergone many amendments for the satisfaction of a small minority of independents and rightist members of the French Parliament who represented extreme colonialist interests in Algeria. Through carefully drafted provisions for the control of community councils by territorial councils, the law preserved the same dominant position for the million or so Europeans over the approximately 9 million Algerians. The preamble of the law and declarations by the French Prime Minister left no doubt that the loi-cadre would perpetuate French sovereignty over Algeria. The French representative had stated (913th meeting) that the loi-cadre contained provision for the development of Algerian institutions. In that connexion, the United Kingdom representative had remarked (915th meeting) that definitive institutions could not be established for Algeria until the aspirations of the different communities of that multiracial territory could be ascertained. His delegation would point out that the term "multiracial" could hardly be applied to Algeria and that a close look at the loi-cadre did not justify such optimism as had been expressed by the United Kingdom representative. By the important powers reserved to the French Republic, by the powers conferred on the Minister for Algeria and the reservation that in cases of controversy he might appeal either to the Council of State in Paris or to the Court of Arbitration and finally by the direct representation of the Algerian people in the French Parliament, the loi-cadre bound Algeria to France more irrevocably than before. It was therefore possible that the representative of France and the representative of the United Kingdom were speaking of two different things.

55. As for the non-Moslem minority in Algeria, which was put as 1,042,000, and not 1,200,000, as estimated by the French representative, its status could be the same as that of the non-Moslem minorities in Tunisia and Morocco, where excellent relations existed between Europeans, especially Frenchmen, and the Moslem population. Mr. André Dubois, the former French Ambassador to Morocco, in a statement made to the newspaper Le Petit Marocain on 4 August 1957, had spoken of the confidence and the warm courtesy of relations between Moroccans and Frenchmen. Mr. Pierre Pflimlin, the Minister of Finance, had declared himself equally satisfied with the harmony, mutual respect and spirit of co-operation between Frenchmen and Moroccans which he had found in Morocco. Could not similar relations be expected to develop between Europeans and Algerians once the main issues were settled?

56. With regard to the French representative's statements that the military efforts of the FLN were failing or doomed to failure, he recalled that similar statements had been made on several previous occasions by responsible Frenchmen. Notwithstanding the views expressed by the French representative, the FLN, which was not a single party but a coalition of a number of political parties, was the only possible instrument for negotiations. In fact, the French Government itself, by seeking to negotiate with the FLN on its own terms, and by intercepting the aircraft carrying the five FLN leaders, had implicitly recognized its authority.

57. The French Minister of Foreign Affairs had charged the Arab States with aiding and supplying the

Algerian revolution. Those charges were yet to be proved. The truth of the matter was that there was a deep fraternal feeling among the Arab peoples. In Iraq, as in other Arab and non-Arab countries, subscriptions had been collected to relieve the sufferings of the Algerian people. Those subscriptions had been made with the highest humanitarian motives. One might wonder, however, what motives had impelled the French Government to try to settle the Algerian question by taking part in some dubious alliances culminating in the flagrant aggression against Egypt.

58. The French representatives, both Mr. Pineau and Mr. Georges-Picot, had spoken in derogatory terms of the Arab States and of other States which stood by Algeria. The Iraqi Government had taken a definite stand against communist infiltration. Once the lack of economic development and of justice and the oppression of foreign Powers were removed, the chances for communist penetration would disappear. Mr. Pineau had drawn attention to what he had called the grave danger for the future inherent in communist participation in the Algerian subversion. In that connexion, an observation by Professor M. M. Knight of the University of California was to the point: what communism existed had been an import from France and had largely disappeared, and if there was any danger of it in Algeria, the reason was that a beleaguered people would accept the only help that was available.

