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*President: Mr. Abdul Rahman PAZHWAK (Afghanistan).*

## AGENDA ITEM 26

Non-proliferation of nuclear weapons: report of the Conference of the Eighteen-Nation Committee on Disarmament

REPORT OF THE FIRST COMMITTEE (A/6509)

*Mr. Tchernouchchenko (Byelorussian Soviet Socialist Republic), Rapporteur of the First Committee, presented the report of that Committee and then spoke as follows:*

1. Mr. TCHERNOUCHTENKO (Byelorussian Soviet Socialist Republic), Rapporteur of the First Committee (translated from Russian): Permit me to submit to this plenary meeting of the General Assembly the report of the First Committee [A/6509] on the question of the non-proliferation of nuclear weapons. This item was examined in detail by the First Committee at its meetings from 3 to 10 November 1966 [meetings 1441-1450]. The report covers the various proposals and amendments introduced during the debate on this question.

2. After consideration of the item, the Committee adopted two resolutions: one submitted by forty-seven States and the other by the delegation of Pakistan together with several co-sponsor States.

3. As will be seen from the report, the original draft resolutions were somewhat amended. Thus, in the original text of the draft resolution, "non-proliferation of nuclear weapons" [A/C.1/L.371] paragraph 3 was replaced by a new text, which appears as paragraphs 3 and 4. The text of paragraph 3 now reads:

"Calls upon all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which may conclude treaties of the nature defined in paragraph 2 (e) of General Assembly resolution 2028 (XX);"

Following this, paragraph 4 reads:

"Requests the Conference of the Eighteen-Nation Committee on Disarmament to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories, and any other proposals that have been or may be made for the solution of this problem;"

4. In my capacity as Rapporteur, I consider it essential to note this, so as to draw the attention of the plenary meeting to these new provisions which have been included by the sponsors of the resolution in their revised texts. The inclusion of these provisions in the revised draft resolution of forty-seven States was in response to the opinions, widely expressed in the course of the debate, on the significance and importance of those concepts. The revised draft resolution was adopted by the Committee by 103 votes to 1, with 2 abstentions.

5. The draft resolution submitted by Pakistan and other countries, after being amended by Kuwait, was adopted by a roll-call vote of 46 to 1, with 56 abstentions.

6. In conclusion we should like to draw the attention of the plenary meeting to paragraph 16 of the report, which gives the text of the two aforementioned draft resolutions. I should like to note in this respect that the Russian version of the report contains a few technical inaccuracies, which will be corrected.

*Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the First Committee.*

7. The PRESIDENT: I shall now call on representatives who wish to speak in explanation of vote before the voting takes place.

8. Mr. TRIVEDI (India): There are two draft resolutions before the Assembly on the non-proliferation of nuclear weapons [A/6509, para. 16].

9. As far as the draft resolution A is concerned, the Indian delegation had the privilege of being one of its forty-seven co-sponsors in the First Committee. I shall therefore offer only a few comments, in explanation of my vote, on the essential features of that draft.

10. First, both in its language and in its spirit, this draft resolution reaffirms resolution 2028 (XX), which has been described by a large number of delegations as the historic resolution on the non-proliferation of nuclear weapons, and which stipulates five specific principles on which a treaty to prevent the proliferation of nuclear weapons should be based. It is in view of this that operative paragraph 5 of the draft is of special significance. It calls upon all States to adhere strictly to the principles laid down in General Assembly resolution 2028 (XX) for the negotiation of the above-mentioned treaty.

11. Secondly, this draft resolution describes what the international community has been defining with progressive precision as the only effective and correct method of preventing the proliferation of nuclear weapons. This unmistakable development is clearly discernible in the Cairo Declaration adopted by the Second Conference of Heads of State or Government of Non-Aligned Countries in October 1964, in the Disarmament Commission resolution of 15 June 1965<sup>1/</sup>, in the two memoranda of 1965<sup>2/</sup> and 1966<sup>3/</sup> of the eight non-aligned delegations of the Eighteen-Nation Committee on Disarmament, and above all in resolution 2028 (XX).

12. The Indian delegation agrees with the vast majority of delegations which urge the early conclusion of a treaty which is acceptable to all concerned and satisfactory to the international community, and which urge that that treaty should be negotiated without delay. For, as the preamble to this draft resolution states, we view with apprehension the possibility that such a situation may lead not only to an increase of nuclear arsenals and to a spread of nuclear weapons over the world, but also to an increase in the number of Powers possessing nuclear weapons.

13. The third basic feature of this draft resolution is that it deals with the question of the security of non-nuclear weapon States in a practical and constructive manner. It is in view of those positive features that the Indian delegation will vote for this draft resolution, embodying as it does the correct concept and the correct method, in addition to being appropriate and practical.

14. The other draft resolution, draft resolution B, is just the opposite in its concept, in the method it proposes and in its appropriateness and practicability.

15. The Indian delegation spoke twice in the First Committee—first on 7 November [1443rd meeting] and the on 10 November [1449th meeting]—on this draft resolution and on its terms. Since then, and since the First Committee voted on it [1450th meeting], a week has elapsed. The Indian delegation has read and re-

read with care and attention the statements made by various delegations—those which spoke in favour of it and those which were not in favour of it. This study has in fact confirmed the conviction of the Indian delegation that the basic features of this draft resolution are contrary to those in the other draft and to those in resolution 2028 (XX); that it suggests remedies which are incomplete, ineffective and undesirable; and that its timing, in any case, is inappropriate.

16. First I should like to refer to the concept of the draft resolution. Here we have a draft which does not even mention resolution 2028 (XX). This is certainly not through inadvertence. It is because the draft proceeds from a concept which is not the concept of resolution 2028 (XX). It is also not the concept of the Cairo Declaration. It is also not the concept of the memorandum of the eight non-aligned delegations of the Eighteen-Nation Committee on Disarmament.

17. Let us look at the entire preamble. I have already referred to the studied omission of reference to resolution 2028 (XX) in the first paragraph of the preamble. But let us look at the next three preambular paragraphs. They read as follows:

"Considering that the further spread of nuclear weapons would endanger the peace and security of all States,

"Convinced that the emergence of additional nuclear weapon Powers would provoke an uncontrollable nuclear arms race,

"Reiterating that the prevention of further proliferation of nuclear weapons is a matter of the highest priority demanding the unceasing attention of both nuclear and non-nuclear-weapon Powers."

18. That is not the language used by the Disarmament Commission, or the eight non-aligned delegations of the Eighteen-Nation Committee on Disarmament or resolution 2028 (XX). In fact, "Reiterating that the prevention of further proliferation" does not reiterate anything at all. "Reiterating" what? It certainly does not reiterate what resolution 2028 (XX) said. Its concept is also against what the Cairo Declaration said. We all know what the Cairo Declaration said. In fact, the Conference of Heads of State or Government said:

"The Conference requests the great Powers to abstain from all policies conducive to the dissemination of nuclear weapons and their by-products among those States which do not at present possess them. It underlines the great danger in the dissemination of nuclear weapons and urges all States, particularly those possessing nuclear weapons, to conclude non-dissemination agreements and to agree on measures providing for the gradual liquidation of the existing stockpiles of nuclear weapons.

"As part of these efforts, the Heads of State or Government declare their own readiness not to produce, acquire or test any nuclear weapons, and call on all countries including those who have not subscribed to the Moscow Treaty to enter into a similar undertaking and to take the necessary steps to prevent their territories, ports and air fields from being used by nuclear Powers for the deployment or disposition of nuclear weapons."<sup>4/</sup>

<sup>4/</sup> Document A/5763, sect. VII.

<sup>1/</sup> Official Records of the Disarmament Commission, Supplement for January to December 1965, document DC/225.

<sup>2/</sup> *Ibid.*, document DC/227, annex I, sect. E.

<sup>3/</sup> *Ibid.*, Supplement for January to December 1966, document DC/228, annex I, sect. P.

19. The concept of the draft resolution is also not in conformity with the approach that the Disarmament Commission adopted. The Disarmament Commission, in its resolution of 15 June 1965, stated that a treaty on the non-proliferation of nuclear weapons should be negotiated "... giving close attention to the various suggestions that agreement could be facilitated by adopting a programme of certain related measures".

20. I shall not quote the memoranda of the eight non-aligned countries. Principle (c) of resolution 2028 (XX) is also unambiguous. It states that "the treaty"—on the non-proliferation of nuclear weapons—"should be a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament". Principle (b) is that "the treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers". But draft resolution B, at present before us, says: "Reiterating that the prevention of further proliferation of nuclear weapons is a matter of the highest priority demanding the unceasing attention of both nuclear and non-nuclear-weapon Powers".

21. The implication is that it is the emergence of additional nuclear-weapon Powers which would provoke an uncontrollable nuclear arms race—as if the present nuclear arms race were not enough.

22. We are witnessing one of the most titanic arms races ever known to the human mind and to human history. There are nuclear weapons in the armouries of nations which are capable of destroying the human race several times over. And yet proliferation is continuing among the nuclear-weapon Powers. Apparently, that is not considered to be a nuclear arms race.

23. No, the concept of this draft resolution is contrary to the concept of resolution 2028 (XX).

24. I must, of course, make the position of the Indian delegation abundantly clear on this question of further proliferation. The Indian delegation is against further proliferation; it is irrevocably against further proliferation both nationally and internationally. The Indian delegation has declared its position in this Assembly and in its Committees several times. I had the privilege of speaking on the subject in the First Committee on 31 October [1436th meeting]. But the Indian delegation, like the vast majority of delegations, believes that this is only one aspect of the problem. This essential truth has been well summarized in principle (c) of resolution 2028 (XX), which has been supported explicitly and without any hesitation by the non-nuclear-weapon Powers as well as by the nuclear-weapon Powers—namely, the principle that a treaty on the non-proliferation of nuclear weapons is a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament, and is not merely a solution to the isolated, limited, lopsided problem of preventing further proliferation, or that of the emergence of additional nuclear-weapon countries or the further spread of nuclear weapons.

25. The draft resolution, in its last preambular paragraph, refers to the question of security. It speaks of "the conclusion of arrangements designed to safeguard the security" of non-nuclear-weapon States. All of us,

particularly the non-aligned nations, must give careful thought to this matter of the conclusion of arrangements designed to safeguard the security of our countries.

26. There are two aspects to the question of security. The first aspect is what one might call the passive aspect, namely, that nuclear-weapon Powers will not use or threaten to use nuclear weapons. There are several categories to this problem. It is stated, first, that they will not use them against denuclearized zones. Africa has already been declared a denuclearized zone, and the General Assembly has passed a resolution on the subject. Resolution 2028 (XX) has already declared that nothing in the treaty would stand against treaties on denuclearized zones. Then there is also a proposal that nuclear-weapon Powers will not use or threaten to use nuclear weapons against States which do not have nuclear weapons in their territories. This is a matter which is being considered, and draft resolution A in paragraph 16 of the report already refers to it. There is one more contingency, that of not using weapons against non-nuclear States which are members of alliances. This is a matter of a cold war confrontation. Is the conference of non-nuclear-weapon States to discuss matters concerning NATO and Warsaw Treaty confrontation? Even on this passive aspect of security, therefore, how can a conference of non-nuclear-weapon States discuss this issue of confrontation between Warsaw Treaty and NATO countries?

27. Then there is the other aspect: the active aspect of security. This is even more difficult, particularly for non-aligned nations, for there are two approaches to the question of security in this context. There is the alliance approach and there is the non-alliance approach. The approach of the non-aligned countries is simply stated. In fact it has been stated in the Cairo Declaration, which I should like to quote—

28. The PRESIDENT: It was decided by the General Assembly that at this stage we should hear only explanations of vote. So that we may be able to carry out that decision, I would request the speaker to adhere as closely to an explanation of vote as possible. I am quite sure that no representative, and particularly the speaker, would doubt the desire of the President or the Members of the Assembly to listen to him, but we should like him to bear in mind that we are now at the stage of explanations of vote.

