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Chairman: Mr. Andrés AGUILAR M. (Venezuela).

AGENDA ITEM 32

Consideration of measures for the strengthening of international security: report of the Secretary-General (*concluded*)\* (A/7922 and Add.1-6, A/7926, A/C.1/1003, A/C.1/L.513-519, 558-560)

1. The CHAIRMAN (*interpretation from Spanish*): Pursuant to the decision taken by the Committee at the 1795th meeting, the Committee will now continue its consideration of the draft resolutions and amendments before it under agenda item 32.

2. Mr. PANYARACHUN (Thailand): At the 1795th meeting, the delegation of Thailand formally submitted an amendment [A/C.1/L.559] to the draft declaration contained in document A/C.1/L.588. At that meeting I dealt briefly with the subject matter and informed the Committee that the drafting committee had not, unfortunately, had a chance to consider our original amendments [A/C.1/L.515 and 516], and that the draft declaration presented last Saturday was merely a compromise draft that took into account the viewpoints expressed in draft resolutions A/C.1/L.513, 514, 517 and 518.

3. While respecting the views of the drafting committee, my delegation had no alternative but to submit the formal amendment contained in document A/C.1/L.559.

4. As the Committee may recall, in one of my delegation's interventions on this question, I said the following:

"My delegation expresses the hope that the ideas behind our amendments will not be lost sight of and that the final draft, irrespective of its origin and authorship, will include the concept which is incorporated in our proposed amendments." [1729th meeting, para. 99.]

5. I also had occasion in the past to inform the Committee that the idea behind the Thai amendments was shared by many delegations either in their replies to the request of the Secretary-General on the question [A/7922 and Add.1-6]

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or in their statements in the First Committee when we were considering this question. With the Chairman's permission, I should like to quote once again a statement which is contained in the reply of the Swedish Government [*see A/7922/Add.4*]:

"The great Powers, in their capacity as permanent members of the Security Council, have a special responsibility for the safeguarding of international security. This is a responsibility that those Powers should constantly be aware of."

6. This is exactly what we intend to do. We intend to remind both the Security Council and the permanent members of the Security Council of their special obligation to exert efforts to discharge their primary responsibility. This is not an indictment of the past performance of the Security Council. It is not the intention of my delegation to pass any judgement on its past performance nor on the effectiveness of its past performance. We merely intend to remind them of this particular responsibility, or, if I may say so, of this particular obligation, which is derived from the Charter.

7. Since submitting our amendment I have been gratified that so many delegations have shown positive interest in our proposal. I have had the privilege of holding consultations with various delegations. I have listened to their views and advice, and I have accordingly taken those views into account. Now I am happy to say that we have revised our amendment, which reflects certain changes in the wording of the original text. The original amendment called for the insertion after operative paragraph 12 of the draft declaration the following new paragraph:

"Calls upon the Security Council and particularly the permanent members to exert both collective and individual efforts to discharge more effectively their primary responsibility for the maintenance of international peace and security, especially in areas where they are most critically affected".

8. I have made three changes in that wording. I have changed the words "to exert" to "intensify"; I have deleted the words "more effectively" and, with due deference to the views of some delegations, I have replaced them by the words "in conformity with the Charter". I submit that this has brought about some improvement in the original text proposed by my delegation. However, I believe that some delegations still have slight difficulties about the intentions of my delegation. I want to assure them that there is no intention on the part of the delegation of Thailand to confer either greater status or special rights on the permanent members of the Security Council. That is not our objective. Whatever special status they may individually

\* Resumed from the 1795th meeting.

have is already enunciated in the Charter and is related to the realities of international life.

9. The reason that led my delegation to submit the amendment as now revised was to draw the attention of the Security Council, particularly the permanent members, to the existence of several areas of tension in the world and to remind them of their special obligation and duty to intensify their efforts to discharge their primary responsibility in conformity with the Charter. As the Committee will note, the efforts that my delegation refers to include both collective and individual measures. This does not in any way imply that we give a licence to the great Powers to do anything they want in pursuit of their national interests. Our proposal qualifies such a request with the words “in conformity with the Charter”. This means that, whatever actions or measures they may decide to take, whether in the United Nations context or outside the United Nations, we expect them to contemplate only those measures which are in strict accordance with the provisions of the Charter.

10. Let me explain further what my delegation has in mind when we refer to collective and individual efforts. The prime example of the collective efforts of the United Nations Security Council, comprising both permanent and non-permanent members, is the manner in which Security Council resolution 242 (1967) on the Middle East question was adopted and subsequently endorsed by practically the entire membership of the United Nations. As for individual efforts, we still recall with great admiration the initiative taken by the Government of the Soviet Union in conformity with the Charter in bringing about the meeting at Tashkent in 1965 between the leaders of the Governments of India and Pakistan. That meeting resulted in the Tashkent Declaration, which still remains a landmark in the history of the peaceful resolution of disputes between States Members of the United Nations.

11. These are the measures that my delegation envisages, and we owe it to ourselves to urge the Security Council to intensify its efforts to promote peace and security in areas where they are most critically affected.

12. My delegation entertains some hope that our explanations in the past may have made it easier for the sponsors of the draft declaration to reconsider their position vis-à-vis our proposal and perhaps even to include our amendment in their revised text. We do not know what their present position is, but we still entertain the hope that the final draft declaration, as revised, will incorporate our amendment. However, in the event that the sponsors have no time or are not in a position to consider our proposal in a positive manner, my delegation feels compelled to ask that our amendment be put to a vote. And since we regard it as of prime importance not only to the delegation of Thailand but to all States Members of the United Nations, we would like to request a roll-call vote on this amendment.

13. Mr. BAROODY (Saudi Arabia): The Committee may recall that when I saw that there were four or more draft resolutions concerning the item under consideration, I suggested that the representative of Brazil, with some others, should apply his ingenuity in order to consolidate the texts and arrive at a solution which would be acceptable to all the members of this Committee.

14. I believe that Ambassador Araújo Castro, with a number of other colleagues, succeeded to a large extent in performing very good work. At the 1795th meeting, I listened to Ambassador Araújo Castro presenting the compromise text of the draft resolution which is now under consideration [A/C.1/L.558]. I submit that the text of the said draft is quite comprehensive and meets the point of view of the majority of delegations. We must thank him and all those who co-operated with him for producing this text. The draft is not perfect, but what resolution is indeed perfect?

15. I can understand the reasons why the representative of Thailand submitted his amendment. With his permission, I may perhaps make a remark regarding his amendment which will enable it to conform to the realities of situations in any given region. Of course, we all attach great importance to the role that the permanent members of the Security Council may play in questions of peace and security. Unfortunately, during the last few years they—or some of them at least—have to a large extent abdicated their responsibilities to us and tried to settle for a common denominator, which does not involve them in confrontation. In a way, what is called a consensus is a benign sign that there is no intention of waging war when two major Powers have radical differences. It is very heartening to know that, by means of consensus, a confrontation can be avoided. Because what would be the alternative if it were not avoided? Perhaps the destruction and suicide of mankind.

16. On the other hand, we small countries have been paying a stiff price because of that consensus. We are in a way the victims of the consensus. I believe that the representative of Thailand has in mind in the phraseology of his amendment the primary responsibility of the major powers. But I take issue with him on the last few words of that amendment: “especially in areas”—I would have preferred the word “regions”, but it does not matter —“where they”—in other words, the major Powers—“are most critically affected”.

17. I believe that the text could be very much improved if it were to read: “especially in areas or regions where they may be justifiably or inadvertently involved”. If a big Power goes to my area, to my region, then he is affected—of course he will be affected—but he may have gone there inadvertently. I would not want to say “unjustifiably”, because we want to be nice to the big Powers. There are cases of interference by the great Powers that are justifiable. There are others that are inadvertent interventions in the affairs of other States or in regions.

18. The small Powers cannot do that because they are small and do not have the means of interfering in the domestic affairs of other States. Now, because the major Powers, or the big Powers, or lesser Powers—which still can exercise influence—are affected, we should know whether they are affected for moral reasons or just out of self-interest. This is where my good friend, the representative of Thailand, should be careful not to give the big Powers any grounds for being affected. Of course, they would be affected.

19. If I throw myself in the fire, I can be affected. But should I throw myself in the fire? That is why I say that

the word "involved", should be used instead of the word "affected". And what the word "involved" means here is amoral. However, I qualify the involvement by the words "they may be justifiably". I did not say they are justifiable; they may be justifiably involved. There are certain cases where, I submit, the big Powers may be justifiably involved in certain regions when they find that a certain Power is trying to crush a people. Therefore, the United Nations expects this large Power to come to the aid of the weak, and therefore a major Power is justifiably involved. The word "affected" does not carry through the meaning that should be obtained from phraseology such as the representative of Thailand has suggested. There are other regions where a major Power should never have been involved, and if it had not been involved it would not have been affected.

20. Therefore, in order to give the benefit of the doubt to the great Powers and not to call them names—for after all, they are great Powers and we cannot do anything much by telling them not to let us be the victims of events or circumstances—we should always give them the benefit of the doubt as permanent members of the Security Council, and define their involvement. This is why I judiciously said "or inadvertently involved". I am not going to mention regions where certain Powers are inadvertently involved, because then we would get involved in the right of reply and we would never finish in this Committee. The hour, too, is late. But I submit to you, and to my colleague from Thailand, that the word "affected" does not give the meaning that I am sure he intends. Affected? All right—by mistake I might go, as a Power, and occupy another country, under many pretexts. I am "affected" by my occupation of that region. Am I justifiably affected? I am affected all the same, justifiably or unjustifiably. Am I advertently or inadvertently affected? I may be wrongly affected—but I am not using such a word.

21. This is why I say "especially in areas or regions where they may be justifiably or inadvertently involved". The involvement may be immoral, it may be moral; but the word "affected" is amoral and does not carry with it the meaning of situations prevailing in the world today, many of which, I submit, are immoral.

22. However, I wish to mention that I would have preferred it if the amendment had not been submitted. If it is submitted, I suggest to our colleague from Thailand that, to make it possible for me to vote intelligently on it, he accept the sub-amendment I have offered, assuming he presses his amendment to a vote. This is a suggestion rather than a formal sub-amendment. Otherwise it would be a mockery for us to say that the big Powers should apply the provisions, the high and lofty principles, of the Charter when they are "affected" in certain regions. They have no business in many parts of the world, but they are nevertheless there. They are involved. They are affected, of course, but their involvement is inadvertent. Leaving aside the question whether it is justified or not, I do not know whether it is up to us, the General Assembly, and not necessarily up to the Security Council, to decide whether or not it is justified.

23. Mr. ENGO (Cameroon): Although the Cameroon delegation has not spoken on this subject before, we have followed the debate with considerable interest and concern.

We are, in fact, one of the sponsors of the draft contained in document A/C.1/L.518. Of course, there are other drafts as well.

24. In the nature of things, at this early stage in the growth of a sense of unity in the international community—unity of minds, of ideas and of institutions—it is a little too much to expect anything amounting to perfection in a legal text that is produced here. The variety of our geographical locations and cultures and ideas of legality make it difficult to produce texts that are perfect. The process is one of give-and-take, provided that no one's gain is monumentally greater than another's. It is in this frame of mind that my delegation wishes to launch at this time a special appeal, something which we do not too often do in public but which we feel compelled to do at this time in view of the situation facing this Committee. The text contained in document A/C.1/L.558 is the result of weeks of delicate negotiations among the various groups of sponsors of four different texts which emanated from different interest-blocs. Its existence or emergence is in itself a great sign of something good, a demonstration of our vast capacity for reconciliation; better still, it reflects the widest area of agreement existing among us at this time. Some may call it a "package deal", others merely a consensus. Whichever it is, we must not lose sight of its over-all significance, and the delicate balance that makes it possible for us to consider one text instead of four and, more simply, to be able at least to adopt a text. It is for this reason that my delegation, even at this late stage, would like to appeal to those who have found some reason to submit further amendments at this time. Let us recognize unity when it appears, and not press for more.

25. While my delegation may, in principle, not be opposed to some of the ideas contained in the amendments, we cannot welcome them with enthusiasm, given the present circumstances. Of course, I know, the delegations of Thailand and Pakistan, with which, within our group of young countries, we share common philosophies and ideas, and I feel sure they will not be the ones to insist too much on anything that will obstruct progress and consensus at this late stage. In fact, I was encouraged by the introductory remarks of the representative of Thailand when he spoke earlier. However, at this stage I wish merely, without going into the substance, to appeal to those delegations not to press their amendments at this time. They have in fact recorded their protests and their reservations, and I think the international community recognizes this.

26. Mr. ARAUJO CASTRO (Brazil): I listened attentively to the statements made this afternoon, and I should like to say how much I appreciate the words of the representatives of Saudi Arabia and Cameroon in addressing an appeal for us to keep the very delicate balance represented in document A/C.1/L.558. That document represents a common effort at compromise among the different positions set forth in the four previous draft resolutions and the amendments submitted.

27. I do not claim that this is a perfect text. No text could aspire to that condition. The delegation of Brazil, for its own part, had to give in on many points, just as we had to sacrifice many of our formal proposals as contained in the draft presented by the delegations of Latin America

[A/C.1/L.517]. But I would say that, although it is not a perfect draft, it is a draft that is in keeping with the purposes and principles of the Charter, and it reasserts the competence of the General Assembly in matters relating to peace and security. It would be a fitting document for the commemoration of the twenty-fifth anniversary.

28. Apart from the articles, paragraphs and provisions contained in this draft, the very fact that we have been able to agree on a text concerning peace and security—if we cannot be unanimous on everything, we can be unanimous on peace, security and, above all, on survival—is indeed a very significant fact, because it proves that diplomacy is still possible in the United Nations, that the reconciliation and adjustment of points of view are feasible, and that nations in different regional groups and with differing political ideologies can live together and make a common pledge for world peace and security.

29. For these reasons, I wish to address an earnest appeal to all delegations. However much I respect the points of view that have been set forth, however much I understand their noble motivations, I ask them to forgo—although, of course, it is their right to insist—their right to submit amendments at this point, where anything might break the very delicate balance we have achieved over weeks and weeks of negotiations to find a common denominator that we think would be most likely to put us in a position to have a draft resolution, a proclamation or a declaration adopted on the question of peace and security.

30. While I very much appreciate the motives and intentions of the representative of Thailand, we are not in a position to incorporate his proposed amendment into our text, for the simple reason that we cannot reopen discussions on this subject on the very eve of the close of the General Assembly. So for the sake of our unity in such an important matter as this, and for the significance that this declaration will have within the framework of the commemoration of the twenty-fifth anniversary, I wish to address this common appeal for understanding and goodwill so that we can have the text of a declaration on peace and security this year and so that we can proceed with that noble endeavour. For this reason I should like to request that, in the order of priority of voting, preference should be given to draft declaration A/C.1/L.558, since it represents an effort towards a common, compromise draft on the many issues that have been discussed. This is the only appeal I should like to make, and I address it to all the members of the First Committee so that we can have a united vote on the draft resolution which proclaims a joint endeavour in the cause of peace and security.

31. The CHAIRMAN (*interpretation from Spanish*): I should like to announce that Romania and Colombia have been added to the list of sponsors of draft declaration A/C.1/L.558.

32. Mr. SHAHI (Pakistan): My delegation welcomes the submission of a draft declaration on the strengthening of international security. The list of sponsors embraces a wide spectrum and includes some of the original respective sponsors of the four draft resolutions that were submitted by the socialist, Western and Latin American States and the non-aligned group of countries on this item. This indicates

that the draft declaration is a compromise between different viewpoints, an attempt at bringing about a confluence of several currents of thought evolved as a result of long and difficult negotiations conducted informally under your most able chairmanship.

33. My delegation had the honour and privilege of participating in some of those negotiations and discussions, and we were witness to the spirit of mutual accommodation demonstrated by all those who worked behind the scenes. In the statement I made in this Committee on 9 October [1734th meeting] I said that the basic approach of the Pakistan delegation to the question before us was guided by our faithful adherence to the purposes and principles of the Charter of the United Nations and that the formulations that would elicit our support would be those that reflected the provisions of the Charter, as well as the principles that could be shown to follow ineluctably from them.

34. We recognize that a mere reiteration of Charter provisions would serve little purpose and would have no impact on public opinion in the world. At the same time, it could be said that any declaration which added to or detracted from the Charter would amount to a revision of the Charter. As we saw it, the purpose of this debate was to evolve a declaration that would bring into focus those principles which, though explicit or implicit in the Charter, had not received the attention they deserved during the last twenty-five years of the working of the political organs of the United Nations.

35. Having now studied the draft declaration before us, we feel that it does reflect the thoughts and ideas of the Pakistan delegation to a very great extent. Let me illustrate our satisfaction with reference to a few of its formulations.

36. First, we welcome the equal stress, preserving the balance in the Charter between the duty of refraining from the threat or use of force and the duty to settle international disputes by peaceful means, as set forth in operative paragraph 2 of the draft declaration. The same balance between the two mandatory principles is again maintained in operative paragraphs 5 and 6 taken together.

