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President: Mr. Stanisław TREPCZYŃSKI (Poland).

AGENDA ITEM 25

Non-use of force in international relations and permanent prohibition of the use of nuclear weapons (*continued*)

1. Mr. KLUSÁK (Czechoslovakia) (*translation from Russian*): Speaking from this rostrum today, 7 November, I would like first of all to address myself to the representatives of the Union of Soviet Socialist Republics and the Byelorussian and Ukrainian Soviet Socialist Republics and to congratulate them on the anniversary of the Great October Socialist Revolution, which was a turning-point in the modern history of mankind. We, along with all progressive peoples, are celebrating the fifty-fifth anniversary of that Revolution this year, which is also the fifty-fifth anniversary of the establishment of the Union of Soviet Socialist Republics. On this great day we would like sincerely to wish all the Soviet peoples further success in carrying out the tasks of building communism and in implementing the peace programme submitted to the Twenty-Fourth Congress of the Communist Party of the Soviet Union.

2. In recent years we have been devoting more and more attention here in the General Assembly to the question of how to act so that people in every part of our planet can live peacefully without fear of any new international conflict or possibly war breaking out. The peace-loving people of the world have often turned in hope to the United Nations for they expect it to carry out its basic task, namely to promote the maintenance of peace and international security and to help to avert crises that could escalate into dangerous clashes.

3. It is extremely important that in the present international situation the trends towards a relaxation of international tension are having an increasing influence and that the development of relations between States is creating conditions favourable to a peaceful solution of intergovernmental problems. It has proved possible to achieve a situation in which people in large areas of the world, in continents where the horrors of war are still remembered, are today living in peace. Yet there are still areas where armed force and war still operate as a political factor in the aggressive policies of the imperialist forces; there are still

areas where the mass use of the most modern means of warfare is destroying the very bases of the life of the people and the human environment. There are still areas where people are living in conditions of colonial domination and oppression and must fight for the attainment of their rights to freedom and independence.

4. In such a situation the United Nations, too, without any doubt, has an interest in ensuring that hotbeds of war and conflicts, where they still exist, are eliminated as quickly as possible and in making our Organization an even more effective ally in the struggle of the colonial peoples for the final overthrow of colonialism and in promoting the strengthening of peace and security in the world. All of us here, representatives of States Members of the United Nations now present at this General Assembly, must be concerned today primarily with ensuring that the international situation continues to develop in such a way that the trends towards a relaxation of international tension are strengthened. To that end we must exert ourselves to the utmost, using all our resources.

5. The prohibition of war and the non-use of force in international relations—a lesson learned from the last world war, unleashed by the Fascist Powers—is embodied in the Charter of the United Nations as a fundamental principle. There can be no question that that principle, which has been further developed in a number of other United Nations documents, has binding force.

6. The United Nations must, however, constantly develop this provision, implement it and draw up instruments to help ensure that it will be complied with and applied through practical measures.

7. A whole series of important documents which have recently been adopted on a bilateral basis bear witness to the fact that States have taken, and are continuing to take, steps to promote a solution by peaceful means, of the problems that have accumulated to strengthen security at both the international and the regional level, and to limit the arms race. Such an approach is typical, for example, of the measures taken recently in Europe, as shown by the treaties concluded between the Union of Soviet Socialist Republics and the Federal Republic of Germany¹ and between the Polish People's Republic and the Federal Republic of Germany,² and also by the preparations for the conference on security and co-operation in Europe.

8. The Minister for Foreign Affairs of the Czechoslovak Socialist Republic, Mr. Bohuslav Chnoupek, speaking from

¹ Signed in Moscow on 12 August 1970.

² Treaty on the Bases for Normalization of Relations, signed in Warsaw on 12 August 1970.

this rostrum, said in his statement in the general debate on 29 September this year that:

“The Czechoslovak Socialist Republic has always taken an active part in the efforts of the socialist countries to ensure peace and international security. For example it has recently made its contribution to the important measure adopted by the countries of the socialist community, namely the Prague Declaration³ of the Political Advisory Committee of States parties to the Warsaw Treaty, which addresses itself to the major issues of the day.

“In this regard we welcomed the outcome of the talks between the leaders of the Soviet Union and France, during which the basic principles of peaceful coexistence, which operate also in relations between other countries, were affirmed and the results of the summit talks between the Soviet Union and the United States, which affirmed as a basic principle the notion that even the most complicated problems should be solved through negotiation and not by confrontation. We also welcome the other important events that are helping to create favourable conditions for a further relaxation of international tension.

“An integral part of the policy pursued by the Czechoslovak Socialist Republic is its complete support for the United Nations and its objectives, as the leading representatives of our State have frequently stated.”
[2046th meeting, paras. 77-79.]

