



Thursday, 5 December 1957,
 at 3.10 p. m.

NEW YORK

CONTENTS

| | <u>Page</u> |
|--|-------------|
| Agenda item 59: The question of Algeria (continued) | 327 |

Chairman: Mr. Djalal ABDOH (Iran).

AGENDA ITEM 59

The question of Algeria (A/3617 and Add.1, A/C.1/L.194, A/C.1/L.195) (continued)

1. The CHAIRMAN called upon the Committee to examine the seventeen-Power draft resolution (A/C.1/L.194).
2. Mr. SASTROAMIDJOJO (Indonesia) said that the draft resolution reflected the unanimous feelings of the Asian and African Powers chiefly interested in the Algerian question. It was in accordance with the principles of the Charter of the United Nations and represented the minimum which the General Assembly could do in order to promote a peaceful settlement of the Algerian problem in the interests of freedom, peace and international co-operation.
3. Mr. SCHURMANN (Netherlands) stated that, as his delegation had maintained at previous sessions, the General Assembly was not competent to make any recommendations to France regarding the manner in which it should settle the Algerian question because, under the terms of the Charter, the question fell within French domestic jurisdiction.
4. The Netherlands delegation was convinced that France, true to its great traditions, would be able to find a settlement which would do justice to the divergent aspirations of the populations of Algeria. In his statement of the French position (913th meeting), the Minister of Foreign Affairs of France, Mr. Pineau, had reported the progress which his Government had already made in overcoming the difficulties created by outside interference and in working out the methods which would make it possible to settle the question by democratic procedures.
5. In the circumstances, the Netherlands delegation would only be able to vote in favour of a draft resolution which would not impede the French Government in the performance of its task and which would be compatible with the principles laid down in Article 2, paragraphs 4 and 7, of the Charter. Since the seventeen-Power draft resolution did not meet those requirements, the Netherlands delegation would vote against it.
6. U THANT (Burma) said that the seventeen-Power draft resolution, of which his delegation was one of the sponsors, was the logical consequence of resolution

1012 (XI), which the General Assembly had adopted unanimously. Since the adoption of that resolution, the situation in Algeria had continued to deteriorate. The present draft resolution was a straightforward and constructive attempt to break the deadlock and to create conditions for a peaceful settlement of the problem.

7. Comparing the French and British attitudes towards colonialism, he noted that the United Kingdom realizing the strength of the nationalist movement in its Asian colonies, had voluntarily helped to bring about the constitution of the new Asian nations of India, Pakistan, Burma, Ceylon and the Federation of Malaya. Because of that wise and magnanimous attitude, the traditional animosity which had existed between the United Kingdom and its colonies had given way to very friendly relations. The Burmese delegation had therefore been somewhat puzzled by the sympathy which the United Kingdom representative had shown for the French position in Algeria. The French attitude towards the colonial question, on the other hand, had been entirely different. The French colonial record in Indo-China, for example, had not been particularly inspiring. The French policy explained the long and ruinous war in Indo-China, which had culminated in the division of that country into two parts, one actively hostile to France and the other only lukewarm in its support. Once again, despite its long tradition of democratic ideals and culture, France was faced with a similar situation in Algeria. It was high time to find a solution which would provide an issue from that dilemma.

8. The draft resolution before the Committee was an attempt to assist France to rediscover its true self, to live up to its ideals, to avoid the mistakes it had made in Indo-China, and more importantly, to help the Algerian people to live in peace and liberty. Moreover, the draft resolution was intended to establish friendly relations between France and an independent Algeria and thus put an end to hatred and resentment. The Burmese delegation was well aware of the difficulties of the problem. It realized that it was impossible for France to uproot the French settlers in Algeria, more than a million strong, and that consequently it was not simply a question of granting the Algerian people independence, but of dealing with the issue in such a way that the settlers and the nine million Arab Moslems could live together in peace and security. The Burmese delegation believed that the draft resolution would make it possible to reach a peaceful settlement which would take into account the legitimate interests of the French settlers in Algeria.

9. Mr. DE LA COLINA (Mexico) said that his delegation had refrained from intervening in the debate only because it did not wish to prolong unduly the examination of a question which interested other countries more directly than Mexico.

