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Held at Headquarters, New York,  
on Thursday, 7 February 1957, at 10.30 a.m.

Chairman:

Mr. BELAUNDE

(Peru)

Question of Algeria [62] (continued)

Statements were made in the general debate on the item by:

Mr. Slim	(Tunisia)
Mr. Nuñez-Portuondo	(Cuba)
Mr. Gerbi	(Libya)

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## QUESTION OF ALGERIA (A/3197; A/C.1/L.165) [Agenda item 62] (continued)

Mr. SLIM (Tunisia) (interpretation from French): At this stage in the debate on the Algerian question I should like to make the position of the Tunisian delegation clear with respect to a problem which has concerned us for such a long time.

Justly concerned at the gravity of the situation in Algeria, and at the war which has been taking place there since November 1954, a certain number of Member States of the United Nations had asked for the inclusion of this item in the agenda of the present session of the General Assembly, and the General Assembly, at its meeting on 14 November 1956, included the item without objection.

As early as at its tenth session the General Assembly had included the item on its agenda for the first time. However, it did not consider it on that occasion because, following certain representations, the States which had requested its inscription ended by themselves asking for the deletion of the item from the agenda in the hope that a peaceful settlement might intervene which would satisfy the legitimate aspirations of the Algerian people without, at the same time, infringing the interests which France might have in Algeria.

Unfortunately, that was not the case, and the General Assembly has the question before it once again. What is important to note, first of all, is the difference between the two attitudes adopted by the General Assembly respectively at the time of the inclusion of the Algerian question in its agenda last year and the inclusion of that question this year.

At the beginning of the tenth session the General Committee of the General Assembly had recommended the non-inclusion of the item, considering that it did not fall within the competence of our Organization. A long procedural debate on this question began in the plenary meeting on the point of determining whether or not the question was in fact within the competence of the General Assembly. All the pros and cons were exhausted. A vote was taken, and, by a majority of 28 votes to 27, with 5 abstentions, the item was finally included in the agenda, contrary to the recommendation of the General Committee.

(Mr. Slim, Tunisia)

Matters took a different course at the present session. The General Committee recommended the inclusion of the item, and the General Assembly ratified that recommendation without any objection or reserve.

This evolution in the General Assembly's attitude reflects the increasing concern felt by Member States of our Organization with regard to the situation in Algeria, and shows clearly the sustained and ever-growing interest which world public opinion has in this question.

Let us now consider this question and attempt to find the profound causes for it, and let us attempt to derive the appropriate recommendations which the General Assembly might make with a view to putting an end to this war between two nations which a common life of 127 years -- whatever may be the criticisms that one can address to them -- naturally leads to co-operation, in a spirit of equality and respect for the dignity and sovereignty of each, for the greatest good of their reciprocal interests and the recovery of stability and peace in that part of the world.

(Mr. Slim, Tunisia)

The Tunisian delegation will approach the discussion of this question with all the necessary objectivity. It will devote itself to expounding facts which are recognized and acknowledged; it will do that simply and without any emotion. And, unless the future course of the debate obliges it to do otherwise, it will attempt to avoid saying anything which might envenom or complicate the discussion of the question.

My delegation, quite frankly, had not thought that the French delegation was going to raise the argument of the jurisdiction of the United Nations with respect to the Algerian question; we had not thought that that delegation would -- directly or indirectly -- invoke the provisions of Article 2, paragraph 7 of the Charter. Since, however, the French delegation has done so, I am compelled to deal with that matter at some length.

I should like, in the first place, to point out that the same argumentation regarding the lack of competence of the United Nations was invoked by France in 1952, 1953 and 1954 with respect to the Tunisian question.

My delegation submits that Algeria has never been France. It has been sufficiently demonstrated by eminent French historians that, before 1830, Algeria was a State, with an administrative organization -- perhaps weak, but nevertheless in existence -- a system of tax collection, an army and a navy; a State to which foreign consuls were accredited, including the Consul of France; a State which made loans to other States, including France, to which it supplied various quantities of wheat and military equipment -- in fact, it was the dispute which arose in this respect which was the direct cause of the conquest.

After the conquest of Algiers, no act emanating from the former holder of Algerian sovereignty abandoned that sovereignty to France. Now, there is a constant principle of law to the effect that the military conquest of a territory never deprives the people of that territory of their sovereignty and cannot transmit that sovereignty to the conqueror; this principle states that there is no statute of limitations with respect to sovereignty. The fact that a people has been conquered does not mean that that people no longer exercises sovereignty; rather, that sovereignty remains so long as the conquest lasts, or so long as the people in question has not expressed itself freely in favour of a merger with the conquering people.

(Mr. Slim, Tunisia)

Is it necessary for me to tell the Committee that there was never any kind of plebiscite held in Algeria during which the Algerian people might have expressed itself as being in favour of a merger with France, in favour of constituting a single nation with France, in which it would have equal rights and duties? I shall be told that there was a plebiscite, the one which approved the French Constitution of 1946. But, in the first place, this was a general plebiscite, in which 44 million Frenchmen in France participated along with the inhabitants -- both Algerian and French -- of Algeria. Now, in order for such a plebiscite to be properly invoked with respect to the Algerians, it would have had to be a special plebiscite held only for Algeria, and it would have had to put only one question: "Are you in favour of a merger with the French people?". Since that kind of plebiscite was not held, it cannot be held, validly and in strict law, that Algeria is an integral part of France.

Let us next look at history. It was only in 1875 -- that is, forty-five years after the conquest -- that Algeria began to be regarded as a group of French departments. That fact, however, in no way affected the status of the Algerians, who remained French subjects, with the duties but none of the rights pertaining to the status of a French citizen. Thus, there were in Algeria French citizens -- French by origin or by naturalization -- and French subjects. The fact that Algeria was regarded as a group of departments was only a convenience with regard to the administration of that colony; French laws were not applied in Algeria automatically, and in fact there were even special laws for Algeria -- such as the "code de l'indigenat", or the native code, which holds so many sinister memories for Algerians and which was only recently abolished.

After the First World War, the Wilsonian principles reawakened the hopes of all the peoples dominated by others, the hopes for liberation and an improvement of living conditions. The Algerian people, living under an imposed system and under all the obligations that that system entailed, tried to benefit from the guarantees or the rights conferred upon that people by the imposed status of Frenchman. Eminent Frenchmen helped the Algerians to take this path -- the path of assimilation. The Governor-General at that time, Mr. Maurice Violette, exerted all of his efforts to that end, and we must recognize that he was strongly supported by one of the great men produced by the French Republic: Mr. Léon Blum.

(Mr. Slim, Tunisia)

The debate of 1936, which rejected the assimilation of the Algerians as French, established the fact that Algeria, although a group of French Departments, was not France. It was only in the Constitution of 1946 that equality of rights between Algerians and French was recognized in Algeria, and this was done in a rather **peculiar** fashion. The two communities, European and Moslem, participated in both the general elections and the local elections in two different electoral colleges. In the French National Assembly -- although the two populations are in the proportion of eight to one -- they had the same number of deputies. This is a racial discrimination which was supposed to be justified by the disproportion of economic interests, as if, in democratic countries, participation in sovereignty in the field of legislation were based on the criterion of economic power.

Thus, we are quite entitled to say that Algeria is not France.

This statement covers the whole political, administrative and juridical situation in **Algeria**. Externally, Algeria, "an integral part of the metropolitan territory", is not to be distinguished from the rest of France. We find there citizens, Departments under the Ministry of the Interior and not under the Ministry of Overseas France. We find a judicial organization identical to that which exists in France. But the reality, when one examines it more closely, is quite different. Let us leave aside the judicial organization and look at what appears to us to be essential.