9. At this, its twenty-seventh session, the General Assembly has an unusual opportunity to make use of the existing positive trends in the world and to help to strengthen and develop them. Moreover, the United Nations has considerable experience in this area, embodied in documents which can be used as a basis and whose provisions can be further developed. One such document, for example, was adopted by the General Assembly at its twenty-fifth anniversary session, namely the Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [resolution 2625 (XXV)]. The Czechoslovak Socialist Republic will always be proud that it took the initiative in preparation of that Declaration. Another very important instrument, of importance for the future, was also adopted at that session of the General Assembly, namely the Declaration on the Strengthening of International Security [resolution 2734 (XXV)]. That Declaration has become an important document, and we will be dealing with the question of how to supervise its implementation at this session of the General Assembly when we come to discuss agenda item 35. The development of the ideas expressed in the Declaration on the Strengthening of International Security is the result of a further initiative by the Soviet Union, which we are now considering.

10. The idea behind the proposal regarding the “non-use of force in international relations and permanent prohibition of the use of nuclear weapons” is to provide a concrete guarantee for security and peace in international relations.

³ Declaration on Peace, Security and Co-operation in Europe, adopted in Prague on 26 January 1972.

That means that it is essential to exclude any possibility of the use of all forms of weapons, in particular weapons of mass destruction, the most terrible of which are nuclear weapons.

11. In this connexion, I should like to recall the important step taken recently towards reducing the danger of the outbreak of war through the use of nuclear weapons. I am referring to the strategic arms limitation agreement which was signed in May this year between the Soviet Union and the United States of America.⁴ Another agreement designed to lessen the danger of an outbreak of war was the agreement concluded between the Soviet Union and the United States of America on measures to reduce the danger of an outbreak of nuclear war,⁵ which contained a number of measures including measures to avert any accidental use of nuclear weapons. We are citing these examples here because, in our opinion, they are proof that the first steps in the right direction have been taken, at least in relations between some nuclear Powers; further steps could be taken.

12. What meaning and what significance do we see in bringing together all the principles involved in the renunciation of the use of force in international relations and the prohibition of the use of nuclear weapons?

13. Combining these two postulates, that is to say the observance of the principle of the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons, creates a qualitatively new political legal instrument in the struggle to prevent aggressive wars, and also makes a contribution to disarmament efforts. The general prohibition of the use of force—in other words a ban on the unleashing of aggressive wars—thus, in present-day conditions where there is a danger of an outbreak of nuclear war, becomes more comprehensive and more effective. Efforts to prevent aggressive wars are thus combined with the appeals made over many years for the prohibition of nuclear weapons, or at least for a ban on their use as a first step.

14. We do not underestimate the importance of conventional weapons, for after all approximately 70 million people died in the Second World War which was fought almost exclusively with conventional weapons. Since that war ended, there have been many armed conflicts throughout the world, many of which are still continuing now. A conflict in which conventional weapons are used often conceals a real risk that it might escalate into a nuclear war which could engulf the whole world, with all the consequences that entails. Renunciation of the use of force in international relations and the prohibition of the use of nuclear weapons logically presupposes a ban on conventional weapons.

15. But we are speaking here in favour of a ban on nuclear weapons with a simultaneous reaffirmation of the principle of the non-use of force in international relations because nuclear weapons, weapons of mass destruction, undeniably

⁴ Interim Agreement on Certain Measures with respect to the Limitation of Strategic Offensive Arms, signed in Moscow on 26 May 1972.

⁵ Agreement on Measures for Reducing the Risk of Outbreak of Nuclear War, signed in Washington on 30 September 1971.

present the greatest threat to mankind. The implementation of a permanent prohibition of the use of nuclear weapons would be a real step towards a ban on the production of such weapons and the destruction of stockpiles thereof, a goal towards which the socialist States have been striving in the disarmament talks. The idea that peace would be more durable if a larger number of States had nuclear weapons does not correspond to the logic of things. The path towards ensuring international security and saving mankind from the threat of nuclear war leads in a completely different direction. The solution undoubtedly lies in the prohibition of the production and stockpiling of nuclear weapons; the prohibition of the use of nuclear weapons together with the other measures which have already been taken would create the necessary conditions and a favourable atmosphere for such a solution. The prohibition of the use of all forms of weapons and the renunciation of the use of force in international relations would put all States in the world, both large and small, on an equal footing, so that no one State could have unilateral military supremacy. But, as has already been said quite correctly, it would be beneficial primarily to small and medium-sized States.

16. Reaffirmation of the principle of the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons cannot of course be achieved by a few countries alone. For such a prohibition to be effective in practice, it must be adopted by the largest possible number of States and, naturally, by all the nuclear Powers which have the most extensive military potential. A Security Council decision whereby the solemn declaration of the General Assembly would be binding on all States in accordance with Article 25 of the Charter, which is what is proposed in draft resolution A/L.676, would be a significant step towards ensuring compliance with the prohibition already adopted. The implementation of the idea advanced here by the Soviet Union, namely that the Security Council meeting at which such a decision was taken should be conducted at the level of members of Governments or persons specially authorized for that purpose [2040th meeting], would add to the importance of the decision and would make it binding on all, and could also be useful for the further work of the Security Council itself in general.