10. It had always been the opinion of the Mexican delegation that the Assembly was competent to examine questions of the kind posed by the Algerian problem. The Assembly could not remain indifferent in the face of the increased tension between France and the North African countries and the persistent violation of fundamental human rights. Nevertheless, the Mexican delegation also believed that those delegations which interpreted the competence of the Assembly in a wide sense had a duty to consider political realities with even greater objectivity and to show moderation and calm in their judgement of disputes. They should make every effort to draw up draft resolutions which would be equitable and in accordance with the Charter, and at the same time capable of minimizing differences.

11. For all those reasons, and because it was an ardent supporter of the principle of self-determination, the Mexican delegation welcomed the seventeen-Power draft resolution, which it found constructive and moderate. In view of the position adopted by the French delegation, however, it might perhaps be preferable to seek a new formula which could be adopted unanimously. It might perhaps be possible to reaffirm resolution 1012 (XI) with the addition of a passage expressing the Committee's anxiety and emphasizing the urgency of solving the problem in a peaceful, just and democratic manner. Such a text might also take into account new factors such as the adoption of the *loi-cadre* and the offer of the good offices of the King of Morocco and the President of Tunisia.

12. The Mexican delegation hoped that the Committee would be able to agree on a single draft which would enable peace and tranquillity to be re-established between the North African countries and France, whose assistance was essential for the development of the area.

13. Mr. WALKER (Australia) said that despite the anxiety which it felt over the situation in Algeria, the Australian delegation had not taken part in the debate on the question because it was convinced that it was a matter of French domestic jurisdiction and thus came under Article 2, paragraph 7, of the Charter.

14. The attitude of the Australian delegation was based on the fact that Article 2, paragraph 7, was intended to protect States against the intervention of other States in their domestic affairs. It was a safeguard which the authors of the Charter had regarded as essential, and those Member States which did not respect it or insisted upon interpreting it so loosely as to deprive it of all meaning were embarking on a dangerous course which could imperil the influence and authority of the Organization. France, if it had so desired, could have refused again to participate in the discussion of the matter in the Assembly. While maintaining its position on the principle, however, it had decided to explain its Algerian policy to the Organization.

15. The Australian delegation wished to comment briefly on the seventeen-Power draft resolution, not because it had changed its views regarding the General Assembly's competence, but because the adoption of a resolution was always a matter of importance and constituted a precedent. The draft resolution was the culmination of the debate in the Committee. Although part of that debate had reflected the deep concern which was felt over the continued strife in

Algeria, some speakers had concentrated upon denunciations of colonial rule, condemnations of French policy in Algeria and encouragement to the Algerian rebels. Certain delegations used the United Nations as a propaganda forum, not merely for the purpose of gaining general sympathy for the rebels—which certainly constituted intervention in French domestic affairs—but also in order to encourage resort to violence. Those who used such methods were doing no service either to Algeria or to the international community.

16. Although the discussion which had taken place was very moderate in comparison with the debate at the eleventh session, the Australian delegation doubted whether it had succeeded in laying the foundation for useful negotiations. Any kind of negotiation implied a compromise. That debate, however, had crystallized the position of the Algerian rebels, so to speak, in a way which would make it very difficult for them, during any negotiations, to abandon an attitude which had received the support of a large part of the Arab world.

17. The Australian delegation did not think that the General Assembly could force the French Government to negotiate with Algerians who had openly rebelled against its authority. It was natural that the French Government should require, as a prerequisite for any negotiation, that there should be an end to violence and that elections should be held to determine who were the authorized representatives of the Algerian people. The French Minister of Foreign Affairs had very clearly defined the various stages of a solution. It was not for the Committee, therefore, to indicate them in a resolution. It would be just as unrealistic merely to call on the parties for negotiations, as provided in the draft resolution under discussion. If one thing emerged clearly from the debates which had taken place it was the complexity of the Algerian question. It was not, therefore, surprising that wide differences of opinion had arisen in France itself concerning the policy that should be followed and that the *loi-cadre* had been the subject of lively discussion. Algeria's ordeal was France's ordeal, and outside critics who wished to do things differently or more quickly should bear in mind that in the last resort only France and Algeria could work out solutions that would take account of the aspirations and interests involved. The Assembly should express confidence in the French Government, which was asking it to display patience at a difficult time.

