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## FIRST COMMITTEE, 543rd

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**Chairman: Mr. João Carlos MUNIZ (Brazil).**

**The Tunisian question (A/2152, A/C.1/736, A/C.1/737 and A/C.1/L.8) (continued)**  
[Item 60]\*

1. The CHAIRMAN urged the Committee to conclude the general debate by Thursday evening, 11 December. It could then discuss the draft resolutions and immediately afterwards vote on them so that consideration of the Moroccan question could be started on Friday.

2. Mr. NASZKOWSKI (Poland) said he had discerned nothing in the speeches of Mr. Schuman and Mr. Eden but a glorification of colonialism as a boon to the non-self-governing countries. According to Mr. Schuman's statement at the 392nd plenary meeting, the colonial Powers were entitled to gratitude from the countries under their protection, which erred in demanding independence, which, after all, was not such a necessary good. It was evident from those speeches that the colonial Powers did not intend to abandon their policy. That fact had been cloaked in dissembling words about freedom and equality. Their attitude, however, deceived no one, and world public opinion would not fail to detect and condemn their policy of repressing and exploiting oppressed peoples.

3. In Tunisia, following the famous protectorate treaties, French colonial oppression had been implacable. That was what had aroused the crushed Tunisian people to resist and to battle with growing strength.

4. He made it clear that in attacking France he was attacking the policy of the French Government and not the great French people, who, he was well aware, thoroughly disapproved of those methods.

5. According to Mr. Schuman, one of the best deeds France had done had been to develop a healthy economy in the country, but as a matter of fact trade between Tunisia and France had always worked against the vital interests of the Tunisian people. Those relations were irremediably scarred by colonialism. Sixty per cent of Tunisian exports were agricultural products

and 37 per cent, raw materials. That was not the way for a country to become wealthy. France, on the contrary, sent to Tunisia manufactured products which yielded high profits, particularly as France fixed the prices and customs tariffs for both imports and exports. It took phosphates and other valuable raw materials from Tunisia for less than the world price. The Tunisian trade balance for 1951 was eloquent: during that year Tunisia's imports had been worth 59,000 million but its exports only 35,000 million francs.

6. Mr. Schuman had spoken of the industrial development which France was going to encourage, and had said by way of example that Tunisia ranked second in the world in the production of phosphates. Actually the Tunisians did not benefit from that progress, as French and Western capitalists knew only too well. The famous phosphate mines were exploited by three large French companies, and almost 100 per cent of the iron mines belonged to two companies closely tied to French and international capital.

7. Since the outset of the French occupation, agriculture had been marked by the distribution of the most fertile land to French settlers. The law on the expropriation of forest land provided an example. In applying it the authorities classified arable tracts as forest land, gave them to French settlers, and then registered them as fertile. During that period the dispossessed Tunisians had been pushed towards the desert, and only in times of drought and famine did the unfortunate horde return northwards to beg.

8. Mr. Schuman had alleged that social legislation had given Tunisian workers security of employment, insurance against illness, the right of freedom of association and many other advantages. The only purpose of rehearsing all those benefits had been to make the General Assembly believe that the position of the Tunisian worker was very favourable. On the contrary, the facts showed that he was ruthlessly exploited. A Tunisian worker who earned at most 60 francs an hour, or an agricultural worker who could not hope to earn more than 250 francs a day, could not meet his and his family's needs when, because of the steadily increasing cost of living, he had to pay 45 francs for a kilogramme of bread and 500 francs for a kilogramme of meat.

\* Indicates the item number on the agenda of the General Assembly.

9. The French Minister for Foreign Affairs had then boasted of the progress made in education. He had said that the number of school-children admitted to Tunisian schools increased by 20,000 every year, but had forgotten to say that in 1951, out of 775,000 children of school age, only 103,533 or 13 per cent had been admitted to school. As for the curriculum, it was regrettable to note that, although Arabic and Berber were the Tunisians' native languages, lessons were given in French.

10. Moreover, the French Government was unceasingly strengthening a vast and exclusively French direct administration. The real authority was wielded by the Resident-General. The entire administration, the police force, the *gendarmérie*—in a word, all the powers—were concentrated in him. For a population of 3,500,000 the administrative machinery, which of course was run at the expense of Tunisian taxpayers, included 20,000 civil servants of whom 17,000 were French. Moreover, the 3,000 Tunisian civil servants had no hope of ever rising to posts of authority. In the provinces the French civil controllers exercised the real power, and also acted as the direct representatives of the Resident-General. In the southern part of Tunisia, the system was aggravated because the civil controller was replaced by the Commander of the garrison and the people were thus subjected to a military dictatorship.

11. There was no parliament in Tunisia, for the Grand Council, composed of equal number of representatives for the 3,500,000 Tunisians and for the 140,000 French, did not deserve that name. Moreover, the Council had no real power apart perhaps from the advisory function which theoretically it exercised on the annual budget after this had been given two readings by the French authorities.

12. In a word, the result of French policy was to ruin the country, to keep it in a state of destitution and to convert it into a theatre for capitalist exploitation.