29. Mr. TRIVEDI (India): Thank you, Mr. President. I shall just finish this quotation:

"The Conference reiterates its conviction that the existence of military blocs, Great Power alliances and pacts arising therefrom has accentuated the cold war and heightened international tensions. The Non-Aligned Countries are therefore opposed to taking part in such pacts and alliances."<sup>5/</sup>

30. The point I am making is that, in the approach to the question of security, and particularly the conclusion of arrangements, there is a radical difference between those who are aligned and those who are non-aligned, and it is not a matter which is amenable to solution in a conference of non-nuclear-weapon States composed of both groups.

<sup>5/</sup> Ibid., sect. VIII.

31. In the light of those considerations, the very denial of the features which make draft resolution A in paragraph 16 acceptable makes draft resolution B in paragraph 16 unacceptable to the Indian delegation. The concept in the latter draft is wrong, the method is faulty and the remedy suggested is impracticable. For those reasons the Indian delegation was unable to support it in the Committee and will be unable to support it in the Assembly.

32. Mr. Amjad ALI (Pakistan): Mr. President, I am thankful to you and to my fellow representatives in this Assembly for this opportunity to make some brief submissions, by way of explanation of vote, on the second of the two draft resolutions whose adoption has been recommended by the First Committee.

33. As the Rapporteur of the First Committee has mentioned, draft resolution B was adopted by the Committee by 46 votes to 1, with 56 abstentions. This establishes that there was no significant opposition to the proposal embodied in the draft resolution. Its sponsors were gratified that the support given to the draft resolution came from Members belonging to every group, region or continent, and it also came from one nuclear Power. This, by itself, is an indication of the fact that the draft resolution is not sectarian in conception or divisive in effect. Rather than promote any clash of interests, it seeks only to harmonize the viewpoints of States which do not have nuclear weapons with regard to questions of far-reaching importance. These questions affect their security. They involve the reliability of non-proliferation arrangements. The peaceful uses of nuclear technology imply questions of the mutual co-operation of non-nuclear States, their freedom from dependence on any nuclear Power and the development and extension of international controls. As a matter of fact, questions relating to a comprehensive test ban and a cut-off in the production of fissile materials cannot be excluded from the scope of questions posed in operative paragraph 2 of the draft resolution.

34. In any case, we have no doubt in our mind that the conference proposed in the draft resolution will be a vital first step towards securing the adherence of all countries in the world to a non-proliferation régime.

35. We note that a number of delegations in the Committee could not see their way to giving us positive support. At the same time, it was reassuring to observe that some countries which were initially sceptical of the usefulness of our proposal, had recognized that it did not, in the slightest degree, offend their national interests or policies. It seems that members who abstained did so because of some unresolved questions in their minds. I should briefly like to address myself to these questions and hope that it will enable them to support the proposal.

36. One delegation put this question in the Committee: if a non-proliferation treaty is agreed upon before 1968, would the non-nuclear Powers postpone subscribing to that treaty until the conference is held? The question can be directly answered in the negative. The sponsors of this draft resolution explained repeatedly in the Committee that the effort proposed in the draft resolution does not conflict with other bi-

lateral or multilateral negotiations which are now in progress towards a treaty preventing the spread of nuclear weapons. If this treaty is signed before the conference is held, the conference will consider questions which relate to giving durability to the non-proliferation arrangement. If the treaty is not signed before the conference is held, then the conference will certainly give a momentum to its conclusion.

37. The basic fact which needs to be kept in mind in considering the draft resolution is that the treaty will be, as the representative of the United Kingdom aptly observed in the Committee, only a first step of the whole non-proliferation strategy. The mere signing of a treaty will not, by itself, ensure its implementation and maintenance. It will certainly not close the loopholes which will exist if some nuclear countries do not sign the treaty and other militarily significant countries sign it with reservations on that score. In any case, the problems of non-proliferation are, and will be, of a continuing nature. The conference will mobilize the political will and intelligence of the bulk of the world community for grappling with these problems.

38. Another question posed in the Committee was whether a special form of machinery was needed for formulating the views of the non-nuclear Powers and acquainting the nuclear Powers with them. The answer to this question is "yes". Many delegations in the Committee expressed, not for the first time, a feeling of uneasiness about the ways and methods of consultation practised by those countries which have been dealing directly with disarmament negotiations. The draft resolution will ensure that closer consultations will, in future, take place among all concerned. After all, the Eighteen-Nation Committee on Disarmament has a limited composition. It is, therefore, unfair to expect that its proceedings will give full satisfaction to the questions which arise in the minds of Governments, of countries large or small, with regard to their security from the nuclear threat. It is no use telling us that these questions can be discussed bilaterally between Governments. Bilateral negotiations do not focus the kind of attention on these problems, they do not lend them the kind of perspective which a collective conference of non-nuclear countries assuredly will. The supporters of this draft resolution do not intend to weaken the existing lines of communication. But we do maintain that these are not enough. In any case, we hope that there are no vested interests in disarmament negotiations which should feel threatened by the draft resolution.

39. Lastly, I would stress that the draft resolution does not envisage a non-nuclear club. Since we do not like the nuclear club, we do not contemplate a non-nuclear club either. The conference is not going to establish a trade union of non-nuclear countries. The idea of the conference is to tap new energies, explore new avenues, establish new channels of consultation whereby non-proliferation of nuclear weapons and nuclear disarmament will become, not the preserve of a few, but the concern of all. We remain unshaken in our conviction that the questions involved in non-proliferation affect the destiny of each and every nation. We therefore want to ensure that each and every nation has its full say in the matter.



40. There is one little explanation that I must add. Operative paragraph 2 of the draft resolution requests the President to set up the preparatory committee "immediately". Our understanding of this term "immediately" is that the President may announce the composition of this committee at his convenience before the Assembly adjourns in December.

41. Now, Mr. President, with your kind permission I shall deal very briefly with the points raised by the representative of India, and I assure you that I shall not be lengthy because we have had exchanges in the First Committee with regard to this matter and, mindful of your ruling a little earlier, I shall not go off the point.

42. The PRESIDENT: I would respectfully draw the attention of the speaker to his own words—namely, that he wishes to deal with the points raised by a certain representative. I believe that, in that case, his remarks would be closer to a right of reply than to an explanation of vote. I shall be very happy to give him the opportunity to make those remarks after the vote has been taken, but at this stage I am very sorry to say that I am unable to allow him to speak in exercise of his right of reply. I hope that he agrees with me.

43. Mr. ALI (Pakistan): Mr. President, your word is a command and therefore, in deference to your wishes, I shall not say anything more at this stage.

44. Mr. LEKIC (Yugoslavia): Having in mind the great importance which the Yugoslav delegation attaches to the urgent solution of the problem of non-proliferation of nuclear weapons, I should like briefly to explain the position of the Yugoslav delegation regarding draft resolution B [A/6509, para. 16] which was adopted in the First Committee by 46 votes to 1, with Yugoslavia, among others, abstaining.

45. We hold the view that, in order to achieve progress in the field of disarmament in general, it is necessary to engage the largest number of States—in fact, all States if possible. It is for this reason that Yugoslavia is exerting efforts with a view to convening a world conference on disarmament. Every exchange of ideas among States and the obtaining of a concurrence of views and positions, bilaterally or among groups, would naturally constitute useful work and a contribution in the field of disarmament.

46. My delegation is firmly convinced that the problem of non-proliferation of nuclear weapons is very urgent. There exist today objective conditions for its settlement within a relatively short period of time. In this respect, the statements made by the representatives of the Soviet Union and the United States regarding the prospects of reaching an early agreement on this question are encouraging.

47. Yugoslavia has always held the view that the convening of a world conference under propitious conditions, even on specific problems, would be useful. The convening of a conference on the non-proliferation of nuclear weapons on these lines could be useful as well.

48. Naturally, we consider the solution of this question—and this applies also to partial measures—to be part of the process of disarmament; that is, as a step

that would be followed by other measures, and not as a measure which is an end in itself. We are convinced that an isolated and separate measure could not constitute a lasting and stable solution.

49. In the First Committee, the delegation of Yugoslavia abstained from voting as it is of the opinion that the proposed draft resolution reflects positions that are not quite in accordance with our views, or are not formulated in a sufficiently clear manner. There is no doubt that the conference of non-nuclear States proposed in draft resolution B would not be limited only in respect of its participants, but would also be very restricted in regard to its agenda.

50. Mindful of reality, and appreciative of all efforts aimed at taking a further step towards disarmament, the Yugoslav delegation, together with many other delegations, made an effort to bring about certain changes in the draft resolution under consideration. These changes, in the first place, would have determined more precisely the place and the role of the question of non-proliferation in the process of disarmament in general. Furthermore, the dangers inherent in the continued arms race and proliferation within this context, as well as the increasing danger to peace and security, would have been more strongly emphasized.

51. In making known these considerations of ours, I wish to draw the attention of the Assembly to the third paragraph of the preamble and to operative paragraph 2 of the draft resolution. The third paragraph of the preamble reads: "Convinced that the emergence of additional nuclear-weapon Powers would provoke an uncontrollable nuclear arms race", and can only be interpreted to mean that it is only with the emergence of additional nuclear-weapon Powers that an uncontrollable arms race would ensue. Such reasoning blunts the edge of our concern. The existing arms race has already resulted in the stockpiling of weapons sufficient to annihilate all and everything. In fact, it is already opening new spheres more ominous for the world at large. It is precisely because of the prevailing situation that we must do our utmost, parallel with our efforts to halt the proliferation of nuclear weapons, to stop the existing nuclear arms race, and this the draft resolution fails to mention.

52. Operative paragraph 2 speaks, *inter alia*, of the association of nuclear States with the work of the conference of non-nuclear-weapon States. At this juncture, I must remind the Assembly of the fact that, last year, we spent considerable time and energy in an effort to evolve a formula which would enable all States, Members and non-Members of the United Nations—in particular, the People's Republic of China—to participate in reaching a solution to the disarmament problem. Operative paragraph 2 as it stands ignores this fact.

53. Other changes would have broadened the scope of the conference and fixed an earlier date for its convening. All this would have been more in conformity with the resolutions already adopted at this session of the Assembly on the urgency of arriving at a solution of the problem of non-proliferation of nuclear weapons [resolutions 2149 (XXI) and 2153 (XXI)]. Unfortunately, such changes have not been acceptable to the sponsors

of draft resolution B. For that reason, the Yugoslav delegation, notwithstanding the fact that it greatly appreciates the efforts of the sponsors of the draft resolution, will be unable to lend its support to the draft resolution and will abstain from voting upon it.

54. Mr. ROSCHIN (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation wishes to speak with regard to its vote on the draft resolutions submitted today for the approval of the General Assembly and which appear in the reports of the First Committee [A/6509].

55. We should like to confirm our favourable attitude towards the draft resolution which was almost unanimously adopted by the First Committee on the question of non-proliferation of nuclear weapons, and which appears in section A of the Committee's report. In connexion with paragraph 3 of this draft resolution, which reads as follows:

"Calls upon all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which may conclude treaties of the nature defined in paragraph 2 (e) of General Assembly resolution 2028 (XX);"

we should like to state that the Soviet Government is prepared to assume the obligation to respect the status of non-nuclear zones which may be created, if the same obligations are assumed by other nuclear Powers.

56. With regard to paragraph 4 of the draft resolution, which deals with the question of guarantees of safety to the non-nuclear States against nuclear attack, we should like to point out that the position of the Soviet Union on this question is clear and definite.

57. In the statements of the Soviet Government contained in the message addressed to the Eighteen-Nation Committee on Disarmament<sup>6/</sup> by the Chairman of the Council of Ministers of the Soviet Union, A. N. Kosygin, on 1 February 1966, it was pointed out that the Soviet Government is prepared to include in the treaty on non-proliferation of nuclear weapons a clause prohibiting the use of nuclear weapons against non-nuclear-weapon States which are parties to the treaty and have no nuclear weapons on their territories.

58. This proposal by the Soviet Union will meet the vital interests of the non-aligned States which do not want nuclear weapons on their territories and do not want to be drawn into any possible nuclear war.

59. With regard to the draft resolution on the same question, which appeared in part B of the report of the Committee, and which provides for the convening of a conference of non-nuclear-weapon States, our attitude towards this draft was stated by the Soviet delegation in the First Committee [1449th meeting]. During the vote on this draft resolution our delegation will abstain, as it did in the voting on this draft resolution in the First Committee [1450th meeting].