18. The Australian delegation would vote against the draft resolution in its present form.

19. Mr. MENA SOLORZANO (Nicaragua) asked that the vote on the draft resolution be postponed in order to enable delegations to consult their Governments.

20. The CHAIRMAN said that under rule 121 of the rules of procedure, the draft resolution could be considered at the present meeting, but unless the Committee decided to the contrary, it could not be voted upon until the following day.

21. Mr. DE MARCHENA (Dominican Republic) requested the Chairman not to put the draft resolution to the vote on the following day, in view of the fact that the Committee had not yet had time to consider it thoroughly and that it might have other drafts before it which should be considered at the same time as the one under examination.

22. Mr. UMAÑA BERNAL (Colombia) supported the representative of Nicaragua and the Dominican Republic.

23. The CHAIRMAN asked the representative of the Dominican Republic if he had wished to make a formal motion to postpone discussion of the subject.

24. Mr. DE MARCHENA (Dominican Republic) did not wish to submit any formal motion, but because of the importance of the question and the negotiations which were being held concerning it, he hoped that the Committee would not vote on the following day. If the draft resolution were to be put to a vote on the following day, the delegation of the Dominican Republic would propose formally that the vote on that text or any other should be postponed.

25. Mr. ZEINEDDINE (Syria) proposed that the Committee should follow the normal procedure and continue discussion of the draft resolution without setting any time in advance when it should be put to the vote. Meanwhile, delegations were free to submit other draft resolutions.

26. The CHAIRMAN like the representative of Syria, thought that it was better not to prejudge the procedure to be followed on the following day. The Committee could continue consideration of the draft resolution under discussion and study any other draft resolutions which might be submitted, and then proceed to vote on them whenever it wished.

27. Mr. CALERO RODRIGUEZ (Brazil) formally proposed that the meeting be adjourned until 3 p.m. the following day and that the morning meeting be cancelled.

28. Mr. ZEINEDDINE (Syria) thought that since the Committee had two other important items on its agenda, its work ought not to be delayed.

29. Mr. CALERO RODRIGUEZ (Brazil) said that he would withdraw his proposal if there was not a sufficient number of speakers for the meeting of the following morning. Otherwise, it would be better for delegations to consult with each other for the purpose of agreeing upon a text which could be adopted unanimously.

30. Mr. ILLUECA (Panama) proposed that the Committee should leave it to the discretion of the Chairman to decide whether it would meet the following morning.

31. The CHAIRMAN announced that the Committee would have a second draft resolution before it immediately and he proposed to adjourn the meeting until the following morning so that the Committee could consider both drafts at the same time.

32. Mr. SLIM (Tunisia) objected to any proposal to adjourn the meeting on the grounds that negotiations were in progress.

33. Mr. CALERO RODRIGUEZ (Brazil) withdrew his proposal, but was opposed to the suggestion that the meeting be adjourned.

34. Mr. Krishna MENON (India), supported by Mr. ZEINEDDINE (Syria), moved that the meeting be adjourned for half an hour and that the discussion of the draft resolutions should then be resumed.

35. The PRESIDENT put to the vote the Indian delegation's motion to adjourn the meeting.

The motion was adopted by 60 votes to none, with 5 abstentions.

The meeting was adjourned at 4.35 p.m. and resumed at 5.10 p.m.

36. The CHAIRMAN announced that the Committee had a new draft resolution before it, submitted by Argentina, Brazil, Cuba, the Dominican Republic, Italy, Peru and Spain (A/C.1/L.195).

37. Mr. DRAGO (Argentina) submitted the draft resolution on behalf of its sponsors. After reading it out, he invited the members of the Committee to adopt it unanimously. In the opinion of its authors, that draft interpreted the general desire of the Committee to arrive at a fair and amicable solution of the Algerian question.

38. Mr. DE LEQUERICA (Spain) explained that the authors of that text hoped that it would be unanimously adopted since it reiterated nearly all the ideas contained in resolution 1012 (XI), which the General Assembly had unanimously adopted at its eleventh session and, in addition, noted some satisfactory results which had been achieved thanks to that resolution.