13. France, which had linked its destiny with that of the North Atlantic Treaty aggressors, wished to force Tunisia to participate in that arrangement, as in France's opinion the Territory was an excellent spring-board for future aggression. Fourteen airfields, and a subterranean air base and a considerably developed naval base at Bizerta, proved the sad truth of those facts. *The New York Times* had mentioned that the revolt in Tunisia against the French Government complicated the strategic position of the Western Powers in North Africa. In the light of those facts the French Government's opposition to the inclusion of the Tunisian question on the agenda could be easily understood.

14. France's attitude had not changed since April, when the Tunisian question had been proposed for inclusion on the agenda of the Security Council, when it had been stated that new proposals were constantly being submitted to the Bey, and any discussion of the subject by an international organ would be likely to disturb the negotiations. Such an assertion was literally contrary to the facts, as a review of the conversations which had taken place between 1950 and 1952 would prove. In April 1950, the reforms which the Bey of Tunis had requested of France had included confirmation of the official recognition of Tunisian sovereignty, the formation of a Tunisian government, the suppression of the posts of Resident-General and the civil con-

trollers, the dissolution of the French *gendarmérie*, the creation of elected municipal councils, and the summoning of a Tunisian parliament chosen by general elections and empowered to draw up a constitution for the country.

15. France had not replied until February 1951, when it had put forward counter-proposals which, though framed to deceive world public opinion, really suggested only that the *status quo* should be maintained. For example, the reforms promised to give Tunisians access to governmental service, but only as French officers left it. That attitude of the French Government had produced turmoil in the country, and the Tunisian Government had felt bound to attempt to bring the question before the Security Council. In a fury, the French Government had demanded that the complaint should be withdrawn, and had given its armed forces a free hand. A régime of terror had followed, distinguished by the arrest of Tunisian ministers. Yielding to force, the Bey had accepted Mr. Baccouche as Prime Minister, with whom France resumed negotiations. The first thing that gentleman had asked was that his body-guard should be increased from twenty to fifty men—which, however, had not prevented the Tunisian people from constantly demonstrating hostility against him. The policy of terror had, however, continued, for none of the persons behind Mr. Baccouche had been anxious to align himself with the colonial Power. For example, it had been necessary to arrest the Assistant Secretary of the Neo-Destour Party because he had refused to participate in the Government. Moreover, it was significant that the joint Franco-Tunisian reform commission could not be set up, because Tunisian notables and even collaborators refused to participate.

16. Conversations had therefore been broken off because of the bad faith of France, which nevertheless affirmed that the situation was in no way likely to endanger peace. Unfortunately the policy of terrorism had aroused mass demonstrations, which had been crushed by tanks, machine-guns and jet aircraft. The army of occupation had been reinforced by 10,000 men for the organization of punitive expeditions. An alleged security service, which the Tunisians could not elude, enabled the Government to retain hostages. Among many other police actions, on 14 January 1951 in Tunis the French police opened fire on Tunisian veterans. Thirty-five men who had helped France to fight against Hitlerism were wounded. Large-scale police action under the guise of pacification or mopping-up actions had been carried out almost everywhere in the Territory, and particularly near Bizerta, with parachute troops and tanks. During those operations French soldiers had killed, tortured and burned; women had been violated and the French had used police dogs against the people. *The New York Times* of 2 February 1952 had expressed the "burning indignation" of the Tunisian people at such acts.

17. It was estimated that since the onset of all those operations more than 10,000 persons had been arrested and were being kept in inhuman conditions, sleeping sometimes on the bare ground. Hundreds of men were still being arrested every day. Persons were being condemned to death without evidence, and the assassination of Mr. Farhat Hached showed that the policy of terrorism was being intensified. That, however, was the policy which had aroused the masses to indigna-

tion and provoked the peaceful but determined demonstrations by the Tunisian people.

18. The explosive situation in Tunisia now constituted a threat to peace. The United Nations ought to take a decision which would help the Tunisian people to realize their national aspirations.

19. Mr. MUNRO (New Zealand) was surprised that certain speakers, while proclaiming sympathy and friendship, had made serious accusations against France. It was regrettable that some delegations should have been grudging in their tribute to France. To have brought about order, progress and indeed prosperity in the Territory was not an insignificant achievement. It was too easy to forget what Tunisia had been like before the Treaty of Bardo had been signed and France had assumed its responsibilities as the administering Power. Hardly a tenth of the arable land had been under cultivation. Taxes had been confiscatory. The public debt had exceeded the national income. In 1869 Tunisia had been completely bankrupt. Throughout the nineteenth century until 1881, the date of the Treaty of Bardo, it had hardly had a semblance of administration. If France were today to be criticized for the way in which it had allegedly directed Tunisian affairs, in justice the Committee should above all not forget its many noteworthy achievements. If the First Committee wished to work constructively in the interests of Tunisia, speakers should refrain from extravagant allegations likely to submerge the realities of the question.

