

# GENERAL ASSEMBLY

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**Chairman:** Mr. Djatal ABDUH (Iran).

## AGENDA ITEM 59

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

1. Mr. SHAHA (Nepal) said that the struggle for independence and national freedom in Algeria was but a part of the world-wide struggle by the peoples fighting to gain or to maintain their independence, a struggle intensified by the awakening in Asia and Africa. Nepal had always supported the principle of self-determination for all peoples and would continue to do so for the Algerian people, as it had done at the African-Asian Conference, held at Bandung in 1955.

2. Nationalism might now be an outworn slogan for the Western countries, but it offered great hopes for the peoples of Asia and Africa, who were aware that the prospects for increased international co-operation depended largely on national independence attained through the free expression of the common will of the peoples of many dominated areas, including Algeria.

3. He expressed his admiration for the genius of the French people, which had manifested itself in many forms, but pointed out that it was only through mutual respect and co-operation that relations between two countries could progress and prosper. The *loi-cadre* (basic law) could not provide a solution because it was based on the old plea that Algeria was an integral part of France and because it did not take into account the actual state of affairs in Algeria. Moreover, it was lacking in the very element of consent which was essential to the spirit of democracy.

4. His delegation could not support the French contention that the United Nations would not be justified in trying to seek a settlement of the question since Algeria was an integral part of France. Until it had been conquered in 1830, Algeria had been an independent country, maintaining diplomatic relations and entering into treaties with other countries. France could not enforce a unilateral decision to incorporate Algeria in its territory unless the Algerian people were permitted to express their free will. Algeria was a complete entity, separate from France in point of geography, religion, culture and ethnic composition. Furthermore, domestic jurisdiction could not be invoked in a matter involving human rights and fundamental freedoms, especially when the question might have international repercussions. The same situation had occurred when the United Nations had decided to consider, for instance, the question of the treatment of people of Indian

origin in the Union of South Africa. The question of Algeria was therefore on the same plane as the other problems which concerned the international community. Lastly, while minority rights must be respected in a democracy, they could not be allowed to interfere with the progress of the majority towards independence and self-determination.

5. The accomplishments of France in Algeria, despite their many shortcomings, were certainly praiseworthy. But that was not the question at issue. The Middle East was a critical area of the world at the present time and the situation in Algeria was adding to the gravity of the situation in that area. The Algerian question also represented a profound human tragedy. Repression seemed to have begotten terrorism, and terrorism had been met with counter-terrorism, deeply shocking the conscience of mankind. Charges and counter-charges of terrorism served no useful purpose, for only negotiations between the parties concerned could lead to the settlement of the Algerian question. Negotiations between France and the leaders of the Algerian liberation movement seemed to offer the best practical solution: if France were to recognize the Algerian people's right to self-determination, there would appear to be some hope that negotiations would lead to a cease-fire.

6. There were several instances in which negotiations on the substance of the question had preceded a cease-fire: Indonesia, Morocco and Tunisia were cases in point. France could turn to good use the offer of the good offices of the King of Morocco and the President of Tunisia towards a settlement of the question which would perhaps lead to a permanent association of North Africa with France; such a solution would be to the undoubted advantage of both and in that way the freedom of the European minority in Algeria, as everywhere in North Africa, would be adequately and justly safeguarded.

7. The French Government was only making matters worse by continuing the policy of its predecessors with regard to Algeria. The possibility of a friendly association between the two nations, even in the future, was becoming more and more remote. The threat to international peace was gradually increasing as other nations joined in the conflict on one side or the other.

8. He hoped that France would reconsider its position and, acting in the true liberal traditions of a country which had given to the world the Declaration of the Rights of Man and the Citizen, would reach a political settlement with the Algerian people, as it had with the peoples of Tunisia and Morocco. Only a sincere desire for mutual benefit and co-operation, and not the negative approach of condemning France, could achieve the desired result.