According to the Constitution of 1946, all citizens are equal before the law. But, in fact, they are divided into two categories: the Europeans, on the one hand, and the Moslems on the other. The Civil Service, at least as regards positions of authority and responsibility, is reserved for Europeans. The proof of this is in the fact that the French Government is now considering the possibility of opening the Civil Service to the Moslem element. We could not interpret in any other way the fact that some high traditional functions -- Cadis, Bachagas -- were granted to Moslems. These were exceptions based on tradition and religion -- Cadis -- or they constituted only exceptions because the persons concerned did not enjoy real authority and were suspected for more than one reason -- Bachagas.

The argument which is often cited -- that if the Algerians did not have access to all administrative posts it was only because they did not have the necessary competence -- cannot be validly maintained; for, if we develop this argument, it will lead us logically to the conclusion that the educating work of France in Algeria

(Mr. Slim, Tunisia)

has not touched the Algerians. Otherwise, our logic -- quite French, of course -- together with our lack of racial prejudice, cannot accept the fact that two young men, one an Algerian and the other French, having completed the same studies in the same schools and universities, would not have the same aptitude and competence required to occupy the same administrative position, however high it might be.

Now, let us take up the question of the Algerian Assembly. As for the elections to the French National Assembly, 1,200,000 Europeans designate as many representatives to the defunct Algerian Assembly as more than 8,000,000 Moslems. Moreover, it has been argued that, in view of the existence of a local Parliament, the Parliament of Sicily, the Algerian Parliament is, therefore, not an exception. A comparison between these two institutions is instructive. The similarity is only an apparent one, because the Parliament of Sicily is not elected by two separate electoral colleges and does not include two sections elected according to criteria of national or religious origin.

From all that I have said, it appears that part of the French citizens in Algeria, the Europeans, enjoy a status which is not different from that enjoyed by their co-citizens in France, whereas the Moslems citizens, in order to enjoy all the rights recognized in their status of citizens, must go to France. Their status when they are in Algeria makes them second-class citizens, almost aliens, one might say.

We spoke a moment ago of the method of election to the Algerian Assembly. This leads us to refer to the text which set up the Algerian Assembly, Law No. 47-1853 of 20 September 1947, entitled the Statute of Algeria. The Law of 1947 is the conclusion of a lengthy evolution which, at its end, gave its characteristic features to Algeria. The group of the North African Departments has a special physiognomy which distinguishes them profoundly from the metropolitan territories. The legal personality of Algeria is affirmed in the first article which repeats a principle laid down by the Law of 19 December 1900. This personality involves several consequences: financial autonomy, special organization, the existence of a high office at the head of the group of North African Departments, the powers granted to the Algerian Assembly in budgetary, fiscal, legislative and regulation matters -- with certain correctives, however.

(Mr. Slim, Tunisia)

Nothing comparable exists in metropolitan France. Nowhere do we find groups of departments having a specific status. The only exception which exists concerns the Departments of the Haut-Rhin, the Bas-Rhin and the Moselle annexed by the German Empire in 1871 and restored to France at the end of the 1914-1918 war. These Departments were allowed, by the Law of 1 June 1924, to maintain rules of German law introduced after the annexation, but this particular statute deals almost exclusively with private law, because the German laws in this field were considered superior to the French laws and have been maintained to the benefit of the natives of Alsace-Lorraine.

In any case, there is no governor-general and no assembly in Alsace-Lorraine, and nothing, from the point of view of political rights, distinguishes the citizens of these three restored Departments from those of the rest of France.

Is our opinion, according to which Algeria is not France, contradicted by international documents and, in particular, by the North Atlantic Treaty Organization? Certainly not, because, if that agreement makes special mention of Algeria concerning its field of application, it quotes it alongside of France -- which is sufficient proof that Algeria is not, in the view of those who signed that Treaty, an integral part of France.



Otherwise, we do not understand why, in a treaty which was a treaty between France and other States, it was necessary to single them out and say "France and the Algerian Department." This was done because, in the eyes of the signatories of the treaty, there was at least some doubt concerning the context to be attached to the word "France" and about whether France necessarily included Algeria as an integral part of French territory.

In conclusion, after studying the status of Algeria, we realize that it is dominated by a certain number of fictions. Algeria is France, but for Europeans, as an excellent Frenchman said. So far as the Moslem element is concerned, it has the right to maintain that Algeria is not France. In spite of that, the French delegation continues to base itself on an interpretation of paragraph 7 of Article 2 of the Charter in order to maintain that the item included in our agenda is not within the competence of the General Assembly.

On several occasions, the United Nations has set aside paragraph 7 of Article 2 of the Charter, when it considered that the situation before the Organization was sufficiently serious to justify measures on the part of the United Nations. In this connexion, it is enough to mention the case of Hungary. In that case, the United Nations recognized its own competence, despite the fact that paragraph 7 of Article 2 was often invoked by the countries of the Eastern bloc. The dramatic nature of the events in Hungary, the risk which they entailed for security in that part of the world, and the magnitude of the distress of a part of the Hungarian people made the United Nations decide that it should intervene.

In another field, less spectacular perhaps, but no less painful, the United Nations also recognized its competence, and yet the events which formed the origin of the case occurred on the territory of a State and concerned only the nationals of that State. I refer, of course, to items 24 and 61 on the agenda of this session of the General Assembly, namely, the treatment of persons of Indian origin in the Union of South Africa and the policies of apartheid of the Government of that State. It is significant that in this connexion a separate vote was requested on the third operative paragraph of the resolution contained in document A/3508, and this was done because certain representatives discerned in that paragraph an intervention in the internal affairs of the Union of South

Africa. In that vote, there were 48 votes in favour, 7 against, and 15 abstentions. It is thus clear that in a case similar to that with which we are dealing today, the idea of domestic jurisdiction was set aside by the General Assembly.

The French delegation appears to regret the increase in the powers of the General Assembly to the detriment of the Security Council, but this evolution was necessary. The Security Council proved to be paralysed by the veto cast by one of its permanent members, which thus prevented the Organization from acting in cases in which peace and international security were threatened.

The representative of France also referred to Article 11 of the Charter, in which he sees a limitation of the powers of the United Nations, and which:

"allows the General Assembly to study and make recommendations only with respect to those purposes set forth in Article 1 (1)." (A/C.1/FV.830, p. 7)

Even though Article 11 enumerates the powers of the General Assembly, it concludes with paragraph 4, which states:

"The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10."

In Article 10 it is stated:

"The General Assembly may discuss any questions or any matters within the scope of the present Charter..."

We see here a reference to Article 1, and the paragraph referred to speaks explicitly of the rights of peoples to self-determination. Therefore, the authors of the Charter made no omission in this respect.

Of course, Article 10 does provide for two exceptions which are alien to the subject with which we are dealing. These exceptions deal with disputes and situations of which the Security Council is already seized. Thus, in conformity with Article 10 of the Charter, the United Nations is entitled to take up the Algerian question, and it has done so. A discussion of paragraph 3 of Article 11, which was also referred to by the French delegation, becomes pointless under these circumstances. However, we believe that the best precedent can be derived from the Algerian case itself.

During the tenth session of the General Assembly, the General Assembly decided at its 530th plenary meeting to include the question of Algeria on its agenda, despite the recommendation of the General Committee. Was not that a recognition

by the General Assembly of its own competence? One cannot invoke, in a contrary sense, resolution 909 (X) adopted on 25 November 1955, in which the General Assembly decided:

"...not to consider further the item entitled 'The question of Algeria' and is therefore no longer seized of this item on the agenda of its tenth session."