20. In the course of the debate France had been accused of deliberately imposing endemic employment, chronic under-feeding, very inadequate health services and illiteracy upon the Tunisian people. Such evils, however, existed in many countries in the Middle East and the Mediterranean area. The true value of France's work in Tunisia could be measured only by comparison with allowance for historical, political and geographical factors. The standards of life, not merely of the French inhabitants but of the Tunisians as well, compared favourably with those in sovereign and independent States of North Africa and the Middle East. Viewed in historical perspective the standards of life in Tunisia reflected credit upon France.

21. Several other allegations, although they had been made in a somewhat immoderate and emotional manner, were not so transparently unreasonable. The Committee had been told that France had not carried out its obligations under the protectorate treaties, had thwarted political development in Tunisia, and by using repressive measures had created a situation which threatened world peace. Representatives might and should dismiss from their minds all charges reflecting dishonour on France and concern themselves with the real substance of the complaint—the assertion that France was resisting the progress of Tunisia towards self-government.

22. Even if that were true, the New Zealand delegation considered that it was not appropriate for the Assembly to do what was proposed in the thirteen-Power resolution (A/C.1/736). Broad considerations of statesmanship should by themselves lead the Committee to reject any call for immediate intervention in the relations of France with the State under its protection. Although the sponsors of the draft resolution had described it as modest, because the only positive

action contemplated was the establishment of a commission of good offices, the resolution seemed unlikely to further the work of the United Nations for peace.

23. The commission on good offices would be appointed for the purpose of arranging and assisting in negotiations. The French Government, considered, however, that France alone was competent to continue the negotiations which it had already undertaken. There was no need at that stage to form any final judgment on the validity of the French position. France had an intimate relationship with Tunisia, which, thought it had originated in an international treaty, created bonds of a special kind between the countries. From that relationship France derived its powers and responsibilities in Tunisia. For that reason States had conducted their relations with His Highness the Bey of Tunis through the French Government. The real significance of the proposal to appoint a commission of good offices was that it constituted a clear break with accepted practice and would in effect compromise the position of trust which France enjoyed at international law and by international consent. The appointment of such a commission would prejudice the status long enjoyed by France and would pay too little regard to France's solemn promise that Tunisia's national aspirations would be fulfilled. The draft resolution of the thirteen Powers was thus neither moderate nor wise, since its only result would be to keep the representatives of France and Tunisia apart and to create a serious quarrel between France and the United Nations. Such action should not be contemplated until the possibilities of direct settlement had been exhausted.

24. The second feature of the thirteen-Power draft resolution was that it asked the Assembly to declare that the situation in Tunisia was a danger to international security. By that assertion the thirteen Powers sought to justify United Nations intervention. The New Zealand delegation deeply respected the ties which existed between a number of States and the Tunisian people, but thought that a threat to peace should not be postulated merely to justify the establishment of a commission of good offices, however, well intended.

25. The thirteen-Power draft resolution also referred to the threat or use of force, which was alleged to characterize French policy in Tunisia. In any country the maintenance of order must in the last resort be backed by the powers of the State. For many years France had, with international approval, maintained internal order in Tunisia. Those were the realities which must be borne in mind if the Assembly were to act properly. It should not be forgotten also that the French were anxious that Tunisia, an area of strategic significance to the whole free world, should not fall to another aggressor. When Tunisia obtained self-government it must have a government strong enough not to be a lure to an aggressor or a victim of internal dissension.

26. Because the thirteen-Power draft resolution seemed politically unwise, the New Zealand delegation had not thought fit to dwell first upon the question of the Assembly's competence. The difficulty of determining competence was increased in such a case by the necessity for considering the special relationships between the protecting State and the State under protection. The competence of the Assembly had been

contested by the French delegation, and it had been suggested that the issue should be referred to the International Court of Justice for an advisory opinion. That might be the best course. The Tunisian question could not, however, be dealt with merely by rejecting the thirteen-Power resolution. Charges had been made that France was resisting the progress of Tunisia towards the recovery of its independence. The question was whether there was any step which the Assembly could usefully take in the matter. If the First Committee attempted to intervene between France and Tunisia, it would probably be exceeding the limits of its competence. It could, however, adopt a draft resolution which would, without attempting to apportion blame, reflect the general concern of Member States at the present situation.

27. Certain facts distinguished the present complaint from others previously considered, such as that dealing with the South African question. The present complaint did not deal with the population of a metropolitan State, but with an entire nation whose destiny was for the present bound up with that of France. Furthermore, Tunisia was an historical, political and legal entity the status of which was governed by treaty, and France acknowledged that its aim was Tunisian independence. The status of Tunisia must therefore be distinguished from that of a Non-Self-Governing Territory.

28. Certain general political factors could not be ignored. New Arab States, some of them less highly developed than Tunisia, had become independent. The limited degree of self-government which France was prepared to offer did not seem to satisfy the Tunisian people. Without indicting either France or the Tunisian people, it must be declared that the Assembly should take cognizance of the matter. He regretted that France was absent from the proceedings, for its presence would have helped to resolve doubt whether the complaint before the Committee was justified and whether the Assembly should act.