39. The resolution in question had not led to any final solution of the problem, but it had outlined a path of progress which had been subsequently followed, since two considerable steps had been taken, as noted in the present text: the offer of good offices by the two Heads of States, the King of Morocco and the President of Tunisia, and the adoption of the loi-cadre by the French Parliament. The authors of the seven-Power draft resolution (A/C.1/L.195) had taken up a position which they described as independent. They only wished to consider the positive aspects of those two events and the progress toward peace which they represented.

40. If it was true, as the representative of Tunisia had implied that France had adopted the loi-cadre merely so it could show some draft legislation to the General Assembly, the United Nations could only regard that as a compliment.

41. The seven-Power draft resolution was an effort to bring about conciliation. Its purpose was to make a new appeal for harmony, unity and unanimity. The worst possible thing would be if the United Nations should declare itself incapable, even in the field which it had marked out for itself, of reaching unanimity on some encouraging aspects of the Algerian question and if it should refuse to prepare the way for measures calculated to put an end to the sufferings of a people who had already been grievously afflicted.

42. Mr. LARAKI (Morocco) thanked all those delegations, among them the sponsors of the seven-Power draft resolution, who had welcomed the offer of good offices made by the King of Morocco and the President of Tunisia. He had to point out, however, a flagrant inconsistency in operative paragraph 1 of the draft resolution, which linked together the good offices of Morocco and Tunisia and the French legislative measures.

43. Whereas the good offices of the Government of Morocco and Tunisia had been offered in order that negotiations should be initiated which would lead to an equitable solution ensuring the sovereignty of the Algerian people in conformity with the principles

of the United Nations while safeguarding the legitimate interests of France and its citizens, the loi-cadre recently passed by the French Parliament could not, as his and other delegations had already pointed out, provide a solution for the Algerian problem. It had been imposed unilaterally, whereas mediation presupposed the existence of two parties. The draft resolution, in stressing the French legislative measures, made mediation pointless. His delegation would therefore vote against it.

44. Mr. ZEINEDDINE (Syria) said that his delegation was not in favour of the seven-Power draft resolution which in the prevailing circumstances would not result in a settlement of the Algerian question.

45. He pointed out that, although he appreciated the spirit which had moved the sponsors of the draft resolution, that draft merely expressed the views of certain delegations, among which was the French delegation. It was of course true that any delegation had the right to suggest solutions for the Algerian problem, which might be a service to the United Nations, but the draft resolution the Committee was considering, even if its wording were changed, might well do real harm instead of promoting a solution of the Algerian problem.

46. For that reason the draft resolution would not only fail to obtain the unanimous support of the Committee, but it would also be opposed by delegations which believed that it would not be conducive to peace and liberty. He felt it was his duty to make his point of view clear at once, so that from the beginning of the debate the Committee should be left in no doubt about it. He fully supported the statement which the representative of Morocco had just made.

47. Mr. BELAUNDE (Peru), explaining the intentions of the sponsors of the seven-Power draft resolution, said they sincerely believed that the Assembly had great moral authority, which might be weakened if there were disputes about the legitimacy or prudence of particular decisions. Consideration of texts raising very delicate juridical issues, such as the full implications of the principle of self-determination and its application to individuals and to certain communities, or the problem of negotiations, which presupposed the appointment of a negotiator and hence the recognition of a legal entity engaged in a dispute, would give rise to endless debates. And, as the representative of Mexico had so eloquently explained at the 924th meeting, there was no question of settling juridical questions or of assuming functions which only States could perform in the light of their policies and of their full knowledge of the facts. Therefore, in order to achieve unanimity, the sponsors of the draft resolution had had recourse to the common ground of feeling and goodwill.

48. That was why the sponsors of the seven-Power draft resolution, although they viewed the seventeen-Power draft resolution with sympathy, could not give it their unqualified support; it had certain questionable points which should be clarified. That was not true of the seven-Power draft resolution which, as the representatives of Syria and Morocco had observed, was also inspired by high ideals.