When the General Assembly decided not to pursue its consideration of the Algerian question, it was for reasons which had nothing to do with the question of competence, of which we have already spoken. A careful reading of the resolution shows that it was indeed a decision on competence, since the General Assembly stated that it was no longer seized of this item on its agenda. The conclusion that can be arrived at is that the General Assembly, while deciding not to pursue its consideration of the question of Algeria, formally affirmed that it was competent to deal with it and that it was legally seized of it. Under those circumstances, we can put resolution 909 (X) into our files, since we do not believe that the eleventh session of the General Assembly will disavow the tenth session.

But, in spite of that, France affirms that the United Nations is not competent to deal with this matter on the basis of paragraph 7 of Article 2. Let us have a closer look at the real scope of this paragraph. This text is designed to safeguard the sovereignty of States. It constitutes a kind of barrier, a limit to the Organization's competence, and thereby it infringes, in a serious way, upon the universal vocation which the founders of the United Nations wished to confer upon this Organization. Under these circumstances it is clear that the building of an international society, which is the purpose of our Organization, will be delayed by this provision.

If, under the present state of things, the sovereignty of States must be respected, and if it is logical to protect that sovereignty against manoeuvres or anything which might impair it, it is no less certain that this principle should not defeat the great ideas which are the basis of the preamble of the Charter, according to which it is important to preserve the human race from the scourge of war and to protect fundamental human rights. These principles in an internationally organized society must win out over the theory of domestic jurisdiction.

Now, what is occurring in Algeria? We see there, as we shall demonstrate in a moment, a real war. We see that the French authorities have committed considerable forces and means and that, in reality, a front -- a shifting front, it is true, but nevertheless a front -- exists on Algerian territory. The situation is constantly deteriorating, the conflict is spreading daily and the forces involved are constantly increasing. It is not an exaggeration to claim that the deterioration of the situation may jeopardize the peace in one part of the world within the near future. During human history when a people fought to defend what was most sacred to them, their right to live in dignity, it was recognized that third Powers could intervene in the conflict. One could quote the examples of the people of Greece and the people of Hungary and the people of Albania. The principle of nationality was defended so generously at the end of the last century and at the beginning of this century in the case of peoples who were dominated by other empires -- the Ottoman Empire and the Austrian Empire. France, the leader in all principles affecting human rights and the freedom of peoples, was at that time the champion of those principles. Under these circumstances, it is the duty of the General Assembly to declare that it is competent to consider the substance of the Algerian question.

In the same order of ideas, permit us to quote some passages from the statement of Mr. Spaak, the representative of Belgium, at the time of the discussion of the Hungarian question:

"All these repeated lies" -- that is, lies destined to cover up the truth and to prevent United Nations intervention -- "can do nothing against the truth. They cannot conceal this vast and moving effort of a people demanding political freedom, which does not wish to see daily this foreign yoke and which wishes to throw out those who have agreed to be the servants ... ." (A/PV.576, p. 63)

Such is, mutatis mutandis, the situation of the Algerian people who are fighting for their liberation. The French Government claims that the Algerian matter is an internal affair and that its troops are not engaged in war operations but in police operations.

(Mr. Slim, Tunisia)

I shall not quote the statements of the Minister of the Interior in the Assembly or the statement of the head of the Government, who, at the beginning of the insurrection, affirmed: "We shall reply by war to the situation in Algeria." I shall only quote again from the statement of Mr. Spaak:

"Shall we be the accomplices in such a sinister comedy? If we accept that, we will be unworthy to sit here. Not only will we be violating all the political and moral principles of the United Nations, but we will be creating a precedent fraught with terrible consequences."

(Ibid., p. 66)

That being the case, let us now look at the facts.

On 1 November 1954, revolt suddenly broke out in Algeria. Attacks were committed almost everywhere. They began in Aures, in the Constantine, a region east of Algeria. Armed groups in small bands attacked the French forces. They used automatic weapons, grenades and incendiary weapons. Dead and wounded were found.

Within twenty-four hours, the French Government took all the "measures of protection and repression" required by the situation. Military reinforcements and "means of additional action" were requested by the Governor-General of Algeria. Infantry was urgently sent there. Vast police raids were carried out, which resulted in mass arrests of Algerian nationalists.

That was the way the war began in Algeria. From the outset, the means used were very considerable: infantry, gardes mobiles, armoured cars. Aviation support was used in the operations, as well as artillery. The military effectives were increased. There are now actually in Algeria 500,000 soldiers in addition to 80,000 gardes mobiles, goumiers -- that is, native troops -- and other auxiliary bodies.

The methods of repression used were as energetic as they were varied: pursuits in the mountains of the fellaghas, or nationalist armed bands, mass arrests, raids and many other things.

But all of that was not sufficient to break Algerian resistance, quite the contrary. The more repression increased in magnitude, the more resistance

increased. The fact is that repression only reinforces the insurrection. The raids increased the number of rebels. And the infernal cycle begins and no longer ends.

It is, of course, not my intention to describe the war in Algeria in detail, with all its ups and downs, its horrors and its devastation. Everybody has followed it from day to day. I shall confine myself to emphasizing certain aspects which may be useful to our debate.

The fact is that the Algerian war is not a normal war in which two armies confront each other and fight with well known means. This war has a peculiar nature.

Reference has been made to murders of civilians committed by the Algerian nationalist fellaghas. I use the word fellaghas to denote the resisting Algerian nationalists because since 1952 this is the word that has been used in North Africa to designate the armed bands led by non-commissioned officers which are waging the resistance struggle against the French forces. This word corresponds exactly to those who are called the maquisards from the word maquis during the occupation of France by the Nazis from 1940 to 1944. Like the French word maquisards the word fellaghas indicated in the old days highway robbers who held isolated travellers for ransom. Since the German occupation of France the word maquisards designates people who resisted, who, for the honour and liberation of their country, harassed the German troops by every means. Likewise, in North Africa since 1952 the word fellaghas has indicated the armed resisters who carry on the resistance in the countryside. It has therefore lost its old meaning, and those who carry it today have a sense of honour and a sense of dignity. This word is now considered even as a true title of nobility.

(Mr. Slim, Tunisia)

Reference has been made to murders committed by the fellaghas. Booklets describing them have been distributed to all delegations with photos, dates and abundant explanations. My delegation is, of course, very much distressed that such acts could have been committed against civilians. We wondered, however, how such attacks could have been committed and with what intentions, and I was struck by the fact that, according to the booklets which are distributed to condemn them, the first of these acts go back no further than the beginning of the month of June 1955. During the first eight months, the insurrection raged in Algeria without any act of this nature being attributed to the Algerian fellaghas. During the discussion in the French National Assembly in July 1955, the Head of the French Government himself recognized that and affirmed that no act against civilians was noted.

On the other hand, from the first days, the pacification began with mopping-up operations which, under the cover of seeking resistors and weapons, are designed rather to intimidate the population and which, as experience has shown, lead only to the opposite result.

On 8 November 1954 -- that is, a week after the beginning of the insurrection -- whereas the day before the French Government had announced its wish that the operations "should not assume, without any overriding necessity, the form of mopping up", the French press agencies announced that elements of gendarmerie, gardes mobiles, infantry and parachutists were launched in a large mopping-up operation. Others were to follow, more and more important in the number of persons participating and the zones constituting the theatre.

Raids and mopping-up operations -- these are different names given to similar operations. A zone which is presumed to contain fellaghas or relatives of fellaghas is encircled by night by large infantry forces and armed forces accompanied by detachments of gendarmerie and police. At dawn each village or small inhabited place is surrounded on every side by elements of these forces. All the houses are searched, the furniture is torn open in the search for weapons, and vessels containing the food of the families are broken. Meanwhile the whole population is collected together in the village, or rather, since the men in good health have usually succeeded in getting through the net, they get together what remains of the population in the village: old men, women and children. The most

(Mr. Slim, Tunisia)

odious outrages are inflicted upon them. They are struck with rifle butts, and kicked; women are raped; and, to crown the operation, some people are cut down in cold blood. I am sorry to speak of this, but this is what occurred in Algeria.