60. Mr. FOSTER (United States of America): The United States delegation was pleased to vote in the First Committee in favour of the draft resolution

on the non-proliferation of nuclear weapons [A/6509, para. 16, A] and we shall vote in favour of its adoption by the General Assembly this afternoon.

61. In the First Committee, the United States delegation requested a separate vote on operative paragraph 4 of this draft resolution in order formally to register its position on this particular provision. As was stated at that time, the United States delegation does not consider it satisfactory to deal in specific terms with one aspect only of the complex question of security assurances. Our principal objection is that the attempt to recommend for consideration by the Eighteen-Nation Committee on Disarmament a specific formula for non-use of nuclear weapons which has been offered to deal with an aspect of the question of assurances seems to be premature, at the very least. This is a matter which will be the subject of detailed negotiations. We think it unwise to inject now so specific a formulation, when we have as yet devoted so little time to analysing its implications.

62. Moreover, as is well known, the United States has reservations about the particular formulation which is spelled out in paragraph 4. The United States believes that if specific formulations are to be recommended for study by the Eighteen-Nation Committee on Disarmament, the draft resolution should also refer in similar detail to other suggestions which have been advanced to deal seriously with the problem of providing or supporting assistance to a non-nuclear-weapon State that is the victim of nuclear aggression.

63. It will be recalled that following President Johnson's statement of support for those who may be threatened by nuclear blackmail, the United States delegation has several times expressed its readiness to consider, with all delegations in the General Assembly, what appropriate action could be taken by the United Nations to deal with this problem. The language now before us in paragraph 4 of the draft resolution does not, we think, adequately set out the possibilities which should be studied, whether here or in the Eighteen-Nation Committee on Disarmament.

64. As for the question raised in operative paragraph 3 of this draft resolution, namely, an undertaking not to use nuclear weapons against denuclearized zones, the United States delegation notes that this is a question which will actually arise when a treaty establishing such a zone is concluded and when the nuclear-weapon-Powers are formally asked to respect the zone.

65. The PRESIDENT: The General Assembly will now proceed to vote on the draft resolutions recommended by the First Committee in paragraph 16 of its report [A/6509]. I shall first put to the vote draft resolution A.

*Draft resolution A was adopted by 97 votes to 2, with 3 abstentions.*

66. The PRESIDENT: The General Assembly will next take a decision on draft resolution B. I would draw the attention of the Assembly to the report of the Fifth Committee on the financial implications which would result from the adoption of this proposal [A/6513].

67. I now put to the vote draft resolution B, as recommended by the First Committee. A roll-call vote has been requested.

<sup>6/</sup> See: Reports of the Conference of the Eighteen-Nation Committee on Disarmament—supplement for January–December 1966, document DC/229, Add.1, section 8 (ENDC/167).

*A vote was taken by roll call.*

*Norway, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Pakistan, Panama, Peru, Philippines, Portugal, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Yemen, Algeria, Burundi, Canada, Chad, Chile, Congo (Democratic Republic of), Ethiopia, Guatemala, Haiti, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Malawi, Malaysia, Maldive Islands, Mauritania, Morocco, Nepal, Nigeria.

*Against:* India.

*Abstaining:* Norway, Paraguay, Poland, Rwanda, Singapore, South Africa, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, China, Colombia, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, El Salvador, Finland, France, Ghana, Greece, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Niger.

*Draft resolution B was adopted by 48 votes to 1, with 59 abstentions.*

68. The PRESIDENT: I call upon the representative of the Democratic Republic of Congo in explanation of his vote.

69. Mr. IDZUMBUIR (Democratic Republic of the Congo) (translated from French): In the Committee my delegation abstained from voting on the draft resolution on which the General Assembly has just made its decision. I should like, therefore, to explain briefly the position taken by my delegation at this stage in the consideration of this item.

70. In my delegation's opinion, non-proliferation cannot be studied outside the context of the safety of humanity which is threatened by the very existence of nuclear weapons. Viewed from this standpoint, the best way to combat the proliferation of nuclear weapons, whether they are monopolized by a small group of States or disseminated throughout the world, is to strike at the very existence of these weapons by prohibiting their manufacture and by destroying the stockpiles. To act otherwise in the present circumstances, when an ever-greater number of increasingly dangerous conflicts are breaking out and persisting in all parts of the world, would be tantamount to endorsing the monopoly of some and endangering the security of others.

71. Part A of the resolution which has just been adopted by the General Assembly contemplates the non-proliferation of nuclear weapons in a way which differs substantially from my delegation's understanding of the matter. It seems to us that this part of the

resolution is mainly designed to avoid an increase in the number of members of the atomic club; in other words, to endorse the monopoly of the nuclear Powers without giving due weight to the threat to the non-nuclear Powers constituted by the existence of weapons that the members of the club do not wish to give up, as is borne out by the lack of progress achieved in general and complete disarmament. For all these reasons, my delegation was not able to support draft resolution A, and we abstained from voting on it.

72. As regards part B of the resolution, my delegation feels that an exchange of views between the non-nuclear States on the needs of their common security can only benefit the work of the Eighteen-Nation Committee on Disarmament. Therefore, my delegation supported draft resolution B, while expressing a few reservations on some of the preambular paragraphs.

73. The PRESIDENT: Under operative paragraph 2 of resolution B, which has just been adopted, the General Assembly requests the President of the General Assembly

"immediately to set up a preparatory committee, widely representative of the non-nuclear-weapon States, to make appropriate arrangements for convening the conference, to consider the question of the association of nuclear States with the work of the conference and report thereon to the General Assembly at its twenty-second session".

74. In this connexion, the Assembly has also heard the statement of the representative of Pakistan concerning the understanding of the word "immediately". In pursuance of the above-mentioned paragraph, however, it is my hope that I shall be able to announce as soon as possible the composition of the preparatory committee for the conference of non-nuclear-weapon States.

75. Before we proceed to the next item on our agenda this afternoon, I should like to say that at the end of this meeting I shall be glad to call on representatives who have expressed a wish to speak in exercise of their right of reply.

## AGENDA ITEM 32

Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

REPORT OF THE SPECIAL COMMITTEE (A/6506)

*Mr. Goñi Demarchi (Argentina), Rapporteur of the Special Political Committee, presented the report of the Committee and spoke as follows:*

76. Mr. GOÑI DEMARCHI (Argentina), Rapporteur of the Special Political Committee (translated from Spanish): I have the honour to submit for the consideration of the General Assembly the report [A/6506] relating to item 32 of the agenda of this twenty-first session, namely, the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

77. Mindful of the extreme importance of the matter before it, the Committee devoted nineteen meetings to its consideration and to hearing the views expressed in the course of the debate. In addition, two draft

resolutions were put forward for adoption, one sponsored by the United States of America [A/6506, para. 7], and one jointly submitted by Afghanistan, Malaysia, Pakistan and Somalia [A/6506, para. 9].

78. Certain amendments to the United States draft resolution were put forward by Somalia [A/6506, para. 8].

79. The Special Political Committee decided at its meeting on 14 November 1966 to put the various proposals to the vote. Of the amendments proposed by Somalia, two were adopted and one was incorporated in the draft resolution without a vote, while the remaining one was not adopted. With these amendments, the United States draft resolution was adopted by a roll-call vote of 65 votes in favour, one against, and 45 abstentions. The other draft resolution was not adopted by the Committee.

80. The Special Political Committee accordingly takes pleasure in recommending to the General Assembly the adoption of the draft resolution appearing in paragraph 17 of the report [A/6506].

*In accordance with rule 68 of the rules of procedure, it was decided not to discuss the draft resolution.*

81. The PRESIDENT: I shall now call on those representatives who wish to make explanations of vote before the voting takes place.

82. Mr. BANCROFT (United States of America): The draft resolution on the report of the Commissioner-General of UNRWA [A/6506, para. 17], which was adopted by the Special Political Committee on 14 November and which is before us for action today, was originally sponsored by my delegation. It was derived in large part from the resolution on the same subject adopted last year with the affirmative vote of 91 Members [resolution 2052 (XX)]. During the discussion in the Special Political Committee several amendments to our draft resolution were introduced by the representative of Somalia. Three of them were adopted by the Committee and are now incorporated in the text that is before the Assembly.

83. A resolution on this matter cannot carry us much farther forward to the ultimate solution of this troublesome aspect of the serious situation in the Middle East. But the draft resolution does what a resolution can do: it ensures that the humanitarian problem that is presented by the existence of over 1,300,000 refugees will be taken care of. In performing this task UNRWA is making an essential contribution to stability in that very tense part of the world.

84. The draft resolution in the first place expresses the regret of this Assembly that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not been effected and that no substantial progress has been made for the reintegration of refugees either by repatriation or resettlement.

85. Secondly, the draft resolution calls attention to the critical financial position of the Agency and urges all Governments to be as generous as possible in making their contributions to it. An important amendment introduced by Somalia to this clause of the draft resolution emphasizes the need for Governments that have

not heretofore contributed to join in the future with those which do.

86. Thirdly, the draft resolution directs the Commissioner-General to continue the efforts that he has been making in taking measures to ensure the most equitable distribution of relief based on need.

87. The most important of such measures is the rectification of the relief rolls. Some progress has been made in this regard in pursuance of previous General Assembly directives. But it is apparent that much needs to be done, and we are hopeful that with the impetus of this draft resolution the Commissioner-General can make substantial further progress in this imperative task.

88. Another aspect relating to equitable distribution of relief is the question of eligibility. My Government's position of principle that it is inadmissible to distribute rations to refugees serving in the army of the Palestine Liberation Organization has been stated in the Committee debate and need not be restated here.

89. Finally, the draft resolution regrets that because of the unchanged situation in the area the United Nations Conciliation Commission for Palestine was unable to find a means to achieve progress on the implementation of paragraph 11 of resolution 194 (III). Accordingly, it calls upon the Governments concerned to co-operate with the Conciliation Commission and calls upon the Commission itself to intensify its efforts for the implementation of that paragraph and to report to the General Assembly not later than 1 October of next year.

90. My Government believes that the draft resolution before us represents a balanced approach to this vexing problem, the solution of which cannot be achieved until there is a realistic political reconciliation of the points of view of the Arab States on the one hand and Israel on the other. We believe that it is an impartial draft resolution, even-handed in presentation and conciliatory in tone. It is our hope that it will be adopted by an overwhelming vote.

91. In closing, I should point out that the draft resolution articulates the gratitude and appreciation which we all feel for the Commissioner-General, Mr. Michelmores, and for his staff who have done so much, and in such an effective way, to provide the essential services for these refugees. It is a task of overwhelming difficulty and it is being administered with paramount regard for the welfare of the human beings that are involved.

92. Mr. DAOUDY (Syria): We should like to explain our vote concerning the draft resolution [A/6506, para. 17], originally submitted by the United States of America. Although this draft has been improved by the incorporation of three of the four amendments submitted by the representative of Somalia [*ibid.*, para. 8], the fact remains that it is unacceptable to us. Had the third amendment submitted by Somalia in the Special Political Committee not been opposed and defeated by the United States delegation, this would have enabled us to vote in favour of the United States draft resolution after it was amended by Somalia. Obviously, the third amendment was not to the liking of Israel, and consequently not to that of the United States



delegation either. In fact, operative paragraph 7 of the United States draft resolution, which should have been amended, is not acceptable to us in its present text in view of the fact that it is rather vague and lacks objectivity. It is couched in a manner which is contrary to the reality of the situation. When that paragraph "calls upon the Governments concerned to co-operate so that the Commission may continue its efforts towards that end", it purposely evades naming the responsible side which is obstructing the implementation of paragraph 11 of resolution 194 (III). How can that paragraph 11 be implemented unless the Tel-Aviv authorities allow the refugees who wish to go back to their homes to do so? As Israel refuses defiantly to implement that paragraph, it is therefore the duty of the Conciliation Commission unequivocally to say so in its report. Instead of doing so, the Commission tells us that it "has found itself compelled to conclude that all of the ways envisaged presupposed substantial changes in the situation", as it put it on page one of its twenty-fourth progress report [A/6451] issued on 30 September 1966.

