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**President: Prince WAN WAITHAYAKON**  
(Thailand).

## AGENDA ITEM 66

Question considered by the first emergency special session of the General Assembly from 1 to 10 November 1956 (*continued*)

1. Mr. GUNewardene (Ceylon): The position of the Government of Ceylon has been clearly indicated in the course of the various interventions I have made on the subject matter of this discussion. I have also indicated our viewpoint [644th meeting] in the course of the general discussion on the Secretary-General's report [A/3512].

2. The two draft resolutions [A/3517 and A/3518] before us are not what all nations would consider to be perfect. We quite appreciate that. I have no doubt in my mind that there are several Asian nations, particularly my Arab friends, who think that the second draft resolution is almost an act of appeasement to an aggressor who has wilfully violated their territorial integrity. There are my friends in the Commonwealth, some of whom think that the second draft resolution does not go far enough. There are still others who think that the first and second draft resolutions should have been together and that the second draft resolution should be clear in regard to the action to be taken. These are all viewpoints that one can have. I am glad to be able to say that, so far as I am concerned, I can support both proposals, because they indicate at least a course of action that may lead ultimately to the solution of this problem.

3. It is useless going over history. We do know that a certain state of affairs exists in the region. It is a matter for great regret that the Government of Israel did not think it fit to withdraw its forces immediately. We know that, after nearly three months, action has not yet been completed. We are not unappreciative of the fact that a major part of Israel's forces have been removed from Egyptian territory and that those that remain—from Israel's point of view—are there for Israel's own safety. We appreciate that point of view on the part of Israel. But at the same time I say that the Government of Israel should have taken the clear indication given by this house by an overwhelming majority of the vote, almost a unanimous vote, that world public opinion has asserted itself in this matter in unambiguous terms.

4. I am sure that Israel needs friends, just as all small countries do, as we do. It is therefore in the interest of Israel to hearken to the voice of the world. Whatever differences of opinion Israel may have with its neighbours, it was meet and proper that Israel should have listened to the call of all the nations of the world. Surely there was the duty at least cast on it to listen to the words of caution given by those it considers its friends. There are times when we are in difficulties when we like the opinion of our friends, of persons who are unconnected with the subject, who express dispassionate views. The world at large consists of those people who can express dispassionate views. The friends of Israel know that both sections are combined in this matter to make a united appeal to Israel to withdraw its forces.

5. I certainly understand the attitude of my Arab friends when they say that an aggressor has no right to lay down anything in the nature of conditions. I do not interpret the statement made by the representative of Israel [645th meeting] as setting forth conditions for this Assembly. I look upon it as a statement of the difficulties of his own country. This Assembly has taken into account such difficulties as Israel may have in the matter, in order to make possible a peaceful settlement of this problem.

6. Let us examine Israel's position. Time and again the representative of Israel has stated in this Assembly, as well as outside it, that territorial expansion is not his country's aim. Time and again he has stated that Israel is prepared to enter into non-aggression pacts with all its neighbours and that there is no intention to permit any act of hostility. In other words, if Israel did resort to force, it did so through mistrust or fear, that is to say, for its own preservation. That was the stand taken by the Government of Israel. If that was so, what is the difficulty now?

7. This Assembly is seized of the problem. This Assembly has shown a sense of responsibility. This Assembly has indicated the viewpoint that the whole question will be gone into at an appropriate stage and that, for the purpose of fully investigating the position, it is necessary that there should be an atmosphere of peace.

8. Our first duty is that we should make our contribution towards creating a peaceful atmosphere in the region. We are tired of hearing from our esteemed friends from Israel about the exploits of the *fedayeen*. I am sure that this house will heave a sigh of relief on the day when that story is no longer repeated. On the other side, my Arab friends have also tired us by speaking all the time of Israel's exploits and skirmishes across the border. This state of affairs has gone on long enough for this Assembly to have taken note of it.

9. If, therefore, as envisaged in the second draft resolution, the United Nations forces are deployed on the Israel as well as the Egyptian side of the border, with the determination to see that the border raids

cease, the passing of this draft resolution is, then, the expression of that determination.

10. Surely Israel can accept the view that its position has been taken into account; surely, equally strongly, my Arab friends should feel that their position is equally secure, so long as the problem is to be handed over for adjustment and settlement to the United Nations.

11. With regard to the Gaza Strip in particular, Israel's position has always been that it does not desire merely a strip of land. The Israelis do not say that they are there for the benefit of their health. They have done humanitarian work, as they say, but their purpose is not humanitarian service in that region. They are installed there, they say, because the Gaza Strip provided a springboard for Arab raids across the border. If that was so, and there was some assurance that there were other means of stopping Arab raids without their undertaking the responsibility on their own by taking the law into their own hands and violating the armistice agreements, the Israel Government ought to be thankful and withdraw immediately from the Gaza Strip.

12. As far as the future of the people of Gaza is concerned, it is clearly indicated in the Secretary-General's report that some course of action has to be taken in consultation with the Egyptian Government in which, according to the Armistice Agreement, the control should be vested.

13. This does not mean that the General Assembly has shut its eyes to the problem. We are keenly and acutely aware that there is a problem awaiting adjustment and solution.

14. From the opinions expressed in this Assembly by many nations that are able to take a dispassionate and detached view of the situation, the Israel Government should have found ample reason for consolation and comfort in the fact that its case has not gone completely unconsidered. There must be an act of faith on the part of Israel; it is not a question of agreements and assurances or conditions for withdrawal from Egyptian territory. All we can do in these circumstances is once again to express our regret that Israel has not thought it fit to withdraw its forces, and to ask the Israel Government to withdraw its armies promptly without delay and without demur.

15. That is the objective of the first draft resolution. That will be taken as an affirmation of a policy and of principles in which the United Nations believes. Small nations like Israel and my own country can ill afford by any course of action to weaken the moral authority of this body. It is a duty incumbent on Israel, therefore, not to weaken the moral authority of this body but to strengthen it by its own conduct by compliance with the wishes of this Assembly. There is no other forum to which a small nation can go, in the world in which we live, except the United Nations.

