

# GENERAL ASSEMBLY

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## CONTENTS

	Page
Agenda item 59:	
The question of Algeria (continued) . . . . .	333

Chairman: Mr. Djalal ABDOH (Iran).

## AGENDA ITEM 59

## The question of Algeria (A/3617 and Add.1, A/C.1/ L.194 to A/C.1/L.196) (continued)

1 Mr. GUNewardene (Ceylon) said that the aim of the seventeen-Power draft resolution (A/C.1/L.194) was to bring about an improvement in the situation in Algeria without embittering the parties further and without undermining the prestige of France. His delegation fully recognized and respected France's contribution to the world and, in particular, the beneficial impact of French culture on the Arab peoples. Indeed, the influence of French philosophy had been a vital factor in Algeria's struggle for independence. The sponsors of the draft had avoided the use of any phraseology that might be offensive or ambiguous.

2. The sponsors of the seven-Power draft resolution (A/C.1/L.195) were also making a sincere effort to find a common denominator of agreement with a view to achieving the same goal. It was all the more unfortunate, therefore, that they had introduced into their text extraneous and controversial considerations, namely, the references to the Tunisian-Moroccan offer of good offices and to French legislative measures. The sponsors of the seven-Power draft were well aware of the sharp division of opinion in the Committee in respect of the *loi-cadre* recently approved by the French Parliament. Although Ceylon did not question the good faith of the French Government in taking that step, it was a fact that the Algerians found it unacceptable and that the vast majority of the African and Asian nations were opposed to it. To refer to it in their text as the sponsors had done was tantamount to asking the Committee to recognize it as an attempt to settle the Algerian problem. It was clear that retention of the mention of French legislative measures frustrated the chances of a unanimous vote, and he appealed to the seven Powers to withdraw their draft.

3. Reviewing the two draft resolutions before the Committee paragraph by paragraph, he pointed out that they were in agreement except in two important respects: the seven-Power draft carefully avoided mention of the important principle of self-determination and of the method of negotiations as an "appropriate means" for arriving at a solution. Those omissions were the more difficult to explain as both those concepts were to be found in the United Nations Charter. The Charter provided that the principle of self-determination should apply to all peoples; why, then, should

it not be applicable to Algeria? The seventeen-Power text was asking no special treatment for Algeria; it was merely repeating a patent fact, and mentioning a recognized and accepted principle. Similarly, one of the appropriate means for the peaceful settlement of disputes prescribed in the Charter was negotiation. The seventeen-Power text was simply being more explicit than the seven-Power proposal. Moreover, the latter, in referring to finding a solution in a "spirit of co-operation" must have envisaged negotiation as a method of achieving the co-operation sought. He would welcome an unequivocal reply from them on that point; they should not be afraid to say, in their draft, what they honestly thought.

4. The seventeen-Power text would serve the vital interests of both France and the Algerian people. It would not be the first time that France had accepted negotiations; the Tunisian and Moroccan problems had been resolved in that way. Moreover, the atmosphere at present was favourable: the Algerian people were ready and Tunisia and Morocco had offered their good offices to facilitate the initial contact. France had admitted that it was prepared to talk with the Algerians for purposes of a cease-fire; it had nothing to lose by extending those talks to cover the whole field of its differences with the Algerian people. With a cease-fire effected and a continued good atmosphere, there was no reason why France and Algeria could not work out a solution for their mutual benefit. A free Algeria in a North African federation within the framework of French-Arab relations would be a great contribution to world peace. Development of the Sahara through French-Arab co-operation would render valuable service to Africa and to the world and might be a unifying factor of the utmost importance for Asia and Africa and for the whole world. Ceylon appealed to France not to miss the opportunity offered it; peace must be achieved in Algeria now if it was to be a lasting peace. Failure to take advantage of present circumstances to achieve it would mean disaster for Algeria, France and world peace.

5. Mr. BLANCO (Cuba) said that his delegation had co-sponsored the seven-Power draft resolution because, in substance, it reproduced resolution 1012 (XI), adopted unanimously at the eleventh session. The Assembly could not now do more than reaffirm that resolution. Moreover, Cuba would vote only for a proposal acceptable to France; the seven-Power text was likely to win that acceptance.

6. The only new element in the seven-Power text, the reference to the Tunisian-Moroccan offer of good offices and to French legislative measures, specified the progress made towards a just and democratic solution since the Assembly's eleventh session. Moreover, the draft merely took note of those facts; it did not pronounce judgement on them. Consequently, the Cuban delegation hoped that it would obtain unanimous support.

