



SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mr. GASTLI (Tunisia)

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The meeting was called to order at 11.05 a.m.

AGENDA ITEM 64: DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBOURLINESS BETWEEN STATES: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/336 and Add.1, A/38/65, A/38/68, A/38/91-S/15608, A/38/99-S/15627, A/38/106-S/15628, A/38/109-S/15632, A/38/113-S/15636, A/38/163-S/15723, A/38/164-S/15727, A/38/165-S/15729, A/38/167-S/15735, A/38/173-S/15739, A/38/178-S/15744, A/38/187-S/15752, A/38/234, A/38/238-S/15796, A/38/239-S/15798, A/38/256-S/15809, A/38/303-S/15877, A/38/308, A/38/321-S/15896, A/38/322-S/15900, A/38/324-S/15904, A/38/324-S/15905, A/38/327-S/15911, A/38/329, A/38/371-S/15944, A/38/432-S/15992, A/38/440, A/38/507-S/16044, A/38/518-S/16052, A/38/599-S/16118 and Corr.1 (English only), A/38/596-S/16173; A/C.6/38/6 and Corr.1, A/C.6/38/L.20)

1. Mr. VITO (Albania) said that the inclusion of the question of good-neighbourliness on the agenda of the General Assembly demonstrated that the problem of the development and strengthening of good-neighbourliness between States was still a matter of concern to the international community. Deriving from international law and the Charter of the United Nations, good-neighbourliness helped to avoid tension, not only between neighbouring States but also at the regional and world levels. The principle of good-neighbourliness had already been discussed at length in theory, but it was today all the more important to ensure the practical application of that principle by all States in view of the intensification of the policy of aggression and expansionism of the two imperialist super-Powers, namely the United States and the Soviet Union, a policy which aggravated international tensions and increased the risks of war.

2. In order to give effect to their policy of diktat and aggression and to keep peoples under their domination, American imperialism, Soviet social imperialism and the old and new neo-colonialist Powers were constantly trying to provoke disputes between neighbouring countries; within countries, they sowed discord among the various social groups and set them against each other so that they could then pose as arbitrators or defenders and interfere in the internal affairs of the countries concerned, thereby justifying their economic, political and military presence. Recent events in many regions of the world wholly confirmed that analysis and showed that the super-Powers, the other imperialist Powers and the reactionary forces they supported were compromising good-neighbourly relations between States by reviving grudges and disputes inherited from the past, stirring up chauvinism and creating tension in international relations.

3. The establishment and maintenance of good-neighbourly relations presupposed the existence of a certain amount of political good will which alone would permit the application of the principle of good-neighbourliness in international relations, including relations between States with different economic and social systems. Political systems, levels of economic and social development, economic or military power, geographical size and population size must not become obstacles in that respect.

(Mr. Vito, Albania)

4. Good-neighbourly relations promoted mutual understanding and trust, and it was therefore essential that all States sincerely interested in protecting such relations should take a firm and coherent stance in order to prevent any damage to them. In that connection, it was essential first of all to resist the two super-Powers' policy of intervention and intrigue, since that policy was the main obstacle to the establishment of good-neighbourly relations between States. The super-Powers must therefore be prevented from interfering in the internal affairs of other States and they must be prohibited from stationing troops or building military bases on other States' territory, from where they could launch acts of aggression against neighbouring or other countries.

5. His country had always sought to maintain friendly, harmonious and mutually beneficial relations with its neighbours, relations allowing co-operation based on the principles of equality and non-interference in the internal affairs of other States, respect for national sovereignty and territorial integrity and exchanges based on mutual benefit, and it had always pursued a determined and consistent policy of good-neighbourliness; as pointed out by Mr. Enver Hoxha, leader of the Albanian people, socialist Albania wished to live in harmony with all peoples and in Leninist peaceful coexistence with all countries which maintained correct relations with Albania. Albania was in favour of peace and against imperialist wars of aggression.

6. It was by pursuing that policy that his country had been, and would continue to be, a factor of peace and stability in the Balkans, a region in which the strengthening of good-neighbourly relations was all the more essential since the region had always been one of the favourite targets of the ruthless designs of the imperialist Powers. That continued to be the case, and although, out of pure hypocrisy, the American imperialists and the Soviet social imperialists posed as the protectors of this or that State in the region, they were in fact trying to damage the friendship that united the States concerned.