29. The absence of the French representative could be explained by the tendency of the Assembly to act in a hurry. That was an additional reason for considering that any action which the First Committee might decide to take should be likely to increase the confidence of France and of other States in the moderation and sense of responsibility of the General Assembly.

30. The draft resolution presented by Brazil and the other ten Latin-American countries (A/C.1/L.8) did not emphasize the separation of France and Tunisia. The political evolution of Tunisia would lie not in the severance but in the development of its association with France. No political principle however important, could preclude the need for proper timing, the legitimate interests of a great Power like France, or the general interests of peace, which it was the primary purpose of the United Nations to preserve. The New Zealand delegation would gladly give its support to the draft resolution presented by the Latin-American countries.

31. Mr. CHAVES (Paraguay) said that in joining the other Latin-American countries in submitting the draft resolution his delegation had been inspired only by a feeling of friendship towards the parties, and by the belief that it was the Assembly's duty to encourage

them to settle their differences by direct negotiation in accordance with the purposes and principles of the Charter. An unfortunate precedent would have been set if the Assembly had refused to discuss a question raised not only by a large number of the Tunisian population but also by many States Members of the United Nations. It was for that reason that the delegation of Paraguay had voted for the inclusion of the item in the agenda.

32. The item, moreover, had been proposed by thirteen countries in the category of small or middle Powers, to which Paraguay belonged. The influence of the great Powers was duly established by the Charter, in particular by their privileges in the Security Council. Paraguay had no intention of complaining against that system, which had been set up at San Francisco with the consent of all countries; nevertheless it was essential that the small Powers should be free to present their claims.

33. The Paraguayan delegation was convinced that the General Assembly was competent to discuss the substance of the Tunisian question. The question undoubtedly had international repercussions. The Treaty of Bardo and the Convention of La Marsa had furnished the classical definition of protectorates in international law. Moreover, if the problem were not dealt with satisfactorily, the existing tension in Tunisia might undoubtedly affect peace and security in the Mediterranean. The Tunisian question was also a source of friction between France and the Asian and African countries which supported the Tunisian case. There existed, therefore, a situation likely to disturb the friendly and co-operative relations which should normally exist between Member States.

34. The underlying cause of the difficulties in Tunisia was the national aspirations of the Tunisian people. France, which had contributed greatly to the advancement of civilization in Tunisia, recognized that historic fact and had made Tunisian self-government an objective of its policy.

35. Like all the Latin-American countries, Paraguay had the most profound admiration and affection for France, which would, he was sure, interpret as a conciliatory gesture the draft resolution presented by Paraguay and the other Latin-American countries.

36. Mr. ARZE QUIROGA (Bolivia) said that, although his delegation had stated that it would abstain from voting on the procedural motion submitted by the representative of Pakistan (A/C.1/L.9), it had at the last moment changed its position on the instructions of its Government and voted in favour (542nd meeting). Its change of vote in no way affected the general position which it had taken in the general debate.

37. The Tunisian question was clearly an outcome of the determination of a people to attain independence by developing gradually from the status of a protectorate to that of an independent State. Mr. Schuman had been wrong in interpreting the inclusion of the item in the agenda as reflecting a desire of anyone to affront France. France's contribution to world civilization was so great, and the benefit which Bolivia, like so many other Latin-American countries, had derived from the influence of French thought was so con-

siderable, that it was impossible to forget what was owed to France.

38. The position of the two nations concerned in the Tunisian question was clear. France, in defending its interests as the protecting Power, sought only to maintain its legal status, which it regarded as legitimate. Tunisia disputed the legitimacy of that status on the ground that the treaties were now outmoded. While the French legal position seemed to be unchallengeable, the position of the Tunisian people was no less legitimate, since any limitation of the right of a people to independence affected the community of nations and friendly relations between States. In fact, France was relying on the legal rule *pacta sunt servanda* but forgetting the other maxim *rebus sic stantibus*. Without the second rule the first was immoral since it obliged peoples wishing to gain the independence to which they were entitled to resort to war and violence.

39. Another fact concerning the development of national entities should be mentioned. Great empires had been broken up and new nations had been created. States which had recently been colonies were now respected Members of the United Nations. That fact should not be forgotten in considering the Tunisian question.

40. Nevertheless, in considering the arduous process of creating a State, the difficulties experienced by new States in the development of their political, economic and cultural institutions should not be underestimated. The Baltic States and many Latin-American countries had experienced those difficulties. To remedy their instability the latter had formed a more solid community after the Panama Congress. Conversely, the disruption of the Austro-Hungarian Empire had undoubtedly been the cause of Europe's lack of political balance and had precipitated the outbreak of the Second World War and the creation of the Eastern European bloc. The question of the right of peoples to self-determination inevitably involved certain facts that went beyond law into politics, economics and culture.

41. The Tunisian people apparently fulfilled the necessary conditions for their country to be established as a State. France itself had pointed out that the Tunisian economy was solid enough to withstand, if necessary, the blows that might accompany the setting up of a free State. The only problem was to determine the procedure that would bring about the required change; a violent rupture between the protector and the protected would unquestionably be harmful to the general welfare.