7. Reviewing the terms of the seventeen-Power text, he pointed out that the Algerian problem obviously could not be settled overnight and the time had not yet come to regret that the solution recommended at the eleventh session had not been reached. The first essential was to obtain a cease-fire and put an end to the loss of life in Algeria. Furthermore, the statement that the principle of self-determination was applicable to Algeria was out of place in a draft resolution: the Assembly was not competent to invoke that principle in a matter of domestic jurisdiction and even less, to make it applicable specifically to Algeria. It was not true, as the Tunisian representative had asserted (922nd meeting), that a valid analogy existed between the Algerian and Hungarian situations and that the Cuban position on the Assembly's competence had been contradictory.

8. The CHAIRMAN reminded the speaker that the Committee was discussing the draft resolution before it; the reference to Hungary was therefore irrelevant.

9. Mr. BLANCO (Cuba), continuing, pointed out that the Assembly had been competent to intervene in the Hungarian question under Article 2, paragraph 4, and that it had done so at the request of the erstwhile Hungarian Government.

10. For the reasons given, Cuba could not accept the seventeen-Power draft resolution. If the majority of the Committee recognized that France was a democratic country, it should reaffirm confidence in France to find a just solution by supporting the seven-Power draft.

11. Mr. SHUKAIRY (Saudi Arabia) wished to make it clear that the seventeen-Power draft resolution was not an attempt to meet fully the aspirations of the Algerian people to sovereignty and independence. It had been drawn up, rather, so as to take full account of all the views expressed on the issue and contained nothing which was not already stated in the United Nations Charter, so that a vote against it would in fact be a vote against the Charter. The first three paragraphs of the preamble contained only statements of fact and a justifiable expression of regret that the hope for a peaceful, democratic and just solution expressed in resolution 1012 (XI) had not been realized. The fourth paragraph needed no justification, for the principle of self-determination which it recognized as applicable to the Algerian people was one of the basic principles of the Charter. His delegation considered that that principle was to be applied to a people in its totality, regardless of whether that people included fractional minorities or was a mixture of races. The attempt to invoke distinctions based upon race smacked of mediaevalism, while the emphasis placed upon individual rights and particularly the rights of the French colons in Algeria by the French representative was a distortion rather than an interpretation of the principle of self-determination. The draft resolution's reference to self-determination constituted no derogation of the legitimate interests of the French colons; on the contrary, their rights remained unchallenged, and every guarantee could be given that they would be fully respected. The fifth paragraph of the preamble, too, contained merely a statement of fact.

12. The only operative paragraph of the draft resolution simply called for the application of a specific procedure to give effect to the principles and purposes of the Charter. That procedure had been advocated by

the French representative himself, and it was therefore quite normal that reference should be made to it in the draft resolution. It was only the timing of negotiations which was in dispute, and on that the draft resolution remained silent.

13. In criticizing the draft resolution, some delegations had raised the question of domestic jurisdiction. But France itself had destroyed that argument by its offer of a cease-fire and negotiations, for it could hardly be offering to negotiate with itself. The Algerian question was of course an international issue.

14. His delegation respected the good intentions which had motivated the submission of the seven-Power draft resolution, but considered that the draft would be of no value in bringing about a solution of the Algerian question. In the face of the present situation in Algeria, an expression of hope, however fervent, was wholly inadequate; the least the United Nations could do was to recommend some action, and that action could only be negotiation. Yet the seven-Power draft resolution entirely ignored even the principle of negotiations. Without such a reference, the sponsors of the draft resolution seemed to be lending their support to the idea of an imposed rather than a negotiated solution.

15. The seven-Power draft resolution also contained a reference to the offer of good offices made by two Heads of State, without referring to the basis on which that offer had been made, namely, acceptance of the idea of Algerian sovereignty. Its further reference to French legislative measures represented an unnecessary step backwards by comparison with resolution 1012 (XI), and went beyond even the stand taken by France, for the French representative had resisted the imposition of any preconditions for a settlement.

16. The Algerian issue involved war and the liberty of a whole people. France had not brought about a just, democratic and peaceful solution since the eleventh session of the General Assembly; it had not co-operated with the United Nations; it was imposing a solution of its own making, and it had declared that it would resist the Committee's recommendations if they did not coincide with its own wishes. The seventeen-Power draft resolution, on the other hand, represented a serious attempt to deal with a serious situation. The declaration by an alleged commander of the liberation movement which the French representative had read out in his concluding statement (923rd meeting) simply proved the disappearance of French authority in the area. Far from subsiding, the national liberation movement in Algeria was gathering strength, and unless the United Nations faced the challenge presented by the situation, Algeria would have no recourse but to pursue its war of liberation. Nor did it stand alone, for all peace-loving and freedom-loving peoples would no doubt lend it every assistance. That statement was neither a warning nor a threat, but really an attempt to alert the world to the danger it faced. The sponsors of the seventeen-Power draft resolution stood for peace, and the adoption of that draft resolution would be a step along the path that led to it.