16. Therefore Israel will be making a great contribution to strengthening the moral authority of this Assembly by promptly withdrawing its forces without asking for any conditions or any terms, leaving it to the good sense of this house and of the nations of the world to do what is fair, equitable and right. He who asks for equity must come with clean hands. Equitable considerations can be weighed only when you come with clean hands. As an aggressor, Israel could hardly claim equity. If the position of Israel is that such violence as it resorted to was purely for the purpose

of self-defence and for the purpose of retaining all the lawful or equitable rights it is entitled to, its case has been adequately looked after, and I see no reason why it should not now quite honourably retire from Egyptian territory.

17. I have also expressed my views with regard to the deployment of the United Nations Emergency Force along the Gulf of Aqaba. It would appear that for this purpose one must start negotiations, and the negotiations must necessarily be, in the first instance, with Egypt, because it is Egyptian territory that has been violated. No United Nations force, or any force whatsoever, can be stationed on Egyptian soil without the express consent of Egypt. That is a question for negotiation. However, how can negotiation start unless an atmosphere of calm prevails and an atmosphere of peace is introduced? The only way that such an atmosphere can be established, it seems to me, is by acting upon the two draft resolutions which are now before the General Assembly.

18. Israel must remember also that it has a responsibility not only to itself and to the preservation of its subjects, but also a responsibility and a grave one, to the peace of the world.

19. Which of us does not know that the situation in the Middle East is extremely inflammatory? Which of us does not know that the third world war can be sparked at any time in that region if we do not take appropriate action at the right time? And this, indeed, is the right time. This, indeed, is the right atmosphere in which action can be undertaken in the cause of peace. I would therefore ask the Government of Israel to remember its serious responsibility in these matters and so to act as not to bring upon itself the adverse judgement of the world for having failed in its duty in the preservation of peace in the world.

20. For those reasons and for many others—for all the reasons that one can imagine, both legal and moral—I think that Israel must promptly withdraw.

21. I appeal also to my Arab friends that, once that has been done, it is time that the Arab nations also act with a sense of responsibility to the rest of the world. There is a duty incumbent upon them also as far as possible to make some contribution towards preserving peace in that area. Some effort must be made to understand the point of view of their neighbour.

22. It is to the advantage of Israel to live on friendly terms with its Arab neighbours, and I have no doubt that the Arab nations will also find peace in their region if only this question can be appropriately and satisfactorily settled. The vast military budgets of the Arab countries and of Israel can well be reduced.

23. Israel is in a perpetual state of military preparedness. Every man and woman is a soldier in the cause. Why is this so? It is because, rightly or wrongly, they fear that their very existence is at stake. It is a matter for serious consideration. Rightly or wrongly, they fear that their position is not secure and they believe it to be imperative that they should be in a state of preparedness. That, of course, means that a large part of their capital resources that could be used for better purposes are frittered away in that manner.

24. The same applies to the nations of the Arab world. They are in perpetual fear that there might be an attack from this little country of Israel. They have practically formed a pact among themselves in order to preserve their integrity against Israel attacks.

25. Is it worth anything to the State of Israel or to the Arab nations that they should live in this perpetual terror, mistrust and suspicion?

26. It is the duty of the Members of the United Nations to intervene in this state of affairs so as to see that peace is restored in that region. If peace is not restored in that region, we can almost be certain of a third world war.

27. Let us just look at some of the things that have happened. In pursuance of resolutions passed by us, the powerful Soviet Union has offered assistance to the Arab region in its attempt to repel any aggressor. Then a challenge has been offered by the other side, the great republic of the United States, that it will oppose any intervention in that region by Soviet soldiers. It is this type of trouble that keeps alive all the various pacts. Do we want a situation in which these two great Powers will become engaged in action in this region, all in the name of the settlement of the question?

28. There is a tremendous amount of emotionalism on both sides. We must stay clear of emotionalism and get down to facts and business. To get down to business, Israel must satisfy the first condition. Israel must first withdraw its armed forces, thus giving evidence, if it was sincere in its expressions, that it was only fighting for its own existence and for nothing more. What is Israel fighting for now when the United Nations has taken charge of the question and when the United Nations has shown an effective way in which the problem can be handled?

29. I do not say that the millennium can be reached in this region within the measurable future, but let us make some start somewhere. The second draft resolution does provide some steps towards the solution of the problem. It is a starting point. From that point we may proceed further.

30. Perhaps the representatives of the nations concerned can meet together on speaking terms through the intervention of the United Nations or of other friends. That would only be the beginning. I sincerely hope that those nations will live in peace and amity in the very near future, and forget the scars of the past. We all have disappointments and disagreements, but I think that it is in the nature of things that there should be disagreements. I sincerely hope that on both sides there will be more generosity and more understanding, and that the United Nations will be able to contribute a measure of service to both sides and thus preserve the peace of the world.

31. I propose, in that spirit, to vote for the two draft resolutions now before the General Assembly.

32. Mr. SCHURMANN (Netherlands): When the text of the resolution [1123 (XI)] of 19 January was put to the vote, the Netherlands delegation abstained on operative paragraph 1, which noted with regret and concern the failure of Israel to comply with the terms of previous resolutions. My delegation voted, however, for the resolution as a whole, because it had gained the impression from the comments of various speakers that the next steps to be taken by the General Assembly would be the adoption of measures for a durable settlement of the conflicts in the Middle East. The well-balanced and thoughtful and constructive report of the Secretary-General [A/3500 and Add.1] gave further encouragement to this hope.

33. In the view of the Netherlands Government, however, the second of the two draft resolutions that have now been submitted [A/3518] does not provide at this

moment the reliable guarantees for the prevention of future disputes between the parties which the situation demands.

34. We have great faith in the abilities of the Secretary-General, and we trust that he will be able to achieve the results that are most urgently needed, which are: complete cessation of all interference with shipping through the Straits of Tiran and the Gulf of Aqaba, and prevention of all belligerent acts along the demarcation line through a stationing of the United Nations Emergency Force in the Gaza area and in other places indicated in the report. Nevertheless, as it is the opinion of the Netherlands Government that the General Assembly itself should have assumed a greater responsibility for the immediate establishment of a situation of full compliance with all the terms of the Armistice Agreement of 1949, my delegation will not be able to cast its vote in favour of the second draft resolution.