9. Mr. VELA (Guatemala) observed that the debate on Algeria had on the whole been kept at a high level and

said that he felt sure that the notes of passion that had occasionally been heard were the firm expression of a sincere conviction and were not evidence of intolerance or intransigence.

10. Because of the seriousness of the question and its complex implications, especially for regional politics in North Africa, the Committee must be objective and moderate, and, while adhering to principles, keep its feet on the ground.

11. The best course in dealing with the Algerian question was to strip it of all the minor elements which obscured the points on which agreement was possible. Mutual complaints of violence, for instance, however understandable, did nothing to advance a solution. The same was true of the conjectures regarding the aims of the North Atlantic Treaty Organization (NATO), the difficulties of the countries neighbouring on Algeria which had taken in refugees, the criticism of the Member States which had furnished arms to the Algerians, and the existence of oil in the Sahara.

12. To discuss the *loi-cadre* would be tantamount to taking the place of the parties before they had expressed willingness to accept that text as the basis for negotiations. It was the First Committee's duty to consider three aspects of the matter: the armed conflict which was a burden on the conscience of the world, the aspirations of a people to determine its own future, and the moral and material interests of France in a territory in which its presence had been felt for centuries.

13. The General Assembly was, beyond question, competent to study the Algerian question, since that question had been included in the agenda with the consent of France, which desired to explain the situation and make known its efforts to find a peaceful, democratic and just solution, in accordance with the principles of the Charter of the United Nations and General Assembly resolution 1012 (XI). No one had the right to question France's good faith in seeking means of attaining that goal, or the sincere conviction of its Minister of Foreign Affairs, Mr. Pineau, who had explained (913th meeting) the measures which the French Government considered expedient and adequate, as a first step at least, to bring about a cease-fire and the opening of negotiations.

14. The aspirations of a group of human beings prepared to make any moral or material sacrifice in order to control their own destiny could not be discarded without a glance. His delegation recognized the right of nations and peoples to self-determination. It realized, however, that principles were necessarily of a general character and had to be applied in relation to human values. The present case involved the values of liberty and justice, the realization of which depended upon circumstances and the possibilities of action. All the interests involved, including what English psychologists called the "claim for prestige", must be taken into consideration. The attempt must be made to reach a provisional compromise solution through mutual concessions.

15. The positions which had been taken were irreconcilable: one of the parties demanded the recognition of the independence of Algeria as a prerequisite; the other, the acceptance of a statute which, despite its flexibility, still kept the Algerian people subject to France. Those were two closed doors which the parties

concerned would have to open before negotiations could begin.

16. The impasse resulted from the fact that the Algerians believed themselves to be engaged in a revolution and spoke on behalf of a nationality which expressed itself only through guns, and that France, for its part, refused to treat with those whom it called "rebels". At most it recognized only that there was a struggle for autonomy and wished to end that struggle by gradual measures, but there was no certainty that the Algerians would accept those measures since they had no representatives in the United Nations and had been either unable or unwilling to express their views directly to France.

17. France had been a second spiritual home for the peoples of Central America, and he was sure that the very traditions of that country would enable it to overcome its difficulties. The United Nations must, though without losing sight of its own limitations, help bring about a just, honourable, and democratic solution based on the principles of the Charter. In view of the urgent need to bring about a cease-fire, no effort should be spared to achieve the purpose of resolution 1012 (XI). It was no doubt difficult, in an armed conflict which one of the parties considered a war of independence, to call for a cease-fire as a prior condition. But France and Algeria more than all others wished to put an end to all the suffering caused by such a war.

18. In order to obtain mutual concessions which might lead to a later agreement, consideration might be given to the offer of mediation made by the King of Morocco and the President of Tunisia. Mediation might not lead to immediate negotiations but would at least make possible informal discussions in which the parties could state their views without any undertaking by France to recognize the Algerians as belligerents.