49. Comparing the two texts, he pointed out that they had much in common, except for operative paragraph 1 of the seven-Power draft resolution, which was due to

its sponsors' desire to prevent the General Assembly from appearing to overlook a very important fact: the offer of good offices made by the King of Morocco and the President of Tunisia—the Heads of State of two friendly and closely connected countries.

50. But if the General Assembly paid a tribute to the praiseworthy initiative of Morocco and Tunisia, it could not ignore the French legislative measures. Of course, any one was at liberty to discuss, criticize or assess the value of those measures as he deemed fit: only the future would show whether or not they were effective. Their effectiveness would depend more on the spirit and good will with which they were applied than on the actual wording of the provisions. For the present, the fact was that the French Parliament had passed those measures, thus clearly showing its concern over the Algerian problem and its desire to settle it. In explaining the loi-cadre, the delegation of France had paid a tribute to the United Nations.

51. He disagreed with the representative of Morocco that it was inconsistent to take note both of the offer of good offices made by the two Heads of State and of the French measures. The draft resolution did not stress one more than the other. If an order of merit was established, it was in favour of the offer of good offices, since that was mentioned first. He urged the delegations to consider the seven-Power draft resolution calmly. The world faced an extremely grave situation. Terrible threats weighed heavily on the human race; a catastrophe could be precipitated by a single imprudent word, or an unwarranted or overbearing attitude.

52. Mr. DRAGO (Argentina) pointed out that paragraph 1 of the seven-Power draft resolution was drafted very clearly and the inconsistency which the representative of Morocco believed it contained did not in fact exist. The General Assembly was merely taking note of two new developments which had occurred since it had adopted resolution 1012 (XI).

53. The Assembly was not a super-State and could not pass judgement on French legislation. In adopting the seven-Power draft resolution, it would simply be taking note of the passing of an Act; it would be recording a fact and noting French attempts to find a peaceful solution for the Algerian problem. It would also take note of another fact, the offer of good offices. In that way it would pay a tribute to two Heads of State, whose high motives were appreciated by all the members of the Committee.

54. Mr. SOBOLEV (Union of Soviet Socialist Republics) thought that Mr. Belaúnde's eloquence had been used in the defence of an indefensible cause. Comparison between the two draft resolutions before the Committee showed two striking differences: in the first place, the draft resolution submitted by the African and Asian countries (A/C.1/L.194) recognized that the principle of self-determination was applicable to the Algerian people, while the second draft resolution (A/C.1/L.195) made no reference whatsoever to that principle; moreover, the seventeen-Power draft resolution was the only one which called for negotiations; the seven-Power draft resolution did not consider that means of settling the Algerian question, but referred to French legislative measures.

55. In short, the sponsors of the latter draft denied

that the principle of self-determination was applicable to the question of Algeria. They were in favour of the anachronistic system of colonialism. Moreover, by refusing to consider settlement through negotiation, they were admitting that they would recognize only settlement by force. According to the representative of Peru, it would be difficult to find parties who were legally authorized to take part in fruitful negotiations. In other words, the two parties could confront each other in war, but not in negotiations. It was not difficult, however, to find the desired party: it was the Algerian people who were fighting for their freedom.

56. His delegation thought that if the Assembly adopted the seven-Power draft resolution it would be betraying the Algerian people and leaving them to the mercy of French troops. The Committee could only reject that draft resolution.

57. Mr. BELAUNDE (Peru) pointed out that a draft resolution which was designed to secure unanimous support could not mention self-determination because of the various interpretations to which that principle lent itself. Was it not true that it was possible, in the name of that principle, not only to set up a new State, but also to destroy the structure of a State already constituted? As to negotiations, it was untrue to say that the sponsors of the seven-Power draft resolution had excluded that possibility. They had not mentioned negotiations for fear of arousing a dispute on the definition of the term "legally authorized parties". Like self-determination, negotiations would come at the appropriate time. Mr. Sobolev would certainly agree with him that peace was not an ideal, but an urgent necessity. A satisfactory settlement of the Algerian problem might prove an excellent start in the task of strengthening of world peace.