7. Socialist Albania would never allow the imperialist super-Powers or anyone else to threaten its freedom and independence or to launch attacks against the peoples of the Balkans from Albanian territory. A solemn commitment to that effect was enshrined in the Albanian Constitution, which prohibited the installation of foreign military bases on the national territory, and Albania hoped that other States would treat it in the same fashion.

8. Mr. SICHAN (Democratic Kampuchea) said it was the deep conviction of his delegation that the development and strengthening of good-neighbourliness was one of the most basic foundations of peaceful coexistence and international peace and security.

9. Since its accession to independence on 9 November 1983, Cambodia had always pursued a policy which made it "a friend of all and enemy of none". As early as 20 July 1954, the Cambodian delegation to the Geneva Conference on Indo-China had declared that the Government of Cambodia was resolved never to take part in a policy of aggression. That position on peaceful coexistence had been reaffirmed at

(Mr. Sichan, Democratic Kampuchea)

the Bandung Conference in 1955. After becoming a Member of the United Nations in December of that same year, Cambodia had always strictly adhered to the main principles of the Charter of the United Nations, including the principle of tolerance, in order to live in peace and maintain good-neighbourly relations with other peoples. In 1961, Cambodia had played a key role in the founding of the non-aligned movement, which had entered into a solemn commitment to oppose all forms of aggression. The foreign policy of Cambodia, particularly with regard to its neighbours, had always been inspired by the Cambodian proverb according to which there was no need to build fences around a house since good neighbours were the best protection. Because it was small, economically poor and militarily weak, Cambodia was a threat to no one, and its only desire was to live in peace within its own borders in accordance with its own laws. However, its neighbour to the east, namely Viet Nam, refused to leave it in peace, and the region's recent history bore witness to the hegemonic designs of the Vietnamese leaders.

10. Viet Nam's policy of expansion and annexation had started in the 17th century and had led to the destruction of the Islamic Kingdom of Champa for Viet Nam's colonialization of that Kingdom had been so meticulous that hardly a vestige remained. Continuing its expansionist move southwards, at the turn of the century Viet Nam had annexed Kampuchea Krom, a rich region in the Mekong Delta, which was part of Cambodia. To fulfil President Ho Chi Minh's dream of a confederation of Indo-China under Hanoi's rule, the Vietnamese colonialists had then attacked Cambodia and Laos. On Christmas Day 1978, they had launched their hitlerian armed forces in a blitzkrieg against Cambodia and, on 7 January 1979, they had set up a puppet régime in Phnom Penh and then forced Heng Samring, the puppet leader they had chosen, to sign a so-called "friendship treaty" which subjected Cambodia to live under the domination of Viet Nam for 25 years. In their efforts to vietnamize Cambodia, the occupation forces were emptying Cambodia of its wealth and resources, looting the art treasures of Angkor and destroying Cambodia's culture and civilization. They were disrupting international humanitarian aid to Cambodia and were diverting the majority of relief supplies to their armed forces. They were indoctrinating the youth, forcing Cambodians into marriages with Vietnamese and suppressing all essential freedoms.

11. The Vietnamese colonial authorities were forcing the Cambodian population to flee to the Thai border, in an attempt to destabilize Thailand and to make room for about 600,000 Vietnamese settlers who, organized in armed family units and protected by "extraterritoriality", were exploiting Cambodian lands and all Cambodia's other natural resources. If one added the 200,000 Vietnamese soldiers who constituted the occupation forces, and Hanoi's so-called technicians and advisers, who numbered in the thousands, there were about 1 million Vietnamese in Kampuchea - that was equal to, about one fifth of the Khmer population. That demographic change of Cambodia by Viet Nam was a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 which stated that "the occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies".

(Mr. Sichan, Democratic Kampuchea)

12. Hundreds of thousands of Cambodians had fled Vietnamese rule to seek refuge in the liberated areas but Hanoi's occupation forces had pursued them in a deadly way. During the first three months of 1983, Vietnamese soldiers supported by 105 mm and 135 mm artillery and Soviet-built T-54 and T-55 tanks had attacked many Khmer civilian population centres, killing and wounding many civilians and leaving tens of thousands homeless. In one most inhuman and barbaric act, Vietnamese troops had herded Khmer civilians, including the elderly, women and children into ditches, had thrown hand grenades at them and had finished them off with bayonets.