93. But the hand that drafted paragraph 3 of the progress report is the same hand that had prepared operative paragraph 7 in the United States draft resolution. No wonder, therefore, that the United States delegation opposed the adoption of the third amendment of Somalia which read as follows:

"Notes with regret that the United Nations Conciliation Commission for Palestine was unable to achieve progress on the implementation of paragraph 11 of resolution 194 (III) and calls upon the Government of Israel to co-operate with the Commission in this regard."

94. We understand that even from the linguistic point of view the Somali amendment is better drafted than the United States draft, which calls upon the Governments concerned to "co-operate". But to co-operate with whom? The third Somali amendment, on the other hand, clearly states that the General Assembly "calls upon the Government of Israel to co-operate with the Commission in this regard".

95. As for the draft resolution submitted by Afghanistan, Malaysia, Pakistan and Somalia [*ibid.*, para. 9] and calling for the appointment of a custodian to administer the Arab property, we regret the fact that it was not adopted. It is a matter of a certain satisfaction to us, however, that that draft obtained 36 votes against 38, a result which represents an improvement over last year's vote. Nevertheless, it is unfortunate that the United States delegation was instrumental in preventing its adoption by the Committee.

96. In this respect I would like to restate here what I said in my speech before the Special Political Committee on 10 November 1966. I said:

"We must confess that we are at a loss trying to figure out the United States position. When the Palestinian refugees requested that a custodian be appointed, the United States Government opposed the move so as to give contentment and satisfaction to Zionist organizations in this country. Conversely, when the United States is asked to contribute its full share to UNRWA's budget, its representatives are hard pressed to advance various excuses and

have, in fact, seen fit to announce a reduction of \$700,000 this year in addition to \$1.8 million reductions of the previous two years".<sup>7/</sup>

It is the same delegation that prevented the appointment by the United Nations of a custodian to administer and protect the Arab property in occupied Palestine. But the Palestine Arab refugees are fully determined to regain their homes no matter how strong the desire of politicians in this country to please the Zionist organizations.

97. The PRESIDENT: We shall now proceed to vote on the draft resolution recommended by the Special Political Committee in paragraph 17 of its report [A/6506].

*The draft resolution was adopted by 68 votes to none, with 39 abstentions.*

98. The PRESIDENT: This concludes our consideration of agenda item 32. The ad hoc committee of the General Assembly for the announcement of voluntary contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East will meet on Friday, 2 December 1966.

## AGENDA ITEM 92

Strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination (continued)

99. Mr. JAKOBSON (Finland): Two of the main principles of the Charter on which the United Nations, as an instrument of peace and freedom in the world is based are, first, the principle of the equal rights and self-determination of peoples and, second, the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of other States. Thus, the United Nations has an obvious responsibility to ensure strict observance of the prohibition of the threat or use of force in international relations and of the right of peoples to self-determination, which is the title of the item proposed by the delegation of Czechoslovakia [A/6373]. Paragraph 4 of Article 2 of the Charter clearly and decisively prohibits the threat or use of force by States, and thus has declared unlawful any act of armed aggression.

*Mr. Idzumbuir (Democratic Republic of the Congo), Vice-President, took the Chair.*

100. The conflicts and threats to international peace which we have witnessed have brought into sharp focus the need to ensure the better application and observance of the principles of the Charter. It is a fact of international life that, in spite of the acceptance of the provisions of the Charter of the United Nations, and in spite of the repeated declarations and agreements to abjure the use of force for settling international conflicts, force is being used to settle international disputes. It is therefore to be welcomed that the Members of the United Nations have been given this opportunity to reassert the importance of the principles of the Charter now under discussion here

<sup>7/</sup> This statement was made at the 512th meeting of the Special Political Committee, the official records of which are published in summary form.

in order to obtain their faithful observance by all countries and all peoples.

101. The application of the principle of the prohibition of the use of force in international relations has become an integral part of modern international law, and it is coupled with the recognition of the inalienable right of every people, large and small, to determine its own destiny, to choose freely its own form of political, economic and social development, its own way of life based on its national requirements and aspirations, and to affirm its national identity, free from outside interference or pressure. The application of these basic principles is also an essential condition for the maintenance of peace and security and for ensuring genuine freedom and independence to dependent peoples.

102. In this interdependent world of ours practically any act by one State is bound to affect other States. Consequently, the United Nations has an essential role to play as a centre—to quote the Charter—"for harmonizing the actions of nations in the attainment of ... common ends".

103. My delegation believes that there is a direct relationship between the effective and strict observance of the principle concerning the prohibition of the threat or use of force in international relations and the effective functioning of this world Organization.

104. The principles to which I have referred are at the heart of the policy of peaceful coexistence, to which Finland adheres, and which has been adopted by so many countries in the world today. Coexistence is based on the respect for sovereignty and the legal equality of States, and on the principle of non-intervention and self-determination of peoples. We therefore strongly oppose every form of intervention, be it carried out directly or indirectly, in the domestic affairs of other States, which have the right to develop their lives freely, in accordance with their own aspirations. Only by following the principle of coexistence can countries of different political and social systems work out mutually acceptable relationships which will enable them, in the words of the Charter, to practise tolerance and live together in peace with one another as good neighbours. We are convinced that the universal and faithful observance of these principles will bring about a relaxation of international tensions and create conditions in which all disputes between States can be settled by peaceful means through negotiations.

105. As we all know, the basic principles of friendly co-operation and co-operation among States have been carefully studied by juridical experts representing Member States of this Organization, and the work of those experts has not yet been completed. In this connexion, I should like to say that my delegation holds the view that all the principles of the Charter and of international law are closely interrelated, and that world order depends on respect for, and observance of, all those principles, not just one or some of them.

106. With regard to the draft resolution before us, my delegation believes that any text adopted by the General Assembly on this matter should have general and lasting validity. Definitions of fundamental principles of international relations, in order to have the

desired value and effect, must command broad acceptance by Member States. My delegation hopes therefore that the different texts could be reconciled and that the will of the Assembly be expressed in a unanimous declaration; and I trust that every effort will be made, and all the necessary time be given to achieve such an outcome.

107. Mr. EL-KONY (United Arab Republic): The world in general is certainly in need of being reminded from time to time of the basic principles of the Charter of the United Nations, lest any Government forget its duty under the Charter to maintain peace. It becomes imperative to stress these principles and to call for their respect when we witness, as at present, a dangerous trend in international relations which may, if continued, lead to another world war. We have to sound the alarm in time and take all measures to stop those dangerous developments and to reverse that risky trend back to friendship and co-operation among nations.

108. The big Powers are capable, by their own means, of defending their sovereignty and territorial integrity. They are in no direct danger; they are masters in their own lands; their systems of government and their social and economic orders are generally immune to foreign intervention. It is high time strongly to assert once more that other countries are entitled to the same rights and to call for the respect of those rights. There should be no violation of these basic principles if we want to live in peace.

109. In focusing the attention of the world upon this strong trend and in pointing out its dangerous consequences, one cannot but mention some of its recent manifestations. To begin with, I must recall the aggression against my country in 1956 aimed at subjugating our people, dominating our country, and even usurping a part of it. The complete failure of that aggression was a turning point in history. Many people hoped that that lesson would discourage those who believe in the use of force in international relations. To our great disappointment, the effects of that truth did not last long, and suddenly the world was shocked to witness the resumption of that aggressive policy in different parts of the world, and even again in the Middle East. The latest manifestation of it is the ignominious raid by Israel against Jordan, a flagrant aggression which has aroused the conscience of the world.

110. It is most distressing for all of us to follow what is going on in Viet-Nam. That is a war against the people of Viet-Nam, without any justification. It is violation of international law and of the Charter of the United Nations. The futility of that war becomes evident when we know that the way to settlement and peace was laid out and agreed upon by all the parties concerned in Geneva in 1954.

111. The use of force is not confined to Asia. It is applied equally with the same purpose in Africa and Latin America. Several cases are still in everyone's mind. There is no need to reiterate each specifically.

112. My delegation is grateful to the delegation of Czechoslovakia for its initiative in this respect, and we are happy to co-sponsor the fourteen-Power draft

resolution [A/L.493 and Add.1 and 2]. It is evident that the provision prohibiting the threat or use of force in international relations meets the wish of most Governments. It is a principle which is non-controversial. Its inclusion is just to recall and to emphasize again the need to respect this principle during these troubled times. The new provisions—which would be historic indeed if adopted, and would stand as a great feat of the United Nations—are those which recognize the right of the peoples oppressed by colonialism to seek and receive support in their legitimate struggle, and prohibit any action by force against these people. My delegation is gratified at the provision prohibiting the use of force to deprive peoples of their national identity.

113. The peoples in Africa and Asia, which are still suffering from the evils of colonialism and imperialism, even up to the present time, are looking towards the United Nations with the hope that we shall stand beside them morally and materially in their noble struggle for freedom. Let us not fail them.

114. My delegation is confident that this draft resolution will be adopted by a great majority.

115. Mr. FARAH (Somalia): The questions before us relate to two fundamental rules of the world order which are enshrined in the United Nations Charter and which all Members as peace-loving States have accepted, namely, the prohibition of the threat or use of force, and the right of peoples to self-determination. The Somali people are deeply devoted to these rules because, on the one hand, they have known colonialist and imperialist invasions, partition and domination and, on the other, the Somali Republic owes its very existence to the peaceful application of the right of self-determination.

116. There is a close link between the negative rule, the prohibition of force, and the positive rule, the right to self-determination. Evidently, self-determination is impossible if prevented by force. The debates at this session have shown, for example, how deeply the war in Viet-Nam is deplored by the world, because it brings ever-greater tragedy to the Viet-Nameese people while at the same time it prevents them from exercising their right to self-determination. I mention the Viet-Nam war because, of all unresolved conflicts, it causes the greatest alarm and anxiety. However, other conflicts, whether dormant or erupting into the open, also have their cause in various combinations of the use of force and suppression on the one hand, and disrespect for self-determination on the other.

117. No wonder that these matters have received the Assembly's closest attention on many previous occasions. I am referring, for example, to resolution 1815 (XVII) entitled "Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations", which was unanimously adopted on 18 December 1962. That resolution, it will be remembered, enumerates seven principles as being of "paramount importance". Among them is, of course, the right of self-determination of peoples. The resolution states in its preamble that the General Assembly is:

"Convinced that the subjection of peoples to alien subjugation, domination and exploitation is an impediment to the promotion of world peace and co-operation".

118. It will be noticed that the wording of the resolution is very broad. There is no limitation on the right of self-determination to colonial peoples. Indeed, one of the seven principles announced, in that resolution which was adopted unanimously, is that of "the principle of equal rights and self-determination of peoples".

119. We all recognize that the actual interpretation and application of this universal principle of self-determination poses complex problems, on which honest men may disagree. However, to my Government it appears self-evident that solutions can and will be found if the spirit of the high principles of international justice and human dignity are applied with true statesmanship and realism. If in some countries situations exist which are a continuation of nineteenth century colonialism and imperialism, it is not only in the interest of world peace but also in the interest of the respective countries themselves to accept the principle of self-determination.

120. Regarding the Somali Republic—a country which, I repeat, has re-emerged thanks to the fair application of the principle of self-determination—its Constitution understandably refers in its very opening words to: "the sacred right of self-determination of peoples solemnly consecrated in the Charter of the United Nations". By the same token, the Somali Constitution declares at the outset that the Somali people are: "determined to co-operate with all peoples for the consolidation of liberty, justice and peace in the world ..." and the Constitution "repudiates war as a means of settling international disputes". This is one of the "General Principles" of our Constitution which the Somali people "place at the base of the judicial and social order of the Somali nation".

121. Regarding the draft resolution before us, I shall limit myself to the following comments. First of all, it is of the utmost importance that this Assembly expresses itself forcefully and unequivocally on these twin problems. We must impress upon the Governments and peoples not only that the law of the Charter is valid, not only that it is binding, but we must reiterate our faith in those principles and our faith in their wisdom. If they are flouted, if force is used illegally and self-determination is denied illegally, the outcome can be only disastrous. The Assembly is, therefore, right in issuing a solemn warning and a solemn appeal.