17. We do not view the struggle for the final elimination of wars as one means of resolving conflicts as a question of the individual security of any particular State. The security of Czechoslovakia, one of the countries in the socialist community, is reliably and strongly guaranteed by its alliances with other fraternal countries. The need to prevent military conflicts is a universal need. The prohibition of the use of nuclear weapons and the renunciation of the use of force are matters that directly concern all mankind.

18. As we have already stressed, the prohibition of war in contemporary intergovernmental relations was one of the results of the struggle against fascism during the Second World War, and, as a lesson learned too dearly, it was embodied in the basic international legal document of our times, the Charter of the United Nations. The non-use of force in relations between States and the permanent prohibition of the use of nuclear weapons is viewed by the Czechoslovak delegation as a further development of the present provisions of the Charter. The measures which it is proposed should be taken in this connexion at this session

are fully in keeping with the Charter of the United Nations and should be implemented in accordance with the Articles of the Charter. Thus, under the Charter, under Article 51 in particular, if the renunciation of the use of force in international relations is made obligatory and at the same time the use of nuclear weapons is prohibited, the inherent right of States to individual or collective self-defence against aggression and to eliminate its consequences will still remain in force. Likewise, the right of colonial peoples to fight for freedom and independence using all possible means in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples [resolution 1514 (XV)] will also remain inviolable.

19. That is why we do not take seriously arguments to the effect that the demand for the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons in the form proposed in the Soviet draft resolution could lead to a weakening of the struggle against imperialist aggression, against colonialism, and for the freedom and independence of peoples. It would be difficult to suspect the socialist States of any intention to renounce the means to defend socialist conquests or to refrain from individual or collective self-defence against aggression. On the contrary, the adoption of the proposal contained in draft resolution A/L.676 would become an integral part of the struggle against aggression and wars and would be of assistance to the peoples struggling for their rights against aggression and against colonial domination.

20. If the General Assembly adopts this draft resolution and uses its authority to implement the measures proposed therein, that can only strengthen the resistance of peoples to aggressors, whether in South-East Asia or the Middle East. It can only serve to strengthen the struggle to put an end to colonial violence and terrorism in southern Africa.

21. That is our understanding of the purport of the draft resolution that has been submitted and we support its adoption and implementation. It could not be otherwise, for the Czechoslovak Socialist Republic, like other socialist countries, has always made every effort to reduce tension and to strengthen peace and international security, and has supported the struggle of peoples against imperialist aggression and for the elimination of the colonial system. These peoples have learned to know this well over the many years of co-operation with us.

22. The idea of a struggle to prohibit war and to ensure the non-use of force and the prohibition of nuclear and conventional weapons is an indivisible and integral part of the policy of peace, founded on the principles deriving from the vital interests of peoples, whose aim is to achieve peaceful co-operation between nations without exploitation, oppression or war.

23. The renunciation of the use of force in international relations and the permanent prohibition of the use of nuclear weapons would, in the opinion of the Czechoslovak delegation, promote further positive changes, decisive positive changes, in the present international situation. The role that the Security Council would play in this prohibition would still further enhance its authority as well as the authority of the United Nations as a whole. The adoption of this proposal would not only serve to strengthen

international security, but would also create a solid basis for further attempts to implement the disarmament programme.

24. The peoples of Czechoslovakia are deeply interested in establishing and strengthening a basis for peaceful development throughout the world which would create conditions conducive to a happy life for present and future generations. The delegation of the Czechoslovak Socialist Republic therefore fully supports the adoption of draft resolution A/L.676.

25. Mr. RIAD (Egypt): Ever since the two world wars, when the use of force resulted in death, destruction and desolation on a hitherto unprecedented scale, statesmen and diplomats have devoted their energies and abilities to the goal of bringing about a world order where war would be irrevocably outlawed and man would live in peace and trust among his fellow men.

26. Such a search for peace, where man's mind is oriented towards his own improvement and the betterment of the life that surrounds him, is not of recent date. Throughout history the price paid for the use of force, the cruelties involved, the shattering of justice, the degradation of man, the indiscriminate and total destruction of what had been erected with tender care—all these evils and more brought forward men of vision and conscience who tried, often at the sacrifice of their own lives, to supplant ambition by contentment, hatred by love, and war by peace.

27. In this century of ours, when the peoples of the world have taken their destinies into their own hands, the strong tide of their aspirations for peace and their hatred and fear of war have produced concrete attempts to oppose all use of force.

28. The League of Nations was set up. Yet, when the moment of trial came, the League failed to respond to the hopes of mankind. It remained helpless, if not paralysed, in the face of repeated violations of its Covenant. The Second World War was the outcome.