19. His delegation considered that there was complete disagreement between France and the great majority of the Algerian people. There was also fundamental disagreement as to how to settle the dispute peacefully. Because of the wide breach between the two parties, every possible means had to be used to find a peaceful solution. But to take a final decision on the substance of the question would only reduce the possibilities of finding a solution. From both the military and the diplomatic points of view, the Committee would be ill-advised to take such a decision at the present stage of the Algerian dispute.

20. Without stating its position on the substance of the question, his delegation could not oppose the right of nations and peoples to self-determination. However, it had confidence in France's good faith and the ability of its statesmen and understood the difficult problems presented by the French minority in Algeria, French public opinion in France itself and Algerian public opinion in Algeria. His delegation did not think that it would serve any useful purpose to express an opinion on the *loi-cadre* if a large part of the Algerian population neither approved nor accepted it. Finally, his delegation thought that a peaceful solution should include the principle of negotiation, with or without mediation, but negotiations could hardly take place as long as the rebels insisted that France should first agree in principle to Algerian independence and France insisted on a cease-fire as a preliminary condition.

21. Guatemala was therefore ready to support any

draft resolution which would help to bring the parties together and contribute to a peaceful, just and democratic solution in accordance with the principles of the Charter.

22. Mr. HAKAL (Jordan) fully agreed with the other Arab delegations and the representatives who had supported the right of the Algerians to self-determination and independence. Algeria was as much an Arab country as any other Arab country in North Africa or the Near East. It occupied a central position in relation to three Arab States—Morocco on one side, and Tunisia and Libya on the other. With France, however, a European country, it had no land contact, and was, moreover, separated from it by the widest part of the Mediterranean Sea. Before its conquest by France, Algeria had been an independent country and its entire population had been Arab. It had not been until after the conquest and with the encouragement of France that foreign elements had begun to establish colonies in Algeria.

23. Although Algeria had been subjected for 127 years to a French policy of assimilation, the Algerians had lost none of their national characteristics. Algeria had remained an Arab-African country. The Algerians were Moslems; their language and culture were Arabic. The national history of Algeria before the French conquest was linked not to that of France, but to that of the Arab and Moslem countries of North Africa and the Near East.

24. Geographical and historical facts therefore contradicted the false French claim that Algeria was an integral part of metropolitan France. The attachment of a territory to a foreign country by a law or a constitutional provision in no way prevented the annexed territory from remaining a distinct entity and retaining its national characteristics. France had received proof of that fact itself in 1871, when two French provinces, Alsace and Lorraine, had been taken by aggression and annexed to Germany. One of the reasons why France had entered the First World War had been to liberate Alsace-Lorraine from German domination, and even though the two provinces formed part of Germany under German law, France had none the less liberated Alsace-Lorraine in 1918.

25. The Algerians had never ceased to oppose the colonial rule of France, and the present liberation movement was a continuation of the resistance movement organized by the Algerians when General Bourmont had attacked Sidi Ferruch in 1830. That aggression had been followed by insurrections, the most notable of which had occurred in 1847, 1859, 1864, 1871, 1881, 1904, 1916 and 1945. The most recent revolt had developed into a full-fledged war between the Algerian people and the French Government. The reason was that for more than a century all the demands of the Algerians for the right to self-determination had been made in vain.

26. Not satisfied to prove by acts alone their absolute determination to achieve their national aspirations, the Algerians had liberated a large part of the country. For more than three years, France had been fighting a ruthless war against all Algerians, both military and civilians alike, in order to crush Algeria's national spirit. More than 200,000 men, women, children and aged persons had already been massacred in Algeria. It hardly seemed likely, if Algeria were part of Europe and such massacres had taken the lives of more than

200,000 Europeans, that the international community would remain passive. The brutal repression of national liberation movements was reprehensible whether it was against a European people, an African people or an Asian people.

27. At its eleventh session, the United Nations had given France the opportunity to achieve a peaceful solution of the Algerian question. Unfortunately, France had used the time granted to it to send more NATO soldiers and arms into Algeria. One of the first duties of the United Nations now was to awaken France to the realization that it was alone in the false hope that military force would ultimately crush the Algerians' national aspirations and spirit of independence.