42. The United Kingdom, which had much experience in the matter, had for a long time opposed the liberation of some of its colonies; the day had come, however, when it had realized that it must take into account the new conditions that had arisen in the world. That had been a boon to all concerned. France would have to act similarly one day, and the sooner it did so the better.

43. With those ideas in mind the Bolivian delegation would vote for the draft resolution of the eleven Latin-American States, which seemed the most conciliatory of the motions yet submitted.

44. Mr. TARCICI (Yemen) declared that, while his country's friendly feelings towards France obliged it to observe the rules of courtesy, his delegation was

equally bound to defend the cause of Tunisia, which was the cause of peace and security.

45. The Tunisian question was actually the history of a country endeavouring to establish self-government by a struggle against an occupier dominated by the interests of 140,000 French colonists. As a first anomaly, a country whose age-old culture had spread throughout the Mediterranean area was now a victim of those who, instead of protecting and guiding it, had in reality colonized it. Yet, as the Pakistan representative had pointed out (537th meeting) and as the French representative had admitted, the Treaty of Bardo did not deprive Tunisia of its status as a sovereign State: only by a real and very strict military occupation had the French been able to lay their hands upon the country's resources throughout the last seventy years and promote the interests of the colonists to the detriment of the indigenous inhabitants. While, however, it had been possible to bring guards and police from France, it had of course also been necessary to employ Tunisian workmen. Nevertheless, the indigenous inhabitants had always been in a position subordinate to those who possessed French nationality, which was such a desirable qualification that some foreigners had hastened to obtain it. Faced, therefore, with those 140,000 French nationals who had assumed the right to administer their affairs and exploit their natural resources, the Tunisian people, while respecting the acquired rights of the colonists—no matter how acquired—opposed the concession of any further privileges to foreigners.

46. The traditions of France had been referred to during the discussion; he wondered, however, whether the colonists or the officers of the Foreign Legion were really imbued with them. The French people themselves undoubtedly opposed the continuation of an imperialist policy; but unfortunately it was necessary to differentiate between French philosophers and legislators on the one hand, and colonial exploiters or administrators of the type of Mr. de Hautecloque on the other. The conservative tendencies and mercenary motives of the colonists had overcome all inclinations to adapt French policy to modern ideas and to Tunisian evolution. Thus any hopes that could have been placed, well before the proceedings in the Security Council, in a resumption of friendly negotiations with the genuine representatives of the Tunisian people had been shattered. After arresting and deporting the Tunisian Ministers who, according to a declaration by His Highness the Bey on 22 July 1952, still constituted the legitimate Government, Mr. de Hautecloque had imposed a pro-French Government by force of arms.

47. Despite those facts, and on the pretext that France was about to inaugurate a new policy of co-operation, certain Powers which had interests in common with France had objected to the Tunisian question being even considered by the Security Council. Once again the France of 1789 had disappointed the hopes of those who had still been eager to believe in her: by a further anomaly, the new resistance groups, victims of the atrocities of the Foreign Legion, had been described as terrorists, a name which should rightly be applied to those who were adopting in Tunisia the Nazi methods of the concentration camp. The French delegation itself, forgetful of its ties of friendship with the Arab world, had adopted the negative attitude of with-

drawing from the discussion. At the same time, in an endeavour to punish those who were struggling for their liberation, certain "measures to restore order" were being imposed in Tunisia. Nothing short of a change in the direction of French policy would enable France to regain the confidence and cultural prestige that were being torn apart by the bayonets of the Legion. Unfortunately the French Government had not yet shown that it could withstand the power of the colonists and colonial companies. French policy might be a matter for France alone, but Tunisia and the powers vested in France by certain international treaties raised questions on which it would have been well to hear the French point of view expressed in the United Nations.

48. It had been alleged that the action of certain delegations constituted an indictment of France. That argument, if admitted, might prevent the consideration of any other similar question, thus defying the very principles of the United Nations and reducing the Charter to an empty shell.

49. The representatives of Egypt (538th meeting) and Brazil (539th meeting) had already refuted the United Kingdom argument for the exclusive jurisdiction of the French State. The Yemen delegation regarded the Tunisian question as a matter far beyond a mere legal debate on the interpretation of contractual agreements, towards which the French delegation had tried to direct the discussion. On the occasion of the dispute concerning the Anglo-Maltese, the United Kingdom had argued in exactly the contrary sense. Were there, then, to be two different criteria? Since Mr. Schuman himself admitted that the sovereignty of the Tunisian Government was not in issue, the Charter obliged the United Nations to take action to settle the serious dispute between the French and Tunisian Governments. France had had plenty of time to initiate bilateral negotiations, but instead it had resorted to force in order to impose reforms unacceptable to the Sovereign and all his people. Certain conditions must be fulfilled in the interest of peace, if the present deadlock was to be broken. Without, therefore, deviating from the moderate attitude that was essential, it was permissible to hope that the French Government would reconsider its negative attitude and co-operate in the settlement of the dispute.