Sometimes houses are burnt or shot up. Mechetas have thus been completely razed. Sometimes aviation contributes its support by strafing the civilian population. Thus all these so-called mopping-up operations end in the killing and wounding of civilians -- old men, women and children -- rape, and the systematic destruction of houses and furniture. Designed to terrorize the population, they inevitably lead to sending into the maquis to join the fellaghas all the young people or those who during the last war fought at the side of the allies in the hope of seeing the generous principles, proclaimed and broadly distributed, of the Atlantic Charter being achieved. All these men whose parents were killed during the liberation of the world from fascist domination, all these people who saw their wives or sisters raped in such pacification operations, are reinforcing the ranks of Algerian national resistance.

Such horrors, which began on the very first days of November 1954 and which have been multiplied, perhaps explain the attacks against civilians which began only eight months later, in June 1955.

All that I have said is a brief but accurate description of realities. For documentation I have referred only to reportages or testimony by Frenchmen, soldiers or civilians, published by French newspapers such as Le Monde, Temoignage Chretien, L'Express, France-Observateur, or statements by French deputies made from the rostrum of the French National Assembly and published in the French official journals.

From all these it appears that the war in Algeria assumes a special nature. One side is purely military, and another is made up of reprisals under cover of mopping-up operations. What should be emphasized is that the latter operations are not committed by civilians but by the armed forces, those forces which are essentially designed to ensure respect for the law and to ensure respect for the intangible rights of man, those human rights which France proclaimed as long ago as 1789 and has constantly reaffirmed since: inviolability of the domicile, of the human person, except in the case of a legal judgement handed down by legally constituted courts, with everything that is recognized by the courts and acknowledged as safeguarding good and sound justice.



(Mr. Slim, Tunisia)

The reprisal action of the parachutist corps in the city of Algiers itself on 8 January 1957 and the opening by these forces last week in broad daylight by the gardes mobiles and tanks, of stores in Algiers in the absence of their owners, by order of the authorities, with looting announced almost by the authorities themselves as reprisals on the order of the authorities, are still -- and closer to us -- manifestations of this aspect of the pacification of Algeria. I shall say a few words concerning what has been called counter-terrorism.

Taking as a pretext acts committed by the Algerian resistance, unfortunately groups of Frenchmen have been set up and, with munitions, grenades or other weapons given them by the authorities to defend themselves against possible attacks by the fellaghas, commit acts of terrorism against the Algerians. In general, their acts are attributed to the Algerian resistance. The authorities show no diligence in stopping this, and that is all the more understandable since these groups of counter-terrorists are generally directed by French officials, and generally by the police themselves.

Of course, when a scandal occurs, the French Government orders an inquiry, which sometimes leads to the punishment of officials by transferring them, or of policemen by putting them out on a remote beat.

(Mr. Slim, Tunisia)

There is an idea which has been established, and which has been developed by certain highly placed officials, that one can only overcome terrorism by counter-terrorism and that one can only overcome fellaghisme -- that is, the maquis and guerillas -- by the action of Algerian groups which are supported and armed and which will fight in the mountains against the true nationalists.

It is true that attempts to set up such groups have occurred, and the Algerians charged with these actions, after having taken weapons, unfortunately went over, purely and simply, to the nationalist struggle.

A notable fact, however, and one which should be emphasized, is that, in spite of all that, the Algerian fellaghas show themselves to be generous and respectful of the principles of war. French soldiers, French civilians, men or women, who have been taken prisoner by them and then released, have described the humane and dignified way in which they have been treated.

I shall not read to you the passages from this testimony published in the French newspapers, since that would prolong our debate excessively. Neither shall I dwell on the facts which deal with the war side of the Algerian problem. However, I must quote certain figures. Once again, these figures are official and from French sources. I am sure that the French delegation, with its usual courtesy, will allow me to quote these figures as to the dead on both sides, for the year 1956 alone, which were given two weeks ago by one of the French delegation's spokesmen.

The dead among the Algerian nationalists, for the year 1956, numbered 18,060; among the French, 2,435.

One comment is called for here: It is not unusual to see official communiqués on these operations conclude with this sentence: "We cannot estimate the casualties of the adversary, since the rebels carried away their dead." From this, one can logically deduce that the figure of 18,060 for the Algerian dead is much lower than the real figure.

In any event, these figures show -- if there were any need to do so -- the seriousness of the situation in Algeria. By themselves, and leaving aside the methods of repression or pacification, they justify the feeling of disquiet aroused in world public opinion and the interest it displays in this question.

(Mr. Slim, Tunisia)

Apart from any other consideration, they make it a duty for the United Nations to take up this question, and to attempt to reveal the real causes which have led to such a serious situation, in order to bring about appropriate recommendations likely to restore peace in this area of the world in conformity with the principles of the Charter.

Confronted with a serious situation which is deteriorating more and more, and noting that the war in Algeria is ever more costly in human life on both sides, the United Nations is duty bound to lay bare the real causes of the dispute and to recommend appropriate solutions.

My delegation does not believe that the events which began on 1 November 1954 were caused by foreign incitement. The Algerian people was never satisfied with its plight. It has always struggled for a dignified and free life. In various forms and at various times, it has displayed its discontent in violent form. It did so even before Marxism and Communism were born, and it has since continued to do so. It did so before the present Egyptian regime was born. The last insurrection, of 1 November 1954, began long before Tunisia had recovered its independence. We could not, as implied, have urged rebellion in Algeria; the agreements which gave Tunisia its internal autonomy are dated 3 June 1955, that is, seven months after the beginning of the insurrection. The Franco-Tunisian protocol recognizing the independence of Tunisia was signed on 20 March 1956, that is, at a time when war had been raging in Algeria for nineteen months.

I shall pass over this type of explanation of the causes of the Algerian insurrection, an explanation which is designed to forget Algerian realities or to conceal them for purposes of domestic politics which do not enter into our line of thought. Moreover, we heard the same argumentation during the discussion of the Hungarian question. The Hungarian insurrection was supposed to have been caused only by incitement on the part of capitalist governments, which are supposed to have armed and prepared fascist groups with a view to carrying out the Hungarian counter-revolution. The General Assembly was right to give short shrift to such arguments. My delegation was happy to note, in this connexion, the fact that its views on this subject coincided with those of the French delegation and the overwhelming majority of Member States. For the time being I shall go no further, in order not to be compelled to draw other conclusions.

(Mr. Slim, Tunisia)

The real causes reside in the fact that the position of the Algerian in his own country is that of an inferior. He is told about human rights, liberty, equality -- but he has known only burdens and duties, laws which restrict his freedom, and, as far as equality is concerned, he has known only equality before conscription and taxes.

Reference has been made to the achievements of France in Algeria. My delegation is gratified to recognize these achievements. France has made considerable efforts in the economic, cultural and social fields in Algeria. But the Algerian notes that these efforts benefit, above all, an element of European origin -- and, more particularly, the 40,000 families of French origin, to take the official figures given by the Government in the French Parliament.

Thus, for example, in the cultural field -- and I am quoting only official French sources -- 523,000 children go to school, including 350,000 Moslems. Thus, there are 173,000 for a French population of 1,200,000, and 350,000 for a Moslem population of 8,000,000. Moreover, all the European children of school age find places in school, whereas only a part of the Algerian population of school age actually attends school. If France really considered Algeria as one of the French Departments, this fact could not be understood. We can conceive that France might not possess the means or the adequate staff to send all children to school. But then non-discrimination would have meant that there would have been the same proportion of French and of Algerian children attending school in the various classes.