28. With a record of tragic failure in Algeria, France had come back to the General Assembly and proposed new palliative measures. The French National Assembly, which had approved the loi-cadre in November 1957, had rejected that law a few weeks earlier, proving that its acceptance was a political manoeuvre to appease international opinion. The loi-cadre was unacceptable because it neither fulfilled Algerian national aspirations nor departed from the traditional French policy of domination in Algeria, and because it maintained the fiction that Algeria was an integral part of France.

29. In France itself a large part of the population questioned the soundness and advisability of French policy in Algeria. Not only were many Frenchmen openly criticizing their Government's decisions, but an impressive number of distinguished writers and eminent men were raising their voices to condemn French methods and aims in Algeria in the most unequivocal terms. The French army itself had rebelled at times against Government orders concerning Algeria. If the French Government held a plebiscite on the Algerian war, 80 per cent of the population would vote for the termination of the conflict, the independence of Algeria and the safeguarding by treaty of the specific interests of France.

30. It should be a matter of serious concern that the lives of hundreds of thousands of human beings in Algeria were at stake. Two world wars had been fought to stop the brutal use of force and to uproot the principle of title by conquest. The Algerians themselves had lost 40,000 of their sons fighting with France against the Nazis and were now rightly asking to exercise the right of peoples to self-determination.

31. The Jordan delegation was convinced that a peaceful, just and lasting solution could be devised on the following bases: first, that the contention that Algeria was an integral part of Metropolitan France would be abandoned by the French Government; secondly, that France and the international community would recognize that Algeria was a distinct national entity; thirdly, that the parties would enter into free negotiations aimed at achieving Algeria's independence, safeguarding the legitimate rights of the French settlers, and paving the way to sincere co-operation between the two countries.

32. The two parties would, he was convinced, find it to their advantage to avail themselves of the offer of good offices made to them by the King of Morocco and the President of Tunisia.

33. Concluding, he appealed to all the Members of the United Nations, particularly the countries of North and

South America which had freed themselves from colonial rule, to support the Algerians in their just demands and to vote in favour of a draft resolution urging France to recognize the national existence of Algeria and to enter into negotiations with the Algerians in order to reach an agreement acceptable to both parties.

34. Mr. CHARLONE (Uruguay) was gratified to note that France was represented by its Minister of Foreign Affairs. Although France had entered the same reservations with respect to the Assembly's competence to consider the question of Algeria as it had done previously in the cases of Tunisia and Morocco, its participation in the debate reflected an honourable, constructive position. The very fact that France had agreed to the discussion left room for hope that the bloodshed and suffering would come to an end and be replaced by a peaceful settlement based on principles of democracy and justice.

35. The Uruguayan delegation maintained the position it had defined in its statement of 12 February 1957 (844th meeting): it believed that the General Assembly was competent and it upheld the principle of self-determination. It wished that principle to be applied in a peaceful climate by the methods and procedures offered by true democracy.

36. With regard to the General Assembly's competence, the representative of Belgium had recalled (914th meeting) that France had proposed at the United Nations Conference on International Organization to add to the first part of Article 2, paragraph 7, of the Charter a clause stating that the exception provided with respect to domestic jurisdiction would not apply in cases where "the clear violation of essential liberties and of human rights constitutes in itself a threat capable of compromising peace".<sup>1/</sup> That precedent certainly existed and confirmed France's traditional respect for human rights and fundamental freedoms. However, the conclusions drawn from the action taken by Commission I when it had considered that proposal were neither correct nor logical.