122. In view of the great seriousness of the world situation, my delegation—and I believe this is also true of the feelings of many other delegations—would be disappointed if this Assembly could do no better than demand a legal study, as suggested in draft resolution A/L.498. We appreciate the intentions of the sponsors. We agree that the detailed study of the two principles of the prohibition of force, and of the right to self-determination, may require further study with a view to their codification and progressive development.

123. But this does not suffice. Even while we are debating, human beings are dying and being maimed by war. Further study by legal scholars on some fine points involved in these two principles should indeed receive priority, as that draft resolution demands. But the debate on this item has shown such overwhelming agreement on the extreme urgency and seriousness of the basic problems, that this common concern should solemnly be expressed here and now. The two draft resolutions before the Assembly, contained in documents A/L.493 and Add.1 and 2 and A/L.495 recognize that fact.

124. My delegation would have liked to see a marriage of those two drafts, because they both contain proposals which are commendable in themselves. The Costa Rica and United States draft would extend the declaration to embrace not only colonial peoples but all peoples that are subject to alien subjugation. Indeed it would clarify matters if the term "and alien subjugation" could be added to the third preambular paragraph of the fourteen-Power draft [A/L.493 and Add.1 and 2] after the words "under colonial rule", because the problem areas of today are not only those where there exist the classical forms of colonialism but those where people are being subjected forcibly to alien rule and occupation.

125. There is one other observation which my delegation would like to make on that draft resolution. This refers to operative paragraph 1 of part I, which states:

"Accordingly, an armed attack by one State against another or the use of force in any other form, including military, political or economic pressure, is contrary to the Charter of the United Nations and constitutes a gross violation of international law giving rise to international responsibility."

126. As my delegation understands it, military pressure can, under specific circumstances, constitute the forbidden use or threat of force. Political or economic pressure can, depending on the specific circumstances of a specific case, constitute improper interference in the domestic affairs of other States. Hence it can constitute a violation of the duty—reaffirmed, for example, in resolution 1815 (XVII)—not to intervene in matters within the domestic jurisdiction of any State. It may also constitute a violation of the equally paramount principle of the equal rights of peoples, that is, of all peoples. However, if political or economic pressure is not accompanied by the use or threat of force, then political or economic pressure would not constitute by itself the use of force. That is not clearly expressed in the draft resolution, but it requires clarification, because the Charter permits such far-reaching consequences to be drawn from the illegal use or threat of force.

127. My delegation has felt it necessary to make these observations because we are anxious that a resolution should emerge from this debate which will reflect adequately the realities of the situation of the world today.

128. Mr. SEYDOUX (France) (translated from French): The question brought before the General Assembly on the initiative of the Czechoslovak delegation [A/6393] is one which by its very title cannot

be a matter of indifference to the French delegation. Whether it is asked to state its attitude on the prohibition of the threat or use of force in international relations or on the right of peoples to self-determination, France can not only say that these principles form basic elements of its foreign policy, but it can also furnish proof of their implementation. The presence here of representatives of States that have gained their sovereignty and independence since the promulgation of the Charter is the clearest proof of that, and I think that we can feel justly proud of it.

129. Prohibition of the threat or use of force in international relations has been a matter of constant concern to the international community. The French Government has always endeavoured to contribute first of all to a universal acceptance of such prohibition and secondly to the progressive strengthening of that prohibition in practice. I think I am justified in recalling the part France played, even before the existence of the United Nations, in the preparation of the treaties now in force on which this debate is based. The renunciation of force in its worst form, that is, war, was laid down in the Briand-Kellogg Pact of 27 August 1928.

130. However, we do not claim to have monopolized the initiative in this matter. We cannot overlook the very important contribution of the Latin American States, that of the Asian States who drew up the Bandung principles, the African States' contribution of the Charter of the Organization of African Unity, and, finally, the active participation of the States of eastern Europe who worked out texts with a universal scope.

131. In its broadest form and as regards both its binding and general character, the prohibition of the threat or use of force is derived from Article 2, paragraph 4, of the Charter. That essential provision in a basic text is sufficient unto itself, and this debate and the resolution that may result from it can be only a reflection of that provision. In affirming this principle again and again, before and after other delegations, we do not so much want to add a new text to those already existing as to appeal to States to implement those existing texts, whatever the circumstances and, above all, however important may be the national interests at stake. The number of general, specific or bilateral treaties that can be invoked on this subject, the precision of their provisions, the wide scope of the work that has preceded or followed them—all lead us to hope that the adoption of the draft resolution submitted by Czechoslovakia and thirteen other countries [A/L.493 and Add.1 and 2] will help to fill the gaps that still exist.

132. As for the second principle referred to in agenda item 92, namely, the right of peoples to self-determination and their right to be free to choose their own political institutions, the French delegation gives it its full support. The Minister for Foreign Affairs of France, M. Couve de Murville, stated during the general debate that there are regions in Africa which "are still untouched by the great movement of liberation" and that "in a certain number of cases, this right has not been recognized, or else, if recognized, confined to a minority by virtue of a racial discrimination which is contrary to all our convic-



tions and to the very principles of the United Nations Charter" [1420th meeting, para. 89].

133. Therefore it is fitting that we should endeavour to put an end to this anachronistic state of affairs. We can take as a basis the provisions of Article 1, paragraph 2, of the Charter, which appears to us to be fundamental on this point. But here again we must note with regret that the abnormal situation prevailing in certain Territories is due not to the non-existence of principles or applicable texts but to a lack of will to turn those principles and texts into deeds.

134. Therefore, in giving its approval to the re-affirmation of a principle that it has in fact applied in practice, France wishes to express its desire to see the peoples who do not as yet enjoy self-determination accede to independence. Consequently, the French delegation is ready to participate in the United Nations in promoting whatever useful, practical and effective measures may be decided on to achieve the results we wish for always provided that those measures are in accordance with the Charter.

135. Having made these observations on the substance of the debate, I should now state what my delegation considers the conclusion to that debate should be. We must admit that if there is virtually general agreement on the principles in question, we have before us two texts to choose from on how those principles should be expressed [A/L.493 and Add.1 and 2; A/L.495], neither of which gives rise to any objection in principle on our part.

136. However, with respect to the draft resolution submitted by Czechoslovakia and thirteen other countries in favour of which we are ready to vote, we do not feel that the amendments submitted by the Democratic Republic of the Congo [A/L.497] adhere closely enough to the Charter. It seems to us also that the vagueness of the terms in the fourth preambular paragraph could give rise to a serious conflict of interpretation, and therefore my delegation cannot vote in favour of this paragraph. In due course we shall, if necessary, ask for a separate vote on this point.

137. The second draft resolution [A/L.495], on the other hand, does not contain any provision which is contrary to our views, except for a reference to resolution 1514 (XV) of 14 December 1960 which my delegation did not approve.

138. The existence of two not incompatible texts seems to result from the procedure adopted for the consideration of this agenda item. One of the disadvantages of direct discussion in the General Assembly of a subject that it has not yet examined would seem to become evident. My delegation hopes, if there is still time, to be allowed to vote on a single text. However, we cannot overlook the fact that the political principles with which we are concerned at the moment have been and still are being studied in the Sixth Committee and in a Special Committee set up by the Sixth Committee.<sup>8/</sup> It is regrettable that these discussions are taking place simultaneously in interdependent bodies. In my delegation's opinion, this contradiction cannot be resolved until we declare

that the political principles we have adopted cannot, without a full and thorough examination, be made the subject of constricting legal provisions.

139. These are the views of the French delegation regarding the item submitted by Czechoslovakia.

140. We have been happy to participate in a debate which, a few years ago, might have taken place in a very different atmosphere, and a debate which proves, if proof were necessary, that the problem of peace, if raised, immediately arouses feelings of goodwill from the far corners of the earth.

141. Mr. HOPE (United Kingdom): The principle of the prohibition of the threat or use of force is fundamental to peaceful relations between States. It is a principle to which every responsible State today subscribes. This was by no means always the case. Indeed, it was only comparatively recently that war was outlawed as a means of settling disputes.

142. It was to put an end once and for all to this state of affairs that the nations of the world finally came together to draw up the Charter on which this great Organization is founded. The opening words of the preamble of the Charter are these:

"We, the peoples of the United Nations, determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind,".

143. Article 2 (4) of the Charter requires all Member nations to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of another State, or in any other manner inconsistent with the purposes of the United Nations. This is perhaps the first and most fundamental of all the obligations which, under Article 4 of the Charter, we accept when we join the United Nations. Equally, the Charter recognizes in Article 1 "the principle of equal rights and self-determination of peoples".

144. Now my delegation has no reservations on the principles of the Charter, to which we subscribe in full, and which we will uphold to the best of our ability. We are ready, at any time, and so we believe are other delegations, to repledge our oath to the Charter.

145. We believe, however, that for the most part conflicts and tensions exist in the world today not because one side or the other fails to subscribe to a principle of the Charter, but because there is a fundamental difference of view as to how principles, which both sides accept, apply to that particular case.

146. We were, therefore, in some doubt when this item was first inscribed, as to the purpose. There seemed to us two possibilities: that it was directed to specific international issues, or that there was some more general purpose looking to the development of the Charter principles.

147. In his statement in the general debate, the Foreign Minister of Czechoslovakia [1416th meeting] listed a number of conflicts and disputes in which he found that the principle that States shall refrain from the threat or use of force was being flouted. Other

<sup>8/</sup> 1966 Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States.

speakers in this debate have done so too. Indeed, they have gone further and declared which party they considered in these instances to be responsible for violating the principle. Knowing as we do the political views and policies of the Governments concerned, no doubt few of us were surprised by their verdicts.

148. But my delegation has not found any constructive proposals for the Assembly's consideration for reducing these tensions and putting an end to these conflicts. As we all know, we are faced in the United Nations with many varied and complex problems. All are important, some are, in addition, of great urgency. And because they are so different, one from another, we do not believe that if we are to make progress with them, there is any alternative but to tackle them one by one, in an orderly fashion, dealing with each on its merits.

149. This, we believe, is the course most likely to render our discussion productive. If I may take the example of Viet-Nam, about which we have heard a great deal in this debate: my delegation does not believe, nor I think does any other delegation here, that the terrible problem of Viet-Nam is going to be solved simply by this Assembly re-affirming Charter principles. We believe that this great and urgent issue can be solved only by much more practical action than that.

150. We listened with the closest attention to the general debate at the beginning of this session. Presidents, Prime Ministers, Foreign Ministers, speaker after speaker there returned to the theme of Viet-Nam. Many sincere and carefully weighed proposals were put forward. The representative of the United States announced the willingness of the United States Government to stop all bombing of North Viet-Nam the moment it received any assurance that the cessation would be met by a prompt reciprocal act of de-escalation from the other side. He also raised again the possibility of a time-table for a supervised phased withdrawal of all external forces from South Viet-Nam. The British Foreign Minister himself spoke at length and in detail on the steps which the British Government would wish to see taken. I shall not repeat what was then said. But it is that kind of approach which my delegation believes can contribute to the solution of problems, and we hope that all those proposals put forward by so many distinguished statesmen will receive from those involved in the struggle in Viet-Nam the profound and unprejudiced consideration which they deserve.

151. From the proposals which we are now considering it would seem, however, that there was some more general purpose in the minds of those who inscribed this item. We have before us two drafts of a generally declaratory nature. My delegation believes that if we are to adopt general declarations of principles of this kind, we should do so only after due reflection and most careful examination of the terms used. What we are dealing with are documents which purport to set out the principles laid down in the Charter. This is no small undertaking and it is one which we should not deal with hastily.

152. The importance of the principle that States shall refrain from the threat or use of force has been recognized by the Special Committee on Principles

of International Law concerning Friendly Relations and Co-operation among States, which has taken it as the first of the seven principles to be considered by it. It poses many complex problems—for example, to take just one, whether the concept of force extends beyond armed force, and force exercised by violence or subversion, so as to include political and economic pressure brought to bear in the course of political relations between States. On this there are strongly conflicting views. Then again there is the question of the use of force by States in exercise of their inherent right of individual or collective self-defence. All these matters have been under most careful examination by the Special Committee on Friendly Relations.