29. Out of the shambles of the Second World War the United Nations was created. It was essentially thought of as a solution to the ever-recurring problem of countries entrusting to their military superiority the realization of their political ambitions. The Charter, benefiting from the preceding experience with the Covenant, regulated the United Nations role in the event of violations of the peace and acts of aggression. The small and medium-sized States, among them Egypt, a founding Member of the United Nations, did not hesitate to entrust peace in their regions to the precepts of the Charter under which Member States, without exception, pledged themselves to refrain from the use of force.

30. Even a cursory look at only the years since the creation of the United Nations clearly shows that Member States have not stood by their commitment not to resort to the use of force. The Middle East, Asia and Africa have witnessed the clash of arms and have lived through the horrors of war. Up to this very moment, men are dying violent deaths at the hands of their fellow men. Inhuman means of warfare and conventional weapons of deadly aim

and mass destruction reap their horrendous harvest. Behind all this looms menacingly the most frightening of all weapons, the nuclear bomb. Nuclear tests, undertaken both underground and in the atmosphere, remind us of the ever-continuing sophistication and refinement of nuclear weapons. Will these weapons be used? By whom? Against whom?

31. The item proposed by the Soviet Union on the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons offers a welcome occasion to clarify the extent to which Member States have lived up to the precepts of the Charter. It is also an opportunity to rededicate ourselves to respecting and upholding its principles and purposes.

32. The political behaviour of States in the era following the Second World War clearly shows that despite their commitment under the Charter they have not forgone the use, when and where desirable, of force to further their selfish ambitions. In the turmoil immediately following the war, many of the peoples aspiring to independence achieved statehood. These newly born States, because of the practices of imperialism and colonialism, had not as yet devised adequate means of protection suitable to their needs. They thus remained vulnerable and an easy prey to ambitious designs emanating from beyond their borders. The feuds, rebellions and the local or regional wars that ensued were thus fanned by the interests and rivalry of certain Powers. Military personnel trained and armaments supplied ostensibly to guarantee their security were freely used to interfere, overtly or covertly, in these conflicts. While so acting, these same Powers paid lip service to the Charter by pretending that their actions were undertaken in application of the right to self-defence. That there was a general and subjective misuse of those provisions need not be pointed out.

33. The inalienable right of peoples to self-determination has been completely ignored and denied in many parts of the world, particularly in Africa and the Middle East. When the valiant people of Angola, Mozambique, Namibia, Zimbabwe and Guinea (Bissau) have risen to claim what the Charter explicitly recognized as their right, certain Members of the United Nations, signatories of the same Charter, have used armed force to deprive them of their legitimate and independent place under the sun. In the Middle East, their brothers and comrades in arms, the Palestinians, are defying a military machine the like of which the Middle East has never known. The brutal and reckless use of force has deprived that people of its ancestral home. Chased at gunpoint and by terror from the Holy Land in order to make way for an alien people, they are at present still being pursued in their refugee camps by weapons of terror such as napalm. The choice offered them is clear: forgo your rights under the Charter or feel the power of armed force—a classic case of might versus right in the era of the Charter.

34. However, those who have resorted to the use of force against the Palestinians, while an indifferent world has watched in silence the committing of this crime, continue to make use of the same stratagem over and over again. Today in the Middle East force is still being used to perpetuate the occupation of territories belonging to three Member States of the United Nations. Force is still being

used to create faits accomplis, to change the political, cultural and demographical aspects of these regions. By the continuing use of force Arabs are still being evicted, their houses blown up and their property taken over. Through the use of force entire families are being expelled and new areas are continuously being cleared of their former inhabitants. Contemporary man's highest achievements in the service of peace and justice, the Charter, the Universal Declaration of Human Rights and the four Geneva Conventions of 1949 are pushed aside and ignored. They had to make way for the arrogance of power to rule supreme in the Middle East. Thus, force is used to prevent peace.

35. Worse still, such practices are being fed and encouraged from outside the region. Arms and financial means to sustain such use of force and to ensure its continued effectiveness are lavishly contributed by the same super-Power that has unleashed its military might in Indo-China. There a prolonged and massive use of force that has shocked the world has been directed against a small people. Never before has the world witnessed such utterly senseless and unnecessary killing and destruction. The immeasurable horrors of the Indo-China war should reinforce our common resolve to rule out, in reality and effectively and for all time, recourse to the use of force.

36. The fact that during the long years since the end of the Second World War nuclear weapons have not been used again should not be construed to mean that the nuclear danger has been definitely and irrevocably banned. It would be useful to recall briefly the conditions in which atomic bombs were used. First, there was no forewarning—their use was sudden and came as a complete surprise. Secondly, they were launched against a country which had no comparable means of retaliation. Thirdly, the reason invoked for the use of such a weapon was of a self-righteous nature.

37. Those same conditions are still valid today. If and when a nuclear attack is mounted, it will be sudden and swift; it will be directed against a country unable to hit back; and, as in the case of the use of conventional arms today, self-defence or pre-emptive defence will be pleaded.