13. The Prime Minister of the Coalition Government, Mr. Son Sann, had issued many appeals to the Vietnamese people to work together with the Khmer people progressively to extinguish the karma of hatred that had existed for centuries between the two peoples. Geography made Viet Nam a neighbour of Cambodia until the end of time but the principle of good-neighbourliness could be based only on mutual respect for sovereignty, independence and territorial integrity, never on a master-slave relationship. His delegation rejected as invalid any treaty signed by the Heng Samrin régime and Hanoi, especially the Border Treaty of 20 July 1983.

14. In its resolution 2625 (XXV) of 24 October 1970, the General Assembly had adopted the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, which together with the 1955 Bandung Declaration on the Promotion of World Peace and Co-operation and the United Nations Charter, could serve as a basis for developing and strengthening the principle of good-neighbourliness.

15. Good-neighbourliness should be practiced not just stated and to that end it was necessary to apply the principles of mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of States, the right of each State to live within its frontiers free from external interference, subversion or coercion, the principle of non-interference in the internal affairs of other States, the principle of peaceful settlement of disputes and the principle of renunciation of the threat or use of force.

16. His delegation wholeheartedly supported the principle of good-neighbourliness and believed that all States should implement it. Kampuchea could live on good terms with its neighbour, Viet Nam, only if the latter accepted to implement the five resolutions of the United Nations on Kampuchea and the Declaration of the International Conference on Kampuchea so that peace, stability and security could be restored to Cambodia and to South-East Asia.

17. Although there was a traditional belief in Cambodia that it was not necessary to build fences around one's house, Viet Nam's continuing occupation of Kampuchea remained a grave threat to peace; in that connection, he recalled the statement made by H. R. H. Samdech Norodom Sihanouk, President of Democratic Kampuchea, to the General Assembly on 25 October 1983, to the effect that Cambodia's attitude to the Socialist Republic of Viet Nam would become friendly in conformity with the five principles of peaceful coexistence (Pancha Sila), as soon as Viet Nam accepted to implement fully the just United Nations resolutions on Kampuchea, the only resolutions capable of ensuring stability, peace and progress in South-East Asia.

18. Mr. SLIM (Tunisia) said that the topic of good-neighbourliness which had been before the General Assembly for several years, was central to the development of contemporary international relations. In calling on peoples to practice tolerance and to live in peace with one another in a spirit of good-neighbourliness, the Charter had made that one of the basic aims of the peoples of the United Nations. There was a close relationship between the maintenance of peace and the achievement of security of States on the one hand and the development of a spirit of good-neighbourliness on the other. Of course developing good-neighbourliness took time and required perseverance and it was based on well-known principles of international law. However, it was not enough simply to refer to good-neighbourliness; it was also necessary to try to clarify the content of the principle by considering as many of its various aspects as possible and the various forms which it could take.

19. The international community was being confronted for the first time with the urgent need to define precisely the elements of good-neighbourliness in the framework of a drafting process which might eventually lead to an appropriate international document; the Sixth Committee could play an important role, basing itself on international practice, in crystallizing principles, rules and norms, respect for which was part of good-neighbourliness. The persistence in the present-day international community and even the development of situations of tension and confrontation, the development of all kinds of contradictions and the increasingly frequent recourse to force and to interference in the internal affairs of States challenged the conscience. The determination to establish a peaceful, stable and equitable international order had weakened and been replaced by rivalry, opposition, attempts at destabilization and the development of spheres of influence. States, large and small, were increasingly tempted to violate the basic rules of good-neighbourliness.

20. Certain General Assembly resolutions offered some first guidance in the identification of the essential elements of good-neighbourliness. That applied to resolution 2625 (XXV), containing the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States. That Declaration urged respect for sovereignty, equal rights, political independence and territorial integrity. It called on States to refrain from the threat or use of force, to respect the right of peoples to self-determination and to develop co-operation on the basis of mutual advantage. Similarly, resolution 2734 (XXV), containing the Declaration on the Strengthening of International Security, dealt with another important aspect of the rules of good-neighbourliness.