153. Now we here, in a matter of a week or so, are seeking to reach agreement on a declaration with the widest implications. For reasons which we all understand, debate has had to be severely curtailed. We have only very recently had the benefit of seeing the detailed proposal of the delegation of Czechoslovakia [A/L.493 and Add.1 and 2]. More recently still we have seen the Costa Rican and United States proposal [A/L.495], and there may well be others who, if there were more time, would wish to make suggestions.

154. My delegation is fearful that, if we now act hastily, we shall end by adopting a text which time will show not to be satisfactory, and which, far from enhancing the prestige or the United Nations, will damage it. We may also risk weakening and calling in question the Charter itself. We think that this danger is much increased if, in seeking to arrive at a text, we allow ourselves to be influenced by short-term political considerations and interests. This is not the spirit in which to draft documents which seek to be declaratory of the Charter.

155. My delegation would accordingly urge that we should all reflect most carefully before deciding to adopt declarations of this nature. Charter principles will not be weakened simply because they are not annually reaffirmed. They may be weakened if declarations on them do not adequately reflect the wide spectrum of opinion in this Organization. Only what is freely and fully supported is likely to be fully observed. The existence of contending drafts is evidence that no declaration of principles which can attract such free and full support is yet before us, and it is in the light of this that my delegation will take its stand at the conclusion of this debate.

156. Mr. ROSSIDES (Cyprus): The item before us is one of vital importance. It calls for the consideration by the General Assembly of the need for the observance of two cardinal principles of the Charter, namely the obligation to refrain from the threat or the use of force in international relations, and the obligation to respect the right of self-determination of peoples. Violation of these basic principles is the underlying cause of the precarious world situation, now rapidly deteriorating, and of the overpowering problems that mankind faces today.

157. The threatening conditions in Viet-Nam and South-East Asia, the unsettled problems in Africa and the Middle East, are all connected directly with the violation of these two cardinal principles.

158. The discussion of this item with a view to adoption of a relevant declaration at the present session, is therefore due and appropriate. The intrinsic purpose should be to emphasize the need for a new dedication to these principles and to revitalize the Charter. Such rededication is necessary at a time when the world is threatened because of a growing disregard of the Charter and violation of its principles.

159. The need to counter these trends of regression, a regression to the concept of force, and the desirability of promoting the rule of law, has been felt for some years now. At its seventeenth and eighteenth sessions the General Assembly adopted resolutions initiating a study of the relevant principles of the Charter, and a Special Committee was set up for the codification, interpretation and progressive development of these principles [resolutions 1815 (XVII) and 1966 (XVIII)].

160. Notwithstanding the useful and valuable work carried out by the Special Committee since then, progress has generally been extremely slow. Meanwhile, in the intervening years, the dangers from the use of force and intervention in various parts of the world have further increased. The urgent need for some action by the United Nations towards bringing a sense of observance of the basic principles of the Charter led to the General Assembly Declaration last year [resolution 2131 (XX)] on the inadmissibility of intervention by States in the affairs of other States. A similar procedure on the two principles which form the subject matter of the present item seems also to be necessary, particularly as these principles are interconnected with the principle of non-intervention, on which the General Assembly Declaration was adopted last year. In fact, these two principles are the two pillars on which that principle rests.

161. The first principle regarding the prohibition of the threat or use of force in international relations, which is contained in paragraph 4 of Article 2 of the United Nations Charter, embodies the revolutionary change introduced by the Charter in the conduct of nations and in international law. It thus contains the very essence of the Charter as a landmark in the progress of mankind.

162. The right to resort to war, in the past and over the millenia, was always accepted as a normal part of international life. It was recognized as an indispensable attribute of sovereignty and the legal right of every State. It was even institutionalized by international law and regulations. War was renounced for the first time as an instrument of policy in 1928 by the Pact of Paris. It was, however, only by the United Nations charter, and specifically by paragraph 4 of Article 2 now under discussion, that not only war, but any use or threat of force in international relations, was especially proscribed and prohibited. The very concept of force as an instrument of policy between nations was thus abolished. This Article of the Charter and the principle involved are authoritatively recognized as a peremptory norm of international law, a rule of *jus cogens*. As such, no derogation from it is permissible under international law.

163. The International Law Commission, in adopting article 50 of the draft articles on the law of treaties, unanimously decided that there can be no derogation

from such an absolute rule of law by any treaty arrangements [A/6309/Rev.1]. Consequently, treaties which would purport to create a right in one State to use force against another State are *ab initio* void as derogating from the said rule of law.

164. This thesis is reflected also in Article 103 of the Charter, the effect of which is to invalidate international agreements when they conflict with basic obligations under the Charter.

165. For indeed the whole structure of the United Nations and the main purpose of the Charter in preventing war and maintaining peace would be wholly negated and would become meaningless if any States were legally permitted to contract out of the Charter and, by engaging in the use of force, bring war to the world, in violation of the Charter.

166. Clarification on these aspects in the Charter and by the International Law Commission is vitally significant, for the most sinister forms of the use of force, in disregard of the Charter, would be exactly those committed under a supposed cloak of legality from a pretended treaty right.

167. Strict observance of the prohibition of the use of force and the principle of the prohibition of the use of force are a peremptory norm of international law and therefore an imperative demand of the Charter and of international law.

168. It is a matter for profound concern that, two decades after the establishment of the United Nations, we are still in a world of international quasi-anarchy in consequence of the lack of respect for the basic principles of the Charter. Let us see what is the situation today. The Charter, in its preamble, declares the determination of the peoples of the United Nations "to save succeeding generations from the scourge of war" and, to this end, to ensure "that armed force shall not be used, save in the common interest", "to unite our strength to maintain international peace and security" and "to practise tolerance and live together in peace ... as good neighbours". It also declares the determination of the peoples of the United Nations, "to promote social progress and better standards of life in larger freedom" and "to employ international machinery for the promotion of the economic and social advancement of all peoples".

169. How far have we advanced in complying with these vital tenets of the Charter? The spiralling arms race absorbs vast economic resources of the world in perfecting the instruments of destruction, instead of improving the channels of life. Annual expenditure on armaments approaches the figure of \$200,000 million, while the amount spent for economic aid to the developing nations all over the world to assist against hunger, disease and illiteracy, with which almost two thirds of the world population are afflicted is only \$6,000 million. This sum remains stagnant, if it is not actually going down. On the other hand, the expenditure on armaments is rapidly going up. Is this situation in the world in itself not a continuing violation of the very spirit of the Charter as enunciated in the preamble? And does it not call for collective action to reverse the growing trends in the use of force which are the underlying causes of the frenetic arms race and of various problems in the world today?

170. Developing the best part of human endeavour in the relentless preparation for a war, well knowing that it would be one of complete self-annihilation if it occurred, a war, therefore, that will either never happen or, if it does, will leave nothing behind it but shambles, is the most astonishing sign of human failure in sane thinking and acting.

171. All the nations that subscribed to the Charter solemnly undertook to conform to its tenets and to abandon the use of force in their international relations. The signing of that historic document was genuinely meant to open a new era in the history of man, the era of reason to replace that of force as the arbiter in international relations, an era in which national security was to be progressively sought and found through international security in a world of growing law and order.

172. Twenty-one years have elapsed since then, and practically nothing has been done towards progress in that direction. There has been no effort to strengthen and develop the United Nations, as was envisaged by those who drafted the Charter. Outdated habits of thinking and policies of force are still with us. Yet the demands implicit in the Charter for change and adjustment to higher standards in the conduct of nations are basic and compelling. We cannot comply with the Charter unless there is this change. For it is only by recognizing the inevitability of change, and understanding its implications in international affairs, that we can hope to preserve human values and indeed human life in this atomic age. The change, seemingly so distant and unattainable, has to come. For we are still in the period of transition from force to reason.

173. The current hardening of positions of strength everywhere in an apparent return to the anachronism of force, which has caused this item to be brought before the General Assembly, is but a passing phase in the transitory process. We should not forget that the concept of military force has been ruling supreme over the world through the ages. It cannot be expected to surrender its rule without stubborn resistance, without a last, desperate stand.

174. We are now entering this new phase. It will be the most crucial period of contest and the severest test that man in his long history has ever faced. The outcome is unknown. We firmly believe, however, that not the elements of force and death, but those of reason and life will eventually emerge as the victors. We can hope only that they will emerge in time, before an overhanging nuclear catastrophe abruptly closes the present chapter, and with it the whole history of man on earth.

175. In this long task for survival, every nation, large or small, and every individual has a duty to perform in bringing a contribution, however small, to the common cause of the abandonment of force for the sake of human survival.

176. Certain facts of life, which are new to our world, have to be fully realized. The first is that, in our nuclear age, the great Powers can no longer consider the use of force against each other, or for that matter against other nations, as an effective instrument of policy. Consequently super-armaments no

longer offer the means for achieving any desired objectives. On the contrary, their existence in itself acts as a restraint on any free exercise of policy within the concept of force. This concept of force is in itself a relic of the past and a hindrance to the progress, prosperity and peace of mankind.

177. The second consideration is that no war, not even brush fire wars, can in this age be brought to a successful, or indeed to any effective, conclusion. Because of the danger of nuclear escalation, wars have to be stopped either through self-restraint or through collective intervention by the world community. What then is the point of pursuing this policy of force? A policy looking to the attainment of any objectives through war is unrealistic and self-defeating. Furthermore, in a world of closely-knit interdependence, no nation can practise a policy detrimental to other nations, and contrary to the basic interests of mankind, without primarily damaging its own interests in that exercise. For a nation, therefore, to refrain from the use or threat of force, as enjoined by the Charter, would be to act essentially in its own national self-interest, no less than in the interests of the world community. It has become increasingly apparent that the use of military force can bring no solution to any problem and no advantage to its user; on the contrary, it further worsens the situation. Problems in our time and age can be solved only through the political will for international understanding and the exercise of reason based on the principles of the Charter.

178. I now turn to the other principle in the item under discussion, the principle of self-determination. Self-determination denotes the inalienable right of the people of a territory to determine the future of that territory as a whole. It is an imperative principle that cannot be ignored. For there can be no stability or peace where the will of the people in any part of the world is in rebellion and where the sense of justice and freedom is continually violated.

179. It is true that since the historic declaration of the General Assembly in 1960 against colonialism, there has been considerable progress in the peaceful attainment of independence by the peoples of many former colonial territories. But there is still a great deal left undone in Africa and in other parts of the world. And there is the spectre of neo-colonialism in its various manifestations. To the peoples of territories still struggling for their inalienable right to self-determination, the declaration that will be adopted on this item should come as a message of hope and renewed assurance of the United Nations concern for the full realization of these rights. Questions of self-determination cannot be solved partially. Unless freedom is realized everywhere, it is real nowhere. For freedom is indivisible and, as President Kennedy said shortly before his death: "When one man is enslaved, who are free?" Denial of self-determination is also a negation of peace, for peace and freedom are indivisible concepts and inseparable realities.

180. One of the most regrettable consequences of the denial of self-determination is that it brings in its wake policies of "divide and rule". The problems of artificial division so created are often perpetuated after independence. As a result, most of the inter-



national issues of which the Security Council has been seized have their origin in such divisions.

181. The case of Cyprus is perhaps the most pertinent example of the violation of both the principles under discussion. The principle of self-determination was violated by the persistent denial of this right to the Cypriot people. Out of the fifty-four countries that have emerged to independence and joined the Organization since the establishment of the United Nations, all have attained the free exercise of their right to self-determination, external and internal—all except Cyprus. In all these countries the constitution was derived from the will of the people concerned through constituent assemblies—in all except Cyprus. In all, the democratic norm of majority rule was respected and fully applied—except in Cyprus. The abnormalities inevitably resulting from such a situation have been the underlying cause of all the trouble in the Island. The Charter principle prohibiting the use or threat of force in international relations has also been violated in respect of Cyprus by threats of invasion and actual aggression against the territorial integrity and political independence of the newly established republic.

182. This reference to my country is not intended to convey any sense of criticism or recrimination, but merely to provide a classic example of the violations of these principles, and as an illustration of the resulting consequences to world peace and stability. I could not refrain from bringing this illustration and this most important and clear-cut example of violation of the above-mentioned principles to the attention of this Assembly. Peaceful and lasting solutions of problems can be found only through a return to the Charter and strict adherence to the forms of its basic principles. That is why a declaration of the General Assembly restating and revitalizing these principles and calling for their observance is an appropriate and necessary step at the present juncture of the world situation.