37. Second, we welcome the provision in operative paragraph 5 that “the territory of a State shall not be the object of acquisition by another State resulting from the threat or the use of force”. As I said in my statement to this Committee on 9 October, the inadmissibility of the acquisition of territory by the threat or use of force lies at the heart of any declaration on the strengthening of international security. We should like to pay particular tribute to the Western European and Latin American delegations concerned for having advanced from their previous positions to an acceptance of this principle, which had been articulated in the socialist and non-aligned countries’ draft resolutions on the strengthening of international security.

38. Operative paragraph 5 of the draft declaration also states that “the territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter”. We know of no provisions of the Charter which provide a pretext or justification for the acquisition of territory by the threat or use of force.

39. Third, we particularly welcome operative paragraph 11, which provides for an effective system of universal collective security without military alliances. It has been our constant concern to strengthen the security of non-nuclear-weapon States in the nuclear era through precisely such a system of collective security and through adequate and dependable security assurances independent of military alliances in the qualitatively new situation that would arise if a non-nuclear-weapon State were to be made the object of nuclear threat or attack.

40. These examples are only a few to illustrate the satisfaction that my delegation takes from the draft declaration.

41. Having said that, let me say that on 13 October [1739th meeting] the Pakistan delegation introduced six amendments to the draft declaration submitted by some of the non-aligned countries [A/C.1/L.518], which were circulated in document A/C.1/L.519. We explained that our purpose in presenting our amendments was to assist the sponsors of that draft resolution and to strengthen its provisions with a view to obtaining unanimity or near unanimity on its text.

42. We are gratified to note that the ideas behind two of our proposed amendments have been incorporated into the draft declaration now before us. First, a possibility of misinterpretation has been avoided by deleting the expression "existing international boundaries". Second, instead of merely referring in general to the means for the pacific settlement of disputes, provided in the Charter, those means have been specified—as we had suggested—in operative paragraph 6. We also note that that paragraph has been given an extended meaning by the recommendation in operative paragraph 10 that the Security Council consider the desirability of establishing subsidiary organs in appropriate circumstances.

43. We should have been happier if our other four amendments had also been taken fully into account. However, we know that the drafting group was working hard, and against time, in circumstances which did not permit a consideration in depth of these and some other amendments. My delegation entirely shares the desire that the draft declaration before us should be given universal support.

44. Respecting this general desire, and considering that the Committee is at a very late stage of its deliberations, we will content ourselves with making only one suggestion for the Committee's consideration, which we believe will bring the text of the draft resolution into line with several pronouncements already made by the General Assembly in the past, and thus redress an imbalance which is reflected in an otherwise adequate enunciation of principles or corollaries which ineluctably flow from those principles.

45. Our suggestion relates to operative paragraph 17. This suggestion has been circulated as an amendment in document A/C.1/L.560. It is a single amendment, though it applies to paragraph 17 in two places.

46. First, we have suggested that in this paragraph, between the word "colonial" and the word "domination",

we should insert the words "or alien". Thus the relevant passage would read as follows: "*Calls upon* all States to desist from any forcible and other action which deprives peoples, in particular those still under colonial or alien domination, of their inalienable right to self-determination . . .".

47. Secondly, we have suggested that at the end of this paragraph we should add the words "or alien domination". Thus the end of this paragraph would read: "and render assistance to the United Nations and, in accordance with the Charter, to the oppressed peoples in their legitimate struggle in order to bring about the speedy elimination of colonialism or alien domination".

48. In proposing these amendments, we have drawn inspiration from the draft declaration on this item submitted by the non-aligned countries in document A/C.1/L.518. As representatives will recall, paragraph 9 of that declaration employs the phrase "all other forms of foreign domination" in conjunction with the word "colonialism". We are firmly of the view that in paragraph 17 of the present draft declaration, the purport and intent of the formulation in paragraph 9 of the non-aligned draft declaration should not be departed from.

49. I would respectfully remind the Committee that the consideration we are placing before it has been fully recognized in a number of General Assembly resolutions. Consistency is of the utmost importance, since differences of formulation between one resolution and another can indicate an incoherence in thought, an infirmity of conviction, which cannot but weaken the impact of the pronouncements of the General Assembly. Let me cite only a few resolutions of the General Assembly which are pertinent in this context.

50. The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [resolution 2625 (XXV), annex], which was adopted without objection in elaborating the principle of equal rights and self-determination of peoples, states the following:

"Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples . . . bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of this principle . . .".

51. General Assembly resolution 2588 B (XXIV), adopted last year, reaffirms in paragraph 1 "the right of all peoples under colonial and foreign rule to liberation and self-determination". This resolution was adopted by 82 votes to 1, with 29 abstentions.

52. General Assembly resolution 2633 (XXV), adopted this year under the item dealing with youth, in paragraph 10 "*Considers* it important that young people of all countries of the world should resolutely oppose military and other action designed to suppress the liberation movements of peoples under colonial, racist or alien domination and under military occupation". The vote on this resolution was 110 votes in favour and none against,

with 3 abstentions. Paragraph 11 of the same resolution—resolution 2633 (XXV)—goes on to urge Governments “to support the struggle for peace and justice, international security, self-determination, the liberation of peoples and territories subjected to racist, colonial and alien domination”.

53. Another resolution of the General Assembly, resolution 2646 (XXV), adopted this year under the item “Elimination of All Forms of Racial Discrimination”, in operative paragraph 2:

*“Calls for increased and continued moral, and in particular, material support to all peoples, under colonial and alien domination, struggling for the realization of their right to self-determination and for the elimination of all forms of racial discrimination.”*

This resolution was adopted by 71 votes to 10, with 11 abstentions.

54. Again, operative paragraph 1 of General Assembly resolution 2649 (XXV), on the item on dealing with self-determination, adopted this year by 71 votes to 12, with 11 abstentions, reads as follows:

*“Affirms the legitimacy of the struggle of peoples under colonial and alien domination recognized as being entitled to the right of self-determination to restore to themselves that right by any means at their disposal”.*

And, in its operative paragraph 2 it also uses the expression “alien domination”, when it *“Recognizes the right of peoples under colonial and alien domination in the legitimate exercise of their right to self-determination to seek and receive all kinds of moral and material assistance”*. Further, in operative paragraph 3, this resolution *“Calls upon all Governments that deny the right of self-determination of peoples under colonial and alien domination to recognize and observe that right”*. This particular paragraph, in a separate vote in the Third Committee, received 93 votes in favour and none against, with 12 abstentions.

55. To put it simply, there seems to be no reason why, in a declaration of such comprehensive scope as the one now under consideration, any departure should be made from the consistency which has been faithfully maintained in the resolutions of the General Assembly, only a few of which I have just quoted. I would therefore urge that the Committee accept the amendment proposed by my delegation and thus prevent a wholly unnecessary variance between the declaration on international security and other relevant resolutions and declarations of the General Assembly. And here I should like to refer to the appeals made by my most respected colleagues from Cameroon, Brazil and other countries, and I would ask them to judge for themselves whether the amendments proposed by Pakistan would in any way constitute an impediment or an obstacle to the realization of the great purposes that all of us have in view or whether our amendments can upset the delicate balance of the draft declaration before us. Let me say with absolute conviction that they do not.

56. To conclude, the value of our declaration will lie not in its proclamation, important though its adoption will be

as a demonstration of the ability and willingness of 127 States of the world community to harmonize their views and interests, but its importance will lie in the faithful and scrupulous adherence to its central provisions by Member States and more especially in the extent to which the major Powers are prepared to subject the exercise of their power and policies to the restraints imposed by the principles that the declaration enshrines and by their individual and collective determination to uphold those principles.

57. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker I should like to ask members of the Committee to note that the following countries have joined in sponsoring the draft declaration in document A/C.1/L.558: Burundi, Haiti, Paraguay, Guyana, Trinidad and Tobago, Panama, El Salvador and Uruguay.

58. Mr. DRISS (Tunisia) (*interpretation from French*): I would not wish at this hour to reopen the debate. However, I have some observations to make on draft declaration A/C.1/L.558, particularly on operative paragraphs 5, 6, 7, 12, 17, 21 and 22. As I said, I do not wish to reopen the debate. I reserve my right to make the observations that I have in mind if the debate is reopened. Otherwise, I shall avail myself of the explanation of vote to state my delegation's views.

59. At present, I shall simply comment on the amendment just submitted by the delegation of Thailand. I find that that amendment will round out the draft declaration. However, I should like to make a proposal in the form of a subamendment. If accepted, the new paragraph would read as follows:

*“Calls upon the Security Council and particularly the permanent members to intensify both collective and individual peaceful efforts”*—

I should like to add the word “peaceful” before “efforts”—“to discharge, in conformity with the Charter . . .”.

60. If that subamendment is acceptable to the representative of Thailand, the delegation of Tunisia would be prepared to be a sponsor of the draft amendment.

61. I should also like to comment on the observation made by the representative of Saudi Arabia in connexion with the wording at the end of the amendment, where we read “especially in areas where they are most critically affected”. I should like to point out that the word “affected” refers to “international peace and security” and does not refer to the great Powers. Unfortunately, the representative of Saudi Arabia is not listening to me, although he from time to time complains that certain eminent representatives are not present when he makes comments about them.

62. Having said this, I should like to express my congratulations to the sponsors of the draft declaration, and I think that the adoption of the proposed amendments would assist in obtaining agreement by consensus.

63. Mr. PANYARACHUN (Thailand): Mr. Chairman, I am afraid I will have to deal with the various statements which have been made this afternoon and I shall try to do so one by one.



64. I am most grateful to the representative of Saudi Arabia for having raised a certain point of ambiguity in the draft amendment proposed by my delegation. The point that he raised is well taken and I am in full agreement with what he said. Unfortunately, as I said before, the misunderstanding arose from the ambiguity which may have existed in our original amendment. When we talk about “especially in areas where they are most critically affected”, the word “they” in the view of my delegation does not refer to the permanent members—it does not refer to the great Powers, but to “international peace and security”. Therefore, in order to avoid any misinterpretation of the word “they”, my delegation would be prepared to change the last part of our amendment to read: “especially in areas where international peace and security are affected”.

65. The second point I should like to touch upon is in response to the intervention by the representative of Tunisia. Let me assure him that my delegation does not envisage anything other than peaceful efforts for the Security Council and the permanent members to take. I did cite two examples: Security Council resolution 262 (1967) on the Middle East question, which was adopted in the Security Council, and also the initiative taken by the Government of the Soviet Union in arranging the Tashkent meeting which resulted in the Tashkent Declaration. Those two efforts are peaceful and constructive. Therefore, with that explanation, my delegation is prepared to accept the insertion of the word “peaceful” before the word “efforts”. The phrase will now read “to intensify both collective and individual peaceful efforts”.

66. The third point that I should like to make is also related to a drafting change. Some delegations have been kind enough to suggest to me that the words “their primary responsibility” should be changed to “its primary responsibility”. I would willingly accept that change.

67. Therefore, the whole amendment will now read:

*“Calls upon the Security Council and particularly the permanent members to intensify both collective and individual peaceful efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security, especially in areas where international peace and security are most critically affected”.*

68. I have listened with great attention to the appeal by the representative of Cameroon. Whilst I sympathize with the predicament that some delegations may face, I must submit that the amendment that my delegation has proposed is one that is very dear to my Government. The appeal by the representative of Cameroon was supported by the representative of Brazil. I must say, however, that this is the first time my delegation has been given any explanation about the position of the drafting group on the question of our amendment.

69. The representative of Brazil made the point that it would be extremely difficult for the sponsors of the draft to reopen the discussion on this subject on the eve of the voting. I do not dispute that fact, but at the same time there is another factor which should also be taken into consideration by all the members of this Committee. When

the Committee began to consider this question, my delegation proposed two sets of amendments [A/C.1/L.515 and 516], and we presented them on 5 October, after which date a consultation group was established, which subsequently resulted in the formation of the drafting group. It was perfectly understood that the drafting group would try to arrive at a compromise draft, taking into account the views contained in the amendments. Today is 14 December and our amendments have been tabled since 5 October. We feel that a fair hearing of our case would have been in order and that, if certain dialogues had been engaged in, it would have made it easier for my delegation to accept the verdict of the drafting group. However, the fact remains that our proposal was not considered. As a result my delegation felt itself constrained to present it formally on Saturday, in document A/C.1/L.559.

70. While we recognize that the drafting group did good work and that a delicate balance exists in the draft, I must maintain our position that the point my delegation has made is also a very important one. In the past, in connexion with other matters, whenever a draft treaty has been presented to the First Committee—two years ago or last year or even this year—there has been strong opposition to the contention that it should not be touched because it was a delicately balanced treaty, and was negotiated perhaps in Geneva or elsewhere. As you may recall, the delegation of Brazil was in the forefront of those who were very strongly opposed to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof last year, and whose opposition resulted in the First Committee’s sending it back to Geneva for further negotiations. The result was that we had a much better draft treaty this year, which enabled the First Committee to adopt it. So why is it that at the present time, when we have a draft declaration whose legal importance is less than that of the draft treaty, we should be prevented from submitting certain very important amendments on this particular subject?

71. My delegation is not prepared to withdraw its amendment, and I am afraid that we shall have to insist on a vote on our amendment. I appeal to all those delegations that were not involved in the drafting of the declaration to give full sympathy to the position of my delegation on this matter.

72. As for the procedure proposed by the representative of Brazil, giving priority to the draft declaration contained in document A/C.1/L.558, I must submit that this is contrary to the accepted rule of procedure. Rule 92 of the rules of procedure states that “When an amendment is moved to a proposal, the amendment shall be voted on first.”

73. In turn, I make a special appeal to the representative of Brazil not to resort to an undemocratic procedure, for this procedural step is in fact a device to prevent delegations from voting and expressing their opinions on the Thai amendment. I should prefer to leave it to the individual judgement of each delegation to consider the Thai amendment strictly on its own merits. The compromise draft which has been presented was a compromise among four different draft resolutions, and our amendment was not

fully considered. If the Thai amendment for some reason is not put to the vote first in accordance with rule 92 of the rules of procedure, my delegation will vote against the draft declaration and will register its protest against such a device, and the final declaration, which should have a consensus, will fail to obtain the objective that we all desire.

74. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker, I should like to inform members of the Committee that the following countries have added their names to the list of sponsors of draft declaration A/C.1/L.558: Bolivia, Hungary, Sierra Leone, Mexico, Singapore, Guatemala and Honduras.

75. I also wish to state that, as I understand it, the proposal made by the representative of Brazil was to give priority to draft declaration A/C.1/L.558 over the previously existing draft on this item, that is to say, documents A/C.1/L.513, 514, 517 and 518, and their respective amendments. Therefore, if I correctly understood the proposal by the representative of Brazil, it in no way excludes putting to the vote first the amendment of Thailand [A/C.1/L.558], as required by the rules of procedure. Hence the interpretation by the representative of Thailand on this aspect might perhaps not have been an entirely accurate one.

76. I shall interrupt the order of speakers and give the floor to the representative of Brazil to confirm or correct what I have said.

77. Mr. ARAUJO CASTRO (Brazil): As a point of clarification, I want to say that the Chairman has interpreted our suggestion correctly. My only suggestion is that we should move on, giving priority to the draft contained in document A/C.1/L.558 in relation to the other drafts.

78. Of course, since the representative of Thailand has transferred his amendments from the earlier drafts to this one, it is obvious to me, and accords with the rules of procedure, that his present amendment should be voted on first. Anything else would subvert the rules of procedure, and we are not for subversion of the rules, or any other undemocratic procedure. The representative of Thailand is perfectly entitled—and I would defend his right to the end—to have his amendment voted on before the draft resolution. That is the normal way. Nothing would be further from my mind than to suggest otherwise. I wanted to make that clear.

79. Mr. SEN (India): I have listened very attentively to the statements of the representative of Thailand. It seems to me that one of the points he made was related to a sense of grievance that the drafting committee did not take sufficiently into account the amendment he proposed some time ago, in October.

80. I should like to explain a little about the working methods of the drafting committee. We did not have before us any of the documents already proposed. What we did was this. All the documents were studied very carefully and a working paper was prepared in which all the various draft resolutions and draft amendments were taken into consideration. But even so it is quite possible some delegation

might feel sufficient notice was not taken of its amendment or any particular point. We ourselves subscribe to a different draft resolution; but then, again, we subscribe to the present draft not because we are satisfied but because, in a spirit of compromise, everyone had to make some concession. We made concessions; all the other groups made concessions. The final draft is before us.

81. Now, if we are to reopen this matter there will not only be amendments, subamendments and reformulations—the paragraph in question has already been reformulated twice—but more and more difficulties will arise. I would appeal to the representative of Thailand: is this the time to indulge in such an exercise?

82. Quite rightly, he pointed to the draft sea-bed treaty, which we considered last year and which has come to us in a better form this year. But because it is a treaty, the kind of consideration it should receive is quite different from that which should be given to a declaration. It is not a matter of principle, it is a matter of practical sense. Therefore, unless something extraordinarily important is involved, I would join the representatives of Brazil, Cameroon and, I think, Saudi Arabia in their appeal that this matter not be pressed to a vote.

