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REQUEST FOR THE SUMMONING OF A SPECIAL SESSION
OF THE GENERAL ASSEMBLY

14 March 1960

Letter dated 20 June 1952 addressed to the Secretary-General by the
Permanent Representatives of Afghanistan, Burma, Egypt, India,
Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines,
Saudi Arabia, Syria and Yemen

14 March 1960

New York, 20 June 1952

We have the honour to call your attention to the continuing gravity of the situation in Tunisia and to request, under Article 20 of the Charter and rule 9 (a) of the Assembly's rules of procedure, that a special session of the Assembly be summoned to give the matter its urgent consideration and to help the parties to resolve their differences in accordance with the Purposes and Principles of the United Nations.

It will be recalled that the President of the Council of Ministers of Tunisia addressed a letter on the Tunisian situation to the President of the Security Council on 12 January 1952; no action however was taken on that letter. On 30 January, the representatives of fifteen Asian and African countries requested the President to draw the attention of Council members to the grave consequences which were likely to follow a prolongation of the situation existing in Tunisia. Again, no action resulted from this representation.

In view of the parliamentary crisis in France, the matter was not again brought to the Security Council till 2 April. In the meantime, the French authorities in Tunisia had suddenly placed under arrest the President of the Council of Ministers of Tunisia, along with other members of his Cabinet. On 2 April representatives of eleven Asian and African countries requested the Security Council to consider the Tunisian situation under Article 34 of

the Charter on the ground that it seriously endangered the maintenance of international peace and security. The Council was requested to call an immediate meeting to consider the matter and to take the necessary measures provided by the Charter to put an end to this dangerous situation.

On 14 April, the Security Council refused to admit the Tunisian question to its agenda. Article 12, paragraph 1, of the Charter therefore does not apply to the matter and the Assembly is competent to consider it under Article 11, paragraph 2, as a question relating to the maintenance of international peace and security.

In the two months since 14 April, the situation in Tunisia has further deteriorated and the consequent danger to peace and security has intensified. Despite the hopes expressed even by those members of the Security Council who failed to support adoption of the Tunisian item, no negotiations have been instituted between the parties so far. Meanwhile, it is believed that the French authorities are seeking to impose so-called "reforms" on the Tunisian people, without discussion with their true representatives. This action on the part of the French authorities is likely further to exacerbate an already explosive and dangerous situation.

It has become increasingly clear that the refusal of the Security Council to entertain the Tunisian question has created the most profound and far-reaching repercussions. Further delay by the United Nations in giving this grave problem the attention it imperatively demands would not only endanger international peace and security but would also seriously impair the authority of the Organization as a forum for the discussion and peaceful settlement of international problems.

In the light of the above considerations, the request for a special session of the General Assembly is being made. An explanatory memorandum is attached.

(Signed)

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/EXPLANATORY

EXPLANATORY MEMORANDUM

French penetration of Tunisia, which commenced in the middle of the 19th century as a sequence to the conquest of contiguous Algeria, culminated in 1881 in an armed invasion of the country. Ostensibly this invasion was undertaken by France to protect the frontiers of Algeria from the depredations of lawless tribes, but in reality it was a premeditated attempt to bring Tunisia under French domination. By virtue of the Treaty of Bardo, which the Bey was forced to sign in 1881, France assumed responsibility to act for Tunisia in its external relations; the principle of Tunisian sovereignty, however, remained intact, and its separate statehood was explicitly recognized in the Treaty. The La Marsa Convention of 1883 - again signed by the Bey under duress - for the first time mentioned the term "Protectorate", without, however, calling into question the statehood of Tunisia. Thereafter, French control was extended, unilaterally, by the Presidential Decree of 1 November 1884, and the Announcement of 23 June 1885, which in effect invested the Resident-General (the representative of the French Government in Tunisia) with all the powers of a Head of Government.

Henceforth, France contrived to assure, to herself and her nationals, domination in every field of Tunisian life. A policy of peopling the country with French settlers was adopted. This was done partly to counterbalance the already existing large Italian colony; the main considerations, however, were political and economic. Hence the policy of generous grants of crown lands, accompanied by subsidies and many privileges, to those French citizens who wished to settle in Tunisia; hence also the introduction of steadily growing numbers of French officials into the Tunisian administration. The result was the growth of an artificially inflated French colony that was sustained by grants of land, concessions of various kinds, and lucrative jobs, the whole cost being borne by the State of Tunisia and the Tunisian people.

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This policy was translated into legislation. Under it, all the best land in Tunisia passed into the hands of French colonists. A typical example of the method employed was illustrated in the matter of the so-called "juridical forests". Thousands of acres of cultivable land were arbitrarily classed as forests and thus passed into the hands of the State. Once this operation was completed, a second law reclassified the "forests" as agricultural land, and it was put back into circulation for the benefit of the French colonists.