There has also been reference to the assistance contributed by France to agriculture. But here, too, the inequality is flagrant. I shall quote, in order to describe the method used, the words of a great Frenchman; if he had been followed in 1956, perhaps the present crisis would have been avoided. He had tried in vain to carry out the assimilation of the Algerians. Concerning economic and social achievements in Algeria, he said, on 12 October 1955, before the French Parliament:

(Mr. Slim, Tunisia)

"Thirty years of hope deceived -- that, of course, does lead to a certain amount of rancour. If now integration fails, there will be no other possibilities except federalism or independence. Integration presupposes support or consent...

"We can be proud of our achievements. The Algerians use our roads, our railways. But what does that represent for them? And, as to property, what is that for them, except ownership of their rags?...

"Why does the assistance contributed to finance crops through the Algerian agricultural credit fund benefit Europeans to the extent of 99 per cent and Moslems to the extent of only one per cent?

(Mr. Slim, Tunisia)

"I have heard, in a communique, that 15 billion francs in investments are to be reserved for Algeria. Yes, but I have no doubt that this will not be for the Moslem population. For that population, as before, nothing!"

It is unnecessary to recall that this great Frenchman, Mr. Violette, was Governor General of Algeria in 1936 and that he is far from being a communist.

I am doing my best not to prolong the debate, and I am trying to avoid repeating what others before me have already said. I am refraining from citing large numbers of quotations from French personalities and the most outstanding historians and former generals who carried out the conquest of Algeria or Governors General who carried out the "pacification" and who attest to the well-known fact that Algerian lands, and the best lands, had been confiscated and distributed to French settlers. I shall refrain from these quotations, and will content myself with the latest, the most recent and those which are less likely to be suspected of being systematic disparagement.

It does, however, remain an absolute fact that the Algerian insurrection of November 1954 had nationalist causes, and purely nationalist causes only.

Having gone into the causes of the war, we must now attempt to propose appropriate solutions.

In this connexion, my delegation thanks the French delegation for the praiseworthy effort which it has made to demonstrate to us that the solution proposed by France is the only one possible at the present time. But I hope that that delegation will allow me to tell it that we have not been convinced. Moreover, I wish to affirm immediately that what we must do, above all, is to convince the Algerian people. If it were satisfied and if it had accepted such a solution, our Assembly would not have had to deal with this matter.

Now it appears that the Algerian people is not prepared to accept such a solution. It has demonstrated sufficiently, through the struggle which it has waged since November 1954, that it ardently wishes to recover its dignity as a nation. It has been repeated often enough, and on every occasion, that it was not a nation. If it had not been, however, it would not have launched such an atrocious struggle in order to reaffirm that right. It shows clearly enough that it intends to recover the exercise of its sovereignty, the right to self-determination and to manage its own affairs democratically and to enjoy independence.

(Mr. Slim, Tunisia)

Can we deny it that right? The United Nations would lose its authority if it did not reaffirm that right. It has done this for other people. It is duty bound to pronounce itself in conformity with justice. There is no justice as long as there is one law for our friends and another for our enemies.

Tunisia would have preferred our Organization not to have dealt with this matter. However, it was not within its power to have this come about. The Tunisian Government and its President, Mr. Bourguiba, used every means to bring about an agreed solution between France and Algeria, a solution which, while it would have marked the end of the legal fiction of "Algeria as an integral part of France", would have reaffirmed to the Algerian people the right of full sovereignty and free determination of its future, a solution which, by means of free and peaceful negotiations between the two parties, would have settled the various stages and guaranteed reciprocal interests and real and fruitful co-operation in mutual respect and dignity. The Tunis Conference between Tunisia and Morocco, among other questions, was designed to prepare the ground with the Algerian nationalist leaders representing the National Liberation Movement in order to lead to a rapprochement. The arrest of these leaders, while they were on their way, did not make this possible.

Unfortunately, our attempts were in vain, and it seems at the present time that France, for domestic reasons which do not concern us in any way, is not in a position to recognize the right of the Algerian people to self-determination and independence. But this is in no way binding on the United Nations. The United Nations is duty bound to do this and, in doing this, it would help France.

I do not believe that this is any kind of interference which would complicate the situation and which would make a solution difficult because it would encourage the Algerians to struggle and make their position more rigid. I am even convinced of the contrary. I am even convinced that it is the continual denial of justice to them which has unfortunately compelled them for a long time to carry out a terrible struggle which will become more and more terrible as this denial of justice is perpetuated. I am convinced -- and the French delegation seems to admit it by recognizing that there were in fact errors committed in the past -- that if we only speak of the post-war period, if we had applied the 1947 Statute faithfully and without the restrictions and limitations which cancelled out all of its scope, we would not be witnessing this total mistrust and this absolute refusal of support for any kind of granted status.

(Mr. Slim, Tunisia)

If France, after the serious and justified criticism by impartial observers made on the manipulated general elections of 1948, which made them famous throughout the entire world by the expression "elections in the Algerian style", had cancelled those elections, **applied** sanctions against all those, no matter how important they might have been, who prepared and carried out these elections and if it had carried out new and sincere elections, I am sure that today we would not see in the Algerian people the conviction that, no matter what elections are held by the French authorities in Algeria, these elections would only be elections which would be, according to the famous expression, elections à l'algérienne or manipulated elections.

I could give many more examples, but I shall refrain from doing so.

Thus every time the Algerian people protested against an injustice or demanded a right that was due to it, it ran up against a categorical "no". Later on, of course, they finally ended by recognizing its right; but it was too late, when the Algerian people were no longer receptive.

It is, unfortunately, this continued denial of justice by France which has piled up the rancours of which Mr. Violette spoke and which I have quoted above. This has forced Algeria into the fierce struggle which it is now waging.

Every day the question of Algeria is before us for consideration. Let us be careful, in the perhaps praiseworthy anxiety of not embarrassing a friend, not to adopt a resolution which would be some kind of a denial of international justice.



(Mr. Slim, Tunisia)

I know that the General Assembly and our Committee, which is the emanation of the General Assembly, do not constitute an international court and do not pronounce judgement in the manner of courts. But these do constitute international instances which, under the terms of Article 10 of the Charter, can make recommendations by which they pronounce themselves on the questions placed before them, in conformity with the Charter and international justice. If, on the question of Algeria, the United Nations did not express itself in the line of law and in all justice, to recommend a cease fire and the opening of direct negotiations with a view to the peaceful settlement of the dispute, the right of the Algerian people to the full exercise of its sovereignty and self-determination having previously been affirmed, do you not believe that we would have committed a denial of justice?

There is of course that very tempting picture of the chastity belt, but that practice was in conformity with the private morality of the day when it was used. There was a time when that morality admitted that a woman or a wife was a piece of goods in the hands of her husband who had complete rights over her. Happily for humanity, private morality has progressed considerably since those days as has also international morality.

May I quote here a passage from the statement made by President Bourguiba during the general debate:

"...we might help France to reach a difficult turning-point, now that she has been engaged in a trial of strength in Algeria for more than two years without winning any military decision and is attempting to justify her Algerian policy by the same juridical myth upon which Great Britain based her domination of Ireland for so long. I am sure that in France itself the fountain of liberty which sprang forth in 1789 and illuminated the world has not run dry. Men and women of France who are sincerely devoted to justice and peace are working courageously so that their country can preserve her real face of a great democracy and remain within the tradition of her spirit of liberty, which, in the concert of nations, constitutes her most authentic title of nobility." (A/PV.590, page 93)

(Mr. Slim, Tunisia)

President Bourguiba had previously stated:

"Moreover, when a friend has taken the wrong path, is it the best service we can render him to let him keep on his way, to go farther and farther along it, under the pretext of sparing his feelings? Is it not rather to do everything to lead him back on to the right path, where he will regain the confidence and friendship of other nations as well as his own real advantage?" (Ibid.)