35. That my delegation will also abstain on the first draft resolution [A/3517] is obvious from the stand which we have consistently taken in previous discussions on this matter.

36. Mr. CARBAJAL VICTORICA (Uruguay) (*translated from Spanish*): I should like to reaffirm to the Assembly the view which I expressed yesterday when I saw the two draft resolutions now before us. I think that we ought to congratulate the authors of those two proposals, which I hope will receive the votes of two-thirds of the Members present in this Assembly.

37. In praising the parliaments of the democracies, it has been said that their work ought to be dominated by a spirit of compromise, of conciliation and of synthesis of various points of view. The same should apply to this recommendatory parliament, representative of the entire world, where we must affirm the Purposes and Principles of the Charter and strengthen peace among States. There is no doubt that we have a perfect right to express our own opinions and to seek to have our objectives reflected in the decisions which are adopted here. However, this Assembly should provide a deep and living example of the spirit of conciliation and understanding, if we hope, through our decisions, to induce the disputing States to fulfil their inescapable duty, imposed on them by the Charter, to reach a pacific settlement of their disputes.

38. In expressing these ideas, I do not wish to imply that I am going to vote for the two draft resolutions in the painful conviction that I am sacrificing my opinions. On the contrary, I believe that the two proposals constitute a step forward in our handling of the dispute between Israel and Egypt, that both are logical measures required by the Charter and that they will have one immediate effect: a *de facto* state of peace, which will lead, in the near future, to a *de jure* peace based on justice and above the claims of the disputing parties.

39. The two draft resolutions are in conformity with both the spirit and the letter of the Charter. We shall vote for both of them as inseparable parts of the same prudent and reasonable interim measure. We shall approve the first draft resolution [A/3517], calling for the withdrawal of troops, for the reasons which led Uruguay to approve the five previous resolutions. On this occasion, however, we shall vote for this draft because it is supplemented by the second draft resolution [A/3518] and because the considerations that move us today are not the same as those that led us to approve the resolution [1123 (XI)] of 19 January.

40. On that occasion, we said [641st meeting] that we should have wished to supplement the draft reso-

lution before us with another which would clearly state that the armistice would be legally binding on both parties and that they were obliged to refrain from any act of hostility, in the full legal meaning of those words and with the exact significance given them by the provisions of the 1949 Armistice Agreement. We also pointed out their obligation—which Egypt has not denied and which Israel has made the subject of a claim—to permit free navigation in waters over which a State exercises jurisdiction but which have the character of international waterways.

41. In speaking in support of these two drafts, which, in my opinion, constitute a single reasonable measure, I shall try to be as brief as possible. The withdrawal of troops is required by the fundamental provisions of the Charter concerning the use of force by Member States. In the preamble to the Charter, it is stated that armed force shall not be used save in the common interest, that is, for purposes connected with the aims of the United Nations as a whole. Article 2, paragraph 4—a provision which we quoted so often in connexion with the resolutions on the Hungarian question, without producing any effect on the party concerned—states that all Members shall refrain “from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations”.

42. There is general agreement on the scope of this basic provision among all the outstanding scholars who have written about the Charter, including Professor Alf Ross of Denmark, Professor Verdross, Rector of the University of Vienna, professors Goodrich and Hambro in their commentary on the United Nations, and our contemporary Uruguayan professor of international law, the youthful and distinguished Eduardo Jiménez de Aréchaga. Moreover, the unanimous opinion of scholars is supported by the unanimous opinion of the organs of the United Nations. It has been supported by the Security Council, on the various occasions when it has had to interpret this provision, and also by the General Assembly, which in all its recommendations concerning the withdrawal of troops has been guided by the meaning which all of us attribute to Article 2, paragraph 4, a clause which the Salvadorian representative very rightly placed among the fundamental legal principles governing the decision on the Hungarian question.

43. Professor Aréchaga points out that if Woodrow Wilson called Article 10 of the Covenant of the League of Nations “the soul” or “the heart” of the Covenant, we ought to call paragraph 4 of Article 2 “the heart” of the United Nations Charter. From this provision, from Article 51 and from the provisions concerning the use of enforcement measures, it is clear that the United Nations Charter has superseded the Covenant of the League of Nations and the Briand-Kellogg Pact as a legal system and that it constitutes the basis for a new international law concerning war, belligerency and the use of force.

44. The distinction between just and unjust wars has been abolished. No just war is possible any longer except when enforcement measures are applied by the United Nations in pursuance of the Principles and Purposes of the Organization. No State can make use of force to further its political or legal claims.

45. Article 51, concerning the right of individual or collective self-defence, is an exception which recognizes the same right of assistance which has been provided for in many treaties concluded since the signing of the

Charter; it specifies that this exceptional right can be exercised in cases of armed attack until such time as the Security Council is able to intervene, and it stipulates that the measures taken should be immediately reported to the Security Council. And it adds that these measures “shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security”. There is agreement on this point between legal scholars and those whose intellectual and moral attitude toward the Charter is not formed in the silence of the study but in the arena of the organs and bodies of the United Nations itself.

46. One writer has said that article 16 of the Charter of the Organization of American States is broader than Article 2, paragraph 4, of the United Nations Charter. I take real pleasure in pointing out that one of the United States representatives on the Security Council interpreted the provision of the United Nations Charter to which I referred in almost the same terms as are set forth in article 16 of the Charter of the Organization of American States, which says: “No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.”

47. This is in harmony with the Charter and means, in a word, that war is no longer legitimate unless it is waged on behalf of an international institution or unless it is an armed act of individual or collective self-defence. It also means, in the opinion of scholars—who agree with the interpretation of the Security Council and the Assembly—that the prohibition of the threat of force or the use of force against the political independence of other States not only includes military action by armed forces but also covers the entire scale of possible reprisals. And it is even more interesting in this connexion to note that it also includes blockades, even when embellished with the adjective “peaceful”. It has even been held that certain demonstrations of military strength and the appearance of naval squadrons at strategic places for purposes of intimidation, such as have occurred on historic occasions in the past, would come under this prohibition in the Charter.