59. His delegation believed, first, that the scale of the Algerian conflict and the great dangers it involved for world peace required the United Nations to take decisive action in accordance with the right of peoples to self-determination. Secondly, it thought there was no doubt that a cease-fire without prior political agreement and the application of the French loi-cadre were simply aimed at perpetuating French sovereignty over Algeria. Thirdly, his delegation felt that the offer made by the King of Morocco and the President of Tunisia represented a basis for a peaceful solution of the problem. Iraq had no doubt that the Algerian people, in one way or another, would attain their independence. However, as one who had seen the great economic development which France had made in North Africa, he felt sure that acceptance by France of negotiation with the Algerian leaders of the FLN on the basis of independence would meet with the wholehearted support of the overwhelming majority of Frenchmen and Europeans in their part of the world. In that way, new vistas of co-operation and good will would be opened. Such a concession to liberty, equality and fraternity on the part of the French Government would warm the heart of every Frenchman and of all Members of the United Nations.

60. Mr. DE LEQUERICA (Spain) recalled that nine months earlier the members of the Committee had parted company with the conviction that they had adopted a resolution which discreetly encouraged the two parties to the question of Algeria to find a mutually satisfactory solution. Some had considered that the powers of the United Nations, which could have been applied in a more direct way, had been curtailed, while others, including the Spanish delegation, had heeded the provisions of the Charter which forbade intervention in matters within the domestic jurisdiction of States.

61. As the Colombian representative had clearly explained (683rd plenary meeting), the fact that the

inclusion of a question in the agenda had been approved did not mean that its solution was to be expected, for the question could be outside the competence of the United Nations.

62. As for the substance of the question, the Spanish delegation's opinion had not changed since a year ago. The Algerian problem was one of the most complex and most difficult questions that had ever been submitted not only to the Assembly but to the entire world, which was inevitably aroused when so much violence and bloodshed occurred.

63. In all intellectual honesty, a country like France could not be asked to leave a land populated by more than one million of its nationals, which had been governed by France for a long time, where factories had been built, farming developed and schools opened for the indigenous inhabitants, a land whose riches France, without other designs or considerations, had been able to increase considerably. France could not be asked, either for human reasons of war or peace or for reasons of general conscience, simply to leave a country where it had accomplished a job of transformation which was equivalent to the formation of a new State. In Algeria, France could not be compared to a foreign occupier whose function had simply been colonial exploitation or a civilizing protectorate.

64. He recalled the beneficial results of Roman colonization in most of the countries of Europe and in Africa. Without displaying all the creative genius of the Romans, France had done something similar in Algeria. If it had only had famous generals and remarkable governors there, the solution would be infinitely easier, but France had accomplished immense economic progress there, which had benefited the whole Algerian population, even if the colonizers had derived its greatest advantages from it.

65. In 1830 Spain, preoccupied with domestic problems, had refrained from participating in the French action in Algeria. Without those internal difficulties, Spain might have been involved in that question, and indeed it was concerned to some extent. In the European colonization of Algeria, the place of the Kings of Spain had been taken by hundreds of thousands of Spanish peasants and especially artisans who, since the middle of the nineteenth century, had started to settle in very large numbers in Algeria. In 1847, out of 109,400 registered European inhabitants in Algeria, there had been 42,724 Frenchmen, 31,528 Spaniards, 8,778 Maltese, 8,175 Italians and 8,624 Germans, Swiss or nationals of other countries. The proportions were the same in the present European population. The new citizens—and among them hundreds of thousands of Spaniards or descendants of Spaniards—had been quickly nationalized by the French and had proved diligent workers.

66. There was no doubt that in that process of occupation, the indigenous population—whose agriculture had been neither very rich nor very outstanding—had lost a part of its land. On the other hand, the new cultivators had shown themselves to be experienced and hard workers. In the last 125 years, capitalism had found an important field of activity in Algeria, the indigenous inhabitants had collaborated in that work and a new Algeria had been born.

67. A Spanish historian had written that, if France had failed in its work of assimilation in Algeria, it

had nevertheless succeeded in its work of incorporation. That historian had also said that before the French occupation, in the territories in which the Turks had not exercised their authority—that is, in almost the whole country—there had existed "only a patchwork of groups, a large number of weak cells, which had been unable to form themselves into one comprehensive social unit". The representative of Spain thought that that was an impartial summary.