As regards public finance, it is only necessary to glance through the budgets for the last twenty years to see how State expenditure has continuously grown to maintain the army of officials required to uphold French administration of Tunisia. Its cost amounts to two thirds of the total budget. Of the 30,000 public officials in Tunisia (that is to say, one for a little over 100 inhabitants), about three-quarters are of French nationality. All the key positions are reserved for Frenchmen; Tunisian officials hold almost without exception only subordinate posts.

The financial and economic policy carried out by the French in the country has channelled the wealth of Tunisia into the hands of the French settlers. The nature of the tax system is the best illustration of this. Two fifths of the Tunisian budget is made up of indirect taxes, i.e. those that hit the mass of the people and do not really affect the well-to-do. For the rest, the land tax and capitulation tax hold a high place in the revenues of the State. To this must be added the exploitation of the natural resources of the country by the great French companies, the mines, ports, public utilities, transport, banks, cement works, agricultural estates, and so on. Between them they have drained and are draining the greater part of the country's wealth into the coffers of metropolitan big business, thus converting Tunisia into a vast commercial enterprise.

National awakening came early in the 20th century. Although the Tunisian people are well known for their mild temperament and genial ways, French colonial policies gradually roused them to organized national struggle. This

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struggle was suspended during World War I and the succeeding years (until 1921), for the Tunisians hoped that their whole-hearted support of the Allied cause would bring them the reward of independence. But the French did not change their policy. The national movement assumed thereupon a more definite shape under the leadership of the Destour Party which was founded in 1920. After a period of intermittent agitation, the Neo-Destour Party came into being in 1934 and began an organized, country-wide campaign to bring home to the people the fact of their political dependence. Bourguiba was deported by the French authorities in 1936, but was released a year later under the orders of the Popular Front Government then in power in France, only to be re-arrested in 1939. A state of siege was imposed on the country in 1938.

The outbreak of World War II did not stop either the popular agitation or the military repression. This continued until the Vichy Government permitted in 1942 the landing of Axis troops on Tunisian territory. The Tunisian leaders were released by the Axis authorities. Acute pressure was being brought to bear upon them and upon the then ruler of Tunisia, Monsef Bey, to throw in their lot with the Axis Powers for a promise of independence after the war. Monsef Bey, however, decided to remain neutral and this was the more remarkable as at that time the Axis Powers were at the peak of their military successes. The later French regime, however, chose to ignore this loyalty. Action against the Neo-Destour Party was intensified; but this only strengthened the national movement. On 23 August 1946, a congress of all the national organizations in Tunisia passed a unanimous resolution condemning the French Protectorate and demanding complete independence. The meeting was broken up by the police and all the leaders were arrested.

In April 1950, the Bey, in a letter addressed to the President of the French Republic, launched a fervent appeal to France to grant Tunisia her rights and thus to lay a durable foundation of friendship between the two countries. In the same month Bourguiba, the Neo-Destour leader, proposed in Paris the following seven-point programme as the basis of a French-Tunisian settlement:

- (1) Revival of Tunisian sovereignty,
- (2) Setting up of a homogenous Tunisian Government headed by a Tunisian Prime Minister nominated by the Bey.
- (3) Abolition of the post of Secretary-General, who had always been a Frenchman and had by now assumed full administrative authority.
- (4) Elimination of the French Civil Controllers, who had been placed over the Tunisian Kaid (district officers).
- (5) Elimination of the French gendarmerie which is responsible to the Minister of National Defence in France and is one of the main props of the military occupation.
- (6) Establishment of municipal councils, allowing for representation of French interests.
- (7) Creation of a National Assembly elected by universal suffrage whose task should be the preparation of a Constitution defining Tunisia's future relations with the French on the basis of "mutual respect for each others' legitimate interests".

The strength and persistence of the national movement gradually forced the French to take cognizance of the Tunisian demands. On 11 June 1950, Mr. Schuman, the French Foreign Minister, declared that independence was the final goal for all territories of the French Union. This was confirmed by the French Resident-General, Mr. Perillier, in his speech in Tunis two days later. The political tension was considerably lessened and negotiations began immediately between the French and Tunisian Governments in an atmosphere of hopefulness. These preliminary negotiations culminated, on 17 August 1950, in what the French termed an "experiment". A new Tunisian cabinet, presided over by a Tunisian Prime Minister and comprising six Tunisian Ministers and six French Directors, was appointed by the Bey. The Tunisian Ministers were the recognized leaders of the people, while the French Directors were nominees of France. This new government was formed with the express purpose of "negotiating such institutional modifications as are required to lead the Tunisians by successive steps towards internal autonomy".

Two months later, however, the trend of the discussions between the French and Tunisian Governments changed completely and disagreements became

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more and more acute, the reason being the strong pressure which was brought to bear on the French Government by the French colonists in Tunisia, who were afraid of losing their predominant position in the Protectorate. In addition to this, the insubordination of French officials in Tunisia defeated the genuine endeavours of the Tunisian Ministers to co-operate with the French element in the administration.