48. For this reason, I have been surprised to hear some arguments advanced in this Assembly which actually constitute heresy in view of the meaning of the provisions of the Charter relating to the use of force. I shall mention one of these arguments which I consider very important. On the question of sovereignty, we have heard views which resemble those expressed by Pope Gregory VII when he referred to his temporal sovereignty as opposed to the temporal sovereignty of the emperors, and we have also heard some claim unlimited powers for the State, just as in the times of open conflict between Empire and Papacy. We have also heard defended here a standpoint which should be qualified as antediluvian, namely, that an act of belligerency or the use of armed force has the effect of nullifying any bilateral juridical instruments of international law.

49. Even before the United Nations Charter came into existence, this view was considered erroneous. Now that the Charter is in force, I do not think that there is anyone—I do not say any jurist, or specialist in international law, or person with United Nations experience, but anyone having any notion of the scope of law—who would dare to claim that the fact that a

State uses violence can alter the validity of juridical obligations formally assumed in instruments sanctioned by international law. The most that can be claimed is that, in the case of certain treaties, a state of war or active belligerency makes it expedient to suspend the fulfilment of the treaty obligations. It must always be remembered, however, that it is the peace treaty that will ultimately have to decide as to the legal validity of such agreements.

50. To claim that the use of violence releases a State from its legal obligations—I do not wish to attribute this assertion to any specific State—is a barbarous point of view, completely contrary to the logical structure of law. It is tantamount to stating that acts in violation of law put an end to law itself, whereas anyone acquainted with the essential spirit of law knows that it is a system designed to regulate human conduct, a system intended to be rigorously enforced, which only gains new vigour when it is challenged by acts which deny or violate its prescriptions. I do not believe that the General Assembly is a suitable place for advocating the idea that the use of violence can cause treaties to disappear into thin air. This point of view is closely related to the position that treaties are no more than scraps of paper.

51. In this connexion I must mention a part of the Secretary-General's report. I share the high opinion of everyone in this Assembly with respect to this official, whose intelligence, ability, diligence and impartiality do us honour. This does not mean, however, that I accept *in toto* all the statements contained in his last report. I wish to comment on the passage referring to the Armistice Agreement.

52. I regard the second draft resolution before us as very important, because it recommends and impresses on both Egypt and Israel that it is their duty scrupulously to observe the provisions of the Armistice Agreement. I should like to clarify a few statements which our Secretary-General has made about this Agreement in his report, possibly out of a conscientious desire to show us what problems confront us.

53. It is clear that many of the provisions of the Armistice Agreement have not been complied with. But what legal instrument of international law becomes a dead letter simply because the parties do not comply with it? However, the Armistice Agreement has a special legal character. It is not a bilateral legal instrument which is binding solely upon Egypt and Israel. It arose out of the intervention of the Security Council and the General Assembly during the period of misunderstanding and hostilities between Israel and Egypt. The Security Council ordered the truce and then subsequently summoned the parties to sign the Armistice Agreement.

54. What is the nature of the Agreement? It is a bilateral instrument of public international law implementing a provisional measure taken under Article 40 of the Charter. It had to be submitted for approval to the Security Council, which remained responsible for ensuring its implementation. This bilateral instrument therefore derives from a provisional measure and is intended to implement a provisional measure, which gives it the legal character of an integral part of a measure taken by the United Nations. This is specifically stated in the preamble to the Agreement.

55. However, it also has the following additional characteristics: by mutual consent, Israel and Egypt can revise the Agreement during the first year it is in

force and they can subsequently revise it by calling a reviewing conference, but the revision of articles I and II is specifically excluded. The Armistice Agreement therefore contains a certain element which does not depend on the will of the parties, but which depends on a heteronomous will functioning independently of the parties.

56. The terms of articles I and II of the Armistice Agreement give its full significance to the second draft resolution. In the first place, that draft takes account of the preoccupations that moved us, together with several other States, to broaden the terms of the last resolution adopted on this subject by recalling expressly that it is the duty of both parties to observe the armistice. Furthermore, the draft resolution leaves no room for doubt—I consider it a legal conclusion beyond all dispute—that the Armistice Agreement is now in force and that it is the inescapable duty of the parties and the United Nations to respect it as positive international law.

57. Thus these articles I and II, which the parties cannot revise, not only forbid both parties to engage not only in any military operation, but also in any act of hostility. The intention of these articles of the Armistice Agreement, which followed the truce and constitutes a step towards final peace, is to assure both parties that they may live free from fear, free from threats, and without involving themselves in reciprocal hostile acts.

58. If the Armistice Agreement did not exist, we would be obliged by the Charter to maintain that, since no war had been waged by the Organization, and since our *prima facie* study of the situation had not shown that there had been any war of individual or collective self-defence, the proper course was to return to the *status quo ante bellum*—which itself was a provisional situation produced by a variety of circumstances which would exist until the parties concluded a definitive peace, with substantive solutions for the problems in dispute.

59. With respect to this Armistice Agreement, I wish to refute one argument which seems to recur with a certain consistency in the Secretary-General's report. I think that one who reasons with such logic and circumspection and who stands so far above the surge of events could not have wished to advance this argument against the validity of the Armistice Agreement.

60. It has been said by one of the parties to the dispute that, if certain provisions are not complied with, the Armistice Agreement will no longer be valid. I think that two things have been confused here which in law ought to be carefully distinguished: problems of validity and problems of effectiveness.

61. As far as I am concerned, the validity of the Armistice Agreement is unquestionable. The Agreement was concluded as part of a provisional measure taken by the Security Council, and its text contains the procedure prescribed for its own revision. The parties at the reviewing conference can decide to delete or amend any provisions they consider inappropriate or objectionable, with the exception of articles I and II. In my opinion, Egypt and Israel should respect the world's desire for peace and make use of this procedure. If they consider any provisions of the armistice objectionable; they can revise them—except for that part which is sacred dogma and not subject to the will of the parties—and adapt them to resolve the points currently at issue between them.

62. Thus there can be no question concerning the validity of the Armistice Agreement. The validity of a legal instrument is determined in accordance with the legal system to which it belongs. It is a very simple problem of legal geometry. The problem posed by the Armistice Agreement is that of its effectiveness; but its effectiveness does not affect its validity unless there is a general lack of compliance with the legal system by the entire community. By effectiveness we mean the capacity for moulding conduct possessed by the system of legal rules. In this case, both parties have constantly stressed the importance they attach to the Armistice Agreement, although they have been unable to agree on the interpretation of its provisions.