58. Mr. DE LEQUERICA (Spain) said that, although Mr. Sobolev seemed to suggest that the eleven-Power draft resolution amounted to an invitation to the French authorities to continue the massacres in Algeria, the operative part of the draft resolution was identical with that which, at the previous session, had received unanimous support, including that of the Soviet delegation.

59. Mr. SOBOLEV (Union of Soviet Socialist Republics) replied that the draft which his delegation had supported at the eleventh session had contained nothing like paragraph 1 of the seven-Power draft resolution. While the USSR noted with satisfaction the reference to good offices, its objection to the latter draft was that there was a mention of French legislative measures, but no mention of negotiations. That was an encouragement to maintain the status quo, and the Soviet Union could not lend itself to any such action. It hoped that a just solution would be found to the Algerian problem, but, unlike certain other delegations, it considered that the result could only be achieved through negotiations.

60. Mr. DE MARCHENA (Dominican Republic) said that the sponsors of the seven-Power draft resolution had been reproached with defending the cause of colonialism, ignoring the principle of self-determination, favouring the use of force in Algeria, rejecting the idea of negotiations and betraying the principles of the United Nations. His delegation vehemently repudiated those charges. It would state its position at greater length at a later meeting.

61. Mr. ENTEZAM (Iran) wondered if it would not be wiser for the sponsors of the seven-Power draft resolution to withdraw their text or not to insist upon its being put to the vote, and instead to submit it at a plenary meeting. If they insisted on their draft resolution being put to the vote, they would oblige the delegations which had submitted the other text to vote against that draft, whereas, if the fate of the seventeen-Power draft were settled first and the seven-Power draft resolution, instead of being submitted to the First Committee, could be submitted at a plenary meeting of the Assembly, it might have more chance of securing unanimous approval, subject perhaps to certain amendments.

62. Mr. ST. LOT (Haiti) thought that paragraph 1 of the seven-Power draft resolution contained a clear-cut statement of the two opposing views concerning Algeria, namely, that the French Government rejected the offer of good offices, while its opponents did not accept the French legislative measures.

63. The principle of self-determination set forth in the Charter was by no means an innovation introduced by the United Nations. Woodrow Wilson, the President of the United States, had proclaimed it in the "Fourteen Points" formulated in 1918. But that principle must be set in the context of world history to bring out the degree to which it exemplified a new trend in international morality.

64. The seven-Power draft resolution could contribute nothing to the settlement of the problem. France accepted the principle of self-determination; it was asking only that that principle should be applied without any terrorist pressures. The Algerians, for their part, thought that the right could not be freely exercised while French troops remained in their territory.

65. The offer made by the Heads of State of Tunisia and Morocco had met with a refusal, because France did not consider them sufficiently impartial to act as mediators. Under those circumstances, why should not the First Committee itself set up a committee of good offices? Such a committee could try to secure the conditions necessary for the Algerian people to express freely its preference for the status quo, complete independence, or self-government within the French Union. Such a course would respect to most sacred principle of the Charter while meeting the wishes of both the French Government and the people of Algeria. It would enable the General Assembly to escape from a deadlock which was damaging to its reputation and led to resolutions which were conspicuously lacking in resolution, and received unanimous support only because they satisfied everybody except those who were really trying to achieve the objectives of the United Nations.

66. Mr. NAJIB-ULLAH (Afghanistan), discussing the draft resolution submitted by the African and Asian countries paragraph by paragraph, pointed out that it contained nothing which the Committee need reject. There could be no harm in recalling resolution 1012 (XI). The draft resolution regretted that the hope expressed in that resolution had not yet been realized, but it did not express any opinion on the reasons for that failure and it condemned nobody. The recognition of the principle of self-determination was based on the Charter and on all the democratic principles which France itself also recognized. The fifth paragraph of

the preamble recalled the suffering and loss of human life caused by the situation in Algeria, as described by the French representative himself.

67. In the operative part, the sponsors of the draft resolution had confined themselves to proposing negotiations and to specifying that the solution of the problem should be in accordance with the Purposes and Principles of the Charter which was respected as much by France as by the Arab States.

68. He wondered why the sense of moderation and conciliation in the draft resolution had not been fully appreciated by certain members of the Committee. There was nothing that could be called extremist in the draft resolution.

The meeting rose at 6.35 p.m.