17. Mr. HAYMERLE (Austria) said it was his delegation's view that the two draft resolutions before the Committee were not really so far apart as some representatives had suggested. The seventeen-Power draft resolution emphasized the principle of self-determination, but that principle was also one of the basic

principles of the Charter to which the seven-Power draft resolution referred. The seventeen-Power draft resolution also contained a specific appeal for negotiations; however, the "appropriate means" referred to in the seven-Power draft resolution in no way excluded negotiations. His delegation considered that the task of the Committee was to find a formula which, instead of widening the gap between the parties, would help make a solution possible and thus help put an end to the suffering caused by the situation in Algeria. It was in that spirit that it would cast its vote.

18. Mr. AL-SHABANDAR (Iraq) said that the sponsors of the seventeen-Power draft resolution appreciated the good intentions of the sponsors of the seven-Power draft resolution; however, for the reasons already stated by many speakers, that draft resolution, as it stood, was unacceptable to them. In addition to those reasons, the draft resolution was further vitiated by its reference to "French legislative measures", which reflected the importance its sponsors seemed to attach to the *loi-cadre* as offering a new approach to a solution of the problem. His delegation could not agree with that estimate of the *loi-cadre*; the law seemed a very meagre result of ten months of struggle and destruction, and an egregious example of juridical sophistry, since France could hardly frame such a special statute for Algeria while continuing to pretend that Algeria was an integral part of France.

19. The seventeen-Power draft resolution on the other hand represented the very minimum which its sponsors could accept and had in it nothing that could reasonably be considered unacceptable to any delegation including that of France. It should be noted, in that connexion, that at the 924th meeting, the representatives of Australia and the Netherlands had rejected the draft resolution on the basis of its reference to self-determination, although their arguments in the case of West Irian had been based on that very principle.

20. If the very modest and very logical seventeen-Power draft resolution was not adopted, the war in Algeria would continue, claiming a further heavy toll in lives and money, poisoning the situation in the Middle East and North Africa and benefiting neither party to the dispute but only a third group which sought its own advantage in the struggle.

21. The Arab countries harboured no enmity towards France, which should take its rightful place among the liberators of mankind rather than the proponents of a doomed colonialism. They hoped that one day France would understand that genuine feeling of friendship and would find a solution to the problem on a friendly basis.

22. Mr. ARKHURST (Ghana) said that the seven-Power draft resolution merely repeated the hope expressed in General Assembly resolution 1012 (XI). It offered no prospects of further progress, and his delegation would therefore be unable to support it.

23. The seventeen-Power draft resolution, on the other hand, looked ahead and suggested a general framework within which a solution to the Algerian question might be sought. It recognized that the principle of self-determination was applicable to the Algerian people and called for negotiations to solve the problem.

24. The sponsors of the seven-Power draft resolution had referred to their desire to achieve a unanimous vote, but his delegation saw no inherent merit in a vote

merely because it was unanimous. The purpose of resolutions adopted by the General Assembly was to ensure that action would be taken and results achieved. He therefore urged the adoption of the seventeen-Power draft resolution.

25. Mr. TSIANG (China) said that in their present form neither of the draft resolutions was completely supported by his delegation. The seven-Power draft resolution had the merit of endeavouring to gain unanimous approval, but it had the disadvantage of being too negative and achieving no progress. In particular, operative paragraph 1 seemed to add confusion and complication.

26. His delegation fully supported the operative paragraph of the seventeen-Power draft resolution since it was difficult to imagine any solution of the problem without negotiations.

27. The fourth paragraph of the preamble of that draft resolution, relating to the principle of self-determination, had been criticized as being controversial. His delegation agreed that self-determination was one of the great principles of the Charter, but it was not certain that Algeria was ready and willing to fulfil the obligations that naturally arose from the application of that principle, nor was it clear what those obligations were.