37. First, the French proposal had never been put to the vote. Secondly, the French delegation had subsequently replaced that proposal by another. The original proposal aimed at protecting national minorities against violations of human rights likely to constitute a threat to peace. The sponsoring Powers—the United States, the United Kingdom, the Soviet Union and China—having submitted a proposal that the principle of domestic jurisdiction should not prejudice the application of the Charter provisions concerning disputes likely to create such situations,<sup>2/</sup> and Australia having presented an amendment to the effect that the principle of domestic jurisdiction "shall not prejudice the application of enforcement measures under Chapter VIII, Section (B)",<sup>3/</sup> France had sought to substitute for its original proposal a text stating that the principle of domestic jurisdiction would be "subject to the general obligation incumbent upon the Security Council to insure the maintenance of international peace and security".<sup>4/</sup> The Committee had adopted the Australian

proposal, whereupon France had not pressed its amendment, which had therefore not been put to the vote. Accordingly, there were no grounds for contending that that precedent proved a *contrario sensu* that the United Nations did not have jurisdiction.

38. The Uruguayan delegation asked the members of the Committee to consider another precedent which, in its view, was more relevant. At the Conference on International Organization, Uruguay had proposed that the Charter should contain the provision: "All members of the Organization should respect the essential rights of mankind under the conditions provided for by Article 3 of Chapter I".<sup>5/</sup> Other delegations having expressed the view that the point was fully covered in Articles 55 c and 56, Uruguay had not pressed its proposal.

39. At that Conference, Mr. Dulles, the representative of the United States, had very clearly explained the changes which had been made in the Dumbarton Oaks proposals concerning the first part of Article 2, paragraph 7. The word "essentially" had been chosen instead of "solely" because, the modern world being interdependent, no situations could be envisaged, as a general rule at least, which would make the existence of exclusively domestic issues conceivable. As Mr. Dulles had rightly pointed out, domestic jurisdiction was a matter which changed from day to day and therefore could not be defined.<sup>6/</sup>

40. The various resolutions so far adopted by the General Assembly, in which it had constantly asserted its competence and strengthened its authority as an institution representing public opinion, were based on the flexible interpretation that the Charter was a dynamic instrument capable of fulfilling the aspirations of the peoples whose will was expressed in the Preamble. Possessions as sacred as human rights, including the right to self-determination, were not essentially within the domestic jurisdiction of any State, but fell within an international jurisdiction established by the Charter in order to promote universal respect for those rights.

41. On the substance of the question, Uruguay had consistently championed the right of peoples freely to shape their own destiny. It had, for instance, supported resolution 545 (VI) providing for the inclusion in the International Covenant or Covenants on Human Rights of an article relating to the right of all peoples and nations to self-determination.

42. Uruguay's position could be summed up as follows. In the first place, the word "peoples" need not be defined. It should be interpreted as meaning "peoples of all countries and territories, whether independent, under trusteeship, or self-governing". Secondly, self-determination was inseparable from the "constituent power", which was the right of a people to have institutions reflecting its desires and will. The legality of institutions was based on that right. As Ferrero had said, while power might come from above its legality came from below.<sup>7/</sup> Thirdly, the ideal of self-determination should be achieved in accordance with the Purposes and Principles of the Charter, in an atmos-

<sup>1/</sup> See Documents of the United Nations Conference on International Organization, vol. III, doc. 2, G/7 (o), p. 386.

<sup>2/</sup> *Ibid.*, doc. 2, G/29, p. 623.

<sup>3/</sup> *Ibid.*, vol. VI, doc. 969, I/1/39, p. 440.

<sup>4/</sup> *Ibid.*, doc. 976, I/1/40, p. 498.

<sup>5/</sup> *Ibid.*, doc. 856, I/1/32, p. 381.

<sup>6/</sup> *Ibid.*, doc. 1019, I/1/42, pp. 507-513.

<sup>7/</sup> Guglielmo Ferrero, *Pouvoir* (Paris, Librairie Plon, 1943), p. 269.



phere of peace and order in which the will of the people could be expressed. Fourthly, whereas the League of Nations had been established and destroyed under the aegis of nationalism, the United Nations had been built on the principle of self-determination, which was indissolubly linked to respect for human freedoms.

43. The loi-cadre represented real progress in carrying out France's threefold policy of a cease-fire, free elections and negotiations. The Algerian people's greatest prize was the single electoral college. The loi-cadre might prove an important traditional measure.