21. Nevertheless, his delegation did not think that a climate of good-neighbourliness could become universal in the current state of international relations. It was impossible to consider establishing good-neighbourly relations with colonialist, racist and expansionist countries. Nor could the application of that principle be extended to countries which had recourse, with impunity, to the annexation of territories occupied by force and which violated the purposes and principles of the United Nations. Owing to the growing interdependence of Members of the United Nations, any event occurring in one region often produced repercussions in other regions. To a great extent, national security depended on

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the development of good-neighbourly relations among all States. What was more, good-neighbourliness increasingly tended to spread to new areas and was no longer limited to its sphere of a few decades earlier. It now involved the development of a process of constructive action to intensify mutually advantageous relations in all fields. It implied not only the duty to act constructively but also the obligation to refrain from engaging in action which, directly or indirectly, could have negative effects for international relations. Under such conditions, the identification of the juridical elements and material content of good-neighbourliness was not only necessary but also important for the strengthening of peace and the promotion of development.

22. It was especially at the regional and the subregional levels that the need for good-neighbourliness made itself felt and acquired concrete significance. Geographical proximity and the existence of historical and cultural ties between States predisposed them to development of the spirit of good-neighbourliness. Of course, the strengthening of such ties depended on the existence of a political will, but the creative genius of peoples derived the forms of their future co-operation from the ties of their traditional solidarity.

23. That is what had characterized the action taken by Tunisia since its independence to develop links with its neighbours, particularly the States of the Greater Arab Maghreb. Tunisia was proud of having successfully established since several decades ties of deep and active fraternity and solidarity with its neighbours. Its contribution to the development of good-neighbourliness in the subregion sprang, it should be noted, from sources of remote origin which colonialism had been unable to destroy. Tunisia had played an active role in the Tangiers Conference of 1958, which considered the outlook for construction of the Maghreb. Upon independence, it had reaffirmed its determination to contribute to the realization of that great project.

24. Since then, independent Tunisia had constantly worked to overcome difficulties, smooth out differences and clear up a border dispute which was nothing but a legacy of colonialism. Scrupulous observance of the rules of good-neighbourliness was one of the fundamental options of Tunisia's foreign policy. Since independence, Tunisia had been joined to all the States of the Maghreb by numerous economic, cultural and technical co-operation treaties and agreements. A number of actions had been taken to give substance to that co-operation. That was how good-neighbourliness went beyond the stage of hollow slogans and became a reality experienced by the peoples of the region aspiring to release their creative energies for the promotion of their development in peace and concord.

25. The treaty signed at Tunis on 19 March 1983 by the Heads of State of Tunisia and Algeria (A/C.6/38/6) constituted a significant contribution to identification of the juridical content of good-neighbourliness at the regional level. That Treaty of Brotherhood and Concord, which was already in force, was in the category of measures designed to increase confidence, develop preventive diplomacy and promote co-operation. Open to accession by the other countries of the region, it

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was founded on the common destiny of the parties and responded to their desire to strengthen stability, security and peaceful coexistence in the region and in the world. It was based on the principle of national sovereignty, equality of peoples and their right to self-determination. The Treaty also contained an undertaking by the parties to refrain from resorting to the threat or use of force and to settle any disputes which might arise between them by consultation and negotiation or by any other peaceful means. In addition, the parties undertook to refrain from entering into any alliance or bloc of a military or political character directed against the other contracting party and not to permit the direct or indirect use of their territory against the territorial integrity or political régime of the other party. Generally speaking, all of those obligations were representative of the will of the peoples and their leaders to withdraw the region from the hegemonic and bellicose tensions afflicting a number of regions of the world. At the level of the Mediterranean, they helped to make that sea a zone of peace, as Tunisian leaders had repeatedly stated.

26. The conclusion of the Tunisian-Algerian treaty had also had immediate consequences which went beyond the bilateral relations between the two signatories. In recent months a veritable momentum for peace and co-operation had made itself felt in the Greater Arab Maghreb. It had first been reflected in frequent exchanges of visits by leaders at all levels. The intensification of political and diplomatic contacts to develop a climate of mutual trust and to concert their views on major international problems had become a tangible reality in the relations among the States of the region. That many-sided concertation had also extended to still pending bilateral problems. At the same time, the momentum of good-neighbourliness was to be seen in practice in an intensification of economic, trade and financial co-operation and in a very obvious improvement in border traffic conditions. The States and peoples of the region were thus giving daily expression to their desire to promote and respect the bonds of good-neighbourliness.