38. To that we must add further complicating elements which we must all bear in mind. There are at present five nuclear-weapon States, not one. These States are continuing to produce nuclear weapons in a variety of sizes and for a variety of purposes. Even if total war between the nuclear super-Powers would seem today more remote than ever, there is always the danger of a miscalculation or an unforeseeable breakdown in nuclear security devices that could send the missiles on their way. On the other hand, the Treaty on the Non-Proliferation of Nuclear Weapons [resolution 2373 (XXII)] does not command universal adherence. Near-nuclear-weapon States are slowly but steadily increasing in number. There has even been talk by some of producing a so-called defensive nuclear weapon. One could go on enumerating many dangers of this kind. No one can claim with certainty, however, that the bomb will not be used.

39. Egypt, together with the non-aligned countries, has for a long time been in favour of a ban on the use of nuclear weapons. This has not so far been possible in spite of the

fact that attempts in this direction were made at the Conference of the Committee on Disarmament during its meetings at Geneva. Therefore we would welcome the adoption of a resolution that would ban the use of such weapons permanently, under all circumstances and by all.

40. The world is at present entering upon an era of détente between the nuclear super-Powers and their respective allies. Historical summit meetings have taken place in Peking and Moscow. Important strategic arms limitation agreements have been signed between the Soviet Union and the United States. There is a relaxation of tension in the relations between the super-Powers. In Europe the situation is improving markedly and soon the conference on security and co-operation will offer an opportunity for the further ironing out of problems and difficulties in that continent. In Asia, it would seem—or so we hope—that the terrible war is finally nearing an end and the people of Indo-China can perhaps entertain a glimmer of hope for better days to come.

41. However, not all the regions of the world are benefiting from détente and it is not as yet ascertained that great-Power rivalries will not be pursued elsewhere.

42. Aware of this particular danger, the Conference of Foreign Ministers of the Non-Aligned Countries, held in Georgetown, Guyana, called for the improvement in global relations among the great Powers to be made to contribute to the total elimination of situations of crisis and confrontation, and for this to be fostered by increasing recourse to the institutions of the United Nations system.⁶ In this respect we have noted with appreciation that the permanent representative of the Soviet Union, in his comprehensive opening statement, recognized the necessity "to undertake new additional measures to promote the elimination of existing acute international conflicts" [2078th meeting, para. 16].

43. Should the Viet-Nam war come to an end, the most dangerous situation remaining will be that created by the Israeli aggression launched against three Arab States over five years ago. The manifold efforts made during that period of time with a view to achieving a peaceful solution of the problem in full accordance with the provisions of the Charter and the United Nations decisions and resolutions have all failed. Israel, sure of its military might, spurned all those endeavours. My delegation, therefore, welcomes Ambassador Malik's clarification on "the inalienable right of States and peoples subjected to aggression to use any means necessary to repulse the aggressor" [*ibid.*, para. 37].

44. I should like now to turn my attention to the draft resolution submitted by the Soviet Union [A/L.676]. The objective behind this draft is twofold: first, that States should reiterate, in accordance with the United Nations Charter, their renunciation of the use or threat of force in international relations and their observance of the permanent prohibition of the use of nuclear weapons; second, that the General Assembly should recommend to the Security Council that it take an appropriate decision

⁶ See Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries at Georgetown, Guyana, on 12 August 1972, para. 10.

whereby the General Assembly resolutions would acquire binding force under Article 25 of the Charter.

45. The use of force in international relations has always been the most difficult problem facing mankind. States have never learned to live in peace and abide by the rule of law. In point of fact, the United Nations was conceived and later created as a reaction to the problem of resorting to war as an instrument of national policy. The Charter ushered in a new world order based on increasing co-operation and the harmonization of inter-State conduct. Full respect for the sovereignty and territorial integrity of all States was a guiding principle. A whole chapter was devoted to regulating the United Nations role with respect to violations of the peace and acts of aggression. The Security Council was vested with the necessary power to enforce its decisions and coerce would-be aggressors. The introduction of the concept of the collective security system was undoubtedly the most far-reaching innovation in the United Nations Charter. The effective exercise by the Security Council of its vast powers was the real guarantee for the maintenance of international peace and security.

46. Thus the Charter was carefully and meticulously drafted to encompass the basic concepts which would govern the new world order. The authors of the Charter laid down the foundation on which States should build an effective and strong organization. As a constitutional instrument the Charter did not contain all the specifics and details of the future conduct of the international system. This was not due to any lack of foresight. This was deliberate. All similar constitutional instruments, whether international or domestic, define the general principles and leave the development of those principles to practice.

47. The fact that the use of force is still resorted to impels us to renew efforts through this august Assembly, which represents the conscience of mankind, to remind States of their primordial obligation to refrain from the use of force and to ensure that they shall be bound anew by this obligation.