44. The right of self-determination must be exercised by the Algerian people themselves. They alone were qualified to speak, for theirs was the main role in the tragic drama, and they alone had the right to shape their destiny. They might opt for independence or sovereignty which, as an expression of the popular will, would be consistent with union with France through membership in the French Union, or for integration with France on the basis of the self-government provided under the loi-cadre.

45. The principle of self-determination was rooted in ideas originally evolved in France as the supreme expression of man's freedom. As often stated by the Uruguayan delegation, man represented the ultimate purpose of the State and the law. France had raised to the high level of a constitutional provision its determination to lead the peoples for whom it was responsible to self-government and democratic management of their own affairs. The French people had chosen that path in its Constitution, the sovereign expression of its will. However, the constitutional difficulties which the French Government had to face by reason of the fact that Algeria was an integral part of metropolitan France must be recognized. It would be wrong to consider that the conflict between self-determination and the present constitutional structure was insoluble. Between a solution by armed force and a solution by negotiation and agreement, Uruguay would certainly choose the latter. The greatest revolutions in history had been accomplished in an atmosphere of peace under the auspices of the United Nations. The principle of self-determination applied in a climate of peace had brought forth many new States which now shared with the founders of the United Nations the sacred mission of promoting the common ideals of peace, brotherhood and justice.

46. Mr. GARIN (Portugal) reaffirmed the position taken by his delegation at the General Assembly's eleventh session (846th meeting), which was that the Algerian question came within the domestic jurisdiction of France and that the provisions of Article 2, paragraph 7, of the Charter were applicable.

47. While he would not discuss the substance of the question, he was glad to note that the current discussion had been more moderate than previous debates on the question. That undoubtedly indicated that Member States, particularly those directly concerned, had fully understood the complexity of the problem and the danger implicit in any over-simplification of it. The Committee should be grateful to the Foreign Minister of France for having explained the problem in detail, particularly as the provisions of the Charter would have fully justified a different attitude.

48. The Algerian problem might be defined as one of

firmly cementing a multiracial community on the basis of respect for the legitimate rights of all; it was by no means a new problem confronting the world. Violence and bloodshed were the main reasons why the problem had aroused world interest. The General Assembly, by adopting resolution 1012 (XI), had recognized that the immediate objective was to restore peace in Algeria, and had wisely refrained from recommending specific measures. By confining itself to expressing the hope that a peaceful, democratic and just solution might be found, it had adopted the only procedure capable of achieving the desired result. In the view of the Portuguese delegation, the debate, once it had been accepted by the party directly concerned, should concentrate on the analysis of present prospects for a cease-fire.

49. In past months, the French Government had made several efforts to bring about negotiations with a view to putting an end to violence and restoring peace, but a stalemate, which it must be hoped would be temporary, had unfortunately arisen as a result of the emphasis placed on the fulfilment of certain political conditions before negotiations could take place. Understandably, France had been unable to accept that procedure, because the French Government had to find a valid spokesman, truly representative of Algerian public opinion as a whole, and not of only one section of it. If it were to accept the conditions laid down by the National Liberation Front (FLN) it would be betraying the hopes and rights of a substantial portion of the Algerian people.

50. Consequently, France was not responsible for the present stalemate. The French Government was moving forward, as was shown by the loi-cadre. The acknowledged creative genius of the French people, together with its humanitarian traditions and its sense of logic and reality, had earned it the right to the Committee's trust.

51. Portugal recognized the gravity of the situation. It was especially concerned for the welfare of the Arab peoples, with whom it had the closest ties of friendship and whose ancient culture had left a deep imprint on Portuguese culture; it shared their sincere desire to achieve a peaceful settlement in Algeria so that the communities established there could live side by side and so that their legitimate rights would be respected. He was certain that the French Government was unremittingly pursuing that aim.