28. Another equally important principle was the peaceful solution of disputes, and in its efforts to settle disputes the United Nations had always called for a cease-fire or, in disputes which had not reached the point of hostilities, cautioned the parties involved not to allow the situation to deteriorate. Consequently, if the principle of self-determination was to be applied in conformity with the spirit of the Charter a start would have to be made with a cease-fire. From the statements made in the Committee he had the impression that Algeria was not ready to accept an unconditional cease-fire or, in other words, to fulfil the obligations of self-determination.

29. The application of that principle meant that the future of the country must be settled in accordance with the wishes of all the people living in it. It was not clear whether Algeria was willing to allow free elections or whether the National Liberation Front (FLN) must be accepted as the only spokesman for the people of Algeria. Again, if the statements made in the Committee reflected the genuine wishes of the people of Algeria, it appeared that Algeria was not ready to accept the principle of self-determination in the way that the United Nations must interpret it. Therefore, to invoke that principle was inappropriate.

30. Moreover, the invocation of the principle would make the draft resolution not unanimous and probably not even a majority resolution. The limits as well as the possibilities of General Assembly action must be kept in mind. Consequently his delegation could not accept the seventeen-Power draft resolution as it stood.

31. Mr. DE MARCHENA (Dominican Republic) regretted the view expressed by some delegations that the draft resolution submitted by his own and six other delegations departed from the principles of the Charter. It was in fact an attempt to get away from ideological considerations and to allow time for a peaceful, democratic and just solution to be worked out. He could not accept the view that such a resolution would lead to a worsening of the situation in Algeria. The seven-Power

draft resolution, like resolution 1012 (XI) provided means for conciliation and understanding and it could not be denied that, in the few months between the adoption of the resolution at the eleventh session and the present discussion of the problem, there had been definite moves towards a solution, including the promulgation of the *loi-cadre* and the offer of good offices by two leading Arab statesmen. It nevertheless remained true that intransigence by either party would tend to frustrate the efforts of the sponsors of both draft resolutions to find ways in which nascent hopes of peace in Algeria could become reality.

32. The principle of self-determination could not be distorted in such a way as to ignore relevant historical economic, political and social factors. The draft resolution was an attempt to assess such factors in good faith and in a balanced manner, keeping in mind the glorious traditions of both the French and Arab cultures.

33. It was true that the seven-Power draft resolution made no direct reference to negotiations, but the idea was implicit in operative paragraph 2. The objection that its sponsors were in favour of a settlement of the Algerian question by means of force was quite untrue; their only aim was to find some means of reconciling the interests of both parties.

34. Mr. BOLAND (Ireland) said that his delegation, in company with those of Canada and Norway, had proposed two amendments (A/C.2/L.196) to the seventeen-Power draft resolution. The first purpose of those amendments was to make the draft resolution to which they referred a more faithful reflection of the different shades of opinion which had been expressed during the debate. The second purpose was to command the widest possible measure of acceptance of the draft resolutions.

35. The first amendment might inspire doubt in the minds of those who attached particular significance to the words "self-determination" but, as the Peruvian representative had pointed out (920th meeting), those words had become surrounded with so much obscurity that the application of the concept which they expressed

was often a matter of uncertainty. The proposed amendment had the merit of saying exactly what it meant. It asserted the just right, which his delegation fully maintained, of the people of Algeria to be given an opportunity to work out their own future by democratic means. The amendment implied that it was right, and vitally important, that the people of Algeria as a whole should be heard through their own freely elected representatives, and that once that position had been achieved, the question of the future of Algeria would be immeasurably nearer to a solution. He therefore urged acceptance of the amendment by the sponsors.

36. The second amendment was mainly of a drafting character, but reflected the fact that the Committee was not in a position to issue a peremptory summons or to impose solutions. Its function was to express the moral conscience of the world and the more accurately the language used by the Committee was attuned to the precise nature of the competence it possessed, the more authoritative would its conclusions be. Therefore, the word "proposes" seemed better than the words "calls for" in operative paragraph of the seventeen-Power draft resolution.

37. If the rest of the second amendment were accepted, the seventeen-Power draft resolution would lose none of its force and would gain in clarity and acceptability. His delegation's support of the amendments was not based on any opposition to the draft resolution; it was actuated solely by a desire to ensure that the Committee's debate would have some positive result.

38. Mr. ST. LOT (Haiti), Mr. UMAÑA BERNAL (Colombia) and Mr. SOBOLEV (Union of Soviet Socialist Republics) drew attention to the fact that the French, Spanish and Russian provisional translations, respectively, of the amendments proposed in document A/C.1/L.196 reflected the original English with inadequate accuracy.

39. The CHAIRMAN requested the Secretariat of the Committee to take account of the observations made.

The meeting rose at 1 p.m.