83. I should not like to make a detailed comment on the amendment proposed by the representative of Thailand, but I would make two or three brief points. First and foremost, nowhere in the Charter is the special responsibility of the permanent members highlighted in the way it is here. As realists, we all know this to be a fact. Should we now suddenly refer to the permanent members and their responsibility in this way? I have grave doubts on that point.

84. The representative of Thailand was careful to point out that the amendment implies no criticism of past deeds or misdeeds, nor even a hint of failure or success, but is merely an objective statement made in order to move forward. I wish I could read it in that light.

85. If that amendment is put to a vote, I should like to propose some formal subamendments. I would say that the Security Council should be called upon to intensify its peaceful efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security.

86. Now, let me explain. First, I have already commented upon highlighting in particular the permanent members. The only reference to permanent members in this context is to be found in Article 27, paragraph 3, of the Charter, which simply says: "Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members". That is all that is implied, and I do not think we would help the cause of international peace and security by highlighting the role and function of the permanent members in this matter.

87. Secondly, as far as drafting goes, once you say "the Security Council and particularly the permanent members"—both collective and individual—what does it mean? Does it rule out the responsibility of non-permanent members?



Apparently not. And as for the words "for the maintenance of international peace and security" and "especially in areas where international peace and security are most critically affected" obviously the Security Council must consider all matters, whether or not international peace and security are critically affected, and whatever the area. All matters of international peace and security are by definition of the utmost importance to the Security Council and it must continue to discharge its functions. Thus, if the amendment is put forward, I shall formally propose those two sub-amendments.

88. I now come to the point made by the representative of Pakistan. We have no great objection to the amendment Pakistan has proposed [A/C.1/L.560]; in fact we voted for a similar formulation in the Third Committee. But we have great difficulty on the general question of procedure, which I have already elaborated upon. Secondly, on merit I would say that the words "alien domination" weaken the text. There are areas, such as South Africa, where the domination is not alien; the white people of South Africa are not alien; they are living there and are citizens of South Africa. I have not heard it said that they are alien and should be thrown out. I think that using words such as "alien domination" detracts from the strong and blunt formulation of the declaration. However, if some such modification is to be made I should think that "other forms of domination" would be better than "alien domination". I shall not elaborate that point any further at this stage. I hope that our appeal will not go unheeded and that these minor amendments will be dropped or not pressed to the vote. Particular points of view will be recorded fully and faithfully, and that should give us sufficient satisfaction. However, if they are to be formally proposed and voted on then I too in my own time will suggest some amendments.

89. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): The First Committee is concluding its consideration of the question of the strengthening of international security, one of the most important items on the agenda of the Committee. As we all know, at the current session of the General Assembly this question has been at the centre of the First Committee's attention since the outset of its work. This question has been the subject of far-ranging consideration both during the general debate and during the commemorative part of the twenty-fifth session of the General Assembly. During the first stage of the consideration of the question of the strengthening of international security in the First Committee, four draft resolutions on the subject were introduced. For the purpose of working out an agreed draft text on the question of the strengthening of international security, an informal working group was established, which was presided over by the Chairman of the First Committee, Mr. Aguilar. On behalf of the Soviet delegation, we should like to express our gratitude to Mr. Aguilar, the Chairman of our Committee, for his effective leadership of the working group and his daily attention to the work of that group and to the work of the drafting committee. The draft declaration on the strengthening of international security [A/C.1/L.558] was prepared as a result of persistent efforts and extremely intensive and lengthy work by the drafting committee, which was composed of two representatives from each of the four groups of sponsors of the draft resolutions submitted to the First Committee. The draft declaration on

the strengthening of international security, which was so brilliantly introduced last Saturday [1795th meeting] in the First Committee by the head of the Brazilian delegation, Mr. Araújo Castro, reflects the greatest degree of agreement possible among all the groups of sponsors of the various draft resolutions on this question. The Soviet delegation understands that that draft text represents a compromise and that it does not accord preference to any one of the four original draft resolutions submitted to the First Committee. The draft declaration prepared by the drafting committee is the fruit of collective efforts and we fully agree with Mr. Araújo Castro that the achievement of agreement on this draft text among representatives of the groups of sponsors of the various draft resolutions bears witness to the fact that Members of the United Nations understand the exceptional importance of the question of the strengthening of peace and international security.

90. We have every reason to express great gratitude to the brilliant octet which composed the drafting group and which worked so intensively and for so long to produce this draft text.

91. The point of view of the Soviet Union on questions relating to the strengthening of international security is, of course, reflected in the joint draft resolution of the socialist countries [A/C.1/L.513]. The delegation of the USSR considers that on a number of the questions dealt with in the draft declaration on the strengthening of international security the formulations contained in the draft resolution of the socialist countries reflects the substance of the questions more clearly and accurately. In this connexion, we could, for our part, introduce a number of additions, amendments, and changes which, from our point of view, would improve the draft declaration. But we realize that probably many delegations also have a number of their own views, comments and proposals. Which course should we then follow? Should we introduce innumerable amendments, additions and changes and thereby call in question what I would describe as the titanic labours of the group of sponsors who have submitted the draft declaration and upset the balance, the compromise, which they have achieved? Or should we confine ourselves to comments on the draft declaration, have these comments included in the records of the First Committee and adopt this draft declaration unanimously?

92. As far as the Soviet delegation is concerned, we fully support the views of delegations which have already been expressed here—the views of the delegation of Cameroon, the delegation of Brazil and the delegation of India—that it would be advisable to adopt the second course, that is to say not to introduce amendments to the draft declaration which has been submitted but adopt it as it stands, after making appropriate comments and reservations for inclusion in the records of the First Committee. We consider that it would be extremely important at this session of the General Assembly to adopt this declaration, which would emphasize the urgent need to make the United Nations more effective. If we adopt the course of submitting amendments, then we might have a long way to go: every delegation might have amendments. You see, there are, so to speak, no guarantees that amendments will be submitted by only two delegations.

93. Furthermore, while we are speaking of amendments, I would ask the representative of Thailand to listen to my

views on his amendment. The role of the Security Council is undoubtedly an important one, but, it must be admitted, so is the role of the permanent members of the Security Council in the organ of the United Nations which is called upon to be the primary organ for the strengthening and maintenance of peace and security. This role is, however, emphasized in a number of other paragraphs of the draft declaration. Operative paragraphs 9, 10 and 12 deal with the Security Council and we are convinced that the idea of the delegation of Thailand is covered by operative paragraph 12 of the draft declaration, which:

*"Invites Member States to do their utmost to enhance by all possible means the authority and effectiveness of the Security Council and of its decisions"*.

94. This is such a comprehensive and broad provision, reflecting the role of the Security Council and calling for the enhancement of its role by all possible means available to Members of the United Nations—and this appeal is addressed also to the permanent members of the Security Council—they are obliged to respond by all possible means available to them both collectively and individually to enhance the role of the Security Council and to take an active part in the most dangerous areas to combat aggression and to restore and strengthen peace.

95. Therefore, it seems to me that since such a provision is already included in the draft declaration, there is no need to give it special emphasis and introduce a further amendment or addition as the delegation of Thailand proposes. I would say frankly to the delegation of Thailand that the Soviet delegation has no objections of principle to the text submitted. But, in view of the opinion which is widely held, particularly among the sponsors of the draft declaration, that we should adopt the draft declaration in the form in which it has been submitted, we would ask the delegation of Thailand not to insist on its amendment, but to make a reservation on that point and have its reservation included in the records of the First Committee, since the idea behind Thailand's amendment is fully reflected in operative paragraph 12 of the draft declaration, which was submitted by eight sponsors, since joined by many other delegations. It seems to me that this would be a way out of the situation.

96. We have no objections to Pakistan's amendment, but we do not quite understand why we should say both colonial and external domination. There can be no colonial domination as such. Such a distinction therefore gives rise to some doubts, although in principle the Soviet delegation has no objections to Pakistan's amendment.

97. In view of my remarks and our attitude to amendments in general, I would, on behalf of the Soviet delegation, appeal both to Mr. Shahi and to the head of the delegation of Thailand not to insist on their amendments but to let us adopt by acclamation the draft declaration as submitted. We would thereby save time and avoid a lengthy debate. There would be no statements by numerous other delegations, each having their own observations and considering that their formulations are better than those in the draft declaration and this question would not drag on; if we finish with it today then tomorrow we could conclude the celebrated twenty-fifth session—the anniversary session—with the adoption of this important instrument which, I would say, is of great historical significance.

98. Mr. AMERASINGHE (Ceylon): The draft declaration contained in document A/C.1/L.558 has been worked out with infinite pains and monumental perseverance and its authors deserve our sincere thanks. It represents a compromise and my delegation for its part is firmly committed to the policy of compromise in regard to all draft declarations of this nature, where it is impossible for any single group to secure complete acceptance of its special wishes or unqualified support for its special concerns. Whatever the merits of these two amendments therefore, we would not wish to encourage them unless they prove acceptable to the sponsors of the draft declaration, and that concurrence is not forthcoming.

99. We should avoid a vote on a declaration of this nature. If we cannot secure a consensus on the question of maintaining international peace and security, all our efforts will have been in vain. There can be no majority vote on peace and security. It must be a consensus or nothing.

100. We would therefore appeal to the proposers of the amendments, the representatives of Thailand and Pakistan, to withdraw those amendments in a spirit of compromise and understanding to enable a consensus to be reached and expressed.

101. I should like to draw attention to what my delegation considers to be a serious flaw—a constitutional flaw, if I may say so—in the Thai proposal. That amendment seeks to give the Security Council members individually a special responsibility for maintaining international peace and security and, in that belief and assurance, asks them to use their individual efforts in maintaining international peace and security, especially in critically affected areas.

102. The Security Council's responsibility under the Charter is unquestionably a collective responsibility. Members of the Security Council have no individual responsibility, whether they be permanent members or non-permanent members. In special situations they may individually, either of their own volition or at the request of others, take an initiative; but let that practice and that disposition not be given constitutional or official or formal recognition and endorsement, whatever the past records of such initiatives may be.

103. The draft declaration before us is a confluence of all currents of thought, conviction and ideology, and deserves to be adopted by a consensus. My delegation would therefore wish to add its voice to that of others in appealing to the delegations of Thailand and Pakistan to withdraw their amendments.

104. Mr. PANYARACHUN (Thailand): It is not in the nature of my delegation to be stubborn or to be inflexible. I am sure that all representatives who have had past associations with me personally or with members of my delegation would testify to that fact. I have listened to the many appeals made to my delegation, and I would be the first one to try to comply with the requests addressed to my delegation. All those representatives have talked about compromise. They have all talked about the delicate balance. They have talked about concessions made by one or another group of sponsors. But I submit that the Thai delegation has only one view which was put on paper. The

sponsors of the various draft resolutions had texts containing twelve, fifteen, twenty or thirty-five paragraphs. Obviously they had to make some concessions or they would not have a compromise draft. My delegation has only one view to put forward, and we have also made concessions as indicated in the revisions of our amendment, which has been revised verbally two or three times in the course of this afternoon. We have made about eight or nine concessions in a paragraph consisting of a few lines. Would it, therefore, be fair to ask us to make further concessions, to abandon a principle and a concept which is very important to us and which, in our view, is very important to the international community?

105. I have attempted to explain the reasons which motivated my delegation in submitting that proposal. I have made it very clear that I am making no distinction between the permanent members and the non-permanent members of the Security Council. I have not gone beyond or outside the Charter provisions. The Charter confers special responsibility on the Security Council for the maintenance of peace and security. While it is true that there is no direct mention of the permanent members in Article 24, it follows from Articles 23 and 24 and, in fact, from all the provisions of that Chapter of the Charter that the permanent members do have a special obligation to maintain peace and security. I have quoted the replies made by several Governments and statements made by many representatives in this room.

106. The representative of India contended that the Thai amendment is not based on the Charter provisions. But a quick glance at the draft declaration presented to us in document A/C.1/L.558 will show many sentences which are not in the Charter. If we were to copy or reiterate only the paragraphs contained in the Charter, there would be no need to have a declaration of this type. We want to expand it.

107. To take one example: in operative paragraph 5, we see the principle enunciated that "the territory of a State shall not be the object of acquisition by another State resulting from the threat or the use of force". I should like to recall that that particular sentence is held very dear by many delegations, including that of the Soviet Union. But members will not find that principle in the Charter. We accept that principle because it is a very important one, which flows from a certain provision in the Charter. We willingly accept it. For the same reason, our amendment flows from Articles 23 and 24 of the Charter.

108. I have personally consulted some thirty or forty delegations since the weekend. I have accepted their views and their advice. I have made several changes, including one which was suggested to us by the delegation of the Soviet Union. Ambassador Malik was gracious enough to say that he would have no objection in principle to the wording of our amendment. I appreciate his support.

109. We cannot get away from the fact that permanent members have a special status as enunciated and as implied by the Charter. In my previous intervention I did try to point out that this particular responsibility is related to the realities of international life. For so many years we have heard delegations make a plea about the realities of international life. This is one of them. We are not trying to

highlight something that is not known to anybody. It is universally recognized that permanent members of the Security Council have a special obligation. I have cited two examples and I am sure nobody will dispute such an argument.

110. In the past we have also heard of moves by some delegations that aspire to become near-permanent members of the Security Council. So it follows that the status of permanent members is slightly higher than that of members. The Ambassador of the Soviet Union made an appeal to me and kindly pointed out that my amendment is already taken care of by paragraph 12 of draft declaration A/C.1/L.558. But the Committee may recall that the origin of paragraph 12 is different from that of the concept of the new paragraph 13 that I have suggested.

111. Paragraph 12, as presented in one of the draft resolutions, originally dealt with the question of the election of non-permanent members to the Security Council. It was an attempt to confer certain special power on the States Members which are not declared by the Charter to be permanent members, and my delegation strongly opposed the partial quotation from Article 23, paragraph 1, of the Charter. So paragraph 12 has nothing to do with my amendment, and my amendment still stands.

112. In order not to waste any more of the First Committee's time, I make an appeal to all of us here that we allow the Chairman to put the Thai amendment to a vote without further ado.

113. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker, I should like to announce that the following countries have joined the list of sponsors of draft declaration A/C.1/L.558: Barbados, Malaysia, Czechoslovakia, Jamaica, Venezuela, Somalia, Nigeria and Mauritius.

114. Mr. SHAHI (Pakistan): First of all, I had wished to speak a little earlier to tell the Committee that from what the representative of Brazil had said in regard to voting on the amendments before voting on the text of the draft declaration, I concluded that the clarification he gave applied equally to the Pakistan amendments in document A/C.1/L.560.

115. Secondly, I should like to state that the acceptance of the Pakistan amendments would in no way weaken the text of the draft declaration, because in so far as the situation in South Africa is concerned, there is a specific paragraph which deals with that situation. I call attention to operative paragraph 22 of the draft declaration which:

*"Resolutely condemns the criminal policy of apartheid of the Government of South Africa and reaffirms the legitimacy of the struggle of the oppressed peoples to attain their human rights and fundamental freedoms and self-determination".*

116. Therefore, since the rights of the deprived majority of the South African people is specifically provided for in operative paragraph 22 of the draft declaration, the acceptance of the Pakistan amendments would in no way weaken the text as regards that particular situation.

117. I must say that I have always listened with the greatest respect to my friend and colleague Ambassador Amerasinghe of Ceylon. I give the utmost weight to any pronouncements that he makes, but having heard him say that no amendments should be accepted which are not acceptable to the sponsors of the draft declaration, I wonder what he would have thought if he were in my place and I had said that. He might have thought it somewhat high-handed.

118. Now I have been very much moved by the appeals that have been made, and those representatives who have made the appeals know of my great respect for their countries and for their own personalities. But what I would like to state again is that the Pakistan amendment in no way alters the delicate political balance of the draft declaration. I have been at pains to quote from so many resolutions of the General Assembly, and also indicated the majority that those resolutions have received this year, last year and in the past, to show that I am just trying to bring the draft declaration into line with the other resolutions of the General Assembly so that there may be no variance in its pronouncements on such important questions.

119. We are glad to hear from representatives that in principle they have no objection to our amendment. We knew all along that there could be no such objection and that is why we proposed the amendment. If we had had the feeling that through this amendment we were attempting to advance some new principle, we would not have chosen this particular occasion to do so. There is nothing controversial in our amendment. As I said before, all it does is bring the declaration into line with the other resolutions of the General Assembly. I should like to ask: does this militate against the spirit of compromise? I would suppose, rather, that it is resistance to an amendment of the type that we have proposed that would be against the spirit of compromise.

120. Mr. PANYARACHUN (Thailand): I apologize for asking to speak once again. But very briefly, I would like personally to tender my apologies to the Ambassador of Brazil for having attributed to him a proposal that he did not make, and I would appreciate his understanding of the position of my delegation.

121. The second point I should like to make is that I did ask for a roll-call vote on the amendment of the Thai delegation. However, in the event that my amendment is not accepted—which I do not actually envisage—I would also like to ask for a roll-call vote on the draft declaration.