63. The Armistice Agreement, in the light of the interpretation I have previously given of the United Nations legal system, is absolutely clear. It is not an agreement between two belligerent forces; it is the fulfilment of an international command. It embodies the substance of a provisional measure adopted by the United Nations. The preamble of the Armistice Agreement refers to Article 40 of the Charter, so that non-observance makes our attention to the matter even more mandatory, especially in view of the possibility of revising those parts of it to which I have referred; and articles I and II provide that threats and hostile acts of any kind are forbidden. This means that it was not a truce, a period of calm between two armies encamped opposite each other. The Security Council approved it as abolishing the truce, as establishing a definitive cessation of hostilities. And the Security Council unequivocally gave this interpretation which I have just defended in the resolution which it adopted on 1 September 1951 [S/2322], and the same interpretation was put forward in the debate on the New Zealand draft resolution [S/3188 and Corr.1] in March 1954, and again in February 1955.

64. Since the United Nations Charter came into force, it is no longer possible, in public international law, to speak of any right of belligerency apart from the use of armed force which the Charter considers legitimate, i.e., warfare engaged in by the Organization or military action taken as a means of individual or collective self-defence. That is what is said in the Charter, and the Armistice Agreement does not allow of any right of belligerency. It regards the state of war between Egypt and Israel as terminated, and calls upon both countries, expressly, directly, immediately, effectively, and without ambiguity whatsoever, to refrain from any hostile act. Such acts under international law specifically include reprisals and blockades, no matter what fancy adjectives may be applied to them.

65. I therefore believe that it is eminently appropriate that the two parties to the dispute should be reminded that they are subject to a legal system which they must respect. We think that it would be a step forward if the Armistice Agreement were not presented merely as a geographical handbook for the purpose of defining the area to be occupied by the United Nations Emergency Force, but rather as a legal system which the two parties must scrupulously observe.

66. I entirely agree that the mission of UNEF should be to serve, within its jurisdiction, as an international observer corps and not as an occupation force intended to stifle Egyptian or Israel independence. It should act in our behalf as a peace cordon, with the task of establishing a *de facto* peace which would prepare the ground for a *de jure* peace, ensuring the strict

observance of the Armistice Agreement and preventing any hostile action between Egypt and Israel.

67. I do not share the misgivings that have been expressed concerning this mission of the Force. We must not forget that we are dealing with an agreement which belongs to the system of provisional measures mentioned in Article 40 of the Charter and which, as its terms recall, prohibits hostile acts, military operations, raids by one party into the territory of the other and all threats and intimidation, but does not prejudice the former position of the two parties, the claims which they may have made or the rights which they maintain before a competent organ. This is therefore a logical measure which comes within the scope of the term "provisional measures".

68. Among the statements made in the Security Council in support of the point of view which I have defended, I ought to quote the statement made by the Peruvian representative, who maintained, in conformity with the views of Stone, of Hautefeuille and of Oppenheim that, under the Charter, and *a fortiori* under the Armistice Agreement, a state of war was inadmissible, and no belligerent rights whatsoever could be invoked.

69. In reality, in their mutual relations, Egypt and Israel are required not to employ armed force in any form, either through threats or through duress, and to resort to clearly established legal procedures, either by mutual agreement—which would be a blessing—or by appealing to the International Court of Justice, the Security Council or the General Assembly.

70. Uruguay's participation in this discussion has not been prompted by any weakness or partiality for either side. We have won the praises of neither of them, because we did not come here for the sorry purpose of stirring up the flames of hatred and resentment which separate them. We shall pass through those flames, confident that we have upheld a moral principle which we esteem highly, that we have defended international law and justice and, in this case, supported an international security system which will prevent warlike action and open the way for the use of peaceful processes in stating claims and defining responsibilities. The United Nations Emergency Force cannot be called an occupation force nor can it be called a weapon directed against the independence of Egypt or Israel.

71. In a lighter vein—which I hope will be contagious—let me recall a story from my own country which is pertinent in some respects, despite the rather different context, to the concern felt in connexion with the United Nations Emergency Force. At one time in my country an agreement was reached with the opposition party, and some of its leaders were given administrative posts. One day, the President of the Republic transferred a regiment to the province headed by a political leader of the opposition party. The latter sent him the following telegram: "Mr. President, Government forces are invading my province!"

72. I do not think that it is possible to adopt such an oversensitive attitude toward the actions of the United Nations. If the United Nations can employ the armed forces of its Member States, those engaged in this organized police action are its own Members acting in co-operation. It is the "we" of the world-wide Organization that is acting in this Force within the framework of the national "I"s—which sometimes behave in the manner of the "moi" of Louis XIV. However, nobody should really object to the beneficent and noble mission which UNEF is going to carry out in an effort to bring an end to hostilities.

73. Both countries are deeply religious, I am going to ask them to help us out of our present difficulty. These draft resolutions give no advantages to either of the parties; they neither reward nor punish either of the disputants. It is absurd to describe the Assembly's decisions as if they had the juridical validity of court sentences, since we all know that the Assembly cannot pass sentences. Israel and Egypt should realize that this Armistice Agreement, under the Charter, shows them a way in which they can live in the first place in a state of *de facto* peace, without all those mutual recriminations, without any of those hostile acts which both have denounced. This Armistice Agreement is supported by the United Nations system; it will, without requiring recourse to war, lead both parties to a definitive peace in which both will play the leading roles. Both should see in the Charter and the Armistice Agreement the living embodiment of the objective law by which both are joined and to which both are subject, as well as their hopes for the future settlement of their mutual claims and complaints.

74. Mr. TARABANOV (Bulgaria) (*translated from French*): The delegation of the People's Republic of Bulgaria has given close attention to this discussion not only because a violation of the very principle of peaceful coexistence among peoples and nations is at issue, but even more because the area in which the events in question are taking place, namely, the Middle East, touches the very borders of our country.