A second attempt at internal reforms was made early in 1951, but the relevant Decree (dated 8 February 1951) made only superficial concessions to the Tunisian demands and did not constitute any marked advance towards the country's autonomy. The arbitrary powers of the Secretary-General were reduced - but most of them were transferred to the Resident-General, thus leaving, in effect, all administrative control in the hands of the French authorities in Tunisia.

In an endeavour to come to a friendly settlement with France, the Bey instructed his Prime Minister to present on his behalf an Aide Mémoire to the French Government. This document, dated 31 October 1951, outlined the legitimate demands of the Tunisian people. In his reply of 15 December 1951, the French Foreign Minister made it clear that while the French Government admitted the necessity of reforms, these should be formulated in such a manner as not to deprive the French minority in Tunisia of the political and administrative prerogatives which they had enjoyed in the past. As this was the very crux of the Tunisian objections to French domination, Mr. Schuman's letter constituted a rejection of the Tunisian demand for real self-government.

Realizing that no useful purpose could be served by further negotiations so long as the French were not prepared to concede the fundamental principle of Tunisian self-government, the Tunisian Prime Minister appealed on 14 January 1952 to the President of the Security Council to intervene in the dispute. The French authorities tried to get the Tunisian Government to withdraw their complaint from the Security Council, but in vain. Thereupon, all Tunisian political leaders were arrested on 18 January 1952. The number of French troops was increased to between 40,000 and 50,000. Stern repressive measures were taken whenever there was any expression of popular feeling. It may be mentioned here that the state of siege now in operation in Tunisia continues, unrevoked, since 1938. Many Tunisians were

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killed, thousands arrested (it is estimated that about 8,000 to 10,000 political detainees are kept in the various concentration camps scattered all over the country), acts of violence became frequent, and whole villages - especially in the Cap Bon area - were razed to the ground.

This unhappy state of affairs reached its climax in March 1952, when the Prime Minister and other Tunisian Ministers were arrested and the Bey was forced to dissociate himself from the leaders he had himself chosen to guide his people towards independence.

In April 1952, the Tunisian question was brought to the notice of the Security Council by eleven Member States of the United Nations, as the situation in Tunisia, in their view, constituted a threat to international peace and security. Never before in the history of the United Nations had so many Member nations approached the Security Council in such unison on a single issue.

The Security Council, contrary to all precedent, rejected the adoption of the agenda. It rejected the Chilean proposal to place the item on the agenda and to postpone discussion. It also rejected the request that the complainants should be given an opportunity to reply to the doubts cast on their bona fides by the representative of France on the Security Council.

Members of the Security Council who did not favour the adoption of the agenda reiterated one after another that their stand was actuated by their anxiety not to jeopardize the negotiations that, according to them, were taking place or were about to take place between the French and the Tunisians. In reality, the French authorities hoped to "negotiate" reforms with a nominal government set up for that purpose without, however, any popular backing.

Since then the situation in Tunisia has deteriorated further. The expected negotiations have not materialized because the acknowledged representatives of the Tunisian people, with whom alone any negotiations can prove fruitful are in prison or exile, and the Bey is virtually a prisoner of the French authorities with no means of consulting his national advisers or the leaders amongst his people or of acting in an independent manner.

There is no visible relaxation of repression in Tunisia, and on account of the heavy censorship that prevails, no free flow of information. It

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appears; however, that the French authorities, having failed to "negotiate" even with a Tunisian "government" of their own contrivance, are proposing to impose dubious reforms of their choice on the Tunisian people and to back their implementation with military force. This would be far from the so-called negotiations for the hopeful outcome of which some Members of the United Nations opposed discussion in the Security Council.

Since April 1952, therefore, French authorities have not taken any successful step towards either the restoration of civil liberties or the beginning of negotiations. On the other hand, the tension in Tunisia has increased and there is a deep sense of frustration among people in many countries of the world, and especially in Asian and African countries.

The Security Council having taken the extraordinary step of refusing on a priori grounds even to place on the agenda the complaint of eleven nations, representing a substantial part of the United Nations and of the world, that a threat to international peace and security existed in Tunisia, there seems to be no alternative but to turn to the General Assembly for an urgent examination of the situation. Since the friendly relations that could exist between the French and the Tunisians are rapidly being destroyed, urgent consideration of the question without delay is necessary. Otherwise there is grave danger that the Tunisian question might continue to be kept out of the United Nations purview and there might be lamentable repercussions in many parts of the world which will seriously impair the peoples' faith in the United Nations and will make the task of maintaining peace in the world unnecessarily difficult. Indifference or delay by the United Nations at this stage will be widely interpreted as wanton and callous disregard of the aspirations and the sufferings of the Tunisian people on the one hand, and of the responsibilities and the purposes of the United Nations on the other.