122. The CHAIRMAN (*interpretation from Spanish*): We have thus come to the end of our list of speakers in the general debate on the draft resolution and the draft amendments. However, I see that the representative of Brazil wishes to say something, and I therefore call upon him.

123. Mr. ARAUJO CASTRO (Brazil): I should like to ask for some clarification on the actual text of the amendment submitted by the representative of Thailand, as orally revised, and how it stands now. If I am wrong I beg to be corrected, but in my understanding, it:

*“Calls upon the Security Council and particularly the permanent members to intensify both collective and*

*individual peaceful efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security, especially in areas where international peace and security are most critically affected”.*

I should like some confirmation of whether this is the actual text as amended, because if that is so, I have an observation to make.

124. The CHAIRMAN (*interpretation from Spanish*): Would the representative of Thailand please state whether or not that is correct.

125. Mr. PANYARACHUN (Thailand): It reads as follows:

*“Calls upon the Security Council and particularly the permanent members to intensify both collective and individual peaceful efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security, especially in areas where international peace and security are most critically affected”.*

126. Mr. ARAUJO CASTRO (Brazil): This is precisely the difficulty that I find—not only the question of constitutionality under the terms of the Charter, but also as far as grammar is concerned. In the Thai amendment we are calling upon the Security Council, particularly the permanent members, to intensify both collective and individual peaceful efforts to discharge, in conformity with the Charter, “its” primary responsibility. We are appealing both to the Council and to the permanent members to discharge “its” primary responsibility. I myself am against any singling-out of the permanent members. I do not think that the permanent members as such have a primary responsibility for the maintenance of international peace and security. The primary responsibility falls on the Council, not on the permanent members.

127. I understand that with the changes made, the representative of Thailand wishes to correct this possible interpretation, but I have to mention this. “Collective and individual”, and then “its” primary responsibility—there is a lack of grammatical sequence in the sentence. We are calling upon the Security Council members, and particularly the permanent members, to intensify both collective and individual efforts to discharge “its” primary responsibility.

128. For all those reasons, my delegation is not in a position to accept the amendment proposed by the delegation of Thailand.

129. Mr. SEN (India): I did suggest at an earlier stage that if these amendments were put to a vote, then I would move further amendments. I believe, Mr. Chairman, I have handed them over to you, through an intermediary, and those subamendments may be read out. Now, let me make it quite clear. Under paragraph 12 of the draft declaration, we have already said that every Member State will do its utmost to enhance the authority and effectiveness of the Security Council in its decisions on international peace and security. If we have not deliberately mentioned the Security Council, it is simply to avoid tautology.

130. Now if we separate the permanent members from the other members of the Security Council, it simply means that individuals are able to do what they wish in the discharge of the responsibilities which they take upon themselves, and then consider it as subscribing to international peace and security. It is that particular aspect which I will bring shortly to the notice of the members of the Committee, to keep in mind when they vote on it. Is it our intention, through this method, to give some kind of cover to individual actions of the permanent members of the Security Council, because we feel it will enhance the peace and security of the world? If that is so, let us vote for the amendment of Thailand. If not, I would suggest that our Committee would be well advised to vote for my subamendment.

131. Secondly, the Ambassador of Pakistan mentioned that his amendment does not weaken the draft declaration. I gave South Africa as an example. I deliberately, perhaps cautiously, did not mention any other areas where refuge from alien domination could be taken. Again, out of discretion, I do not mention various areas, refuge is something of which people may take advantage; it is not alien domination and therefore it is all right. That is why I think that, if that amendment is also put to a vote, a wider formulation would be more welcome.

132. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Pakistan on a point of order.

133. Mr. SHAHI (Pakistan): I have never, in all my previous experience of the United Nations, raised a point of order and I am most reluctant to do so now. I would, however, like to have a clarification of whether a sponsor of a resolution may move an amendment to the text of which he is a sponsor. What sponsors are entitled to do is, of course, to submit a revised draft resolution.

134. Mr. SEN (India): We are not amending our draft resolution, we are amending the amendment.

135. Mr. JACKMAN (Barbados): A very small point, Mr. Chairman. In operative paragraph 3 of draft declaration A/C.1/L.558 there is a comma after the word "agreement", which makes nonsense, more or less, of that operative paragraph. Quite frankly, if that paragraph is read carefully in the English version, it does not make very good sense. I am not discussing the substance, but the way it reads in English. The way I was taught at school to punctuate, that comma would be out, and the subject of the sentence would be put in a different position from where it now appears in the English version.

136. I wonder whether—not as an amendment, since I am a sponsor of this draft and I accept the point made by the representative of Pakistan—but as a "technical emendation" we might not have this sentence redrafted, either through deletion of the comma after "agreement" or else by totally rewriting the paragraph. At the moment it reads "their obligations". Whose obligations? It is not clear.

137. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Saudi Arabia on a point of order.

138. Mr. BAROODY (Saudi Arabia): It is a point of order which contains a little advice. In olden times, in my region, the ancients considered that advice was worth a camel. Then the ancients said that it was worth a camel but that no one took it for nothing. Nowadays I think one has to pay for advice in order for it to be heeded. But whatever it is that we are confronted with, I would say it is within the power and the right of each one of us to make amendments and subamendments. We have been doing that in many Committees; we shall never stop doing so.

139. May I make the suggestion to those who have amendments—because I will always lend my hand to subamendments, and somebody will then subamend my subamendments—that the amendments which have already been discussed and noted and replied to should figure very clearly in the report of the Rapporteur, with the due importance which their sponsors attach to them. I went around and found the mood not very favourable to receiving new amendments. I am, in fact, in a position to vote in favour of those amendments. But since those amendments will not be voted unanimously and may show a division—they may lose or they may win: I am not going to say what will happen because that is not fair, but I am sure that they will not have a big majority if they are put to the vote, or they may not receive a majority at all—may I suggest, knowing what the temper of the Committee is, that it would be better, for the sponsors of those amendments in that particular case to ask the Rapporteur to note them with clarity and with all the importance they merit, and as having been discussed. I think that if we go on like this, Mr. Chairman, you will have to schedule a night meeting. I know very well that this point of order is a genuine one but it was clarified by my statement.

140. The CHAIRMAN (*interpretation from Spanish*): I should like now to clarify the procedure once and for all. First, in connexion with the point of order raised by the representative of Pakistan: may I say that, unquestionably, the usual procedure is that the sponsors of a proposal cannot submit amendments to their own proposals, but they can submit amendments to revised texts. They can submit a revised text provided of course that it meets with the consent of all the other sponsors. But if they can do so, the Chair believes that a subamendment submitted by one of the sponsors can also constitute a revision, on the understanding that it is acceptable to all the sponsors.

141. On the basis of this criterion, I think that the subamendment submitted as such by the representative of India is acceptable not as a subamendment but rather as a revision of the text, provided, of course, that the revision is acceptable to all the sponsors.

142. I should like to know whether all the sponsors of the draft declaration—and there are many of them—agree to this so-called subamendment as a revision of the text. Since I hear no objections, I shall take it that the sponsors accept this subamendment as a revision of the proposal.

143. Secondly, as regards the comments by the representative of Barbados, I am not in a position to amend the text submitted to the Committee for its consideration. I call on the representative of Brazil and this is the only point on which I give him the floor.

144. Mr. ARAUJO CASTRO (Brazil): I should like to thank the representative of Barbados for his observation.

145. Concerning paragraph 3 of the draft declaration, we wish to keep the text as it is, including the comma. Perhaps the comma is bad grammar, but I would say that it is bad grammar in accordance with the Charter. The comma appears in the Charter, and we want to support the Charter even when it uses bad grammar.

146. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Pakistan on a point of order.

147. Mr. SHAHI (Pakistan): I thank you for your statement, Mr. Chairman, in clarification of the point of order raised by me, but I take it that your ruling applies in the abstract or in principle, because we do not know what the subamendment is that has been submitted by the representative of India, and I do not know whether all the sponsors know of that subamendment to our amendment. I should be grateful to know this because I want to be sure that all of them know of the subamendment and agree to it, in which case the next step my delegation will take will depend on what I hear from you.

148. The CHAIRMAN (*interpretation from Spanish*): The representative of India read out his subamendment when he spoke during the debate and if the representative of Pakistan so wishes the text will be read out again at the time of the voting.

149. I should like to explain the procedure to be followed in this matter. Since we have exhausted the list of speakers in the general debate, in my opinion, the first question that we have to settle is that of priorities. On this point we have a formal proposal by the representative of Brazil that priority should be given to draft declaration A/C.1/L.558.

150. May I remind representatives that the Committee still has formally before it draft resolutions A/C.1/L.513, 514, 517 and 518 and the amendments in A/C.1/L.515, 516 and 519. The first thing that the Committee has to decide is whether priority is to be given to draft declaration A/C.1/L.558. Since the rules of procedure establish that proposals on any item will be voted upon in the order in which they have been submitted, unless the Committee decides otherwise, I would ask the Committee whether it agrees that priority should be given to draft declaration A/C.1/L.558. If I hear no objection, I shall take it that the Committee agrees.

*It was so decided.*

151. The second point is the order in which we shall proceed with the voting.

152. Once the question of priority has been decided, as the Committee has just done, we must consider draft declaration A/C.1/L.558 and, of course, the amendments submitted to it by the delegations of Thailand and Pakistan. Since these amendments refer to different parts of the draft declaration I believe that they should be voted on in the order in which they were submitted: that is to say, first the amendment proposed by Thailand, as orally revised, and then the amendment submitted by Pakistan [A/C.1/L.560].

153. I do not know whether the procedure has been made clear. If there is no objection on this point, I shall call on those representatives who wish to explain their vote on the draft declaration and on the amendments before the vote.

154. I call on the representative of Kuwait on a point of clarification.

155. Mr. KHANACHET (Kuwait) (*interpretation from French*): Could we have the text of the subamendment to the amendment of Thailand read out by the Secretary of the Committee?

156. The CHAIRMAN (*interpretation from Spanish*): Before calling on the representatives who have asked for the floor to speak on a point of order, and to comply with the request of the representative of Kuwait, I would say that, in accordance with the ruling of the Chair, the text is not, strictly speaking, a subamendment, but a revision of the original text of the sponsors. It would appear as a new paragraph, which would, of course, have to be inserted later. However, I shall be very pleased to ask the Secretary to read out the text of the revision.

157. Mr. CHACKO (Secretary of the Committee): The new revised paragraph would read as follows:

*"Calls upon the Security Council to intensify its efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security"*.

158. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Thailand on a point of clarification.

159. Mr. PANYARACHUN (Thailand): Before I deal with the subamendment proposed by the delegation of India, I should like to make a few comments in regard to the intervention made earlier by the representative of Brazil.

160. I quite agree with him that, from the grammatical point of view, perhaps, the Thai amendment, as orally revised in the course of this meeting, may be in error. However, I am not prepared to delete the words "permanent members"; we would retain that. But what I am prepared to do is to put a comma after the words "Security Council" in the first line; delete the word "and"; and then put another comma after the words "permanent members".

161. The revised text [A/C.1/L.559/Rev.1] would then read:

*"Calls upon the Security Council, particularly the permanent members, to intensify both collective and individual peaceful efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security, especially in areas where international peace and security are most critically affected"*.

162. The second point I should like to make is in regard to the Indian subamendment. It seems very clear that it is merely a device to reject the Thai amendment, since they are both on the same substantive matter; and if the Indian



subamendment were included in the revised draft declaration, my draft amendment would still stand as an amendment to the revised draft declaration. That is the first point I should like to make.

163. Now, in this connexion, I really cannot believe that the Indian delegation has any real grievance against the Thai amendment. It so happens that there is another draft amendment before us. Whatever reasons they may have in raising an objection to our amendment, I would hope that their objection to the other one will not cloud their minds so as to create opposition to the Thai amendment.

164. The CHAIRMAN (*interpretation from Spanish*): We have taken note of the revised text which the representative of Thailand has just given us of his amendment.

165. Secondly, I believe that, having considered what the delegation of India called a subamendment to be part of the revised text of the draft declaration with the consent of the other sponsors we would certainly put to the vote first of all the amendment of the delegation of Thailand; in any event, the situation would be exactly the same, as if it referred to the revised text. I therefore see no procedural difficulty on this point.

166. I shall now call on the representatives of Tunisia and Jordan on points of order; and so that we may conclude our work rapidly I hope that they will make their statements as brief as possible.

167. Mr. DRISS (Tunisia) (*interpretation from French*): The question I had intended raising has already been raised. I should like to say, however, that I am somewhat confused, because the clarifications made did not clarify anything.

168. We are discussing details of our draft and I would add my voice to the appeal that we should vote immediately on the draft declaration.

169. In addition, I think there is another proposal I could make, and this is a matter of priority. If it is agreeable to the representative of Thailand, I would propose that his amendment be adopted as an appeal from our Committee to the permanent members of the Security Council, as distinct from a draft declaration. It would be an appeal that would draw their attention to this and would ask them unanimously to make every possible effort to settle their various problems.

170. I should like to remind the Committee of the statement I made at the beginning of our debates. My delegation considers that this is not a problem of a resolution or a declaration, but of political action; and it is in this manner that a decision of our Committee could have some importance in the present international context.

171. The CHAIRMAN (*interpretation from Spanish*): To clarify matters, may I explain once again how I view the problem before us.

172. First of all, as you know, the Committee has decided to give priority to draft declaration A/C.1/L.558. Secondly, in connexion with that draft, there were and still are

formally before the Committee two amendments: one submitted by Thailand [A/C.1/L.559/Rev.1], and the other submitted by Pakistan [A/C.1/L.560]. In connexion with the former, the representative of India submitted a subamendment. The representative of Pakistan raised a point of order as to whether the sponsor of a draft resolution could subamend an amendment to a draft of which he was a sponsor.

173. The ruling of the Chair, which was not challenged by the Committee, was that, strictly speaking, this was not a subamendment, but a revision—a revision which would, of course, take effect if accepted by all the sponsors. I consulted the latter and I heard no objections. I therefore take it that the so-called subamendment has been incorporated into the text of draft declaration A/C.1/L.558, and I imagine it would come as an additional paragraph after paragraph 12.

174. As regards the Thai amendment, when we come to the vote we shall certainly vote first on the Thai amendment to the original text, as well as to the revised text. So on this point I think there should be no difficulty in having matters clear.

175. Now there is a second point on which I am not quite so clear, and for that reason I should like to consult the sponsors of the draft declaration. It concerns the fact that I overlooked the existence of a second subamendment submitted by India to the amendment submitted by Pakistan; that point is not clear. In this connexion I would say that my ruling remains the same. In my opinion, since India is a sponsor of the draft declaration, it cannot, strictly speaking, submit a subamendment to another amendment of the text of which it is a sponsor. Instead, it will have in any case to be a revision, provided that all the sponsors of the draft accept that revision.

176. Could I therefore first ask the representative of India whether he maintains his proposal, which consists simply of changing the words "alien domination" to "other forms of foreign domination"? I should like to know whether he maintains this proposal and, secondly, whether the other sponsors of the draft declaration have any objection to this being incorporated in the text.

177. Mr. SEN (India): First, I not only do not raise points of order, but even if the ruling of the Chair is not entirely satisfactory to me, I always accept it. I believe that in the United Nations you will find many precedents where the sponsors have amended or suggested subamendments to amendments, but I shall not dwell on this particular aspect; I will accept the ruling of the Chair. In the same spirit I would suggest that you consult the sponsors as you did in the case of my amendment to the amendment of Thailand. My second amendment, concerning the Pakistan amendment, could be dealt with in the same way.

178. The second point I want to make is that in the course of his last intervention the representative of Thailand made some kind of psychological analysis of the whole matter. I want to make it quite clear that if at first I did not want to move any amendments at all, I was obliged to do so because he would not listen to our appeal.

179. Lastly, if the matter is to be decided on merit, my objection to the Thai amendment is much stronger than it is to that of Pakistan.

180. Mr. VINCI (Italy): Before speaking on this point, let me say that I agree completely with Ambassador Araújo Castro that we, as sponsors, would of course prefer that this draft declaration, which was introduced by nine delegations at the beginning, should be accepted by acclamation, without amendment, but we have reached the point where I see that amendments have been introduced and where the delegations concerned insist upon a vote.

181. On the question of the Pakistan amendment and the subamendment proposed by the Indian delegation, I should like to clarify the situation in order that the delegations in the Committee will not all be led into a misunderstanding. The situation is the following: this subamendment was also discussed in the drafting committee but, unfortunately, since we were working on the basis of a consensus, we did not reach agreement on the subamendment. So I must make it clear to all delegations in this Committee that the subamendment proposed by India has not been agreed to by all the sponsors of the draft declaration. This, I should think, in full honesty and quite frankly, must be made clear to all delegations. I, for my part, do not see any reason why the Indian delegation should not be entitled to put forward a subamendment. I think as a matter of fact that this is the practice which has been followed in the past. But that is up to you, Sir, and we are ready to follow your ruling. Of course, the final word is with the Committee as a whole.