50. Mr. GOROSTIZA (Mexico) observed that the absence of France was to some extent compensated for by its spiritual influence.

51. Arguments could not doubt be found to counter the plea of lack of competence. It should not be asserted, however, as some delegations had done, that the General Assembly's competence was based on France's obligation to take into account the political aspirations of a territory that it was supposed to conduct towards self-government. The legal situation was not in fact that of a people which had never attained self-government—covered by Article 73 of the Charter—but that of a people which, having attained self-government, had lost it through the action of a colonial Power. That being the case, France's obligation to restore self-government emanated not from articles of the Charter concerning Non-Self-Governing Territories, but solely from the solemn international agreements concluded between France and Tunisia. The General Assembly could not—at least at present—undertake to determine

whether those agreements had been respected by both parties.

52. Did that mean that the General Assembly was not competent? The competence of the General Assembly was based on the fact, admitted by France, that Tunisia was a sovereign State, and also on the interest shown in the matter by a number of Member States who had classed it as a "dispute" within the meaning of Article 34 of the Charter.

53. The Charter did not in fact recognize a class of States known as protectorates. As it instituted a new form of protection under the United Nations, it precluded the surrender by a State of its sovereignty in exchange for the protection of a great Power. The Charter did not recognize situations that had been created previously. On the contrary, it envisaged a new order in which, as provided in paragraph 2 of Article 1, a system of international agreement would replace the previous anarchy.

54. The Mexican delegation based its confidences in France, which it regarded as its second mother country and a modern Athens, on France's general agreement with the First Committee that the objective was to give Tunisia self-government. The solution would require the spirit of understanding and patience that could be expected of Tunisia and of France, a trustworthy custodian of a people's liberty.

55. The Mexican delegation wished to comment, however, on the first and second paragraphs of the operative part of the draft resolution submitted by the eleven Latin-American countries. The paragraph referring to the "free institutions" of the Tunisian people might convey the impression of an effort to maintain the status of dependance of the territory of Tunisia, whereas the intention was in fact to encourage a process of evolution. The language of the first paragraph of the operative part seemed to have been taken from Chapter XI of the Charter, whereas the case was not one of a Non-Self-Governing Territory, in which the metropolitan Power was bound to promote political advancement, but a case of two sovereign States bound by treaties. The United Nations was therefore not competent to deal with the situation arising from contractual agreements between the two North African States and France.

56. That was a legal problem which required careful consideration, since any reference to obligations under the Charter might give rise to confusion. The text might be changed to read, for example, that the French Government would endeavour to establish normal conditions and ensure civil liberties in Tunisia, and the next paragraph—the second paragraph of the operative part—might express the hope that the Government of France and the freely appointed representatives of the Tunisian people "would continue negotiations with all speed...". The end of the paragraph would remain unchanged except for the reference to the provisions of the Charter, which applied only to Non-Self-Governing Territories.

57. Mr. SOBOLEV (Union of Soviet Socialist Republics) observed that the struggle of the colonial peoples was one of the characteristic features of the age. In their struggle for emancipation they would naturally apply to the United Nations, whose Charter had pro-



claimed the principle of equal rights and self-determination of peoples. Accordingly the United Nations was obliged to give effect to its high principles by carefully considering the questions brought before it and by adopting the necessary measures.

58. The colonial Powers had of course again resorted to the device of alleging that the General Assembly was not competent. That claim had already been disposed of, however, and the Soviet Union delegation had no doubt at all of the General Assembly's competence in the Tunisian question. States administering Non-Self-Governing Territories had assumed certain obligations defined in Article 73, paragraphs a and b.

59. It was revealing to examine France's true policy in Tunisia since it had imposed the treaties seventy years ago. While formerly a protectorate, Tunisia had in reality become a colony. Its resources had been monopolized and the richest lands taken over by 4,000 colonists who owned 800,00 hectares, whereas approximately 450,000 Tunisians owned only 1,000,000 hectares. Thus each Tunisian held on an average two to two-and-a-half hectares, but each French colonist held on an average 200 hectares. Similarly, French interests had monopolized lead, zinc, manganese, phosphates and industrial operations. Thus Tunisia had become a source of raw materials, the development of which was controlled precisely to suit French interests. As a result, since 1938 the production of iron had increased by 12 per cent and that of zinc and lead by 25 per cent. Of course, French financial interests had had to make room for American monopolists. The American Gulf Oil Corporation and the Royal Dutch Shell Company had respectively obtained 65 per cent of the shares of the Société nord-Africaine des pétroles, which had been granted a concession of 5 million acres near Sfax, and of the Compagnie des pétroles de Tunisie.

60. That that was not the economic advancement which, according to the Charter, it was France's duty to promote was sufficiently obvious from the statistics relating to the Tunisian population, whose death-rate was high as a result of under-nourishment, wretched living conditions and the fact that there were only 190 doctors for 3,500,000 Tunisians. The effects of colonialism were also reflected in the infantile mortality, which among the Tunisians was 19.3 per cent in the towns and 30 per cent in the country. Similarly, in the matter of education, 84 per cent of the Tunisians were illiterate and only 12 per cent of the 680,000 young Tunisians of school age went to school, whereas among the children of the settlers the proportion was 100 per cent. It must also be pointed out that expenditure on education accounted for only 3 per cent of the total budget, 34 per cent of which was devoted to the police force.