My delegation believes firmly that it is therefore the duty of the United Nations to affirm -- since France cannot presently do so -- the right of the Algerian people to its independence and self-determination. This affirmation in no way implies that that independence must be achieved immediately, or that it implies any kind of brutal or abrupt rupture of the links which 127 years of common life, good or bad -- and the question is really not very important -- have created between the Algerian and French people. Stages might be considered, managed transition, with reciprocal interests safeguarded, and co-operation on a new basis might be established. All that would benefit by being agreed to freely and in dignity between France and Algeria.

Moreover, the Algerian people -- and I am sure of this -- is sufficiently realistic to understand the necessity for transitions, for stages, and the legitimacy of certain interests, once its own right to independence has been recognized. It would be more receptive to a recommendation for a cease fire. And a people which has fought against inequalities and prejudices -- against obstacles, to say no more -- which values fundamental human rights in Algeria, once it was in a position to assume its responsibilities would not run the risk of committing acts of the same kind from which it has suffered so much.

The longer the war goes on, the more difficult a rapprochement becomes. Solutions which would have been accepted in 1954 will not be accepted today. Those solutions which may be acceptable at the beginning of 1957 will perhaps not be so acceptable towards the end of this year. As for rancour, we in North Africa do not maintain this rancour. Once peace has returned, we forget the past and we let friendship reflourish on the solid basis of mutual respect and dignity.

(Mr. Slim, Tunisia)

In this connexion, the example of Tunisia is edifying. After an acute crisis, as violent as it was regrettable, in the wake of the obstinacy of French Governments in maintaining direct administration in Tunisia, a protectorate, and letting the French in Tunisia participate on an equal basis in political rights inherent in Tunisian sovereignty, after a bitter and merciless struggle during which we experienced all that the Algerians complain about today -- after all of this we agreed to make peace on the day when France affirmed that it was prepared to abandon the idea of direct administration and offered internal autonomy, certainly somewhat diminished by the speech of Mr. Mendes-France on 31 July 1954. It was a change of direction. It was less important for us at that time that our aspirations were far from being realized. The new direction of our relations with France was based on the recognition of our right to exercise our sovereignty. That was enough for us for the time being. We have negotiated with France in dignity and equality. First of all we had the agreements of 3 June 1955 which agreed to internal autonomy and the granting of guarantees to legitimate French interests compatible with Tunisian sovereignty. The second phase was undertaken in the protocol of 20 March 1956 which recognized Tunisian independence and led to the recovery of its complete sovereignty.

From the day on which the step was taken, when the corner was turned in the new direction, peace returned and with it sincere friendship. I know that the objection will be raised: Yes, of course, this was because there was a man like Bourguiba and a strongly organized and realistic democratic party. In 1953, however, except for some clear-sighted Frenchmen, for whom we maintain profound respect, it was also said that Bourguiba and his party represented nothing, that we would not be able to direct the affairs of Tunisia, even an autonomous Tunisia. I shall therefore not deal at length with this argument but I shall come to my conclusion.

There is a state of war in Algeria, an atrocious and terrible situation in which human lives are being lost and lost every day. All fundamental human rights have been trampled under foot. It is our duty to see that this situation is replaced as soon as possible by peace and concord. It is our duty to appeal to the two parties in conflict with a view to bringing about a cease fire and the opening of negotiations based on the right of the Algerian people to dignity,

(Mr. Slim, Tunisia)

on its right to recover the exercise of its sovereignty and on its right to self-determination following the principles of the Charter.

We are duty bound to facilitate that settlement by peaceful means. In so doing our Organization will have accomplished its duty, and it will have greatly facilitated peace, concord and international co-operation. I have the conviction -- and the French delegation will allow me to say to it here that it is a conviction which is sincere and loyal -- that we shall thus have helped France to emerge from the rut in which it has unfortunately found itself. It will be a concern of real friendship which will have guided us.

Mr. NUÑEZ-PORTUONDO (Cuba) (interpretation from Spanish): The position of the Cuban delegation with regard to the item before the Committee entitled "The question of Algeria" is, I think, very well known both to the First Committee and to the General Assembly. Our previous stand and views have not been changed in any way since they were based on the United Nations Charter and on international law. We felt and still feel, as we have said a number of times, that States such as Cuba, which have sparse populations and very small military power, can exist only if they maintain an invariable line of conduct which respects the rights of others. That is why no one can justifiably accuse us of having violated a treaty or of having left an international commitment unfulfilled. The Cuban attitude has been constant with regard to the strict implementation of the precepts of our Charter.

We feel that it might be interesting to mention here, as an example, that when Egypt was attacked we voted, both in the Security Council and in the General Assembly, in favour of draft resolutions that would end the aggression. And later on, when Hungary was invaded by the powerful and merciless armies of the Soviet Union, which thus perpetrated the most abominable crime that contemporary history records, Cuba voted also in favour of resolutions being adopted which would stop that brutal violation of our Charter from becoming a fait accompli -- that violation not only of the United Nations Charter but also of the rules of international law.

Accordingly, and in view of certain statements to which we have listened with surprise, we feel that we ought to draw the attention of the First Committee to the fact, which is proved in the records of our meetings, that not all Member States of the United Nations acted as did Cuba. It is true that when it was a question of acts carried out by the United Kingdom, France and Israel admonitory words were spoken and votes were cast; but when the horrible massacre and carnage carried out in Hungary was being discussed, and when we tried to stop it, not only did many Members hold their peace but, what is more important, they refused to vote in favour of certain draft resolutions, despite the astonishment of all the peoples of the earth.

We apply the same principles in the same way to all, in accordance with the precepts of the Charter, and we cannot believe that anyone can hold the view that those were two different cases, because -- may I remind those who have

(Mr. Nuñez-Portuondo, Cuba)

somewhat short memories -- the Soviet Union, using its tremendous army, caused in the small country of Hungary more deaths in two weeks than all those that were caused by the invasions of Egypt, Cyprus, Palestine and even Algeria.

As far as the so-called colonial problems are concerned, our position also is well known to all. With the support of the Cuban vote, both in the Security Council and in the General Assembly, Indonesia was always able to count on us in order to give effect to its desires for independence.

Now those who will not follow the capricious line that is drawn with regard to the solution of certain problems seem to change their views when we speak of colonialism. Why, when there exist in Europe a colonialism and imperialism that subject more than 100 million Europeans, despite the principles of justice and law? Why is it that the champions of anti-colonialism do not raise their voices in that connexion? It seems that they use two yardsticks, and that they apply a different yardstick in different cases.

The Cuban delegation has always, in good faith, maintained that the case of Algeria, although very painful and lamentable, cannot be discussed and dealt with in substance in the United Nations, and very briefly I will explain this point of view of my delegation.

Let us not go back to the history of France's domination in Algeria. More than enough details were given to us by speakers who preceded me. The representative of Syria brought, as a member of his delegation, a prominent citizen of Algeria to give more authority to his historical references. We understand that, but there is one fact also that none can deny. When, as a founding Member, France entered the United Nations, Algeria, in accordance with its constitution, was part and parcel of France. It was an overseas department of France. No one -- absolutely no one -- denied to France at the time of its entry into the United Nations the right to consider Algeria as part of its national territory. We feel that there is not one single principle of international law or one single precept or word in our Charter that authorizes the General Assembly to change the pre-established political geography of a Member State, and especially not without the express agreement of that State.