182. This is a point that I wanted to make quite clear, so that when all delegations take their position they will know where we stand.

183. The CHAIRMAN (*interpretation from Spanish*): The situation has changed, I believe, because from the statement just made by the representative of Italy, who is one of the sponsors of the draft declaration, I gather that, at least insofar as Italy is concerned, as a sponsor he does not agree to a revision of the text. So the situation, as the Chair sees it now, is that there remain pending the amendment of Thailand and the amendment submitted by Pakistan.

184. If no other delegation wishes to speak on this point, then I believe that the proper procedure would be to proceed to hear those representatives who wish to explain their vote before the vote on the draft resolutions and the amendments, which will be put to the vote in the order in which they were submitted.

185. I call on the representative of India on a point of order.

186. Mr. SEN (India): Mr. Chairman, you are perfectly right, the situation has changed and the change has been brought about by the statement made by the representative of Italy. He did say that it is perfectly in order and has been the practice of the United Nations for the sponsors of a resolution to move a subamendment to an amendment: and that is what I have done. So if my subamendments are accepted by the sponsors, well and good. I believe that, of the two subamendments I have suggested, the one related to the Pakistani suggestion was discussed in the drafting

committee; the other, related to the Thai amendment, was not discussed in that forum. Therefore, if you want the former to be treated as a subamendment by the Indian delegation and not as a change in the revised text of the draft declaration, which is subscribed to by about thirty sponsors, that is perfectly all right. I would therefore suggest, if you see no objection, Sir, that you let this be treated as a subamendment in accordance with the rules and practice we have followed up to now.

187. Mr. BAROODY (Saudi Arabia): Mr. Chairman, in order to dispose of this matter satisfactorily, may I, through you, ask my Pakistan and Indian colleagues to accept this suggested formulation regarding the Indian subamendment. I am not submitting a subamendment to a subamendment, because I do not want to complicate the situation. I suggest: "under colonial or any other form of external domination". I am suggesting this to both my colleagues; it will spell out alien and external domination. If they accept this, let us finish with it; otherwise I reserve my right to subamend everything here. When I say I will do a thing, I usually do it.

188. The CHAIRMAN (*interpretation from Spanish*): I shall consult the representatives of India and Pakistan as to whether they agree with that suggestion.

189. Mr. SEN (India): Of course I accept it, there is no problem about it. My whole concern was that the paragraph should not be weakened and what has been suggested by the representative of Saudi Arabia certainly does take care of that.

190. On the procedural matter, I would point out that, in connexion with the question of human rights, the United States delegation only a few days ago, I believe, suggested a subamendment to an amendment to a resolution of which it was a sponsor.

191. Mr. SHAHI (Pakistan): Out of my very great respect for the representative of Saudi Arabia, and in order to cut short this interminable procedural debate, I accept his version of the amendment.

192. The CHAIRMAN (*interpretation from Spanish*): So as I see it, there is agreement; at least two of the delegations most directly concerned are in agreement on this point. I believe that we would be unduly prolonging the debate if we were to dwell on this procedural point.

193. I now have the following names on my list of speakers who wish to raise points of order: Jordan, Ethiopia, Cyprus and the Soviet Union. May I however appeal to all these delegations to waive their right, which they certainly have, to raise points of order, to see whether we can have a clear idea of what procedure should be followed.

194. I believe that the only point on which there seems to be some divergency concerns the Pakistan amendments—and it seems that on that point at least, agreement to accept the suggestion has apparently been reached.

195. I do not know whether any of the delegations wishing to speak are in disagreement with what I have just

said. If this is not the case, I shall take it that we shall proceed to put them to the vote when the time comes.

196. May I put it this way, to simplify the matter. We have the draft declaration in document A/C.1/L.558, and two amendments—one submitted by Thailand, as revised orally in its latest version by the representative of Thailand [A/C.1/L.559/Rev.1] and another submitted by Pakistan, with the change which that delegation has just accepted.

197. I shall now call on those delegations who wish to explain their vote before the vote, it being understood that before we actually proceed to the vote the Secretary of the Committee will read out the text in its final version so that delegations will know exactly what they are voting on.

198. In the light of the statement I have just made I do not know whether the representatives of Jordan, Ethiopia, Cyprus and the Soviet Union would wish to press their points of order.

199. Mr. EL-FARRA (Jordan): I want to speak about the new version of the Thai amendment. I have no point of order.

200. The CHAIRMAN (*interpretation from Spanish*): Does your point involve an explanation of vote? If so, you can make your statement when we start calling on representatives to explain their votes. You will be placed on the list.

201. Mr. SHAHI (Pakistan): Since the author of the amendment to paragraph 17, namely the Pakistan delegation, and the author of the subamendment to the Pakistan amendment, namely the Indian delegation, have both accepted the formulation of the representative of Saudi Arabia, I take it that the sponsors will incorporate in the text of operative paragraph 17 the amendment of the representative of Saudi Arabia in the place originally indicated by the Pakistan delegation, so that, as far as our amendment is concerned there would be no need to take a vote. I take it that the sponsors of the draft declaration all accept the amendment of Saudi Arabia in the text of operative paragraph 17.

202. The CHAIRMAN (*interpretation from Spanish*): In connexion with the last statement of the representative of Pakistan I regret to say that I am not in a position to reply in the affirmative to his question because I would have to consult the sponsors so as to ascertain whether they would all agree to this change. I thought the problem in regard to an amendment and subamendment had been solved, but I am really not in a position to say that all the sponsors will agree with that formulation.

203. Mr. VINCI (Italy): I should like to go along with the proposal made by my good friend Ambassador Shahi, the representative of Pakistan, but unfortunately, for reasons I have already explained, some of the sponsors—and not only Italy—are not in a position to incorporate the amendment that has now been proposed by the representative of Saudi Arabia. I think the only way out is to proceed to a vote, and if it is adopted—and once we have voted on the Thai amendment and the Saudi Arabian amendment we shall be able to proceed on the vote on the whole text, amended or not—to have it adopted by acclamation.

204. The CHAIRMAN (*interpretation from Spanish*): It seems to me that we cannot proceed in the manner requested by the representative of Pakistan, since one of the sponsors has indicated that he is not able to accept such a revision to the text.

205. I call on the representative of Cyprus on a point of order.

206. Mr. ROSSIDES (Cyprus): In the position in which we find ourselves, where the sponsors of the amendment and the proposed subamendment to it, that is, the representatives of Pakistan and India, have accepted the very wise suggestion of the representative of Saudi Arabia—which I whole-heartedly support—I think that the representative of Saudi Arabia must submit his subamendment formally, in view of the stand taken by the sponsor from Italy, my friend Ambassador Vinci. It can then be voted upon and disposed of, and we can proceed with the other matter. For the subamendment will be voted on, considering that the two protagonists in this question have accepted it. I think that the only procedural way is for the Saudi Arabian representative to submit the subamendment; we will then vote upon it and it will take less time than to continue to discuss it. Let us therefore vote upon it; if it is accepted, it will be incorporated and then we can proceed to the Thai amendment. That, I believe, is the quickest way.

207. The CHAIRMAN (*interpretation from Spanish*): In connexion with this last statement by the representative of Cyprus, I should like to say that, as I understand it, the representative of Saudi Arabia made a suggestion to the representatives of Pakistan and India, and Pakistan—the author—accepted the suggestion, so that the amendment has been revised. There is no need to vote on the Saudi Arabian subamendment because the representative of Saudi Arabia made a suggestion, and since it was accepted by the representative of Pakistan, it forms part of his draft amendment.

208. That being the situation, I shall call on the delegations on my list to explain their vote before the vote.

209. Mr. WARNER (United Kingdom): My delegation proposes to vote in favour of the draft declaration before us. The fact that we are able to do so is almost entirely due to the devoted, unselfish and extraordinarily successful work of our Chairman, Ambassador Aguilar, and of the drafting group of eight representatives. It is a fact that in our work in the United Nations the contributions of individuals are sometimes of greater impact than the work of whole committees and that individuals can succeed where the whole membership fails. This is a case in point and in the drafting group we have been fortunate to have the help of eight such remarkable individuals and particularly of their Chairman and animator, Ambassador Araújo Castro.

210. I shall have a number of general comments to make on this important resolution in the field of international peace and security, but I shall reserve these for a very short intervention when the draft resolution is considered in the plenary session.

211. Today I merely wish to make certain reservations before voting. It is well known that there are a number of

especially contentious subjects, which are repeatedly under discussion by the General Assembly and the principal organs of the United Nations, and on which it is extremely hard to reach agreement. Nevertheless, during this twenty-fifth anniversary session, virtually the entire membership of the Organization has been able to find satisfactory forms of words, which shows the degree of consensus which can be reached. Particular documents of this kind are the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [resolution 2625 (XXV), annex] and the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations [resolution 2627 (XXV)]. We believe that when highly contentious subjects have to be included in other documents of a general order there is every advantage in accepting wording which is already satisfactory to 99 per cent of the Members of the United Nations instead of disputing new wording in each case that arises. This does not mean that no further progress can ever be made on such subjects—on the contrary they should continue to be studied most carefully. But it does mean, in the view of my delegation, that such considerations should not be dealt with piece-meal as an accidental matter in the discussion of wider issues. As the representative of Pakistan said today, there is great virtue in consistency in United Nations resolutions. A case in point is that of decolonization, which is dealt with in operative paragraph 17 of the draft declaration.

212. There we find a number of new formulations. For instance, there is a reference to “forcible and other action” which might deprive people of their inalienable rights. Wide phrases like “other action,” which have not been defined elsewhere, are vague and we do not believe that they should be introduced without fuller definition and discussion. However, the representative of Zambia most courteously explained during the sessions of the working group that, in this case, “other action” refers to such matters as economic exploitation of a coercive kind. I therefore limit myself to making the point that the Government of the United Kingdom is opposed to economic action of such a kind and that it believes that investment in dependent Territories should be carried out with the agreement of the indigenous authorities, with the principal object of developing the resources and economy of the Territories concerned, and with suitable safeguards for the interests of their peoples. This is the practice in British Territories and will continue to be so.

213. Secondly, I have the usual reservation to make about assistance to oppressed peoples “in their legitimate struggle”. It is made clear in the draft declaration that such assistance should be in accordance with the intentions of the Charter, and therefore we accept this passage as meaning peaceful assistance to a peaceful struggle and not implying use of arms. As has repeatedly been made clear, Her Majesty's Government does not believe in the use of force for political ends.

214. Thirdly, we find it strange that, in referring to the speedy elimination of colonialism, no reference whatever has been made to the views of the peoples concerned. The Declaration on the principles of friendly relations is most careful to lay down that Members should do everything in

their power “to bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned”. I do not believe that it was the intention of the drafters to remove the right of dependent peoples to express their will with respect to their own future. Moreover, this passage does not appear to have any relevance to the situation in any British Territory, since it is well known that it is a practice of Her Majesty's Government to give primary consideration to the wishes of the inhabitants in the evolution of Territories under its administration. We should have preferred to see the inclusion of this phrase in order to ensure its general application elsewhere, and we shall continue to press for it in other documents of this kind.

215. Another subject on which the drafting of precise wording is invariably difficult but on which general formulas have been adopted this year is that of *apartheid*. The difficulty in reaching agreement on this matter does not arise from any difference of view about the immoral nature of *apartheid*. “criminal” and so on. In voting for the present draft declaration we should like to make it clear that in our view the wording in paragraph 22 must be regarded as a general moral and political condemnation of the evil practice of *apartheid* and not as laying down precise legal formulations.

216. Finally, there is one small point of quite a different kind in paragraph 13. My delegation has made it clear in the Sixth Committee, and I think it right to repeat here, that in the view of the United Kingdom a definition of aggression would constitute a successful conclusion of the work of the Special Committee on the Question of Defining Aggression only if it were a good definition. That is to say, it would need to be one which would genuinely assist the Security Council in the exercise of its special responsibilities under the Charter and which would command general support among United Nations Members, including in particular the support of the permanent members of the Security Council.

217. I repeat, we shall vote in favour of this draft declaration.

218. Mr. BEAULNE (Canada) (*interpretation from French*): Mr. Chairman, as a sponsor of draft resolution A/C.1/L.514, the Canadian delegation wishes to express to you its deep gratitude for the efforts you have made, together with many delegations, efforts which in our opinion have led to a successful conclusion.

219. Canada will be happy to support draft declaration A/C.1/L.558. At the same time, I should like to make it clear that, in the opinion of Canada, the reference at the end of operative paragraph 19 to the effect that the benefits of the technology of the peaceful use of nuclear energy should be available to all States, without discrimination, applies to the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons [resolution 2373 (XXII), annex], with particular reference to the provisions of articles IV and V of that Treaty. We interpret the words “to the maximum extent possible” as meaning that nothing in this part of the paragraph entails or should be construed as entailing obligations other than those already contracted by the parties to the Treaty on non-proliferation, which is the relevant international treaty.

220. Sir Laurence MCINTYRE (Australia): My delegation has followed with the closest interest and attention the informal negotiations that led to the production of the draft declaration at present before us in document A/C.1/L.558.

221. The text clearly represents a substantial measure of compromise by the representatives of the sponsors who took part in our Chairman's consultative drafting group, and my delegation would like to commend the spirit that animated that group in arriving at a consensus which embodies most, if not all, of Member countries' current preoccupations in the field of international peace and security. Nevertheless, the process of formulating an agreed draft proposal must inevitably result in a document that contains ideas and phrasing with which not all Member States are in total agreement.

222. While my delegation, as a sponsor of one of the original draft resolutions, A/C.1/L.514, has no strong objections to the contents of the new draft declaration in its present form, it regrets that the consultative group was unable to adhere more closely in operative paragraph 17 to the wording 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. Representatives will recall that that Declaration, itself the product of long and arduous negotiations, was adopted unanimously on the closing day of the commemorative session, on 24 October 1970, during the current General Assembly session [*resolution 2625 (XXV)*]. As the product of many years of discussion and eventual compromise, that Declaration must be regarded as a primary document on issues relating to the strengthening of international security. We have noted that, under the heading, "The principle of equal rights and self-determination of peoples", the Declaration on principles of international law stipulates that every State has the duty to

"... render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principles in order:

"(a) To promote friendly relations and co-operation among States; and

"(b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned".

223. Operative paragraph 17 as it reads at present in document A/C.1/L.558 merely calls on all States to "render assistance to the United Nations and, in accordance with the Charter, to the oppressed peoples in their legitimate struggle in order to bring about the speedy elimination of colonialism"; without making any provision for the exercise by these peoples of their right to determine their own future in accordance with their freely expressed will.

224. My delegation would have been prepared to support the Pakistan amendment [*A/C.1/L.560*] in the form in which it was originally submitted, which we believe would have represented a slight improvement in the balance of paragraph 17, but I am afraid my delegation finds itself

unable to support the new formulation of the amendment just accepted by Pakistan, since my Government is not prepared to accept that colonialism is a form of external domination.

225. Subject to our reservations on paragraph 17, which my delegation would like to see formally recorded in the report on this item, my delegation would be ready to approve the adoption of this draft declaration by consensus.

226. I should also mention that my delegation will be ready to support the revised draft amendment submitted by Thailand [*A/C.1/L.559/Rev.1*].

227. The draft declaration represents a genuine effort by Member States to find common ground that can unite us all in promoting measures for the strengthening of international peace and security and deserves the sympathetic consideration and support of this Committee.

228. Mr. YOST (United States of America): I should like to comment very briefly on draft declaration A/C.1/L.558.

229. The basic approach of the United States towards strengthening international peace and security was explained at some length in our statement in the general debate in the Assembly on 30 September [*1854th plenary meeting*]. At that time I reiterated our scepticism as to whether what was needed was still more sweeping hortatory declarations that sought to restate and interpret the purposes and principles of the Charter. What is needed in our view is more effective United Nations action on the vital concrete issues before us: on United Nations peace-keeping procedures, on better means of peaceful settlement, on disarmament, on development, on decolonization, on human rights, on population, on the environment and on the sea-bed—in addition to more effective organization and better procedures in our various bodies.

230. We fully recognize that the draft declaration before us is the result of long and arduous negotiations, and that all groups have made strenuous efforts to reach agreement. By definition the production of such a process will not be completely satisfactory to all concerned. It is not completely satisfactory to us. I should nevertheless like to pay a special tribute to you, Mr. Chairman, and to all who have lavished great skill, determination and patience on the production of this compromise draft, even though we would frankly have preferred the same skill and determination to be devoted to achieving greater progress at this session in the specific fields I have just mentioned.

231. However, recognizing that it is the general wish of the majority of members to have a declaration on this subject adopted at this session of the General Assembly, and in the spirit of compromise that has brought us this far, my delegation will, despite some doubts and misgivings, acquiesce in the adoption of the draft declaration before us.

232. Mr. EL-FARRA (Jordan): My delegation will vote in favour of the draft declaration contained in document A/C.1/L.558. We believe it reflects the collective wisdom of this house, and we are grateful to you, Mr. Chairman, and to the chairman and members of the drafting group for this excellent work.