27. Mr. ANVIRE (Ivory Coast) expressed satisfaction at inclusion of "Development and strengthening of good-neighbourliness between States" as an item of the agenda of the Sixth Committee, which he considered best suited to study the concept of good-neighbourliness in international relations without the intrusion of any political or ideological considerations. The promotion of a good-neighbour policy was indispensable since most of the conflicts worrying the international community sprang from dissensions between neighbouring countries. His delegation was convinced that good-neighbourliness was a factor for peace and fruitful co-operation among States and that the fact that the concept was being studied itself constituted a contribution to the improvement of the international climate, the promotion of co-operation among States and the maintenance of world peace and security.

28. By its outward-looking policy and its active participation in all regional-development activities, the Ivory Coast remained firmly dedicated to the principle of good-neighbourliness, which had been one of the foundations of its foreign policy since its accession to independence in 1960, for it believed that

(Mr. Anvire, Ivory Coast)

good-neighbourliness, as a principle of international law, transcended the physical contiguity of States and extended to all countries of a region and even of the world. For the Ivory Coast, adherence to that principle meant the maintenance and strengthening of good relations with all the neighbouring States of the region and the African continent, irrespective of political, economic and social régime.

29. He observed that, while the principle of good-neighbourliness was recognized by all States, its interpretation differed from country to country. The consideration of that question should therefore be entrusted to an open-ended working group, which would be asked to enumerate all the problems and all the possible solutions with a view to the preparation of an international instrument whose norms would apply uniformly to all States.

30. In response to the General Assembly's invitation in resolutions 34/99, 36/101 and 37/117, the Government of the Ivory Coast had transmitted to the Secretary-General a report containing its views on good-neighbourliness and ways of developing and strengthening it. In its opinion, good-neighbourliness consisted in conduct based primarily on the strict observance of the principles and rules of international law and on dynamic action aimed at preventing conflicts or settling them peacefully through compromise or dialogue at the national, regional or international level.

31. The Ivory Coast based its doctrine of good-neighbourliness between States first and foremost on the strict observance of unanimously recognized principles of international law, namely respect for the sovereignty, independence and territorial integrity of States, non-interference in the internal affairs of States, the non-use of force or threat of force in relations between neighbouring States, international co-operation without political or ideological pre-conditions, respect for freedom and the inalienable right of peoples to self-determination and, consequently, the inadmissibility of any form of domination of one State by another, including the establishment of zones of influence or interest. According to that doctrine, States were also required to practise tolerance, respect for human rights and fundamental freedoms and genuine neutrality with a view to creating conditions conducive to the maintenance of peace and stability, the sine que non for the success of the struggle against underdevelopment and for the harmonious development of States. The Ivory Coast sought peace persistently, not only within its borders but also between African States and between Africa and the rest of the world.

32. His country's doctrine of good-neighbourliness also expressed itself in a dynamic policy of co-operation with neighbouring States, which had led it to participate actively, with its African neighbours, in the creation of a large number of organizations concerned with co-operation, which operated in various sectors of economic activity. Thus, on its initiative, the Council of the Entente had been established in 1959 in order to harmonize its relations with Benin, the Niger, the Upper Volta and, since 9 June 1966, with Togo. That body had a mutual aid and loan guaranty fund, whose socio-economic achievements directly affected the living standards of the populations of the member States. The relations of the

(Mr. Anvire, Ivory Coast)

Ivory Coast with the countries of the region had been institutionalized subsequently by other instruments designed to promote more extensive co-operation, including the Niger Basin Authority, of which Chad, the Ivory Coast, Guinea, Mali, the Niger, Nigeria, the United Republic of Cameroon and the Upper Volta were members, the West African Economic Community (CEAO), established in 1972, which consisted of the Ivory Coast, Mali, Mauritania, the Niger, Senegal and the Upper Volta, and the Economic Community of West African States (ECOWAS), established in 1975, the members of which were the six States of CEAO plus Benin, Cape Verde, the Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Sierra Leone and Togo. His delegation believed that the United Nations should be systematic about encouraging the establishment or development of regional or subregional groups of that kind, because they afforded Member States the means to settle peacefully their disputes, which all too often arose because of common borders. In that connection, it should be stated that the Ivory Coast had consistently adhered to the principle of peaceful settlement of disputes between States and other similar principles of international law.

33. His delegation believed that, in the development of good-neighbourliness, States should assume a dual obligation: to act positively by co-operating in all areas and to refrain from activities which might adversely affect neighbouring States. It was firmly convinced that the promotion of a policy of good-neighbourliness based on the principles of international law could lead to the improvement of relations between States and thereby prevent the threat of conflict between neighbours.