75. The United Nations must once again consider the question of putting an end to the aggression against Egypt and bringing about the withdrawal of foreign troops from Egyptian territory. The Secretary-General's report of 24 January [A/3512] informs us that at the expiration of the time limit set by the resolution of 19 January [1123 (XI)] for the Secretary-General to report to the General Assembly, Israel had not fully complied with the requests of the General Assembly for withdrawal.

76. When we last discussed the question of the withdrawal of Israel forces from Egyptian territory, the delegation of Bulgaria expressed doubts [641st meeting] regarding the possibility of achieving a solution on the basis of the text that subsequently became resolution 1123 (XI). As we now see, those doubts were fully justified.

77. From the *aide-mémoire* [A/3511] on the Israel position, it is quite clear that Israel has no intention of complying with the decisions of the General Assembly as expressed in a series of resolutions. On the contrary, the entire argument of this *aide-mémoire* appears to be that the United Nations Emergency Force must ensure, by its presence both now and for an indefinite time in the future, a solution of all pending problems that will be favourable to Israel despite its inability to achieve such a solution through large-scale armed intervention carried out under the auspices and with the assistance of two great Powers, France and the United Kingdom.

78. Israel sets two conditions for the withdrawal of its troops from Egyptian territory: first the territory of Gaza must remain henceforth under Israel administration; secondly, the United Nations Emergency Force must occupy the territory along the western shore of the Gulf of Aqaba and remain there until such time as all Israel's claims concerning navigation in the gulf have been fully satisfied. The Government of Israel claims the right to continue its administration in the Gaza area and to maintain law and order there with the help of the Israel police. We read further, in the *aide-*

*mémoire*, that the entry of the United Nations Emergency Force should not be envisaged because:

"An international military force would not be able effectively to undertake the police duties necessary to prevent a recrudescence of *fedayeen* activities. Nor would such a force be in a position to carry out measures of administration and of economic development for the civilian population." [A/3511, para. 14 (g).]

79. We may well imagine what effect a continued occupation by Israel would have on a population driven from its homes by that country, a population which is fundamentally hostile to Israel and lives only in the hope of being able to return to its own land. In order to control such a population, the Israel police would have to employ very energetic methods and measures.

80. If Israel is really concerned about the tragic fate of the hundreds of thousands of Arab refugees and wishes to set up its own administration in the Gaza area in an effort to improve their lot, as stated in the *aide-mémoire*, a more effective course might perhaps be to allow the refugees to return to their homes and resume their normal occupations. Such a course would not only have the advantage of providing a simpler solution to the refugee problem but would, in our view, constitute the first element of a really sound basis for resolving the questions which remain to be settled between Israel and the Arab countries. It would also provide an initial impulse that would facilitate and render more effective the efforts being made to solve all the other problems in that region.

81. Instead, however, Israel is claiming the right to annex the Gaza area, under the pretext that it alone is in a position to ensure the area's administration and economic development and the prosperity of its people. On that basis it would be easy to say that the Egyptian Government or that of any other country adjacent to Israel is not in a position to deal with the economic, social or even religious life of its country. What could be simpler than to claim before the United Nations the right to take over the entire administration of the country concerned, after, of course, it has been militarily occupied?

82. Is this not the way in which all annexations and colonial occupations have taken place? First, a people are declared incapable of governing themselves; then, in order to administer them and care for their well-being, they are occupied by force. Finally, when the course of historical developments makes it imperative to depart from the country, it is left in a state of extreme poverty, so that other aspiring conquerors might in turn be moved to give it the same attention, through the same methods.

83. Does not the doctrine developed in the Israel *aide-mémoire* bear a strange resemblance to another Middle East doctrine, the one stated by the President of the United States? The latter doctrine also attempts to show that there is something missing in the Middle East, that a vacuum has been created now that France and the United Kingdom have been compelled once and for all to relinquish most of their influence there, and that the United States is in duty bound to intervene economically and militarily to assist in ensuring good government for the Arab peoples. Does not the similarity of these declarations and of certain of the proposals for remedying the situation clearly demonstrate that they drew their inspiration from the same source?

84. We believe it is high time to stop lavishing this self-interested care on the peoples of the Middle East. The Arab peoples who, in ancient times and during the Middle Ages, gave humanity many masterpieces of culture and of science, have over the centuries been reduced through the methods I have just described to the state where new colonizers are now claiming the right to look after their well-being. Has it not finally become clear that foreign territorial annexations and colonialism have been condemned for all time by history, and that the peoples of Asia and Africa, now freed from the colonial yoke and from oppression, will not again allow themselves to fall into a trap, no matter how it is disguised?

85. In the circumstances, the General Assembly can obviously do nothing else but reject Israel's claims concerning the Gaza area, and such an attitude will be a lesson for the future to all potential aggressors. The United Nations was not founded to award prizes to aggressors but to discourage them from their warlike intent and to promote conditions that would safeguard peace among the peoples of the world.

86. We are certain that the General Assembly will consider the proposals submitted to it in a spirit that will lead it to take decisions likely to make any aggressor think seriously before plunging into any adventure directed against its neighbours or any other State.

87. Israel's refusal to withdraw its armed forces from the western shore of the Gulf of Aqaba constitutes a further hostile act which creates difficulties for the United Nations. The object of that refusal is clearly to exert pressure on Egypt to make it accept a settlement of the question of navigation in the gulf. If possible, Israel hopes to achieve the same result through the United Nations Emergency Force. Thus, under the conditions laid down by Israel for the withdrawal of its troops, all matters still pending between the two countries must be settled to the satisfaction of Israel under pressure exerted upon Egypt by UNEF which must replace the Israel forces along the western shore of the Gulf of Aqaba.

88. After stressing that the United Nations Emergency Force would be brought into the Sharm El Sheikh area immediately following the evacuation of the Israel army and that it would remain in the area until an effective means was agreed for ensuring Israel permanent freedom of navigation, the *aide-mémoire* continues that "such effective means would be deemed to have been found when a peace settlement was achieved; or when secure freedom of navigation was guaranteed by other international instruments to which Israel was a party". [A/3511, para. 10 (e).] The significance of these detailed conditions becomes apparent in the light of paragraph 24 of the last report by the Secretary-General [A/3512].