233. We shall also vote in favour of the Pakistan amendment as just revised, which we hope will be adopted unanimously.

234. As for the revised Thai amendment [A/C.1/L.559/Rev.1], my delegation is not in a position to support it. It calls upon the Security Council to intensify peaceful efforts to discharge its responsibility and so on. We have been witnessing the peaceful efforts of the Security Council for twenty-five years. My country belongs to one of the areas in which international peace and security are most critically affected. Being, as I am, from a Member State partly occupied by Israel at the present time, I think I am a good witness to the peaceful efforts of the Security Council.

235. The intensification of peaceful efforts means more recommending, more urging, more reminding, more reaffirming, more warning, more calling upon and so on. If the idea is to ask the Security Council to intensify those kinds of peaceful efforts, I think we shall be defeating the very purpose that inspired the Government of the Soviet Union to bring this item to this august body. I think what was intended was exactly what Ambassador Yost just said: more effective Security Council action, not the intensification of peaceful efforts.

236. Another point: by putting emphasis on the Security Council's recalling, reaffirming and endorsing, we are by implication—though not by intent—inviting the Security Council to freeze the authority of the Council to take effective action or effective measures. To put it more clearly, we are trying to make of the Security Council another sub-organ whose authority is limited to recommending and urging, which cannot take decisions calling for action.

237. That being so, my delegation will vote against the revised Thai amendment.

238. Mr. OULD TAYA (Mauritania) (*interpretation from French*): First of all, my delegation wishes to express its gratitude to the working group for draft declaration A/C.1/L.558, which it worked out after arduous negotiations. On the basis of the statements made and the appeals launched from both sides my delegation had the impression that this draft resolution constituted a consensus and was therefore likely to have the support of the entire Committee without any reservations of any kind. Unfortunately, that does not seem to be the case and the statements and explanations of vote we have just heard lead us to believe that certain delegations which intend to vote in favour of the draft resolution have reservations in regard to certain of its paragraphs. As we see it, this means that in due course those delegations could invoke these reservations. We can only regret that, and although we had no intention of doing so at the outset we are thus compelled to state our own reservations with regard to some of the paragraphs of the text submitted to us.

239. My delegation regrets that in connexion with questions of such importance for the maintenance of international peace and security as the elimination of colonialism and the assistance to be given to liberation movements the authors of the text are satisfied with a mere request to

all States, in paragraph 17, "to desist from any forcible and other action which deprives peoples...". Since this is a question which is still vital to the maintenance of international peace and security, we would have wished to have the Assembly "urge" all States to desist from any forcible and other action. ...".

240. As to paragraph 20 on the Second United Nations Development Decade we would have wished to see an invitation addressed to States, particularly to the developed countries, to make available to the developing countries a certain percentage of their national income which as we see it would not constitute mere charity, nor an act of philanthropy, but a just recompense for the services and goods supplied by the developing countries to the developed countries.

241. Finally, in connexion with paragraph 23, we express our regret that it does not contain a firmer recommendation on the universalist vocation of the Organization.

242. Having said that, my delegation wishes to reserve its right, in consultation with others, to speak if need be in the discussion in the General Assembly and possibly to propose new amendments. For the time being we shall support the draft resolution before us.

243. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker I should like members of the Committee to take note of the fact that Costa Rica has become a sponsor of draft declaration A/C.1/L.558.

244. Mr. IDZUMBUIR (Democratic Republic of the Congo) (*interpretation from French*): I should like to say right away that we recognize the merit of delegations which have worked so hard to produce the document we are now considering which is a common denominator of the needs of the international community.

245. We are also aware of the fact that this document, while not being perfect, does naturally meet the main desiderata of our delegation in a satisfactory manner. However, I should like to say that we listened with great attention to the amendments, revisions and subamendments presented orally by various delegations.

246. For some time we have been asking for permission to speak, but unfortunately the Chairman did not notice it. My intention was to ask that at least the amendments be submitted in writing so that during the votes we would be able to see the texts in front of us and not vote after merely having heard them read and on the basis of notes taken by ourselves from the interpretation. The difficulties my delegation has had in this connexion, which it mentioned in previous statements, lead to extreme caution on our part when we have to take a decision on a very important document—not just any resolution but a very important declaration. Therefore, I should like to say that if this document is presented as it is my delegation will vote in favour. However, if revisions or amendments or subamendments which we have merely heard are being put to the vote, my delegation will not be able to take part and it will reserve its right to take part in the vote in plenary when the report is presented.



247. Mr. VON HIRSCHBERG (South Africa): Because of the inclusion of operative paragraph 22 in the draft declaration, the South African delegation cannot associate itself with the draft declaration as a whole and we shall be obliged, therefore, to vote against it. We consider the inclusion of this paragraph in a document of this nature to be wholly unwarranted and unnecessary and a violation of the Charter provision on domestic jurisdiction. It is also, in our view, based on ignorance or disregard of what we are attempting in all sincerity to achieve in South Africa. We have reservations with regard to one or two other aspects of the draft declaration but our inability to subscribe to it as a whole is due primarily to the inclusion in it of paragraph 22.

248. Mr. BAYÜLKEN (Turkey): As I said at this morning's meeting of our Committee, to achieve consensus on vital matters should be the paramount motivation guiding our work. That is why my delegation feels gratified at the quasi-consensus attained on the draft declaration. In this respect I should also like to express our appreciation of the praiseworthy manner in which the informal working group—with the continuous assistance of our Chairman, Ambassador Aguilar—has discharged its task.

249. When the question of strengthening international security was considered in this Committee for the first time, at the twenty-fourth session, I pointed out [1663rd meeting] that my country attached the greatest importance to the realization of real security in international relations as conceived by the Charter of the United Nations, and had worked relentlessly in that direction.

250. At the same time I underlined the fact that while the United Nations Charter enshrined all the noble aspirations of mankind, it was also a document which constituted a binding guide *par excellence* for regulating international relations and leading humanity to the ultimate goal to which we all aspired. It was almost impossible, I said, to separate and differentiate between those basic provisions and to ascribe to them varying degrees of importance.

251. The Charter of the United Nations is an indivisible document in its entirety, guiding us to the solution of the various important political, economic and social and humanitarian problems.

252. With these considerations in mind we welcome the comprehensive work performed by the sponsors of draft declaration, which, we believe, with scrupulous adherence to all the provisions of the Charter, will be an additional instrument in our future efforts to strengthen international security. It is plain to us that the draft declaration before us makes no addition to or subtraction from the provisions of the United Nations Charter.

253. Given this point of view, we are of the opinion that paragraph 3 of the draft declaration, when taken into account with paragraph 16, does not represent any intention of impairing the Charter provisions. It is the conviction of my delegation that peace cannot be strengthened, or successfully maintained or promoted, without scrupulously observing all the provisions of the United Nations Charter, including its Preamble, or without full respect for international law and, consequently for international agreements which constitute one of its main sources.

254. Those considerations will also guide the vote of my delegation as regards the amendments before the Committee.

255. We hope sincerely that the draft declaration, which we trust will be adopted quasi-unanimously, will be a useful instrument in promoting international peace and security in our future endeavours.

256. Mr. ROSSIDES (Cyprus): My delegation will vote in favour of the draft declaration contained in document A/C.1/L.558. As a matter of fact, this draft contains the substance of the previous draft declaration, of which Cyprus was a sponsor [A/C.1/L.518]. We believe it is a very constructive draft. Indeed, it uses the words "urges", "recommends", and "reaffirms", but these are terms which can be used by a resolution of the General Assembly. It is a declaration that contains a recommendation. It cannot be mandatory, because it is in fact a recommendation. Therefore these words are properly used.

257. This draft declaration covers all aspects of international security: the arms race, which is the greatest danger to international security; peace-keeping and peace-making—two related aspects; and improving the means and methods of peace-making. Then it gives further support to efforts to restrict aggression by supporting the Committee on the Question of Defining Aggression and enabling it to proceed with its efforts. It deals with the interdependence of international security; with disarmament and economic development—and I should say also with the peaceful settlement of disputes, and it emphasizes also in its paragraph 3 that in the event of a conflict between the obligations of members of the United Nations under the Charter and their obligations under any other international agreement their obligations under the Charter shall take precedence.

258. It is important to revive and give emphasis to certain parts of the Charter that should not be forgotten. It is also important to emphasize the need for States fully to respect the sovereignty of other States and the right of peoples to determine their own destinies free of external intervention.

259. I should like to congratulate the members of the working group that arrived at this draft declaration, and also its sponsors.

260. I wish to say also that we support the amendment proposed by the representative of Pakistan as just amended by the subamendment of the representative of Saudi Arabia. I believe that it does improve the text.

261. I also wish to say that there is much to be praised in the amendment of the representative of Thailand [A/C.1/L.559/Rev.1]. That amendment, of course, requires more discussion than we are able to give it at the present stage, and we are sorry that no agreement has been reached on it so far.

262. On the whole, I am happy with this draft declaration and my delegation will support it.

263. The CHAIRMAN (*interpretation from Spanish*): I should like to ask members of the Committee to take note

of the fact that Iraq has been added to the sponsors of the draft declaration contained in document A/C.1/L.558.

264. I understand that the representative of Saudi Arabia wishes to make a statement, and I call on him for this purpose.

265. Mr. BARODY (Saudi Arabia): I have been trying to reconcile points of difference—I shall not say dissension—with regard to the amendment of my friend and colleague, the representative of Thailand. I am in full agreement with him that special mention should be made of the four—I mean the five—permanent members. We talk of four; that is a slip of the tongue, which I should like to correct, because on the Palestine question they exclude one of the big members. I believe it should be included and I shall speak of the five permanent members.

266. I was in San Francisco and before that I followed what happened in Bretton Woods. At one time I refused to be associated with the United Nations because of the veto. Later I began to think that the veto was a boon in some respects, because the consensus is worse than the veto. Therefore, the Charter implies the special responsibility of the five permanent members.

267. I appeal to my colleague from India—I have made an appeal as well in another direction to my colleague from Thailand, and it must be remembered that India is a sponsor of the draft declaration—to accept this formulation as a suggestion, which I shall read out:

*“Calls upon the Security Council,”*—and I ask my Indian colleague to accept the restoration—“particularly the permanent members, to intensify efforts”—we do not have to say its efforts—“to discharge, in conformity with the Charter, its primary responsibility for the observance”—those big members do not always observe peace and security—“and maintenance of international peace and security”.

268. I have thus covered the individual and collective efforts adduced by our colleague from Thailand. I can understand why he fears that sometimes the permanent members of the Security Council may maintain peace. But what kind of peace would it be if they did not observe peace? The word “observance” is the keynote. Some permanent members, unfortunately, are like human beings and infringe upon the peace of the world either by direct or indirect interference in the affairs of States. I shall not go into this matter because we are not in the general debate now, but are about to vote.

269. Therefore, I appeal to my colleague from India for the restoration of the phrase of the representative of Thailand, *“Calls upon the Security Council, particularly the permanent members”*. We place the onus on them. If they do not observe peace, the onus is on them because they were given the special responsibility by the Charter. Why, therefore, should we shy away from it? I address this appeal to my colleague from India. As my colleague from Thailand has suggested, why should we not put the responsibility on them—a responsibility which they should not abdicate—of not only maintaining but observing and maintaining peace? We should say “to intensify efforts”.

We do not need to say “its efforts”. The pronoun “its” would also imply the efforts in conjunction with the non-permanent members, although the word “its” in this case would refer back to the Council. But efforts may perhaps be made outside the Council, possibly on the part of delegations that ask to participate in the debates of the Council. The Security Council does not have any exclusive rights over efforts. Non-members of the Security Council have appeared before it quite often during the last ten or fifteen years. Before that we did not appear so much, because we looked with awe at the Council. Therefore, the word “its” is removed judiciously, and we say “to intensify efforts”, which means their own efforts—the efforts of the permanent members and the non-permanent members, as well as of non-members. Therefore, it includes all the Members of the United Nations if non-members of the Security Council should ask to be heard by the Council. When non-members of the Council ask to be invited to the Council, it is for what purpose? It is so that we may convince the members—the permanent members and the non-permanent members and the other members, of our point of view. After all, the General Assembly is also to be taken into account in questions of peace and security.

270. Therefore, I appeal to my colleague from India and I ask him to accept the restoration of the phrase “particularly the permanent members” and to remove the word “its”. And I appeal to the representatives of Thailand and India to add the word “observance” after the words “responsibility for the”, so that it would read “responsibility for the observance and maintenance”.

271. They can maintain the peace of the grave too, by destroying another country. I am not specifying now what is happening here or there, so that no one will enter into political polemics. We are not here to enter into political polemics. As in the case of human rights, we not only promote, but before we promote we observe. That is in the Charter, in the Universal Declaration of Human Rights, in the International Covenants on Human Rights. In questions of peace and security, we should observe and maintain.

272. I hope that this formula will be accepted by my two colleagues the representatives of India and Thailand, on the understanding that the words “collectively or individually” would be implied by removing the pronoun “its”, and also because of the fact that non-members of the Security Council have a say once in a while when they are invited to be heard, and their impact on the Council is not academic whenever they are right.

273. The CHAIRMAN (*interpretation from Spanish*): Could I ask the representative of Thailand whether he agrees with the new wording?

274. Mr. PANYARACHUN (Thailand): I do not want it to appear that I am trying to monopolize the time of the First Committee. I had made up my mind not to speak again until my very learned elder brother, the Ambassador of Saudi Arabia—whose counsel I have always listened to—made some further suggestions in regard to my proposal.

275. Mr. Chairman, before I start to comment on his suggestions, may I ask you to clarify certain procedural points. First of all, as I understand it, the subamendment

suggested by the representative of India was addressed to the Committee, and you, Mr. Chairman, have ruled that unless it be incorporated in a revised draft declaration—that is, agreed to by all the sponsors—then the delegation of India has no right to submit it. If that understanding is correct, then I submit that the only amendment which stands before the Committee now is that proposed by Thailand, as contained in document A/C.1/L.559/Rev.1.

276. If that is the case, there is only one amendment. It appears to my delegation that the suggestion of the representative of Saudi Arabia has come a little too late for me to be able to consult some of the delegations that I consulted earlier in the course of the day, who gave me to understand that they would support the wording as contained in the amendment. Because of this shortness of time, I feel constrained to reply to the Ambassador of Saudi Arabia that any further changes to my amendment would necessitate some very intensive consultations and, as far as my delegation is concerned, we feel inclined not to accept his suggestion.

277. The CHAIRMAN (*interpretation from Spanish*): I shall reply to the question put to me by the representative of Thailand in regard to procedure. I believe that the interpretation he gave of my previous statements is correct: namely, that at this time there is indeed the amendment of the delegation of Thailand and there is no subamendment before us because my ruling—which was not challenged by the Committee—was that the authors of a proposal cannot make subamendments for the simple reason that if those subamendments were accepted, that would imply a revision of the text.

278. With that idea as a point of departure, I take it that no delegation which is a sponsor of a draft resolution can submit a subamendment. However, the Secretariat has informed me that in the opinion of the Legal Department, a contrary thesis has been accepted and that there are precedents for it; that is to say, that subamendments submitted by sponsors to amendments have been accepted.

279. I maintain my ruling. In my opinion—in which I might be mistaken—when the author of a draft accepts or proposes a subamendment to an amendment, obviously this is in fact tantamount to a possible revision of the text. I therefore maintain my opinion. Nevertheless, since I believe that in these matters, the one personal opinion is not enough—especially when, as I understand it, there are precedents to the contrary—the best course would be for the Committee to decide on this procedural question; that is to say, whether the subamendment of India is to be accepted or not.

280. I shall put this to the vote. I think that it is too late now to start a new procedural debate on whether my ruling, which was not challenged when I made it, can be discussed now. The best thing to do would be to vote on the admissibility of the Indian subamendment. On this procedural point I have on the list of speakers the names of the representatives of Ethiopia, Saudi Arabia and Tunisia.

281. Mr. GEBRE EGZY (Ethiopia): Mr. Chairman, it is not that I wish to challenge your ruling at this stage, because I do not think that you really did rule. I

understood you to say that the delegation of India could not very well turn around and amend its own draft. I did not understand you to say that the delegation of India—as the delegation of India and not as one of the sponsors—does not have the right to amend an amendment submitted by another delegation.

282. Now that is my understanding. If my understanding is wrong, I want to reserve my right to speak again. I do not want to challenge you, Mr. Chairman; that would not be gracious. I should like to reserve my right to speak again because I could not really accept that interpretation in the face of very many precedents in six or seven Committees throughout the years, whereby delegations have sponsored a resolution and when an amendment has been presented, they have had the right to amend that amendment. But I do not want to challenge you, Mr. Chairman.

283. The CHAIRMAN (*interpretation from Spanish*): It is precisely in order to avoid a new procedural debate that I should like to submit this to a formal vote to determine whether the Committee considers the subamendment by India, which is a sponsor of draft declaration A/C.1/L.558, admissible. I ask those who are in favour to raise their hands.