68. In the face of that work of France, a powerful nationalist movement had been unleashed, which demanded the independence of Algeria. Those who thought that there had never been any Algerian unity should today take account of a great spiritual movement—the pan-Arab movement.

69. There was also another factor: the geographical proximity of Algeria to France, which served to increase the concern and suffering of France. He thought that he had to point out to the representatives of all the American countries that there was a difference, now essential, between the problem of freeing Algeria and those which had been posed concerning the emancipation of the countries of America from the British Empire, Portugal and Spain.

70. For the American phenomenon to be repeated in Algeria, the French living there would have to revolt against France and to defend the independence of Algeria, a contemporary creation under the new law. The Europeans and some mixed elements would have to assume the leadership of the movement, with the indigenous populations acting only as a kind of backdrop, decisively favouring, at least at the beginning, neither the European-Algerian rebels nor the old metropolitan country, but after some time following the victor and later still forming with the other elements an independent nation. Nothing was further removed from this process than what was taking place today in Algeria.

71. He thought that France had done well to accept public discussion which the Charter had not obliged it to do. It had clearly established its rights and had clarified its position. When France and its present adversaries, thanks possibly to certain mediators, would finally succeed in finding a mutually satisfactory formula, it could only congratulate itself on its modern approach to the matter. In that respect, the Suez question possibly had marked a turning point in the history of the world.

72. Today, Spain's attitude was that only respect and deep esteem could be felt for the Moslem world, the Arab world and all the nations that were being born or that were being formed.

73. In problems of national independence, the most difficult task for the dominant country was to make up its mind and convince itself, by taking a longterm view of history, of the need to accept the new situation. In addition to some geniuses, who existed in all countries, Governments generally had such visions of the future, but they were often held back by the painful demands of public opinion which exerted pressure on them, and they could not act with the promptness necessary to give freedom to the peoples and to create at an earlier date the feeling of fraternity that would lead them to a new life.

74. The adoption of a draft *loi-cadre* by the French Parliament was a favourable omen, and it represented

an appreciable step, in consonance with the goals of the United Nations. It was certainly the wish of all the delegations that mutual agreement and further negotiations would make that law acceptable to all. Mr. Giscard d'Estaing had just stated that, through that *loi-cadre*, France was opening the way to the creation of Algerian democracy. Although people did not always appreciate that democracy should be created for them from abroad, such attempts should be welcomed.

75. The offer of mediation on the part of heads of State such as the King of Morocco and the President of Tunisia was also a favourable omen, and it could be hoped that the present divergence of views would be eliminated thanks to the high level of the discussions and thanks to good will.

76. All Spain had been satisfied by the promptness with which the Spanish Government had agreed to re-establish the full sovereignty of Morocco over that part of the territory under Spanish protectorate, as France had done for the part which had been under French protectorate. Friendly discussions still had to take place between Morocco and Spain, but the essential had been accomplished.

77. The Spanish delegation considered that the problem of Algeria undoubtedly fell within the scope of Article 2, paragraph 7, of the Charter, which forbade the United Nations to intervene in matters which were

essentially within the domestic jurisdiction of a State.

78. When France had entered the United Nations, Algeria, from a constitutional point of view, formed part of the French Republic. As the Belgian representative had recalled (914th meeting), France had proposed at the Conference on International Organization that the rule in Article 2 should be modified so that the United Nations could intervene when human rights and fundamental freedoms were violated. That proposal had been rejected, and rightly so, for the interference of the United Nations in matters within the domestic jurisdiction of a State could lead only to the Organization's downfall. From a legal point of view, the Algerian question was not an international problem.

79. However, the attempt to settle and to stop the war in Algeria in spite of Article 2 of the Charter had great international importance, for the present situation was an obstacle to the reconciliation of East and West, a goal dear to Spain. No one should forget the threatening shadow, which sometimes seemed very close, that the Soviet Powers were casting over Africa.

80. The problems therefore should be simplified, and a satisfactory solution to them should be sought. It was in that spirit that the Spanish delegation would join in any constructive effort.

The meeting rose at 6.10 p.m.