48. The delegation of Egypt is well aware that the General Assembly in previous sessions has attempted to prohibit the use of force. Egypt participated actively in the deliberations that led to the adoption of highly important resolutions in this respect. It is a matter of record that my delegation has always given its full and unreserved support to all attempts aimed at securing respect for the provisions of the Charter. This emanates from our firm belief that the application of the United Nations Charter should always be our foremost objective.

49. Among past resolutions relating to the item under consideration, I should like to mention one which reflected in particularly clear terms the concept and dimensions of the non-use of force. Indeed, resolution 2160 (XXI) reaffirmed that:

“States shall strictly observe, in their international relations, the prohibition of the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.”

That same resolution addressed an urgent appeal to States to renounce and refrain from any action contrary to the

above-mentioned fundamental principles. This, however, as it turned out, was not a sufficient reminder for those who still espouse the pre-Charter concept of the use of force. Thus, only a few months after the adoption of that resolution, the world was confronted by the premeditated Israeli armed attack on the territories of three Arab States. It became obvious that the Charter's basic obligations and the General Assembly's exhortations did not constitute a sufficient restraint to dissuade and prevent an aggressor from unleashing his unlawful actions. Therefore, and as an aftermath of the war of June 1967, a trend developed towards assisting the Security Council in its primary responsibility to maintain world peace by defining further the dimensions and consequences of the illegal use of force.

50. Thus, in 1970, on the occasion of the twenty-fifth anniversary of the United Nations, three declarations with a direct bearing on the non-use of force were adopted by the General Assembly.

51. The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations defined, in very clear terms, the various implications of the non-use of force.

52. Another historic document was the Declaration on the Occasion of the Twenty-Fifth Anniversary of the United Nations [resolution 2627 (XXV)], which, in point of fact, was a new rededication of Member States to the United Nations Charter to which they, as sovereign States, freely committed themselves when becoming members of the United Nations family.

53. The third was the Declaration on the Strengthening of International Security which recognized the need for effective, dynamic and flexible measures, in accordance with the Charter, to prevent and remove threats to peace, suppress acts of aggression or other breaches of the peace and, in particular, for measures to build, maintain and restore international peace and security. The most relevant paragraph of that Declaration urged all Member States to implement the decisions of the Security Council in accordance with their obligations under Article 25 of the Charter.

54. The prohibition of the use of force is a sacred obligation which stems directly from the provisions of Article 2, paragraph 4 and is considered by many as the main pillar of the Charter. Reiteration of this basic provision, at a time when the world is plagued by hotbeds of tension and conflicts, should be supported by all peace-loving and Charter-abiding States. This is a position which the delegation of Egypt believes to be in full accordance with the Charter. We do, however, believe that some doubts may persist with respect to some implications of the draft resolution submitted. I therefore consider it of importance to state the views of my delegation on some of these aspects.

55. It is to be noted that the draft resolution does not seek to limit or restrict the inherent right of self-defence. That sacred right could not be abandoned in our violent world. To victims of aggression, whether in Viet-Nam, in Africa or in the Middle East, it is essential that the right to repel aggression be unimpaired. The inherent right of self

defence has been provided for in Article 51 of the Charter. The item under discussion does not attempt to outlaw the use of force in general. In fact, throughout the last decade, a consistent trend has developed to endorse the legitimacy of the struggle against those who resort to armed force. This trend, no doubt, is in full harmony with the letter, spirit and philosophy of the Charter. Thus the United Nations has clearly established a widely recognized jurisprudence accepting the use of force by the liberation movements who seek to eradicate the consequences of aggression and exercise their lawful right to self-determination. Hence, liberation movements should gain sustenance and support when a new, binding Security Council decision is adopted to ensure the prohibition of the use of force.

56. Another point which might need further clarification is of a legal and constitutional nature. The draft resolution raises the question of the powers and competence of the General Assembly and the Security Council, and the relationship between them. The delegation of Egypt considers that the Security Council was designed as an action-oriented executive organ for the whole United Nations structure. At the United Nations Conference on International Organization held at San Francisco in 1945, particular attention was devoted to establishing the appropriate relation between the General Assembly and the Security Council, so that neither would impair the orderly functioning of the Organization. It therefore seems appropriate to consider that relationship in the right perspective. That relationship was described succinctly by the representative of Bolivia in his capacity as Chairman of the Committee which at San Francisco was charged with working out the provisions for the future relationship between the two organs. He stated:

“The Assembly, as the supreme representative body of the world, is to establish the principles on which world peace and the ideal of solidarity must rest; and, on the other hand, the Security Council is to act in accordance with those principles and with the speed necessary to prevent any attempted breach of international peace and security. In other words, the former is a creative body and the latter an organ of action”.⁷

57. This constitutional relationship has a deep and profound bearing on the proper conduct of the United Nations system. The small and medium States which comprise the majority of the international community have a direct interest in securing a proper and healthy relationship between the Assembly and the Council.