183. My delegation therefore supports and will vote for such a declaration. I reserve my right to comment on the draft resolutions, if necessary, later on in this debate, in view of the fact that one of these draft resolutions was introduced only today.

184. Mr. KLUSAK (Czechoslovak Socialist Republic) (translated from Russian): May I be permitted to say a few words at this time with regard to the discussion which has taken place during our meetings on the question now under consideration.

185. A significant feature of this debate has undoubtedly been that it has confirmed the prime significance of the two basic principles in relations between States and in the lives of peoples. We regard this as an extremely valuable result of the consideration of the question thus far.

186. The majority of the delegates have approached the problem with a realization of its urgency and importance, more particularly in the context of the present-day world situation.

187. The discussions have established, first of all, that the prohibition of the threat of force or use of force, and the implementation of the rights of peoples

to self-determination, are fundamental principles of the Charter, which form the basis for peaceful relations between States and peoples. As the representative of Ecuador rightly observed in his speech during the meeting held on 14 November [1463rd meeting], these principles are so closely linked that one cannot be separated from the other.

188. Most of the speakers have stressed the very important fact that both these principles, in spite of having been proclaimed and generally adopted, are not observed in practice but, on the contrary, are often violated.

189. The debate has confirmed that there are many cases in international relations in which force is used or threatened, and that such cases are a grave threat to international peace. The natural reaction to such a situation is to demand that States should unconditionally observe the prohibition of the use of force.

190. There have been many instances in recent days in areas of South-East Asia, Africa and Latin America, where force has not only been, or was being, threatened, but has been directly applied against independent and sovereign States. It was particularly emphasized that territories still existed in which force was used to prevent peoples suffering under the yoke of colonialism to obtain their right to self-determination and to achieve freedom, independence and self-sufficiency. The example referred to most was the struggle of the oppressed peoples of Africa, particularly in Angola, Mozambique, Southern Rhodesia and the Republic of South Africa.

191. In this connexion it should be pointed out that full support was also expressed in the debate for the principle that all peoples prevented by force from achieving their right to self-determination, despite the fact that this right has repeatedly been upheld by various organs of the General Assembly, are entitled to use all means necessary to obtain their independence and freedom.

192. From this short survey of basic concepts expressed by an overwhelming majority of the delegations in the general debate on the item under discussion, the valid conclusion may be drawn that not only does the content of the draft resolution submitted by fourteen States, and set out in document A/L.493, fully cover the present-day situation, but its submission was and is most timely, and desirable.

193. One of the sponsors of the draft, the representative of India has shown convincingly [1467th meeting]—and our delegation fully associates itself with this—that the resolution submitted is not a mere repetition of the principles of the Charter, but presents a new opportunity to discuss the obstacles standing in the way of universal peace.

194. During today's meeting we have heard most weighty and convincing words from the delegates of France and other countries on the pressing need for the observance of the two principles.

195. Unless the prohibition of the use of force is observed and the principle of the right of peoples to self-determination is respected, peace and international security cannot be strengthened; and to

emphasize these principles at the present time serves to strengthen the cause of peace and meets the interests of all States.

196. I should like to be permitted at this stage of the debate to say a few words about some aspects of the document submitted. I refer first of all to the draft resolution issued two days ago and submitted by its sponsors, the delegations of Costa Rica and the United States of America, at yesterday's meeting [A/L.495]. We should note that the draft concerns the two principles we are considering. Although in its preamble the draft repeats word for word the second point of the preamble to the fourteen-Power draft resolution, expressing concern about the existence of dangerous situations due to the arbitrary use of force in international relations, in its operative part it calls upon States to renounce any doctrines advocating the use of particular types of force. No mention is made in this connexion of the prohibition of the use of force, and cases of the illegal use of force in international relations, which represent aggressive acts threatening the future of mankind, are passed over in silence. It is significant, and a cause for deep concern, that the sponsors are trying to put into these clauses a meaning which is alien to the struggle of peoples for freedom and independence.

197. The sponsors of this draft resolution go on to propose that we should give up the desire to affirm the principle of self-determination and to express support for the heroic struggle of peoples against colonialist rule. And this is done at a time when, in the General Assembly, it has been shown beyond any doubt that—to quote from resolution 2105 (XX):

"... the continuation of colonial rule and the practice of apartheid as well as all forms of racial discrimination threaten international peace and security and constitute a crime against humanity".<sup>2/</sup>

198. I also think it necessary to recall that the legitimate character of the struggle of peoples still under colonial rule for the right to self-determination and independence has also been recognized by the General Assembly of the United Nations; I refer in particular to paragraph 10 of the operative part of General Assembly resolution 2105 (XX).

199. May I also recall that the General Assembly has witnessed repeated attempts to prevent the adoption of resolutions supporting the liberation movements of peoples under colonialist domination. The present attempts in this direction are thus not the only ones.

200. Today another draft resolution on the question under discussion, submitted by Canada, Chile, Denmark, Iceland, Italy, Japan, Madagascar and Norway has been circulated [A/L.498]. In this draft resolution the delegations mentioned seek to have the present session refer the question of strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination, to the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States.

201. In effect, these delegations are trying to make the General Assembly abandon its responsibility to

draw the necessary substantive conclusions from the present debate and desist from calling upon Member States to respect the principles of the United Nations Charter in the interests of peace and peaceful co-existence.

202. The Czechoslovak delegation cannot but express its surprise at the way in which the sponsors of this draft resolution propose to conclude the examination of an item described as important and urgent when it was included in the agenda of the twenty-first session of the General Assembly.

203. As I have already said—the whole of our debate has clearly confirmed that the question is urgent and important in the present situation. To insist now that the question should be referred to another organ for further consideration is nothing but an evasive manoeuvre designed to shelve the whole matter and prevent the General Assembly from effectively concluding its examination of the item.

204. From this point of view, the contents of the draft resolution are all extremely illogical and contradictory. The preamble emphasizes the existence of dangerous situations in the world constituting a threat to universal peace and security due to the arbitrary use of force in international relations, and expresses deep concern in this connexion. Deep concern is also expressed at the fact that the principle of self-determination of peoples, as embodied in the Charter of the United Nations, has not yet been fully implemented. After saying further that it is imperative to observe the prohibition of the use or threat of force and to respect the principle of self-determination of peoples, the whole argument suddenly is clearly slowed down and weakened after which the operative part comes out with a completely formal and procedural decision which would prevent the General Assembly from expressing its position on the substance of the item under consideration.

205. The urgent and important nature of the question rules out our referring it to some other organ. Our task at the present time in this General Assembly, as emphasized by many delegations, including the representative of Somalia, who has just spoken, is to make a clear and authoritative statement and to take a definite stand on the question of the illicit use of force in international relations and on the urgent need to put an end to a policy which still holds tens of millions of people in colonial subjection, using armed force and all other means of coercion against national liberation movements.

206. The purpose of the item under consideration and of the draft resolution concerning it is not to duplicate or replace the work carried on since 1962 by the Legal Committee of the General Assembly in the field of codification and progressive development of the legal principles of peaceful coexistence. The purpose of the item, as has been repeatedly emphasized during the debate, is first and last to remind States Members of the United Nations of their obligations in respect of the prohibition of the threat or use of force, and in respect of the principles of self-determination and to urge them to refrain from any action contrary to the basic principles of the Charter.

<sup>2/</sup> Quoted in English by the speaker.

207. To identify this matter with the question of friendly relations among States that is being examined by the Sixth Committee would be to rob it of all its essence and meaning. Even the representative of the United States of America, speaking in the General Committee [1631st meeting], during the discussion on the inclusion of this item on the agenda for the plenary meeting of the General Assembly, stated that the question

"... should not be confused with the item on the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter, which the Sixth Committee should continue to discuss from the point of view of their legal contents".<sup>10/</sup> [A/BUR/SR.163.]

208. From what I have said it is clear that the Czechoslovak delegation because it wants the work of our session to be effective and because it wants the General Assembly to uphold in all possible ways the elementary principles of the Charter and to defend world peace, cannot support the draft resolutions contained in documents A/L.495 and A/L.498.

209. I repeat that the item submitted by Czechoslovakia for the agenda of the twenty-first session of the General Assembly, as well as the draft declaration submitted and supported by a number of other delegations, pursues only constructive ends, to uphold the Charter, to halt undesirable developments in international relations and to bring about an improvement in the world situation.

210. Our only purpose is consistently to apply the principles of the United Nations Charter and to help this Organization to perform effectively its essential task, which is the preservation of world peace and security. The draft resolution submitted by the fourteen delegations fully reflects that attitude and those aims.

211. This draft resolution has been conceived as a document of great political significance, in which the General Assembly would point to the vital need for strict observance of the prohibition of force in international relations and of the right of peoples to self-determination. We consider that this measure is not only timely but essential if the present session is not to become a mere passive recorder of events. A policy of side-stepping and of disregarding the measures which the present situation demands cannot serve the prestige of our Organization or the promotion of world peace.

212. Draft resolution A/L.493 and Add.1 and 2, as a political document based on the considerations which have been given, stems entirely from the Charter and from the resolutions adopted by the General Assembly for the purpose of ensuring a better implementation of the aims of the Charter. This refers not only to the prohibition of the threat or use of force in international relations, but also to the implementation of the right of peoples to self-determination. The purpose of the draft is not to explain the legal aspects or all the components of the principles involved. It is to recall the main requirements that must be observed in order that the principles of the Charter

with which we are dealing may exercise a greater influence on the policies of States and obtain the recognition due to them in international relations.

213. The delegation of Czechoslovakia, together with all the co-sponsors of the declaration, prepared this document from the outset in an atmosphere of frank discussion and with the co-operation of a very considerable number of delegations attending the General Assembly. As a result, the draft submitted reflects the views and interests of peoples from all parts of the world, and we are sure that the efforts made by the sponsors of the fourteen-Power declaration will meet with due understanding and appreciation among the Members of the General Assembly.

214. The PRESIDENT: I shall now call on those representatives who have expressed a desire to exercise their right of reply.

215. Mr. ALARCON DE QUESADA (Cuba) (translated from Spanish): At this morning's meeting, the representative of Colombia reiterated in his intervention in this debate the familiar position stated yesterday [1467th meeting] by the representative of the United States of America. The arguments we heard this morning were precisely those used by the Americans in justification of the aggression against the Vietnamese people. We also heard precisely the same allegations about the so-called negotiations for peace in Viet-Nam which, as is well known, and as the facts make abundantly clear, are merely a cover for attempts to widen the war of aggression in this region. We also heard the said representative's objections to the draft resolution submitted by the Republic of Czechoslovakia and thirteen other States Members [A/L.493 and Add.1 and 2], followed of course by his support for the draft resolution submitted yesterday by the United States of America [A/L.495]. Lastly we listened to a repetition of his earlier attacks on the Havana Tricontinental Conference.<sup>11/</sup>

216. My delegation stresses once again that these manoeuvres merely conceal a desire to justify the use of force, of a policy of aggression, by the imperialists against the small countries, while at the same time they seek to deny the inalienable and unrestricted right of peoples to fight by every means for their independence and sovereignty, for the liquidation of colonial rule and in defence of their integrity and their right to self-determination against the attacks and the machinations of imperialism.

217. The representative of Colombia spoke and acted—I repeat—exactly as the representative of the United States did yesterday. There is nothing new in this obsequious and servile attitude, so typical of a decaying oligarchy. The proof is that a century and a half ago the Liberator, Simón Bolívar, condemned those in our lands who served as tools of American imperialism, then in its infancy, in words that are still valid today.

218. Let it then be Bolívar, the Liberator of Colombia and many more of our Republics, who shall reply to the representative of the Colombian oligarchy. I shall

<sup>10/</sup> Quoted in English by the speaker.

<sup>11/</sup> First Solidarity Conference of the Peoples of Africa, Asia and Latin America, held in Havana from 3 to 14 January 1966.

quote for this purpose a letter by the Liberator, dated 21 October 1825, in which he said, literally, as follows:

"I have never made so bold as to tell you what I think of your speeches, which are of course, I realize, perfect, but which do not please me, because they resemble those of the President of the American hucksters. I loathe these canaille so much that I should not like it to be said that a Colombian did anything like them."