89. The first obvious comment is that Israel wishes, through the presence of the United Nations Emergency Force, to ensure a solution favourable to its own interests in a matter which is a subject of legal controversy. The Assembly should also note that Israel, in requesting UNEF to ensure it effective freedom of navigation, is trying to have the Force stay there until such time as a peace with Egypt, on conditions it finds favourable, has been achieved. If, however, Israel sees fit to impose conditions which Egypt cannot accept, then Egypt will have the alternative of an unfavourable peace treaty or the presence on its territory of an occupying force for an indefinite period.

90. Obviously, in that case, UNEF would play the role of an occupying force. It should be noted, however, that Israel's claims, unacceptable as they may be, have been seconded and supported by the representatives of certain countries both in the Assembly's debate on the previous resolution and during the present discussion.

91. Thus, the representatives of New Zealand, Australia and the United States have stressed, and are still persistently stressing, the need for establishing UNEF in the Middle East as an occupying force to ensure the settlement of questions pending between Israel and the Arab countries. These protagonists of Middle East occupation by UNEF have been joined by Canada, whose representative, on 29 January [646th meeting], made the following statement:

"... that Force, which is our own creation and which is functioning so effectively in the interest of peace and security already, might assume the supervisory duties of the United Nations Truce Supervision Organization and prevent incursions and raids across the demarcation line . . .".

92. The Force is now apparently to be given further powers which were not specified in the resolutions by which it was set up. Just because UNEF was established in violation of the Charter, outside the Security Council which alone has the power to decide on the establishment of such a force, does that constitute sufficient justification for the continued non-observance of the Charter by endowing the Force with further powers and again circumventing the Security Council? Or do those Powers which, through the amendment of the Charter, seek to make the United Nations the tool of their policies, believe that they can accomplish their purpose by attempting to circumvent the Security Council? If that should be the intention of those who wish the General Assembly to decide matters which, under the Charter, are the responsibility of the Security Council, they would be doing a disservice to the Organization by undermining its basic principles.

93. It has been said that the Secretary-General's report itself led certain delegations to contemplate broader powers for the Force. We believe, as has already been pointed out by others, that some passages in the report are rather ambiguous. In paragraph 29, for instance, we read:

"However, if it is recognized that there is a need for such an arrangement, it may be agreed that units of the Force (or special representatives in the nature of observers) would assist in maintaining quiet in the area beyond what follows from this general principle. In accordance with the general legal principles recognized as decisive for the deployment of the United Nations Emergency Force, the Force should not be used so as to prejudge the solution of the controversial questions involved. The UNEF, thus, is not to be deployed in such a way as to protect any special position on these questions, although, at least transitionally, it may function in support of mutual restraint in accordance with the foregoing."

94. Does not, however, the very fact of stationing a military force in the territory of a country constitute pressure on its Government to compel it to settle certain matters in a specified manner? It will perhaps be answered that the Force will be stationed there with the consent of the Government concerned and will depart when that Government so wishes. That, of course, is true, but there are some representatives who claim, as the representative of Australia did yesterday,



that Egypt's consent having been obtained for the admission of the United Nations Emergency Force for a specific purpose, the Force is entitled to stay there until the settlements desired by certain States, and particularly by certain interested circles, have been successfully imposed. Among these problems, the representative of Australia mentioned freedom of navigation in the Suez Canal. Since freedom of navigation may be interpreted differently in certain circles, freedom of navigation in the Canal could be regarded as ensured once the Canal was removed from Egyptian sovereignty and placed under the control and management of another Universal Suez Canal Company. It is therefore obvious to those circles, that UNEF should be required to remain in Egyptian territory until such a solution, namely, the internationalization of the Canal, can be imposed on Egypt.

95. Is it not apparent that if, through pressure, a military force has been stationed in a certain place, other means of pressure will certainly be found to keep it there as long as that is in the interests of those who stationed it there in the first place? In the circumstances, would the force not be used "so as to prejudge the solution of the controversial questions involved", and in that case would its presence in the specified areas not be contrary to principles stated by the Secretary-General at the beginning of his report?

96. Although we do not believe that in the preparation of the report any consideration was given to the use of pressure to compel the Governments concerned to agree to a prolonged stationing of UNEF in their territory, we do know that those whose interests are involved frequently use every possible means to attain their ends. The preferable course would therefore be to avoid a prolonged use of the Force in the territory of one of the parties—in this case the victim of the aggression—and in that way to prevent manoeuvres designed to prejudge the solution of the questions involved. In view of the devices employed by the Government of Israel and by the Powers which support it and are trying to infiltrate the Middle East, it is useless to claim that pressure has not been exerted to obtain the acceptance of a prolonged stay by the emergency Force.

97. We believe that the General Assembly resolution [1000 (ES-I)] of 5 November 1956 is sufficiently clear. The United Nations Emergency Force cannot be an occupying force. It cannot exert its control to the detriment of one Member State. The Force was set up for a specific purpose; when that purpose is achieved it must withdraw.

98. As regards the Gaza Strip, the only course, as the Secretary-General's report has rightly stressed, is to restore the situation as it existed under the Armistice Agreement. Any new arrangement and any talks with any party, and particularly with those who have committed aggression against Egypt, would only encourage future aggression. It may be well to recall that, with a few exceptions, the general feeling is that the Israel forces must leave Egyptian territory immediately and unconditionally.

99. We also approve of paragraph 5 (a) of the Secretary-General's report. It is absolutely necessary that appropriate measures be taken to evacuate the Israel troops from the Gaza area, which, under the terms of the Armistice Agreement, was placed under Egyptian authority.

100. Once the basic conditions for a renewal of co-operation between the Arab peoples and Israel have

thus been restored, care must then be taken to prevent any intervention in Middle Eastern affairs under any pretext, whether altruistic or based on any particular doctrine. We are convinced that then—and then only—the peoples of the region will be able to find a means for settling peacefully all the remaining problems.

101. Mr. Krishna MENON (India): We are once again debating today a subject that came before us as a matter of emergency three months ago. It cannot be a matter of congratulation to ourselves or an assurance that the cause of peace is being furthered when we realize that, three months after the first resolution was adopted, we are still reiterating the same resolution.