58. The General Assembly is now offered an opportunity to pronounce itself on a matter that could greatly contribute to restoring its relevance and prestige.

59. Last year the General Assembly restored the lawful rights of the People's Republic of China [resolution 2758 (XXVI)]. Hence, China resumed its legitimate place in the Security Council. The Council now enjoys the presence of the five permanent members which have special responsibility for the maintenance of international peace

and security under the Charter. It is incumbent upon those members to act in accordance with their fundamental responsibilities. We all know that it is sometimes difficult to adopt clear-cut positions when special interests are affected. Experience has shown that it is always easier to adopt general positions and then apply their contents to specific cases. Thus it is more practical to ask the Security Council to issue a binding decision on the non-use of force and a permanent prohibition on nuclear weapons, with the intention that in other cases the Security Council will act in the same way. This course of action is practical and realistic, and we hope it will be followed on other questions in the future.

60. It would seem, moreover, that the adoption of such a resolution could usher in a break-through in the present impasse that has damaged the credibility of the United Nations in recent years. By requiring the Security Council to take such action, the General Assembly would be undertaking a new step which would create an important precedent to combat the increasing devaluation of United Nations resolutions. Such a step, we hope, could in the future be followed with respect to other chronic problems under consideration in the General Assembly.

61. These are the views of my delegation on the item under consideration. My delegation would be ready to co-operate fully with a view to producing a draft resolution that would be widely acceptable. To our mind, the past achievements of the United Nations, such as the three declarations unanimously approved during the twenty-fifth session of the General Assembly, should be mentioned. The rights of the liberation movements must not be forgotten either, and Article 51 of the Charter would also need to be reflected.

62. It remains for me to express the hope that we could leave behind us a difficult and unhappy period of trial and error. In the knowledge that the ambitions man harbours at the expense of his fellow man have finally been bridled, we could all of us together better serve the poor, the sick and the needy of this and future generations.

63. Mr. LONCAR (Yugoslavia): Yugoslavia has always pleaded in favour of the non-use of force in relations between States and the prohibition of all weapons of mass destruction, nuclear and thermonuclear weapons in particular. Consequently, the Yugoslav delegation considers as useful the initiative of the Union of Soviet Socialist Republics to include the item on the non-use of force and permanent prohibition of nuclear weapons in the agenda of this year's session of the General Assembly [A/8793], believing that these demands constitute an objective and imperative requirement of our time. The renunciation of the use of force is a prerequisite for the realization of coexistence and peaceful co-operation among States and peoples, while the prohibition of the use of nuclear weapons is one of the basic conditions of international security and peace. These are, in our opinion, questions that bear upon the substance of over-all international relations at the present time. They cannot be examined, and even less solved, outside the context of these complex relations.

64. The States Members of the United Nations have repeatedly expressed their common desire to see the use of

⁷ United Nations Conference on International Organization, Commission II, 21 June 1945, vol. VIII, p. 196.

force eliminated from relations between sovereign and independent States. This broadly accepted option has also been endowed with legal, political and moral qualities. It is embodied in the Charter of the United Nations and elaborated in numerous documents and decisions of the world Organization, particularly in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and in the Declaration on the Strengthening of International Security, adopted at the twenty-fifth anniversary session of the General Assembly of the United Nations.

65. Unfortunately, the use of force, in all its aspects, is still present in international relations. The small countries are particularly affected by this. Let us only mention some of the numerous examples of the use of force, pressure, hegemony and domination in its various forms. Many peoples are still held in colonial subjugation by force or coercion; the most open aggression against the freedom-loving peoples of Indo-China has been going on for decades; for more than five years the Arab territories conquered by force and the use of arms have been held under occupation, while the legitimate rights of the Palestinian people are denied; economic power is being increasingly used to exert pressure on the developing countries, with a view to influencing their socio-political development; propagandistic and psychological pressures and subversive activities organized abroad are frequent phenomena aimed at undermining the stability and prosperity of individual small and independent countries.

66. All this shows that the use of force takes many forms, that it is intertwined with all the aspects of international relations and is very much present in international life. As long as it continues to be an accompanying element of complex international relations, we shall be, in fact, far removed from genuine and all-round peaceful coexistence among States and peoples, regardless of differences or similarities in their social systems; and without coexistence it is not possible to achieve international security and lasting peace in the world.

67. The elimination of the use of force from international relations calls, in the first place, for the removal of its causes, primarily of all forms of subjection and inequality. A change in the world situation which would bring about greater equality is the only way to make it possible to eliminate the use of force, in the same way as the renunciation of the use of force, especially by the stronger and more powerful, is a precondition for enabling the world to move towards peace and security.

68. The existence of nuclear weapons constitutes, without any doubt, the greatest source of force and its manifold considerations. It poses a constant threat to all, including those possessing these weapons. It exercises a constant pressure on international relations, engendering a psychosis of uncertainty and, thereby, of distrust among peoples. The checking of this force is the first and foremost task of the international community as a whole.