284. I would point out to the representative of Tunisia, who wishes to speak, that the voting has already started. I do not know whether the representative of Tunisia heard the interpretation in time, but what we are voting on is the admissibility of the subamendment of India.

285. Those who agree that the Indian subamendment is admissible will please raise their hands.

286. The Committee will now vote on whether the Indian subamendment is admissible. We are not discussing the substance; we are discussing a procedural question: is the subamendment admissible or not? I said earlier that I had made a ruling to that effect and I maintain it. However, because I consider that this is the quickest and most democratic procedure, I am going to put my ruling to the Committee. I repeat, those who agree that the subamendment of India is admissible will please raise their hands.

*By 40 votes to 2, with 54 abstentions, the Indian subamendment was deemed to be admissible.*

287. The Committee has decided that it considers the Indian subamendment to be admissible. This being so, the order in which we shall vote on the proposals is as follows: first we shall vote on the Indian subamendment, then, if necessary, on the Thai amendment and then on the text of the draft declaration itself.

288. The representative of Thailand has the floor on a point of order.

289. Mr. PANYARACHUN (Thailand): According to rule 80 of the rules of procedure:

“Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at

any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day."

290. I submit, Mr. Chairman, that I am not asking that the Committee abide strictly by that rule. But after all, what is the Indian subamendment? Could we have a look at it? Could we have it before us?

291. The CHAIRMAN (*interpretation from Spanish*): In reply to the point raised by the representative of Thailand, I should like to say that rule 80, which he has just read out, starts by saying that "normally" proposals and amendments shall be introduced in writing, and that at the end it says: "The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day." That is what we have been doing, and that includes the revised text of Thailand, which has not been formally distributed in writing.

292. May I appeal to my friend the representative of Thailand not to press his point?

293. I shall be very pleased to call on the Committee Secretary to read out very slowly and carefully the complete text of the Indian subamendment—for we can now formally call it the subamendment. I shall call on the Secretary as often as may be necessary, to repeat the subamendment until every single member of the Committee is satisfied that he has the exact text.

294. I call on the representative of Saudi Arabia on a point of order.

295. Mr. BAROODY (Saudi Arabia): I should like to ask my Indian colleague whether he has accepted my formulation; because it was the result of a lot of negotiations, and I am left hanging in the air. Rules are made to regulate the conduct of man in society, and procedure is intended to facilitate, not hamper, the work of Committees, including this Committee. Therefore, since I was on the list and the Committee decided that the subamendment of our good colleague from India was receivable, I would want to read again, slowly, the formula that was accepted by my colleague from India but, unfortunately, rejected by my colleague from Thailand. In the event that my colleague from India should change his mind, as is his privilege, I have not changed mine. If he did not accept my formula—and I believe he graciously did—I will formally subamend the subamendment, so that the text will read as follows—and will the Secretary kindly take note:

"Calls upon the Security Council, particularly the permanent members, to intensify efforts to discharge, in conformity with the Charter, its primary responsibility for the observance and maintenance of international peace and security".

296. I submit, Mr. Chairman, that there will be no problem if this formulation is accepted by my colleague

from India, in view of his subamendment. But if he wants to withdraw his subamendment, I forthwith subamend the text of Thailand with the formulation I have just set forth.

297. I must say that we are here to accomplish our work collectively at a great meeting of this session, and that we should not be obstructed by narrow considerations of procedure.

298. The CHAIRMAN (*interpretation from Spanish*): To avoid these submissions of subamendments to subamendments to amendments to the draft, might I ask the representative of India whether he agrees with the subamendment of the representative of Saudi Arabia?

299. Mr. SEN (India): The delegation of India is always reasonable and co-operative. It was in that spirit that, when the Ambassador of Saudi Arabia took the initiative to bring the two points of view together, I encouraged him. However, in view of the statement we have recently heard from the representative of Thailand, I am not quite sure whether a compromise is really called for on my part. However, if it meets with the Committee's unanimous or nearly unanimous opinion, I would accept the Saudi Arabian formulation except for one word: instead of "particularly its permanent members", we should say "including its permanent members".

300. The CHAIRMAN (*interpretation from Spanish*): From the last statement made by the representative of Saudi Arabia, I understand that he agrees with the text proposed by the representative of India, and that we therefore have only one subamendment.

301. I call on the representative of Thailand to explain his vote before the vote on the subamendment.

302. Mr. PANYARACHUN (Thailand): There have been repeated attempts by many delegations to prevent the Thai amendment from being voted upon. Those attempts are quite valid ones, and I respect their motivations. But this matter is of very crucial importance. It is of crucial importance to my delegation, and I would hesitate to agree to any procedural steps that would in fact have the effect of preventing my amendment from being voted upon.

303. The consultations that my delegation had with some thirty or forty delegations this morning confirmed my belief that most delegations shared the views expressed in our amendment. If some delegations find themselves not in a position to support this amendment, I would prefer that my amendment be put to a vote; let it be rejected; let it go down in the history of the United Nations that the First Committee rejected the amendment of Thailand as contained in document A/C.1/L.559/Rev.1. I am prepared to accept that verdict in a democratic manner. But, as I said before, I ask for a roll-call vote on the Thai amendment. In the event that, for one reason or another, substantive or procedural, the Thai amendment is not voted upon or is not approved, then I would also insist on a roll-call vote on the draft declaration, against which my delegation would vote. I am most grateful to the representative of Saudi Arabia for suggesting a compromise. Unfortunately, as I indicated earlier, it is simply not possible for me to accept such a suggestion in view of the fact that I have consulted some

thirty or forty delegations and accepted many of their views. I should be acting in bad faith if I were to accept singly the suggestion made by the representative of Saudi Arabia.

304. Secondly, we feel that the suggestion made by him does omit one or two very important points in our draft amendment. It leaves out the words "collective and individual efforts": I cited the examples of the Security Council resolution on the Middle East question and the Tashkent Declaration. It also omits the last phrase in my amendment, "especially in areas where international peace and security are most critically affected".

305. I welcome the good intentions of the representative of Saudi Arabia, but would plead with him, and also with the representative of India, to withdraw their subamendments to the Thai amendment and let the Thai amendment be considered strictly on its own merits. If the Committee wishes to reject it, let it be rejected. I ask no more than that.

306. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Cyprus on a point of order.

307. Mr. ROSSIDES (Cyprus): My point is to suggest that the proposal made by the representative of Saudi Arabia has one flaw and we have to correct it; otherwise we shall present a draft which is meaningless because it "Calls upon the Security Council, including the permanent members, to intensify efforts"—that is, intensify the efforts of the Security Council—"to discharge, in conformity with the Charter, its primary responsibility for observance of international peace and security".

308. There is nothing in the Charter which says that the Security Council is to observe international peace and security; it is to maintain peace, not to observe it. The observance refers to the permanent members, and I agree with the representative of Saudi Arabia; but as it is phrased, it merely calls upon the Security Council to observe international peace and security, as if it is the Security Council that does not observe them. The Security Council is there to maintain. If it does not observe the maintenance, that is another thing, but you cannot say "observe international peace and security".

309. I bring this to the notice of the Committee in case we have a document which is not consistent with the Charter.

310. I do not know whether I have made myself clear. The words "its primary responsibility" make it clear that it does not refer to the permanent members, or any members, but to the Security Council itself. Therefore, the Security Council cannot be called upon to observe international peace and security; it is called upon to maintain, not to observe. Of course, members are called upon to observe. This concept, therefore, could be introduced in a few more words mentioning calling on the members, including the permanent members, to observe international peace and security. But you cannot call on the Security Council itself.

311. The CHAIRMAN (*interpretation from Spanish*): There are two more speakers, presumably on points of order. But I would appeal to the Committee; we cannot go

on discussing these procedural points indefinitely. Since it is so late and since we have spent so much time on the subject, it seems to me that the time has come to decide these issues by a vote. Nevertheless, I give the floor to the representative of the United States.

312. Mr. FINGER (United States of America): I shall not comment on the substance of either amendment because I think the situation is that we have a Thai amendment and a Saudi Arabian amendment to the text. It would appear on reading the text that the Thai amendment is furthest removed from the original and, therefore, according to the rules of procedure, should have priority. If there are contrary views, the Committee could vote on the question of which amendment shall be voted upon first, and then let us get to a vote on the amendments.

313. The CHAIRMAN (*interpretation from Spanish*): A point of order has been raised by the representative of the United States and the Committee must pronounce itself on it. He has requested priority for the amendment of Thailand because it is furthest removed from the original text. This being so, I think the proper procedure would be for me to put the question of priorities to the vote immediately, because this is a formal proposal.

314. I call on the representative of Saudi Arabia on a point of order.

315. Mr. BAROODY (Saudi Arabia): Has the representative of the United States forgotten that I submitted my phraseology as a subamendment? What is he talking about? I submitted it as a subamendment to the Thai amendment. How can you vote on the amendment before the subamendment?

316. Secondly, in order to facilitate the work of this Committee and to show that, in a spirit of compromise, I am prepared to do certain things, I would say that the remarks of Mr. Rossides are well taken, although I explained the motives behind the word "observance", because some big Powers do not observe the maintenance of peace. But I will, at any rate, eliminate it. You see how reasonable I am. I was willing to put back the word "including" instead of "particularly" in accordance with the suggestion of the representative of India, but again, Mr. Finger, please bear with me that you cannot by any gimmick of the rules of procedure say there is a priority when, strictly, my phraseology is a subamendment. Do you want me to reconstruct it to show you how it is a subamendment? No, you are wrong there, with all due respect to your experience for so many years in the United Nations. I leave it to the Chairman to pronounce on this point, although the procedure may become very intricate and complicated, and I warn the Committee and the Chairman not to go into such a procedural debate.

317. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of India on a point of order.

318. Mr. SEN (India): Only a few minutes ago we took a vote on whether an amendment or my subamendment was acceptable to the Committee, and the Committee voted by forty votes to two in favour of the subamendment. The text suggested by the representative of Saudi Arabia is only

a replacement of my text, so I do not know why this particular problem has arisen.

319. As for the desire of the representative of Thailand to have all his opinions tested by the Committee, that is admirable; I wish we could all have our opinions tested in that manner.

320. The CHAIRMAN (*interpretation from Spanish*): There is a formal proposal before us, submitted by the representative of the United States on a point of order, to put to the Committee the question of priority. Even though it is a subamendment, the representative of the United States obviously believes that the Thai amendment is an additional amendment to that of Saudi Arabia and that, as such, and since it is further removed from the original text, the Thai amendment should have priority. I think the best way to settle the matter is to vote on whether the Committee wishes to give it priority or not.

321. Mr. BAROODY (Saudi Arabia): May I have the floor, please?

322. The CHAIRMAN (*interpretation from Spanish*): I appeal to the representative of Saudi Arabia to forgive me, but we shall never finish if we become involved in a discussion of procedural points, of whether a subamendment is a special kind of amendment which, by its very nature, takes priority over an amendment. I call on the representative of Saudi Arabia.

323. Mr. BAROODY (Saudi Arabia): I should like Mr. Stavropoulos to come right away to the Committee.

324. If, Mr. Chairman, you want me to reconstruct my subamendment, I am willing to do so. It was to save time that I submitted it in such a way that it affected the Thai amendment. In other words, I could have said "*Calls upon the Security Council*". Instead, my subamendment would replace the word "particularly" with the word "including". This is a form of subamendment. The words "permanent members" would remain; and then "to intensify".

325. My second subamendment would be to delete the words "both collective and individual efforts". That is a subamendment. How can it be considered "furthest removed"? It is a genuine subamendment. Then I could say "its primary responsibility"; and then I could delete "international peace and security"; and I could also delete "especially in areas where they are most critically affected". That is the form of the subamendment, but because we were expediting our work I said: "My subamendment, if applied to the Thai amendment, would read as follows. . . ." So by what stretch of the imagination can my subamendment be considered as an amendment? I am not taking an amendment to the text; far be it from me to do that. The text as it is is acceptable to me. But I will challenge any one—not you, Sir, but the Legal Department—to come here and say that my subamendment is not a genuine and legitimate one.

326. The CHAIRMAN (*interpretation from Spanish*): The representative of the United States, in a gesture of co-operation, has withdrawn his motion concerning priority. Accordingly we shall vote first on the subamend-

ments. I request the Secretary of the Committee carefully to read out the text of the subamendment formally proposed by the representative of Saudi Arabia.

327. Mr. CHACKO (Secretary of the Committee): The text reads as follows:

"*Calls upon the Security Council, including the permanent members, to intensify efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security*".

328. The CHAIRMAN (*interpretation from Spanish*): All members have taken note of the text that has just been read out. I shall now put this subamendment to the vote.

*The subamendment was adopted by 41 votes to 7, with 53 abstentions.*

329. Since the subamendment of the representative of Saudi Arabia has been adopted, I do not believe that it is necessary to put to the vote the amendment of Thailand. Therefore we shall now proceed to the vote on the other amendment which is still before the Committee, that of the representative of Pakistan. I call on the Committee Secretary to read out the amendment.

330. Mr. CHACKO (Secretary of the Committee): The amendment refers to operative paragraph 17 of the draft declaration, which would read as follows: ". . . in particular, those still under colonial or any other form of external domination". The rest of the original text would remain, up to the end of the same paragraph. Then, after the words "to bring about the speedy elimination of colonialism", the semicolon would be deleted, and the words "or any other form of external domination" would be added.

331. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of New Zealand to speak in explanation of his vote on the amendment before the vote.

332. Mr. SCOTT (New Zealand): My delegation is quite prepared to vote in favour of the first part of the proposed amendment which was just read out by the Secretary of the Committee. But I had not been quite clear, until the Secretary read it out just now, that exactly the same amendment would apply to the end of operative paragraph 17; and my delegation has some little difficulty with this. Therefore I wonder if I might make a suggestion which could help the Committee.

333. The words "or any other form of external domination" after "colonialism" seem to categorize colonialism as a form of external domination, and I do not think my delegation could quite go along with that. I wonder, therefore, whether the sponsors of the draft amendment—the representatives of Pakistan and India—would be prepared to accept a very small change at the end, in the second phrase, and say there: "and all forms of external domination"?

334. The CHAIRMAN (*interpretation from Spanish*): May I ask the representatives of Pakistan and India whether they would agree to that suggestion?

335. Mr. SHAHI (Pakistan): I am grateful indeed to the representative of New Zealand for his expression of support



for the first part of operative paragraph 17 as amended by the text read out by the Secretary of the Committee.

336. With regard to his difficulty about the amendment at the end of the paragraph, it seems to me that we have had a considerable debate on this subject, and at this point I feel that the entire matter should not be reopened with any more changes. We should like to have a vote on the text as it stands.

337. Mr. JACKMAN (Barbados): The delegation of Barbados is going to vote against both of these additions to operative paragraph 17 for the reason that the word "other" in the context of "any other form of external domination" seems to us to put colonialism into a category which is exclusively that of external domination. Our experience in the United Nations suggests to us that there are many forms of colonialism which are not external and to which the Organization has to address its attention. This objection obtains for both amendments.

338. If the suggestion made by the representative of New Zealand were accepted, the Barbados delegation would abstain on the question on a matter of principle. We consider that this draft declaration has been very laboriously and painfully negotiated, and we simply do not see any particular value in changing it at this late date. So that although we accept the value of the points which would have been made by the kind of amendment which was suggested by the representative of New Zealand, we would have abstained on an amendment in that form. As it stands, we shall vote against it.

339. The CHAIRMAN (*interpretation from Spanish*): If no other delegation wishes to explain its vote before the vote, we shall proceed to the vote. The representative of Pakistan has asked for a roll-call vote on these amendments.

340. Mr. LUSAKA (Zambia): Are we voting on the subamendment to paragraph 17?

341. The CHAIRMAN (*interpretation from Spanish*): To clarify the situation, as I understand it we are no longer concerned with subamendments but shall be voting on the Pakistan amendments, since the sponsor of the amendments revised the text himself. This is how I see the situation.

*The vote was taken by roll call.*

*Zambia, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Zambia, Afghanistan, Algeria, Argentina, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Ceylon, Chad, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Ecuador, El Salvador, Ethiopia, Fiji, Ghana, Guatemala, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Sierra Leone, Singapore, Somalia, Sudan, Swaziland, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet

Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Barbados.

*Abstaining:* Australia, Austria, Belgium, Cambodia, Canada, China, Denmark, Finland, France, Greece, Haiti, Iceland, Israel, Italy, Liberia, Netherlands, New Zealand, Niger, Nigeria, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

*The amendments were adopted by 81 votes to 1, with 25 abstentions.*

342. The CHAIRMAN (*interpretation from Spanish*): We shall now proceed to vote on the draft declaration contained in document A/C.1/L.558, as a whole, as amended. The representative of Thailand has asked for a roll-call vote.

*The vote was taken by roll-call.*

*Iran, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, México, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia.

*Against:* South Africa.

*Abstaining:* Portugal.