34. Mr. SAHNOUN (Algeria) said that, in spite of the universal character conferred on it by Article 74 of the United Nations Charter and accorded to it by the first conference on Afro-Asian solidarity held at Bandung in 1955, the principle of good-neighbourliness must be viewed objectively in the historical perspectives of each geographical area considered. It would therefore be wrong to make sweeping generalizations and to invoke the principle in referring to such situations of deep crisis as those currently prevailing in southern Africa and the Middle East, which were characterized by the negation of United Nations principles and whose specificity was rightly underlined in the written comments of the Governments of Cuba, the Syrian Arab Republic and Zambia in document A/38/336.

35. In his delegation's view, good-neighbourliness was primarily a state of mind that derived from the collective conscience of peoples who subscribed to common values and who sought unity in some cases and a future based on joint prosperity in others. As thus perceived, good-neighbourliness could be achieved by effort and presupposed the existence of various conditions. It would be idle to conceive of good-neighbourliness as a detached superstructure of the constants and variants that characterized the necessarily manifold relations between peoples and States whose proximity or territorial contiguity made them natural and inevitable partners. In that sense, good-neighbourliness could be defined as a resultant, the point of convergence of voluntarist attitudes respectful of the principles and norms of international law and other freely agreed rules of conduct. While it was not essential for neighbouring States to have the same socio-economic system in

(Mr. Sahnoun, Algeria)

order to enjoy good-neighbourly relations, it was vital that the conduct of each should conform to a set of internationally established obligations. A useful frame of reference in that connection was the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

36. Good-neighbourliness consisted also in refraining from territorial expansion, the occupation of territories and domination in all its forms, including the establishment of zones of influence and political and military alliances that could be directed against a people or a State in a given geographical area. Where non-alignment was the foreign-policy doctrine of two or more neighbouring States, its rigorous application was likely to provide a solid basis for an effective policy of good-neighbourliness. Once its foundations had been established, that policy paved the way for special relationships characterized by extremely broad co-operation and joint measures. In the words of President Chadli Bendjedid, such a policy of "positive good-neighbourliness", to which Algeria adhered, consisted in "establishing fruitful co-operation for the benefit of the peoples, a complementarity of interests of the countries concerned and continuing co-ordination with respect to all questions of concern to the region". As the President of Algeria had also stated, "in this respect, Algeria has unreservedly proclaimed its full commitment to the decisions of the Organization of African Unity concerning respect for the borders inherited at the time of independence".

37. Questions whose solution was essential to the encouragement of good-neighbourly relations undoubtedly included the demarcation of frontiers conceived not as obstacles to communication but rather as means of bringing peoples together. The Organization of African Unity had understood that very well when, by resolution AHG 16 adopted by the Assembly of Heads of State and Government in 1964, it had incorporated the principle "Uti possidetis juris" into African regional law by declaring that "all Member States pledge themselves to respect the borders existing on their achievement of national independence".

38. His country, for its part, had set out to translate the principle of the inviolability of frontiers into bilateral legal instruments negotiated on the basis of sovereign equality and implemented in good faith. Thus, it had concluded a frontier convention with Tunisia in 1963, followed in 1970 by a "Treaty of brotherhood, good-neighbourliness and co-operation" and by a "Treaty of brotherhood and concord" related to the building of a Great Arab Maghreb whose article 6, envisaged the possibility of accession by the other countries in the region which accepted its provisions. His country had also signed frontier treaties and treaties of good neighbourliness with the Libyan Arab Jamahiriya and Morocco.

39. Beyond its bilateral dimension, good neighbourliness as his country conceived and implemented it was the foundation for groupings which met the requirements of stability, security and development. That was why the unity of the Maghreb was a fundamental choice for his country, as indicated by article 87 of its Constitution. In that connection, since it did not have any bilateral disputes with its neighbours, his country hoped that the problem of Western Sahara would be

(Mr. Sahnoun, Algeria)

solved in accordance with the consensus achieved on the matter by OAU and by the United Nations and that its solution would give a decisive boost to the construction of the Great Arab Maghreb.