61. Was that the way in which France discharged the obligations it had undertaken at San Francisco in respect of Non-Self-Governing Territories? The Tunisians were excluded from the administration of their own country, while the national liberation movement was subjected to terrible repression. During the summer of 1950, a peaceful meeting of Tunisians had been subjected to an attack which resulted in 120 fatalities, and in November 1950 a meeting of Tunisian workers had been attacked by police.

62. Was it surprising, in those circumstances, that relations between the people and the French authorities had grown worse? On 21 December 1951, after those authorities had rejected all the requests made by the people and had stated that the protectorate system would be maintained, a general strike broke out accompanied by demonstrations and protests against a terrorist régime and for Tunisian independence. When the Tunisian representatives appealed to the Security Council in January 1952, the new Resident-General, Mr. de Hautecloque, decided to arrest all leaders of political organizations and trade unions. While mass arrests were being carried out, serious clashes occurred in the towns between demonstrators and French forces, and the *gendarmérie* terrorized the countryside. On 26 March 1952 Tunisian Ministers were arrested and deported by military aircraft to South Tunisia. The claims of the national freedom movement, although very modest, troubled the French Government and the heads of the aggressive Atlantic bloc, which regarded Tunisia merely as a military base. On 9 March 1952 the *United States News and World Report* emphasized the strategic importance of Tunisia, with its French and United States bases. That journal also spoke of the fourteen Tunisian airfields, under construction, the naval base at El-Cantara for the United States fleet, and the base at Bizerta under United States control. Tunisia was therefore a fundamental factor in the aggressive preparations of the Atlantic bloc.

63. Far from meeting the obligations it had assumed under the Charter, France had set out to crush the Tunisian freedom movement and to set up an occupation system and a military dictatorship. In those circumstances eleven States Members of the United Nations had decided in April 1952 to submit the Tunisian question to the Security Council, stating that France, by pursuing an anti-democratic policy and by crushing the national freedom movement, had created a situation which was a threat to peace. Conscious of the duty of the United Nations, the Soviet Union and certain other delegations had supported the request made by the eleven Member States. The inclusion of the Tunisian question on the agenda had, however, been rejected at the 576th meeting of the Council by France, the United Kingdom and the United States of America, the latter's abstention having prevented the proposal from obtaining the seven votes required for the inclusion of the item on the agenda.

64. Those Powers were actually conspiring together to enslave the colonial peoples and crush their efforts to obtain freedom. If that conspiracy were understood, light would be thrown on the real nature of the aggressive Atlantic bloc, which was nothing but an anti-democratic and reactionary alliance.

65. The attitude adopted at the General Assembly's sixth session by those three Powers towards the Soviet Union proposal on the inclusion among human rights of the right of peoples to self-determination should also be borne in mind. Again, at the present session the United States of America, the United Kingdom and France had voted against the recommendation of the Commission on Human Rights on the application of the principle of the right of peoples of the Trust Territories and Non-Self-Governing Territories to self-determination, thereby undermining one of the cardinal principles of the Charter.

66. The General Assembly must therefore study the situation in Tunisia very carefully and take steps in accordance with the principles and spirit of the Charter. The Soviet Union delegation, basing itself on the equality of human rights and on the right of every nation to self-determination, would support the proposals for the protection of the rights of the people of Tunisia.

67. Mr. LUDIN (Afghanistan) said that the majority of the delegations which had supported the competence of the General Assembly had adopted the only method compatible with world public opinion and humanitarian demands. In those circumstances it might be hoped that France would show itself worthy of its greatness and of what its friends expected of it.

68. As regards the history and law of the problem, the delegation of Afghanistan recalled especially what had already been said by the delegations of Pakistan and of Egypt with all the authority conferred upon them by a high degree of culture and legal learning.

69. The Afghanistan delegation, which had introduced the joint draft resolution of the thirteen Powers, wished to refer to the statement made by Mr. Schuman on 10 November 1952. He had said that the United Nations was not competent, on the one hand, because of the nature of the treaties between France, Tunisia and Morocco, and, on the other hand, because of the text of the Charter which defined the competence of the United Nations. He had stated that the two countries might enter into contact with other countries only through France and that any reforms should be carried out in close co-operation with and on the initiative of France. Mr. Schuman, although recognizing that Tunisia was a sovereign State and that the Treaty of Bardo and the Convention of Marsa were international agreements concluded between sovereign States, claimed that the United Nations was not competent to deal, even indirectly, with the revision of international treaties. But what did Mr. Schuman make of Article 103 of the Charter, which provided that the obligations under the Charter should prevail over any other international agreement; or of the preamble of the Charter relating to human rights, the dignity and worth of the human person and the equality of rights of men and women and of nations; and of paragraphs 2, 3 and 4 of Article 1 of the Charter which dealt with equal rights and self-determination of peoples, international co-operation, and the harmonization of actions of nations in the attainment of those common ends? From those obligations assumed by France on signing the Charter the following consequences might be deduced: (a) France recognized and respected the sovereignty of Tunisia; (b) the relations between France and Tunisia provided for in the Treaty of Bardo and the Convention of La Marsa could be modified and should be based on respect for the principle of equal rights and self-determination of peoples; (c) France should negotiate with the true representatives of the Tunisian peoples; (d) the United Nations could assist in harmonizing those relations as laid down in the Charter. The draft resolution of the thirteen Powers was based on those principles, and the Afghanistan delegation had decided to submit it to the First Committee.