52. Mr. Krishna MENON (India) said he would not go into detail about the merits of the problem, which had already been discussed by many speakers. He recalled that it was being considered by the General Assembly for the third time. Resolution 1012 (XI), which the Assembly had adopted unanimously at its eleventh session, contained a recommendation in which it had expressed the hope that a peaceful solution might be found. Unfortunately, war still raged in that part of North Africa, causing suffering both to the French and the Algerian peoples and inflicting casualties and material damage which could not be estimated. The world could not remain unconcerned about that conflict, which had dragged on too long.

53. Although no final conclusions had yet been reached with regard to Article 2, paragraph 7, of the Charter, progress had been made in the past two years. When the Assembly had decided to debate the question of its tenth session, it had not at first succeeded in con-

vincing the French Government, but it had since obtained a larger measure of co-operation.

54. He expressed the hope that, before it reached the draft resolution stage, the Committee would come to a unanimous decision, as it had done at the eleventh session. While that decision would not be sufficient to settle the Algerian question, it would encourage negotiations. Concessions had to be made on either side, but they obviously could not affect the principle of national independence itself, in which India firmly believed.

55. In order to reduce the number of obstacles, the Committee should attempt to outline a general solution of the problem rather than embark on a detailed examination of its various aspects. He pointed out that the people and Government of India would never endorse any compromise with regard to the independence of colonial peoples. No definition, no legal interpretation of the Charter could argue a people into dependence. Imposed co-operation still meant domination, but once independence had been won, co-operation between the former rulers and the former subjects was possible if it was offered free by both sides.

56. India had great confidence in the wisdom of France and in the good sense of the Algerian people and its friends, which gave it cause to hope for an Assembly resolution which would enable talks between the parties to continue. Algeria should be understood to mean the whole of the country, and it was inconceivable that certain solutions might lead to the partition of that country. When a country was partitioned, its inhabitants tried to unite it, unless, as in the case of India, the partition was by agreement.

57. He recalled that in other problems affecting the former French colonial empire, it had proved possible to resolve difficulties which had first appeared insurmountable, and he expressed the hope that private talks between the various parties would continue without difficulties arising on points which did not seem essential at the present stage.

58. Reserving the position of his delegation when the Committee came to consider the draft resolutions, he said that, thanks to the wisdom of the French Foreign Minister and the generosity and forbearance of all those concerned, the Assembly should be able to find a solution quickly.

59. Mr. SLIM (Tunisia) said he would first reply to certain statements directly relating to Tunisia. In the first place, he wished categorically to deny the allegations made by the French Foreign Minister in his statement at the 913th meeting regarding Algerian bases established in Tunisia and the partial occupation of Tunisian territory by Algerian nationalists who were exerting some kind of pressure on Tunisia. Tunisia did not yield to any pressure, whatever its source, however it might be disguised and whatever form it might take. Mr. Pineau had quoted Article 2, paragraph 4, of the Charter; the French military authorities in Algeria directing operations on the Algerian-Tunisian frontiers might well be reminded of the substance of those provisions.

60. He read out the statement made on 29 October 1957 by the President of Tunisia, Mr. Bourguiba, from which the French representative had quoted excerpts at the 917th meeting. Mr. Bourguiba, expressing regret that the FLN was continuing to insist on recognition of

Algerian independence as a precondition for negotiation, had recognized that its intransigence appeared to be justified by France's intransigence in insisting, at all costs, on maintaining the fiction that Algeria was an integral part of France and on attempting to impose that idea on the Algerian people by force and war.

61. He also read out the communiqué issued by the FLN following the joint appeal of the King of Morocco and the President of Tunisia. A comparison of that communiqué of 23 November 1957 with the earlier statement of 29 October explained Mr. Bourguiba's first statement, only part of which had been quoted by the French representative; it also explained the statement made by Mr. Bourguiba on 28 November, which he (Mr. Slim) read out.

62. He thought that those statements, taken at their true value and in their context, showed the degree to which the Tunisian Government, in its concern to maintain a friendly impartiality towards both parties, frankly criticized in the extremist attitudes of both, anything which it considered as being contrary to law, justice and a right understanding of the need to reconcile their positions. That impartiality had enabled Tunisia to maintain peace and security within its own frontiers, where 150,000 Frenchmen lived in freedom, peace and tranquillity side by side with 150,000 Algerians.