40. While working for the unity of the Maghreb, his country, together with its partners in the Conference of Saharan States, was laying the foundations for different kinds of co-operation with a view to the harmonious and integrated development of that group of countries. Likewise it had taken an active part in the process which had resulted in the "Mediterranean dimension" of the Final Act of the Helsinki Conference on Security and Co-operation in Europe, it had recorded with hope the intention of its signatories to "promote the development of good-neighbourly relations with non-participating Mediterranean States" and it was working perseveringly for the transformation of the Mediterranean into a "sea of peace and co-operation". The intensification of co-operation and the multiplication of contacts at the highest level between his country and several countries on the northern shores of the Mediterranean represented important steps in the right direction.

41. He thought that a global consideration of good-neighbourliness within the United Nations would be both useful and timely, since increasingly frequent references were being made to it in various contexts, including for example the work of the International Law Commission on international watercourses and liability for injurious consequences arising out of acts not prohibited by international law, the scope and implications of the notion of a "shared natural resource", the establishment of zones of peace and nuclear-free zones, or even refugee flows. The clarification and possible development of the principle of good-neighbourliness constituted a long-term undertaking demanding both scientific rigour and political realism which would be enriched by acquired experience and by legal work already carried out or in progress. His delegation hoped the Committee would bring that undertaking to a successful conclusion. For its part, his delegation would spare no effort to contribute to its success.

42. Mr. TELLEZ (Nicaragua) said that for the authors of the Charter of the United Nations, the notion of good-neighbourliness in international relations covered aspects ranging from the desire to save succeeding generations from the scourge of war to the necessity of encouraging the economic and social development of peoples. Numerous countries had achieved that objective, which was also within the reach of many others. But certain countries such as his own, which were beset by an imperialist war, were having to embark on a long process in order to attain it, drawing inspiration from the principles of good faith, from the purposes and principles of the Charter of the United Nations and from the generally recognized norms of international law.

43. His country considered that only an atmosphere of peace would permit the harmonious development of peoples and of its own revolution; it therefore attached great importance to measures calculated to permit the development of relations of mutual respect and co-operation with its Central American neighbours in all spheres, in the spirit of the Charter of the United Nations.

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44. His country fully endorsed all the principles of the Charter; those principles formed a whole, so that failure to respect some of them made it impossible to respect others and impeded the harmonious development of good-neighbourly relations in the spirit of Article 1, paragraph 2, of the Charter.

45. After centuries of imperialist oppression and interference, his people had overthrown the Somoza dictatorship and set out to develop its own system based on the principles of political pluralism, a mixed economy and non-alignment. Imperialism and some Governments in the region, feeling themselves threatened by his country's intentions, had been unable to respect their international commitments in their relations with his country and that had poisoned the political climate in Central America.

46. Violation of the principle of the self-determination of peoples constituted a threat to international peace and security and undermined the foundations of the United Nations. The training and financing of Somozist mercenaries who had launched hundreds of attacks against his country were not activities likely to promote respect for the principle of good-neighbourliness, the principles of the Charter of the United Nations or the generally recognized norms of international law. The same was true of the establishment of United States military bases in Honduras, the organization of joint United States and Honduran military manoeuvres, the stationing of more than 8,000 United States soldiers in Honduras, the restructuring of the Central American Defence Board (CONDICA) or the allocation of \$24 million in supplementary appropriations to finance clandestine activities in his country.

47. Recently, however, Costa Rica had been trying to prevent its territory from being used as a base for attacks by counter-revolutionary mercenaries and United States imperialists. Nicaragua paid tribute to Costa Rica's recent declaration of neutrality, which, on the contrary, was not favoured by those responsible for the Central American crisis. It was convinced that Costa Rica would continue to take the necessary steps to prevent the launching of attacks against Nicaragua from its territory.

48. Nicaragua had done everything in its power to prevent Central America from being engulfed in a war which would have devastating consequences in the region and for international peace and security; in particular, it had repeatedly seized the Security Council of the question of Central America, which had also been placed, at Nicaragua's request, on the agenda of the General Assembly.

49. His country's initiatives, including those taken in connection with the action of the Contadora Group, had received the unanimous support of the international community, as was shown by the adoption by consensus of General Assembly resolution 38/10.

50. On 15 October 1983, Nicaragua had proposed three draft treaties and one draft agreement as part of the process initiated by the Contadora Group, namely a bilateral draft treaty between the United States and Nicaragua, a draft treaty of

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peace, friendship and co-operation between Honduras and Nicaragua, a draft treaty on the maintenance of peace and security among the Central American republics, and a draft agreement for ending the war of national liberation in El Salvador under acceptable conditions.