69. The establishment of a certain equilibrium among the nuclear Powers provides only a relative guarantee that nuclear weapons will not be used. It has not freed mankind

from fear and pressure. The demand for the prohibition of the use of nuclear weapons expresses the vital interests of all peoples that such a danger should be reduced and, possibly, completely eliminated, as a matter of urgency.

70. This is not the first time that the United Nations has tried to find an effective solution to the fateful question of peace and international security.

71. The sixteenth session of the General Assembly adopted, on the initiative of Ethiopia and a group of non-aligned countries, resolution 1653 (XVI) declaring that the use of nuclear and thermonuclear weapons was contrary to the spirit, letter and aims of the Charter and constituted a direct violation of the Charter, that it was contrary to the rules of international law and that any State having recourse to the use of these weapons committed a crime against mankind and civilization.

72. Discussions on this matter continued at the twenty-first and twenty-second sessions of the General Assembly and appropriate resolutions were adopted.

73. The Conference of Non-Nuclear-Weapon States, held at Geneva in 1968, laid particular stress on the demand for the prohibition of nuclear weapons and their earliest possible elimination from arsenals. The Yugoslav delegation is therefore of the opinion that the reassertion of the prohibition of nuclear weapons, within the context of renunciation of all forms of the use of force and the creation of favourable conditions for the security of all countries, could provide a fresh incentive for efforts in the sense of the complete prohibition of nuclear weapons and general and complete disarmament under effective international control.

74. A solemn declaration on the prohibition of the use of nuclear weapons, supported by all the nuclear Powers, would make it possible to take the next step forward—without greater difficulties and in the foreseeable future—towards the adoption of a convention on the prohibition of nuclear weapons, on which many countries, including Yugoslavia, have continued to insist.

75. This partial measure can be of broader and lasting value only within the framework of a comprehensive programme of nuclear disarmament marking the firm resolve of nuclear Powers to embark definitely and resolutely on this path.

76. Without underestimating the importance of measures taken so far in the field of the limitation of nuclear weapons the Yugoslav delegation believes that it is high time to put a stop to the nuclear arms race, both qualitatively and quantitatively and as regards the territorial distribution of nuclear weapons, and to initiate a process of genuine nuclear disarmament. The prohibition of all nuclear tests, the withdrawal of nuclear weapons and forces within national borders, the establishment of denuclearized zones, the cessation of the manufacture of fissionable materials for military purposes, the freezing of nuclear armaments, and the discontinuance of work on research and on the advancement of nuclear weapons could be the first concrete measures aimed at eliminating nuclear weapons from the arsenals of all States.

77. In order to preserve the necessary balance in this process it is indispensable that steps in the field of nuclear disarmament be accompanied by adequate measures limiting and reducing conventional armaments as well. Practically speaking, this means that the question of armaments has to be considered as a whole because it is only within this broader context that all the realities can be taken into account and a common denominator of the interests of all countries can be found. It seems that the present international constellation and the degree of development attained in the field of armaments, particularly nuclear armaments, make it imperative and possible to place on the agenda the over-all complex of disarmament problems and, proceeding from this broad platform, to find adequate partial solutions more easily.

78. The world has never been faced with such dangers of devastation as it is today. Only through common efforts and the political will of all countries can we create conditions in which these dangers will give way to co-operation, peace, and the security of all countries.

79. In advocating disarmament, particularly nuclear disarmament, as an element for strengthening general security and stabilizing world peace the Yugoslav delegation is prepared to support all proposals likely to contribute to the achievement of this goal.

80. The relaxation of tensions among the great Powers and antagonistic blocs and their orientation towards negotiations rightly strengthen the demand of the international community for the establishment of relations among all peoples and States, large and small, developed and developing, from which the use of any kind of violence and

recourse to subjugation shall be excluded. The most recent developments give rise to hopes but do not yet offer guarantees.

81. We have drawn particular attention to the fact that it is the smaller countries which suffer the most from the use of force, and we have underlined the necessity for renunciation of the use of force, especially on the part of the stronger and more powerful countries, precisely because theses are frequently advanced, in the present era of détente, to the effect that peace between the great Powers alone is essential and that the main concern should be to eliminate confrontation from areas of concentration of military and economic power, while the world could tolerate so-called local and regional conflicts and wars. There is a tendency to advance the thesis that small, local wars are almost an inevitable price to be paid for the maintenance of general peace, that is, peace among the great Powers.

82. We are in favour of a general renunciation of the use of force because it is justified, not only because every country, regardless of size, has equal rights but also because international practice has amply proven that general peace cannot be founded on small wars and that peace for everyone must be peace for all.

83. Allow me now on behalf of the Yugoslav delegation to extend congratulations to the delegation of the Soviet Union, and to its people and Government on the anniversary of the great October Revolution.

The meeting rose at 12.10 p.m.