(Mr. Nuñez-Portuondo, Cuba)

A precedent is about to be established which may have incalculable consequences in the States of America, in Europe, in Asia, in Africa and even in Australasia. There are certain cases of territorial claims which today present no problem because the realities and the facts have borne weight; but those cases will be reopened if what is advocated now in the case of France should take the form of a final agreement in the General Assembly, and we feel that it would be foolhardy if the Assembly were to permit such a charge.

Article 2 (7) of the Charter is quite clear and quite final. It says:

"Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require" --

and let me stress the words "or shall require" --

"the Members to submit such matters to settlement under the present Charter;". I should like to ask, "If these problems of Algeria are not matters which come within the domestic jurisdiction of France, then whose problems are they?". On the basis of what precept of the Charter can we say to France, first, that its titles -- as we say in law -- dating back more than a century are hereby declared null and void because a Bey had no right to delegate sovereignty; and, second, that the problem must be solved in accordance with the indications of the representative of Syria.

The representative of Syria even went so far as to outline how the constitution of Algeria could be drawn up, how the government should function, and what fate should be meted out to the French settlers in relation to their political and civil rights. He himself recognizes that these settlers have lived in Algeria for a number of generations. I do not think that we can really permit this to take place in the United Nations.

(Mr. Nuñez-Portuondo, Cuba)

The principle of non-intervention in matters which are essentially within the domestic jurisdiction of other States is the basis of the Organization of American States. It is a doctrine which binds together all the States in this continent. If we insist that there should be no intervention in matters which are obviously within our own jurisdiction, it is certainly both unjust and paradoxical to maintain that intervention in the affairs of other States should be permitted. We have been taught by experience that the principle of non-intervention must be strictly applied so that anyone wishing to intervene in the affairs of another will not be able to decide for himself when the principle should be applied and when it should not be applied.

In this connexion, I should like to draw the attention of the representative of Tunisia to the following fact. The United Nations took its stand on the question of Hungary because the legitimate Government of Hungary had requested the intervention of the United Nations in the face of the invasion of Hungary by a foreign army: the Soviet army. In the case of Algeria, however, France has not requested the intervention of the United Nations.

When the questions of Tunisia and Morocco were first placed before the General Assembly, the Cuban delegation did some constructive work. It must be noted in this respect that, in Tunisia and Morocco, France had set up protectorates in accordance with international treaties. There were even heads of state in Tunisia and Morocco -- which is certainly not the case in Algeria. Cuba did not adopt an intransigent position as regards Tunisia and Morocco. We maintained that it was only through direct negotiations, outside the United Nations, that the desired successful results could be achieved. We felt, and we stated, that France would do everything necessary to achieve an honourable solution of the pending problems. At that time, we paid a tribute to that great nation, which we here in America love so much. And, in due course, our predictions came true. Morocco and Tunisia, through direct negotiations undertaken outside the framework of the United Nations General Assembly, achieved their complete independence. Thus, France offered to the world an example of tolerance and open-mindedness -- an example which, I must say, is rather rare in this day and age.



(Mr. Nuñez-Portuondo, Cuba)

I raise these matters so that no one may for a moment think that Cuba does not maintain its respect for the principle of the self-determination of peoples, as set forth in the United Nations Charter. Only recently, Cuba had the honour of voting in favour of the applications of Tunisia and Morocco for admission to membership of this Organization -- first, in the Security Council, and then, in the General Assembly -- and we received expressions of appreciation from both Governments.

We have no doubt whatever that the revolutionary movement in Algeria is motivated by a sincere desire to change the political situation of the Algerian people. We cannot, however, agree with the procedures and means being used to achieve that end. In our struggle for independence in Cuba, we never used terrorism. Non-combatants were never murdered to achieve our aims. Cuba had to struggle for its independence for more than fifteen years, in three cruel wars. Cuba was not, like Algeria, a territory with ten million inhabitants and friendly neighbours. Everyone knows that Cuba is an island. At the time of which I am speaking, Cuba's population was not even one and one half million. In our struggle, we faced an army composed of almost the same number of people as France is supposed to have in Algeria -- an army whose courage we in Cuba are the first to recognize. It is a well-known fact that a general of our army of liberation, Máximo Gómez, ordered that another general, Roberto Bermudez, should be shot because he had decided to hang a number of non-combatant peasants -- but General Máximo Gómez ordered that shooting only after a sentence to that effect had been handed down by a council of war. We in Cuba may also point with pride to the fact that, when Manuel García decided to help in the fight for Cuba's freedom and stole 25,000 pesos from a rich landowner, sending that money to a representative of the Cuban revolutionary movement in New York for the purchase of arms, José Martí -- the apostle of our independence, one of the greatest men of the American continent -- ordered that the money should be returned, saying that so noble a cause as that of Cuba's freedom could not be stained with the product of a theft. These are facts which are written in gold in the pages of Cuba's history.

The acknowledged intervention of ~~communists~~ -- both French and Russian -- in the Algerian revolutionary movement awakens our suspicions. The communists cannot be fighting for the freedom of the Algerian people. Their goal is to bend the backs of the Algerian people, to place them under the cruel and ferocious yoke of the

(Mr. Nuñez-Portuondo, Cuba)

Moscow Government. In my country, at this very moment, Cuban communists have -- in accordance with plans emanating from the Soviet Union and covering all regions of the world -- started a terroristic campaign, including the placing of dynamite and bombs in public places. So far, it is only women and children who have paid with their lives. That is why we know exactly what is the meaning of the terroristic campaigns of international communism. We will not accept or excuse, for any reason or under any pretext, these terroristic campaigns which are contrary to civilization and the law of God.

We voted in favour of the inclusion of the present item in the General Assembly's agenda, despite the fact that we believe that the General Assembly is not competent to discuss that item. Why, then, did we so vote? Because we thought that a broad discussion of the matter would dissipate some of the doubts on the subject. Because we wanted to give France an opportunity to make public -- as it has indeed done here through the voice of its Foreign Minister, Mr. Pineau -- the French Government's strong desire to solve this problem in a just and honourable way. France's actions and conduct in the United Nations enable us to judge the way in which France will carry out its offers in this respect; I refer to the way in which France recognized the independence of Tunisia and Morocco, to the way in which France bowed to the will of the General Assembly in the case of Suez.

It is not every Member State that can produce such a balance sheet. Must we recall the resolutions of the Security Council and the General Assembly that are lying in the files of the Secretariat waiting to be implemented by the interested States? Have we forgotten that more than ten resolutions were adopted in the tragic case of Hungary, and that all of them have been disregarded by the Soviet Union and the puppet regime in Hungary? It seems to have become the fashion in our Organization to claim, in a loud voice, certain rights, but some States pay heed to the resolutions, while there are others which do not even fulfil their duties, nor do they bow to the resolutions which are adopted and which have a bearing on their conduct.

The people and the Government of Cuba have great respect for the Arab States. We maintain cordial relations with them and we wish those relations to continue. We quite understand their national aspirations, which appear to us acceptable in so far as they are compatible with the precepts of the Charter and the rules of international law. We shall never oppose what we consider to be just claims. This was the case when the invasion of Egypt took place. However, since we maintain that all States Members are equal, that all States Members have the same rights and that all States Members must fulfil the same duties, and since we do not hold with racial or religious differences, we must and we do examine all similar problems in accordance with the same rule of interpretation, and it is for this reason that we cannot accompany the Arab States along a road which, as in this case of Algeria, would lead the United Nations into a street from which there would be no legal exit. If we were to do so, what would be gained? What would the Algerian people gain? What would the French people gain? What would our Organization gain? The answer is nothing.

However, we do feel that somehow this item must be solved by the end of the debate. Technically speaking, it would be preferable to have no resolution at all, but, in accordance with established practice, we could vote on something bearing on the matter. For these reasons, we feel -- together with other delegations -- that we could agree with the inmost hope of all of us that the problem of Algeria will be solved by peaceful and democratic means. We think that this would be the best way, at the present time, to serve the high interests of the United Nations, of the people of Algeria, and of the people of France.