51. On 15 November 1983, Nicaragua's Government of National Reconstruction had submitted a proposal to the Contadora Group in which it declared itself prepared to begin talks immediately in the framework of that Group with a view to arriving at commitments concerning the halting of the arms race in Central America and the withdrawal of foreign military advisers from the region; Nicaragua also declared itself prepared to discuss necessary measures to prevent the territory of one country from being used by opponents of another Government of the region for the purpose of trafficking in arms or engaging in destabilization activities against any other State of the region.

52. Furthermore, on 1 and 2 December 1983, the Government of Nicaragua had presented three additional proposals in connection with the 21 points of the document put forward by the Contadora Group and accepted by the five Central American countries. Those proposals dealt with the settlement of economic and military problems and with respect for, and the protection and promotion of, human rights. The purpose of that Nicaraguan initiative was to contribute to the reaching of an agreement to put an end to the crisis in the region.

53. In the light of its experience, Nicaragua understood the urgent need for developing good-neighbourly relations. To prevent situations like that in Central America from occurring elsewhere, it would be very useful to spell out clearly all of the elements, both juridical and substantive, of good-neighbourliness. That was why the Nicaraguan delegation had studied with interest all the comments made by States, and in particular the Romanian proposal, which might serve as a satisfactory basis for future discussions, taking into account of course the observations of other delegations.

54. Mr. ROSENSTOCK (United States of America) said that his country's concept of good-neighbourly relations was known to all but some other countries practised them in a way which differed from their theoretical position. As far as the United States delegation was concerned, it did not consider the shipping of arms to neighbouring countries a good example of good-neighbourliness; similarly, it was not helpful to pay lip service to the Contadora process while seeking to subvert it. After hearing the statements of some concerning good-neighbourliness, his delegation looked forward to their conduct matching their words; it did not intend, however, to become involved in pointless debate with delegations of other countries with which it shared the western hemisphere.

55. Mr. ROMANOV (Secretary of the Committee) announced that Chile, Guinea and the Ivory Coast had become co-sponsors of draft resolution A/C.6/38/L.20.

AGENDA ITEM 123: MEASURES TO PREVENT INTERNATIONAL TERRORISM WHICH ENDANGERS OR TAKES INNOCENT HUMAN LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS AND STUDY OF THE UNDERLYING CAUSES OF THOSE FORMS OF TERRORISM AND ACTS OF VIOLENCE WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL CHANGES: REPORT OF THE SECRETARY-GENERAL (A/38/355 and Add.1-3, A/38/327-S/15911, A/38/432-S/15992, A/38/507-S/16044, A/38/599-S/16118 and Corr.1 (English only); A/C.6/38/7)

56. Mr. FLEISCHHAUER (Legal Counsel) introducing the report of the Secretary-General (A/38/355 and Add.1-3) on the item, said that the report and its addenda contained the communications received from Governments and intergovernmental organizations on measures to prevent international terrorism. The annex to the Secretary-General's report contained information on the state of signatures, ratifications or accessions relating to international conventions dealing with various aspects of the problem of international terrorism.

57. It emerged from that information that the situation with regard to the participation of States in the conventions for which the International Civil Aviation Organization or certain Member States performed depositary functions was somewhat better than for the two conventions concluded under the auspices of the United Nations. Nevertheless, the International Convention against the Taking of Hostages, adopted by the United Nations General Assembly on 17 December 1979, had entered into force on 3 June 1983 and of the 47 States which had signed it 22 had become parties, while 59 States had become parties to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents, which had been adopted by the United Nations General Assembly on 14 December 1973 and had entered into force on 20 February 1977.

58. He drew attention to the fact that in operative paragraph 8 of its resolution 34/145 the General Assembly had appealed to States which had not yet done so to consider becoming parties to the existing international conventions relating to various aspects of the problem of international terrorism. Such an action, supplemented by the taking of appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, was of paramount importance for the international community.

AGENDA ITEM 125: DRAFT CODE OF OFFENCES AGAINST THE PEACE AND SECURITY OF MANKIND: REPORT OF THE SECRETARY-GENERAL (A/38/356, A/38/10 (chap. II), A/38/325-S/15905, A/38/371-S/15944; A/C.6/38/L.19 and Corr.1) (continued)

59. Mr. ROMANOV (Secretary of the Committee) announced that the Ivory Coast had become a co-sponsor of draft resolution A/C.6/38/L.19 and Corr.1.

The meeting rose at 1 p.m.