*The draft resolution, as amended, was adopted by 106 votes to 1, with 1 abstention.*

343. The CHAIRMAN (*interpretation from Spanish*): Before calling on delegations which wish to explain their vote, may I remind the Committee that we still have before us draft resolutions A/C.1/L.513, 514, 517 and 518 and the amendments thereto in documents A/C.1/L.515, 516 and 519. May I take it that the Committee considers that, because of the vote we have just taken, those draft resolutions and the amendments thereto need not be put to the vote?

344. If there are no objections to that procedure, I shall take it that, having adopted draft declaration A/C.1/L.558,

we have concluded consideration of agenda item 32 and that it only remains for us to hear the explanations of vote after the vote.

*It was so decided.*

345. I shall now call on those delegations which wish to explain their vote after the vote. I call first on the representative of France.

346. Mr. DE LA GORCE (France) (*interpretation from French*): On 5 October last, in the general debate which our Committee held on the question of the strengthening of international security, the French delegation emphasized that in the preparation of the document which we were proposing for adoption by the General Assembly we should "be mindful, above all, of that which unites us". [1728th meeting.]

347. Only the attainment of the necessary unanimity or quasi-unanimity, it seemed to us, would give such a document its full significance and full value. True, no one could fail to perceive the difficulties of such an undertaking. While the strengthening of international security appeared to all Member States as one of the priority objectives towards which the efforts of the United Nations should be directed, it is clear, nevertheless, that in the United Nations opinions do now always coincide regarding the means of attaining that goal. My delegation had, accordingly, advocated the patient and persevering quest for what we called the common denominator through which the will of the international community would be expressed.

348. We are very pleased that such an appeal has been widely heeded. As the fruit of our laborious negotiations, the declaration submitted today for our approval represents a carefully balanced compromise between the four drafts that were submitted to us for our consideration nearly three months ago.

349. Wishing to bring about an indispensable meeting of the minds, the sponsors of the four texts originally submitted to our Committee have evinced a great spirit of understanding. Their representatives on the drafting committee have carried out very skilfully the delicate task which was entrusted to them, and we congratulate them most warmly. Moreover, Mr. Chairman, we also wish to pay a tribute to your personal efforts, which have contributed in no small measure to the success of our work.

350. Taking into account the spirit which has thus prevailed in the preparation of the draft declaration, the praiseworthy efforts we have just recalled and, finally, bearing in mind the concern indicated by many governments to have the twenty-fifth anniversary session of the United Nations marked by the adoption of a declaration of this kind, my delegation joined in the consensus with which we have just concluded our work. Nevertheless, in connexion with the text on which we have just voted, we should like to make a few comments.

351. Whatever the skill and ingenuity of the sponsors of document A/C.1/L.558, it seemed clear from the very outset that in the comparatively short time allotted to them

it would be impossible to draft a document which would be above criticism. Because we participated in the last phases of the negotiations, my delegation is fully aware of the substantial difficulties which arise when one is confronted with a fixed deadline. As we see it, the text before us would have gained in quality if we could have gone over it once again to give it the finishing touches. We regret that that was not possible.

352. However, bearing in mind the pressure of time, it would no doubt have been preferable, since the intention was to reach a consensus and, if possible, a consensus without reservations, to stick to formulas on which we had already seen that we were in whole-hearted agreement. These formulas, the common denominator to which I referred earlier, clearly are to be found and can only be found in documents to which we have all fully subscribed: I refer to the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations which is the result of several years of detailed discussions, a document for that matter to which the preamble of the present declaration refers in such well-chosen terms.

353. It is only fair to recognize that the sponsors did not fail to recognize that need, and the text they have prepared is in large measure closely modelled on those documents. Perhaps one might have wished to see an explicit reference to the relevant Articles of the Charter which are covered by certain provisions of our Declaration. We should also have wished that in certain parts, and in particular in paragraph 17, the sponsors had been content purely and simply with repeating the language accepted by all in the Declaration on friendly relations. Perhaps too it would have been wiser in that same paragraph to refrain from any reference to resolution 1514 (XV), in regard to which it was not possible to gain unanimity among the States, and for its part my delegation did not subscribe to it.

354. Finally, in other parts of the text we should have preferred the authors to refrain from using expressions or qualifications in a sense other than the strict legal sense they are generally recognized to have.

355. However, we must recognize full well that it certainly is not and was not the intention of the sponsors to create a new law departing from the provisions which have been recognized and accepted by all Member States. In a simpler but no less noble fashion, the debate on the strengthening of international security was to give us an opportunity to reaffirm our faith in the United Nations 25 years after its creation, our faith in its purposes and principles and to restate our will to contribute to the best of our ability and particularly through the United Nations to the solution of the major problems of our time.

356. The Declaration on the Strengthening of International Security ably expresses this faith and this will. For that reason France could not fail to add its voice to such a message.

357. Mr. DA COSTA LOBO (Portugal) (*interpretation from French*): Mr. Chairman, the delegation of Portugal would like first of all to address its congratulations to the

working group and the drafting group which, under your guidance, have prepared the draft declaration relating to the strengthening of international security. Those groups had a very difficult task to perform, since they had to reconcile what appeared to be irreconcilable. I am thinking not only of the differences between the four draft resolutions or declarations on item 32 but also the important differences of position which exist within the community of States relating to fundamental points of international security. Therefore, it was thanks to the perseverance and skill of those who took part in the work of the groups that a single draft could be prepared.

358. While realizing that at the present time peace and security depend to a large extent upon the political will of States, the Portuguese delegation nevertheless recognizes that the reaffirmation of the principles and rules of the Charter and the suggestion of means to implement those provisions more fully can contribute to the strengthening of international security.

359. To a large extent the draft resolution presented is in keeping with those requirements, and to this extent we welcome it with satisfaction and we support it.

360. Unfortunately, certain paragraphs seem to be devoted to recognizing objectives or speaking of duties and obligations which are not found in the Charter of the United Nations, and if they were accepted they would destroy the balance of the system established twenty-five years ago in San Francisco. It has often been stressed that this is a fragile balance and it cannot be replaced with any other at this time. Therefore we should not disturb it. We should respect all the elements of the system, as the second preambular paragraph seems to recognize: "in order to fulfil the purposes and principles of the United Nations Member States must strictly abide by all provisions of the Charter".

361. Operative paragraph 17 is one of the cases where this orientation has not been respected. Paragraph 17 seems more in keeping with resolution 1514 (XV), which it expressly mentions, than with the Charter of the United Nations. It must be stressed that that resolution has not been accepted and is not accepted by several Member States of the United Nations, including Portugal. Therefore we must express very strong reservations concerning paragraph 17.

362. The nature of this statement and the lack of time for going into the details of the draft declaration prevent us from engaging in a more complete study of the draft, but I should like to express reservations on the part of the Portuguese delegation concerning operative paragraph 22.

363. As is almost inevitable in a draft of this kind, the wording in several paragraphs does not completely satisfy us and in some cases seems inappropriate. We think that in the fifth preambular paragraph the expression "adopted unanimously" does not adequately reflect the agreement which led to the adoption of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. I should like to recall the terms in

which the President of the General Assembly announced the adoption of that Declaration:

"Bearing in mind the views and positions of Member States expressed in the course of the elaboration of the Declaration, which are to be found in the relevant records of the United Nations, I take it that it is the wish of the General Assembly to adopt that Declaration.

*"It was so decided."* [1883rd plenary meeting, para. 8.]

364. The reservations I have just expressed concern matters to which the Portuguese delegation attaches fundamental importance. Therefore, despite our agreement with the objectives and most of the paragraphs of the draft declaration, the Portuguese delegation was obliged to abstain.

365. Mr. PANYARACHUN (Thailand): The Thai delegation did not participate in the vote on the draft declaration. That non-participation should not, however, be interpreted as an indication of a negative attitude towards the draft declaration. I can state quite unreservedly that my delegation subscribes fully to all the paragraphs of the draft declaration, and would have been in a position to vote for it but for the fact that our amendment [A/C.1/L.559/Rev.1] was subject to some strenuous procedural manoeuvrings that resulted in the prevention of a vote on the Thai amendment. We are confident that in the absence of that procedural device our amendment would have received majority support from delegations in the First Committee and would accordingly have been incorporated into the draft declaration.

366. It was, therefore, on the basis of its disagreement with that procedural device that my delegation decided not to take part in the vote in the First Committee.

367. Mr. PASTINEN (Finland): The Finnish delegation recorded a systematic abstention in the votes on the various amendments and subamendments to the draft declaration. We did so not because of the merits or demerits of the amendments but solely because we did not think it opportune for amendments to be introduced and voted on at that late stage, when the text was the agreed result of many months of discussions and negotiations. We are happy to note that those negotiations led to the almost unanimous adoption of this most important document.

368. Mr. LEHTIHET (Algeria) (*interpretation from French*): I wish briefly to explain my delegation's vote on the draft declaration.

369. The Algerian delegation voted in favour of that draft declaration. In so doing, we wished first of all to associate ourselves with the vast movement which developed in this Committee in favour of adopting a declaration on the item concerning the strengthening of international peace and security. Nevertheless, it goes without saying that the draft declaration has some serious gaps, either in some of its provisions, which on certain points constitute a step backwards compared with decisions adopted by the General Assembly—and this applies to paragraph 17—or in other provisions with which we frankly do not agree—as in the case of the last part of paragraph 5, on which we have serious doubts.

370. Together with other delegations, Algeria intended to submit amendments. We refrained from doing so in response to an urgent appeal from delegations of the non-aligned States, who gave us reasons which we deem valid. We well understand that a document of such importance cannot fully reflect a multitude of concepts on the problem of peace. Since this is a document based on compromise, and despite our serious reservations concerning parts of the text, we voted in favour of it.

371. Mr. CERNÍK (Czechoslovakia): I have asked to be allowed to speak in connexion with the assertion made by the representative of Thailand, Mr. Panyarachun, in his statement at the Committee's meeting on 12 December alleging that I had violated my obligation to guide in an impartial manner a meeting that same morning of the working group established to elaborate a joint draft declaration on the strengthening of international security.

372. As is well known, the representative of Thailand declared that I had prevented him from making a statement in the working group. In view of the fact that I have been approached by a number of members of our Committee to make a clarification, permit me to inform the Committee of what happened.

373. I took over the chair in the second part of Saturday's meeting of the working group on your specific request, Mr. Chairman, since you had to leave to preside over the meeting of the First Committee, which was to take place at 11 a.m. The working group agreed to your proposal and I took over the chair in the working group at the concluding stage—a stage significant for the approval of the draft declaration elaborated by the eight-Power drafting group. The working group decided it would terminate its Saturday meeting at 12.30 p.m. at the latest so that an agreed text could be submitted to the First Committee at its meeting that morning.

374. At the meeting of the group a number of representatives made statements—some of them more than one. As members of the working group may confirm, I presided over the meeting in such a manner as to enable it to end at 12.30 p.m., as agreed, and prior to that time I gave the floor in turn to all who wanted to speak. Unfortunately, the representative of Thailand did not avail himself of that opportunity and wanted to participate in the debate only at the moment I was about to conclude the meeting after exhausting the list of speakers inscribed for the debate.

375. In order that we could adhere to the agreed time-limit for the conclusion of the meeting, at 12.30 p.m., I had shortly before mentioned the names of the last three speakers inscribed on the list. As all members of the working group know, the name of the representative of Thailand was not on that list.

376. In the light of those facts I can only regret that the representative of Thailand referred to this matter at the meeting of the First Committee on Saturday. I was all the more surprised because immediately after the conclusion of the working group's meeting I had explained in detail to the representative of Thailand the reasons for my course of action, which was in full accordance with procedure and the Chairman's obligation to guide meetings impartially.

Moreover, I assured him that it had absolutely not been my intention to limit in any way his rights as a member of the working group, as he had mistakenly assumed, and that I had acted in full conformity with procedure and with the rights and obligations of a chairman.

377. Mr. PANYARACHUN (Thailand): I owe the representative of Czechoslovakia a debt of gratitude for the explanation he just gave the Committee. At the same time, in my delegation's view, his explanation does not correspond to the actual facts. Many witnesses were present at the meeting, and right after it quite a number of them came to me personally to protest against such an action.

378. As I may recall, there was no agreement in the working group on the time-limit for the conclusion of the debate. It may be recalled that only the representative of the Soviet Union suggested that we should strive to end the debate at 12.30 p.m. I personally agreed with that procedure, but there was no decision; the group did not take a decision on that matter. True, it was everyone's intention to strive to keep that time-limit in mind.

379. Just before the end of the meeting, I raised my finger and tapped on my glass to draw the acting chairman's attention to my request to speak.

380. It was not my intention to prevent the submission of that draft declaration to the First Committee at 12.30 p.m., I merely wanted to raise a point of procedure and to ask about the status of the amendment that my delegation proposed. And also, as a point of courtesy, to inform the working group that if there was no discussion on my amendment I would be compelled formally to move an amendment in the First Committee. So the point I wanted to raise in the meeting had nothing to do with the conclusion of the debate on the draft declaration. I merely thought it would be courteous on my part—as I expect all the members of the working group to be courteous to my delegation—that I should inform the working group, in advance, of the steps my delegation proposed to take in the First Committee.

381. Mr. CERNÍK (Czechoslovakia): In connexion with the statement just made by the representative of Thailand, I have nothing to add to what I stated before.

382. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translated from Russian*): I should merely like to confirm the statement just made by Ambassador Cerník of Czechoslovakia and to remind the distinguished Ambassador of Thailand that the day before the meeting in question, that is to say on Friday, at the meeting of the working group, the Chairman of the First Committee, the distinguished Ambassador Aguilar, suggested that we should conclude our work in the working group on Saturday by approximately 12 noon. That was our general understanding, that the work of the working group should be concluded by approximately 12 noon.

383. However, in view of the fact that on Saturday we began our work not at 10 a.m. but a little later, because of the late arrival of a number of delegates, we were unable to conclude the work of the working group by noon, that is to say by 12 o'clock. The Ambassador of Thailand is quite

right that, at approximately 12 noon, when it was clear that we would not be able to conclude our work by 12, the Soviet delegation proposed that we should conclude our work by 12.30, for reasons which are well known to you all. No objection was raised to this proposal and, as I then understood, this proposal was supported by the Ambassador of Thailand. Therefore, Ambassador Cerník, who was in the Chair at that time, was quite right in endeavouring to follow that procedure, that is to say to conclude the work of the working group by 12.30 p.m.

384. At 12.30 p.m. precisely, the Chairman, Mr. Cerník, announced that he would call upon three more speakers although, from the point of view of the Soviet delegation, he already somewhat violated our agreement because we concluded our work a little later, at 12.35 p.m. The Ambassador of Thailand was not in fact one of the three speakers on the list. Ambassador Cerník called upon all three to speak and, if I am not mistaken, the penultimate speaker was the representative of the United Kingdom and the last speaker was the representative of France. Since the list of speakers which he had announced earlier was exhausted, Ambassador Cerník adjourned the meeting. I am certain that there was no violation of the normal procedure and we greatly regret that this incident has become the subject of discussion in the First Committee.

385. Mr. PANYARACHUN (Thailand): Very briefly, I want to say that the statement given by the representative of the Soviet Union did not add very much to what was already said by Ambassador Cerník of Czechoslovakia. I think that they both missed the point I wanted to raise, as they did in the working group meeting. I want to assure both of them that my attitude in regard to the draft declaration that the Committee has just adopted has nothing to do with the incident which occurred in the working group's meeting and I also want to assure them that I am prepared to forget the whole episode.

386. The CHAIRMAN (*interpretation from Spanish*): I have no further speakers on my list for explanations of vote or for any other statement in connexion with this item. We have, therefore, concluded our work on agenda item 32.

387. Perhaps later, at the closing meeting of this Committee, I shall have an opportunity to dwell on the work done in connexion with this item of our agenda. In any case, may I however now express my warmest gratitude to all the members of the informal working group, and particularly to the members of the drafting group made up of the representatives of the sponsors of the various draft resolutions—the representatives of Belgium, Brazil, Bulgaria, Ecuador, India, Italy, Poland and Yugoslavia, who worked for many weeks, morning, noon and night, in an exemplary spirit of compromise and with a genuine will to reach agreement. Thanks to their efforts and the efforts of the informal working group, we have arrived at the solution of which you are all now aware—the text that has been adopted almost unanimously today.

388. I also wish to thank all those representatives who, in the course of the debate, were good enough to praise my conduct of the proceedings as Chairman of the informal working group and for the very kind words addressed to me for my efforts to achieve this result.

389. Regarding our programme, I should like to remind members that for tomorrow, which is the last working day of the Committee, three meetings have been scheduled—morning, afternoon and evening—although it is my very firm hope that we shall not need the evening meeting. Tomorrow, of course, at the morning and afternoon meetings—and in due course, if need be, at the night meeting—we will conclude consideration of the draft resolutions and draft amendment in connexion with agenda item 25, on the sea-bed.

390. I would not wish to adjourn this meeting without expressing my particular gratitude to the interpreters for the patience they have shown during this extremely lengthy meeting, and I thank all the members of the Secretariat who have evinced like patience and a like spirit of co-operation.

*The meeting rose at 8.40 p.m.*