For those who have given their lives on both sides of the struggle, Cuba can only express the hope that their sacrifice was not in vain, that they have given their lives in order to attain peace, prosperity and final understanding in that part of the world.

Mr. GERBI (Libya): It is with the greatest concern that Libya -- both its people and its Government -- views the tragic events that have been taking place during the last two years in Algeria. The reason for this is quite understandable: we are Arabs and we share with the Algerian people a common history, language, religion and traditions. Further, we are both in the same region and have a common frontier.

Algeria is claimed to be a part of France. It is not, either geographically, ethnically or linguistically. Eleven out of twelve million of its inhabitants are of Arab stock, or are Arabized, and they have been there since the seventh century. Aliens resident in Algeria are approximately one million in number, and not all of them are French nationals.

In 1830, France, taking advantage of a futile incident, landed its troops in Algeria, undertook the invasion of the country and, through brutal force and a Machiavellian policy, succeeded in imposing its control. Ever since, France has pursued a policy of assimilation aimed at depriving the Algerian people of their national characteristics in order to join them to France for ever.

As early as 1834, a French ordinance declared Algeria "an integral part of France". There was neither concurrence by nor consultation with the Algerian people. The decision was taken unilaterally by the French Parliament, by right of the conqueror over the vanquished. Over and above that, there appeared in 1870 a decree which proclaimed Algeria "three French Departments", thus giving the country a French administrative set up. Algerians, however, were regarded as "French subjects". It was only after World War II that the Lamine-Gueye Law and the Algerian Statute, both enacted in 1946, extended to the Algerians the status of French citizens with retention of their religious status.

(Mr. Gerbi, Libya)

Judging from these legislations, one is led to believe that Algerians enjoy civil and political rights as any French national enjoys them. But, in reality, their position is quite different. They are, in fact, French citizens in the juridical, technical sense only -- that is, on paper. Let us examine for a moment the Algerian Statute, which was designed to meet the requirements of the Algerians in their proclaimed capacity of French citizens, and which is presently a source of legislation in the country.

The Algerians have the right to elect thirty deputies to the French National Assembly, fourteen representatives to the Council of Republic, and eighteen deputies to the Assembly of the French Union. The Law of 5 October 1946 provides for two electoral colleges having equal representation, one for the French settlers and the other for the Algerian Arabs. The result is that half of the seats allowed to the Algerians in each Assembly are filled by French nationals. In other words, one million foreigners have parity of representation in those Assemblies with eleven million Arab Algerians -- a ratio of one to eleven, one Frenchmen for eleven Algerian Arabs. Had these Algerians really been considered French citizens, they should have been allowed 125 deputies to the French National Assembly, in conformity with the French electoral system. The same paradox exists as far as the Algerian Assembly is concerned. This is a powerless body entrusted with voting the budget. It consists of two electoral colleges, one for the Algerian Arabs, and the other mixed for settlers and some privileged Algerians. The Assembly is subject to dissolution whenever the French Governor-General deems it suitable and in the interest of the French administration.

(Mr. Gerbi, Libya)

So much for the political rights granted to the Algerian Arabs in relation to their alleged French citizenship. Let us now talk briefly about the education afforded them. In more than 125 years of French rule in Algeria, the percentage of literacy is still as low as 10 per cent in the cities, and probably less than 2 per cent elsewhere in the country. The Arabic language, the language of the Algerians, is taught in the schools as a foreign language. One evident consequence of this is that the Algerian "man-in-the-street" can hardly make himself understood in his own language without mixing his talk with French words. Very few students have access to colleges, either because of official hindrances which bar their admission or because of extreme poverty. That is completely within the frame of the colonial systems, which take care above everything else to keep subdued peoples in the darkest ignorance.

In the economic field, some figures are probably sufficient to illustrate the appalling conditions under which the Algerian Arabs are compelled to live. Sixty-six per cent of the arable land, which is in the fertile area of Tell, is owned by the one million aliens living in Algerian. The remaining land is distributed among 11 million Arabs. All the main products of Algeria are exclusively in the hands of the settlers. Thus, the Algerian Arabs live in wretched misery. Thousands of them have been compelled to emigrate to France in an endeavour to find a possibility of a livelihood. The overwhelming majority of these live in squalid poverty in the slums of the French cities.

Such is the state of affairs in Algeria, yet the Algerians were led to fight two world wars along with France. They had thousands of dead and still more casualties for the glory of France and for the freedom of France, which denies them now their human rights and their own freedom.

I do not wish to take up the time of the Committee by repeating, even briefly, the other appalling aspects and hard conditions of the life of the Algerian people under French rule. The representative of Syria and other representatives have already illustrated these aspects very competently and in detail.

Summing up the facts emerging from the analysis of the Algerian problem, it appears clearly that the Algerian people are subjected to a ruthless colonial rule and that they were, and are, undergoing a process of denationalization,

in which their language, culture, traditions and social structure are attacked in application of the well known French policy of assimilation. Furthermore, it appears that they are deprived of their basic political and human rights and subjected to a flagrant political, economic and social discrimination in favour of the French settlers.

The various French Governments did nothing in the right direction to do justice to the Algerian people. The policy of arbitration between the two elements in the country, of which we have heard much in these days, has never been applied. The French rulers always entrench themselves behind the wall of the alleged French citizenship of the Algerians. All the various so-called "reforms" were based on that erroneous assumption, whereas any attempt to find a solution to the Algerian problem must be based on the undeniable fact that the Algerians constitute a people having all the national characteristics and, as such, are entitled to freedom and to a better life. The present French Government is not any different from the preceding Governments in denying this thesis and, absorbed as it is in consideration of prestige and interests, it refuses to face the evidence and endeavours to perpetuate the serfdom of the Algerian people.

What was the reaction on the part of the Algerians? Frustrated in their hopes, embittered more and more by the adamant attitude of the French, they initiated a struggle in defence of their rights. The French reply came in the form of a ruthless political and military repression. Thousands of Algerians were arrested, tried and condemned. In 1945, French troops exterminated 45,000 Algerians in the district of Constantine. Other instances of French colonial repression in recent times were the punitive expeditions in the Kabyle in 1947, in Sidi Ali Bournab in 1949, and in the Aures in 1952. As a consequence, more thousands of Algerian lives were lost.

The Algerian struggle took the shape of well organized resistance through the creation of an Army of National Liberation and of a Front of National Liberation. These two organizations are today leading the Algerian people, politically and militarily, in defence of their rights and their freedom and against the French colonial rule. They fight as a compact unit representing

the whole people. They fight with resolution and with the force of hope placed in the triumph of ideals of liberty. They will go on fighting with hope, since there is no room left for despair in their valiant hearts.

The cause of freedom is one and indivisible, and it is valid for all people. Are we going to do anything for the liberty of the Algerian people? Are we going to make effective those principles to which we all subscribe?

The solution lies with this Assembly and with the co-operation of France. That solution is the recognition of the legitimate rights of the Algerian people and of their aspiration to freedom and independence. Such a solution would make it possible to end the present bitter fighting in Algeria and pave the way to real pacification based on justice and understanding, not on imposition. It would also open an era of friendship and collaboration between France and Algeria, based on reciprocal respect and recognition of mutual interests.

The CHAIRMAN (interpretation from Spanish): I have no other speakers on my list for this morning, but there will be a meeting this afternoon at 3 o'clock, since there are speakers for that meeting. At that meeting, I shall read out the list of speakers since, as the representatives will recall, the list of speakers will be closed at 1 p.m.

The meeting rose at 12.45 p.m.