219. That is the end of the quotation, and of my reply.

220. Mr. ERALP (Turkey): We have come to the end of the discussion of one of the fundamental principles of the Charter which we all seek to confirm and consolidate in this Assembly. We are all concerned with the preservation of principles which are the main bulwarks of the small nations of the world against outmoded doctrines of expansionism and territorial aggrandizement. It is therefore all the more regrettable that a discussion of those fundamental principles should have been exploited to further those outmoded and reprehensible doctrines.

221. And yet that was precisely what was attempted in a round about way and by implication this afternoon by Mr. Rossides of Cyprus. He has again brought before this Assembly, this time under the guise of illustration of principles under discussion, a question which is not on our agenda, which the Assembly has already debated at great length in the past and expressed its opinion upon, and which at this stage is the subject of delicate peaceful discussions among the interested parties in order to find a peaceful solution acceptable to all within the principles of the Charter.

222. It was too much to expect that Mr. Rossides should let the occasion pass for repeating the same misrepresentations concerning the peoples of Cyprus, who have already exercised their right to self-determination by choosing to become independent, and who are now under pressure to abandon their independence to become part of another country. Again it was too much to expect that he should not reiterate, at least by oblique reference, the unfounded and exploded accusations of divisive intentions against Cyprus.

223. The example of Cyprus was ill-chosen for this discussion. This Assembly is well aware by now that what is really at stake in the question of Cyprus is the fight of one of the peoples of Cyprus against an attempt by the other to drag it by force into colonial rule against its will. This is well illustrated by an excerpt from a statement made only eight days ago, on 9 November, by the President of the Republic of Cyprus. Conducting a religious ceremony on the island of Crete, he stated: "We live for Greece and fight for Greece"—not for Cyprus, mark you; not for the independence of his own Republic. I repeat the quotation:

"We live for Greece and fight for Greece. Our only unswerving desire is enosis."

224. In the exercise of my right of reply, and in order to register the truth once again, I have been obliged to make this brief intervention, fully aware

that nothing said by Mr. Rossides on the question of Cyprus can contribute to this debate which has been conducted on a high level. His remarks on that question have been tendentious and intended to mislead. Nothing I can say in reply can restore the level of the debate.

225. As for the adverse effect this useless altercation may have on the painstaking efforts being made to find a peaceful solution to the problem of Cyprus, the responsibility rests entirely with Mr. Rossides.

226. Mr. ROSSIDES (Cyprus): The fact that the representative of Turkey could not avoid saying that this matter had been discussed here and that this Assembly had expressed its view upon it by a resolution, is a sufficient reaffirmation of what I have said. The resolution [2077 (XX)] reaffirms:

"... that the Republic of Cyprus, as an equal Member of the United Nations, is, in accordance with the Charter of the United Nations, entitled to enjoy, and should enjoy, full sovereignty, and complete independence, without any foreign intervention or interference".

227. The implication is obvious that there was a hindrance to the complete independence of Cyprus; that there was intervention, which made this resolution necessary.

228. In my statement I did not wish to enter into this matter, but the representative of Turkey has chosen to bring it up. Without mentioning Turkey at all, I mentioned the example of Cyprus. Of course, when I said that there was violence and threat of invasion against Cyprus, the one who was guilty of it immediately took offence. If Turkey were not guilty of such acts, it would not take offence.

229. The Assembly well knows the facts. The example of Cyprus was put by me merely to illustrate the meaning, the effects and the consequences of the violations of the Charter which have taken place in the case of Cyprus.

230. The question of enosis, to which the representative of Turkey referred, is a matter not of annexation, not of colonialism, as everyone knows, but of the exercise of the right of self-determination. It is for the people of Cyprus, and no one else, to decide what they wish for their future. That is in full accordance with the Charter and also with the principles of resolution 1514 (XV) on the granting of independence to colonial countries and peoples, adopted by the General Assembly in 1960.

*Mr. Pazhwak (Afghanistan) resumed the Chair.*

231. Mr. SOURDIS (Colombia) (translated from Spanish): The representative of Cuba was not pleased with the speech I made this morning on behalf of my delegation. I imagine this will cause the General Assembly no surprise, for given the position that his delegation maintains towards my country, it is understandable that he should find a speech by a Colombian representative displeasing.

232. I stated the policy of my country—which is a representative democracy established by popular consultation—in accordance with the instructions of my Government. If this was all that was involved, it



would perhaps hardly be worth exercising my right of reply. However, the representative of Cuba saw fit to use two terms of abuse which do not, in my view, accord very well with the high standard of oratory which has prevailed and which still prevails in this General Assembly, for which reason I feel myself obliged—respectfully but quite firmly—to reject them out of hand.

#### AGENDA ITEM 25

Non-proliferation of nuclear weapons: report of the Conference of the Eighteen-Nation Committee on Disarmament (continued)

REPORT OF THE FIRST COMMITTEE (A/6509)

233. The PRESIDENT: I call on the representative of Pakistan in exercise of his right of reply.

234. Mr. AMJAD ALI (Pakistan): We had hoped that the sponsorship by Pakistan of one of the draft resolutions on this item would not, regardless of its merits, earn it the opposition of the delegation of India. I have no wish to enter into any argument with the representative of India at this stage. But, in answer to the points which he and the representative of Yugoslavia raised, let me briefly clarify the following points.

235. First, it is true that, in informal discussion, some changes in the draft resolution were suggested to us. We found those changes unacceptable in the context of this draft resolution because they would totally change its character. But that does not mean that we were hostile to the principles implied in those suggestions. In the context of a different resolution, we would have been happy to endorse them. We were not opposed to resolution 2028 (XX). We have recalled all previous resolutions, including resolution 2028 (XX) in this resolution. We voted for the other resolution which, in its operative paragraph 1, reaffirms resolution 2028 (XX). But, in all candour, resolution 2028 (XX) is not a scripture, an invocation of which is necessary to sanctify every text on disarmament or on non-proliferation. Each resolution has its own purview and its own scope. We cannot mix one with the other.

236. Secondly, it is said that this resolution lacks balance. This is unfair because, in the fourth paragraph of the preamble, the resolution clearly says that the prevention of further proliferation of nuclear weapons is a matter of the highest priority demanding the unceasing attention of both nuclear and non-nuclear-weapon Powers. Why confuse the meaning of this term "further proliferation"? It obviously includes any increase in the existing nuclear arsenals. No one contends that proliferation, in the sense of augmentation of nuclear weapons in the hands of the existing nuclear Powers, is not a danger to humanity. But it would be utterly unrealistic to contend that this danger is of a character identical with the danger of the emergence of additional nuclear-weapon Powers. Can anyone be persuaded to believe that another underground explosion in the United States or in the Soviet Union alters the global pattern as much as would the explosion of a device by South Africa, India, Israel, or, for that matter, Pakistan?

237. Thirdly, as far as the items proposed for consideration by the conference are concerned, we have said repeatedly that this list is not exhaustive. No one would want to preclude the discussion of issues which are logically related to considerations of security, co-operation to prevent proliferation, and peaceful uses of nuclear technology. The questions of a comprehensive test ban and denuclearized zones are immediately involved in a full consideration of the issues referred to in operative paragraph 1.

238. Fourthly, regarding the points raised in connexion with operative paragraph 2, I do not wish to prejudge or anticipate their consideration by the Preparatory Committee.

239. Fifthly, the representative of Yugoslavia has again drawn our attention to other measures of nuclear disarmament which are of the greatest urgency. We have no disagreement with his views, but we say that the first step is to prevent the spread of nuclear weapons. And this is pre-eminently a matter for the conference of non-nuclear-weapon Powers.

240. On behalf of the sponsors, may I take this opportunity to thank the delegations which have supported our resolution.

241. The PRESIDENT: I call on the representative of India in exercise of his right of reply.

242. Mr. MISHRA (India): The hour is very late, and I shall be as brief as possible.

243. We have a tradition in this Assembly of freedom of speech, and that tradition is so well respected that I did not want to interrupt the representative of Pakistan while he was speaking, but I should like to know why the right of reply was exercised by the representative of Pakistan as far as the delegation of India was concerned. We did not even mention the name of Pakistan in our earlier statement. True, Pakistan was a co-sponsor of the draft resolution in the First Committee, but, once the Committee adopts a draft resolution and recommends it to the General Assembly, there are no longer any co-sponsors.

244. In his latest intervention, the representative of Pakistan said or implied that India voted against the draft resolution because Pakistan had put it forward. I want to assure the Assembly that that is not the reason. In the First Committee we paid tribute to the sincerity of Pakistan in bringing forward the idea. It is a matter of principle, and that is the principle we have defended today by voting against the draft resolution as it was recommended by the First Committee. There are many draft resolutions which are co-sponsored by Pakistan in this Assembly and in Committees and for which we vote, and in the very near future we shall vote for a few others. I would beg the representative of Pakistan to understand that our opposition to his draft as it was recommended by the First Committee was not due to the fact that Pakistan was a co-sponsor.

245. I did not want to interrupt the representative of Pakistan while he was supposedly exercising his right of reply as far as India was concerned. I now have a right of reply. I could go on at great length on this matter but I will not do so. First, unlike the delegation of Pakistan, we do not believe that it is a matter of

difference between India and Pakistan. Secondly, the issues are very clear and they have been put on record. Thirdly, as I promised, I want to be brief, and in any case the hour is late.

246. The PRESIDENT: The statement just made by the representative of India with regard to the recognition of the representative of Pakistan for the purpose of making the statement that he made just before that of the representative of Pakistan might be taken as implying that the representative of Pakistan was given the floor when he should not have been given the floor. That makes it my duty to clarify the situation for the representative of India by saying that I personally do not think that he intended such an implication to be drawn. I emphasize that. However, if he or any other representative might draw such an implication from that statement, it should be quite clear that the representative of Pakistan wanted to make a statement about another statement that had been made in the General Assembly; at that time I asked him not to make that statement, because, as I said, it was much closer to a right of reply than to an explanation of vote, and he was kind enough to accede to my request. Then I said that he could speak at the end of this meeting.

247. In the statement he has just made, as members have heard, the representative of Pakistan did not refer only to the statement of India. If I have his words correctly in my memory—and I am sure they are on record—he said that he found it necessary to make certain clarifications, and he did not mention only one delegation but also another delegation. I think that he had the right to make that statement, just as the representative of India had the right to make another statement, as he has indeed done.

248. I now call on the representative of India, who wishes to speak on a point of clarification.

249. Mr. MISHRA (India): Mr. President, thank you for giving me the floor at this stage. Of course I did not imply that you had given the representative

of Pakistan the right of reply wrongly. Of course that was not my intention. However, I do say that a delegation wishing to exercise its right of reply must at least put forward certain reasons for that. India did not mention the name of Pakistan earlier in its intervention this afternoon—there was not one single reference to Pakistan—but the delegation of Pakistan began its latest statement by implying that India had opposed the resolution because it was co-sponsored by Pakistan. That is the point I was making.

250. The PRESIDENT: I thank the representative of India for the clarification he has just given.

251. We have exhausted the list of speakers for the general debate on item 92 and the rights of reply. I wish most sincerely to thank the Members of the General Assembly for their co-operation and patience in dealing with the items on our agenda this morning and this afternoon. This morning I said that I hoped that with their co-operation we might be able to deal with all the items on our heavy agenda. We have succeeded in doing so only because of their co-operation.

252. I should like to inform you that from a series of meetings with Members of the General Assembly I understand that certain consultations are going on to try to reach a compromise draft resolution on item 92. In order to give time for those consultations and in the hope that, after this constructive debate on this very important item, we shall reach a constructive result, I have agreed to cancel the meeting which was scheduled for tonight and to continue the consideration of this item at a plenary meeting to be announced in the Journal. Since there is a possibility that a compromise draft resolution will be achieved, the representatives inscribed on the list for explanations of vote will have an opportunity to do so when we come to the vote on the final text or texts before the Assembly.

*The meeting rose at 6.50 p.m.*