70. There was no question of disparaging the achievements of France in North Africa. The statistics con-

tained in a brochure sent by the French delegation to other delegations and referring to the background of the problem and its demographic, cultural, social, economic and financial aspects were an attempt to justify the continuation of the protectorate system in Tunisia and Morocco. According to that brochure the population of Tunisia had increased from 1,300,000 to 3,250,000. But, in order to form an opinion of the true condition of that population, the amount of land devoted to crops constituting the staple diet of the people should be considered. The area under wheat had decreased from 0.96 to 0.93 hectares *per capita*. There had, of course, been a large increase in the production of olives, dates and citrus fruits, but the share of the Tunisian people in those great undertakings could not have been very considerable since, it should be borne in mind, 55 per cent of the capital invested in Morocco came from France, 35 per cent from French colonials, 5 per cent from various sources, and 5 per cent from the indigenous inhabitants. In Tunisia that development had been taking place forty years longer.

71. Turning to the standard of living, he pointed out that in 1951, one Moroccan in a hundred had had a wireless set and one in 625 a car, while in France the proportion was respectively one in four, and one in five. The distribution of telephones, and also doubtless of tea, coffee, sugar and medical supplies, was similar. The statement of the French delegation that Morocco had relatively as many telephones as Argentina, Norway and Australia applied only to the colonists, whose standard of living was one of the highest in the world—so high that they had decided to do everything possible to preserve it. The Tunisians and Moroccans, however, had small land holdings, meagre crops, and a standard of living incomparably lower than that of the French colonists. As regards education, in addition to the lack of elementary schools already indicated, how many Tunisians had entered intellectual professions after higher studies? The French brochure gave the following figures for the Moslem population of Tunisia: ten architects, one telecommunications engineer and one labour inspector. There were, of course, thirty-seven dentists and ninety-three doctors, but what was most incredible was the inadequacy of the number of indigenous technical personnel who could participate in the economic development of Tunisia. Yet such were the figures. Although the training of technical staff was a vital factor in the economic progress provided for in the Charter, Tunisians were relegated to the pick and shovel stage; their investments only made up 5 per cent of the total and they had practically no technical skill.

72. It was therefore the colonists who invested their money, while the Tunisian workers must prove their docility and abstain in their trade unions from any political activity. Did not Mr. Schuman state on 10 November 1952 that those trade unions must not risk being used for political ends incompatible with their professional activities? That statement had been prophetic, for Farhat Hached, General-Secretary of the Tunisian Labour Federation, had "risked" joining his country's freedom movement, and his fate was well-known—an atrocity which Mr. Schuman, the Government and the people of France were bound to condemn.

73. As regards the balance of trade, the French brochure gave the impression that France bore the



deficit on its own budget in order to ensure a high standard of living for the North Africans. Actually, however, that deficit was not the result of the importation of consumer goods for Tunisians or Moroccans, but of industrial and agricultural equipment and products for the army of occupation and for the maintenance of the high standard of living of the 1,650,000 French colonists in North Africa. Profits on those investments were returned to the investors in the form of dividend coupons or credit transfers. Similarly, officers' and officials' salaries were transferrable to France and were not reflected in the balance of trade.

74. If France had been represented on the Committee by its delegation it could perhaps have amplified the information given or refuted criticism of actual conditions in Tunisia. But Mr. Schuman, in his statement, had also referred to economic and health conditions and to the political practices of the countries sponsoring the thirteen-Powers draft resolution. He had said that simple solutions which could not be applied in economically and socially primitive countries could not be applied in Tunisia and Morocco because

of their economic maturity. The truth was that the economy of the former countries was not in the hands of all-powerful foreign States, which responded only to the desires and interests of a small minority, and that independence largely compensated for the simplicity of the solutions applied to their economic problems.

75. The Tunisian question also had a humanitarian aspect. The free self-expression of the human person could take place only in a free society where government was based on the will of the people. Tunisia wished to belong to a world free from foreign domination, and deserved help in achieving its legitimate aim.

76. The Afghanistan delegation had supported the cause of Tunisia in a spirit of freedom or justice, and not at all with the intention of offending France. It was to be hoped, therefore, that France would not misunderstand that delegation's intentions and would meet the wishes of the Tunisian people for self-determination.

The meeting rose at 6.40 p.m.