63. He did not propose to dwell on the *loi-cadre*, but like other delegations he would point out that, as it was still based on the fiction that Algeria was French, it could not be seriously considered as conducive to honest negotiations with a view to the attainment of sovereignty by Algeria and the safeguarding of France's legitimate interests in Algeria.

64. His delegation was grateful to all delegations for their very encouraging comments on the attitude assumed by the Tunisian Government on the question of Algeria, and in particular to the representative of Cuba (920th meeting), whose father had been a leader of the revolution which had resulted in the liberation of the Cuban people. But his delegation would like to remind representatives who were trying to avoid a decision being taken on the question, that it did not share their views on the competence of the United Nations.

65. The General Assembly had settled that question once for all at its eleventh session, when it had taken up the Hungarian question, despite the objections of the Hungarian authorities, based on Article 2, paragraph 7, of the Charter. It had quite rightly considered that when a people was fighting for freedom and was being subjected to a savage repression which disregarded human rights, the United Nations had a duty to deal with the question and to make appropriate recommendations. In that connexion, he quoted resolution 1131 (XI) and recalled that the Tunisian, French and Cuban delegations had all been on the same side in the voting on that resolution. There was nothing to justify the United Nations taking up one attitude towards the Hungarian people and another towards the Algerian people. Similar situations entailed similar consequences. The same positions should be taken up, both with regard to competence and with regard to the affirmation, by three years of grievous and agonizing struggle, of the Algerian people's desire for an Algeria which had regained its dignity and sovereignty,

and for peace, co-operation and friendship with France, on a footing of equality.

66. His delegation regretted that France had failed to understand all the Tunisian Government's persistent attempts to bring the two parties together, and that the offer of the good offices of the Moroccan and Tunisian Heads of State had not met with the response which it deserved from the French Government. But it was consoling to find that some delegations, which were consistently in favour of the means advocated in the Charter for the settlement or adjustment of situations, had greeted that offer of good offices as a step capable of paving the way for negotiations between the two parties directly concerned, with a view to finding a solution in conformity with law, justice and the principles of the Charter.

67. He would ask whether the Committee must confine itself to expressing hopes for a solution or whether it should face its responsibility, avoid a moral denial of justice and recommend what it regarded as the right course for the restoration of peace and security in a highly sensitive area of the world. His delegation thought that the Committee should take its decision in such a way as to leave no doubt as to the principle at stake, but in a form designed to avoid conflict and to hasten a solution of the substance of the problem, not by force but through negotiation. As France had said, the situation in Algeria was at present relatively calm, and the time was ripe for France to abandon its mistaken ideas and to start frank and honest negotiations with

the leaders of the Algerian people. The lull must not be taken, as France was suggesting, as proof of the weakness of the nationalist movement.

68. The Committee should take a clear-cut decision on the question of Algeria, as it had done on disarmament. It was essential that it should indicate how, in its view, the Algerian problem could be solved in conformity with the Charter and with precedents set in the United Nations.

69. His country considered itself as a sincere and loyal friend of France. Its conception of loyalty to France, to the United Nations and to the principles of the Charter and international morality was founded on complete sincerity. It therefore felt that it was in duty bound to recommend to the two parties concerned frank and honest negotiations on the basis of the inalienable right of the Algerian people to attain its sovereignty, while safeguarding, by the most appropriate means, the legitimate interests of France and the French people in Algeria. In vigorously affirming the right of the Algerian people to self-determination, Tunisia would not have been working against the interests of France, rightly understood. It would, on the contrary, have gone far towards helping France to reveal itself again as the great nation it truly was, a nation which had given the highest values to the world, and towards co-operating, in an international community where all were equal, to the strengthening of peace and the material and moral progress of mankind.

The meeting rose at 11.50 p.m.