102. After all the speeches that the Assembly has had to hear today it is not my purpose to elaborate my observations to any greater extent than is necessary for the purpose of the two draft resolutions before the Assembly.

103. The resolutions that were formally passed on the various dates that are set out in the two draft resolutions before the Assembly all had two purposes. One was the withdrawal of the invading forces, in this particular case the Israel forces, from Egyptian and Egyptian-controlled territory. The second was the scrupulous observance of the Armistice Agreement. In different ways, these two purposes, either together or separately, appear in the resolutions of 2, 4 and 24 November 1956 and 19 January 1957.

104. Only a few days ago, this Assembly passed a resolution [1123 (XI)] asking for the total withdrawal of the Israel invading forces behind the armistice demarcation lines. It should be remembered that, from the very beginning, the Assembly has insisted that these forces should withdraw behind the demarcation lines provided by the Armistice Agreement of 1949.

105. Those forces are still, in part, on the Egyptian side or the Egyptian-controlled side of the armistice lines.

106. I should like further to say that the subject before this Assembly, from the beginning of the first emergency special session till now, is not the resolving of what has been known as the Arab-Israel question. We were faced with the issue of invasion, the issue of aggression, and that is what we were dealing with. As Governments engaged in the consideration of these questions, it is inevitable that we should look at other related matters, but that would not take away from the crucial fact that other progress may follow afterwards. So that does not mean that there is any condition attached to the withdrawal. Each one of these resolutions asks for unconditional withdrawal.

107. In order that there might be no apprehension that this applies only to one particular aggressor, I should like to recall to the Assembly what my delegation said on 7 November last in regard to the other invading forces. We said:

"We cannot accept the position that the invading forces lay down the conditions, ostensibly in the interest of the invaded party. If we do that, we put ourselves in the position of justifying the invasion itself. And that is a position which my Government is not ready to accept." [567th meeting, para. 153.]

108. Today we have two draft resolutions before us, and these draft resolutions deal with two separate matters. I wish to state without any ambiguity whatsoever that we do not regard the first draft resolution [A/3517] as conditional. Both draft resolutions deal with matters with which the Assembly is concerned.

They are both matters related to the Armistice Agreement and even to the peace of the world.

109. The first relates to withdrawal, and I shall speak on that first. It recalls the previous resolutions and it deplores "the non-compliance of Israel to complete its withdrawal behind the armistice demarcation line despite the repeated requests of the General Assembly".

110. The reference to complete withdrawal means the withdrawal not only of the armed forces of Israel, but of whatever elements there may be in the invaded area. Therefore there can be no question of an exception for civilian forces or civilian authorities or anything of this kind. That is the meaning according to my delegation, which is one of the sponsors, and I feel sure that no sponsor would join issue on this: that "non-compliance to complete its withdrawal" refers to the withdrawal of everything connected with the State of Israel behind the armistice demarcation line.

111. Paragraph 2 calls for the completion of such withdrawal without further delay. In accordance with the usual practice of these resolutions, the language of this is mild; it does not seek to use exaggerated terms. But I think the Assembly is entitled to feel assured that this further call for a withdrawal, coming three months after the first resolution, means that that withdrawal must take place forthwith, that is, that there should be no intervening period between the passing of this draft resolution and the process of withdrawal, which can only spread over so many hours or so many days as the case may be, as is required in practice, as in the case of the other withdrawals from Egyptian territory, except that, the United Nations Emergency Force being now in operation and having gained experience from the previous withdrawals, it should be possible for this withdrawal to be completed very much more quickly.

112. That is with regard to the first draft resolution. I believe that, in examining the vote on previous resolutions, there should be very little doubt with regard to the support that will be given to it.

113. I come now to the second draft resolution [A/3518]. In connexion with this, I repeat what I said before, namely, that it is a separate draft resolution and that it is not by way of a condition which should be satisfied or a price which is offered so that the first draft resolution might be implemented. On the other hand, it is related to the first draft resolution in the sense that nothing that is said in resolution 1120 (XI) would have any meaning whatsoever unless what is said in the first draft resolution is completed. To that extent, there is a one-way relationship, but there is no two-way relationship so far as we are concerned. The complete withdrawal of Israel behind the armistice demarcation line, as requested in the first draft resolution, is required before the United Nations can address itself to its general purposes, namely those of conciliation in the maintenance of peace and the promotion of harmony.

114. I should like to explain the position of my delegation, as a sponsor of this second draft resolution, so that there should be no doubt in the mind of anyone who is casting his vote as to exactly what the draft resolution stands for.

115. First, there is reference to the Secretary-General's report [A/3512], which is before us. The Assembly will recall that, after adopting the resolution [1123 (XI)] of 19 January, we requested the Secretary-

General to make an early report and we fixed the time limit for it. We now have that report before us for our consideration.

116. Having received and considered that report, the second draft resolution states that the withdrawal by Israel must be followed by action which would assure progress towards the creation of peaceful conditions. Now that is the expression of one of the purposes of the United Nations. It is a statement that, once withdrawal is completed, it will be possible for the United Nations and the parties concerned to proceed to other things.

117. The paragraph should be understood in that way, which is its open and plain meaning. All proposals that are put before organizations of this kind must be interpreted in their plain meaning.

118. Paragraph 2 calls upon the Governments of Egypt and Israel scrupulously to observe the provisions of the 1949 Armistice Agreement. I have stated previously in connexion with this question that it is legitimate for us to look at performance. I have stated, in speaking on the first draft resolution, that performance as related to withdrawal is still incomplete. With regard to the scrupulous observance of the provisions of the 1949 Armistice Agreement, the essential provision of which is that people should keep on either side of the armistice demarcation line, there has been no compliance on the part of Israel. Furthermore, when I last spoke on the subject I referred to violations of the cease-fire agreement that had taken place after the acceptance of the cease-fire resolution [997 (ES-I)].

119. On the other side, the Secretary-General states in paragraph 22 of his report that, in the course of the discussions which took place after the circulation of his previous report, he was informed of the desire of the Government of Egypt "that all raids and incursions across the armistice demarcation line, in both directions, be brought to an end, and that United Nations auxiliary organs afford effective assistance to that effect". The last part of that statement requires the close attention of Members.

120. The present draft resolution suggests that United Nations forces, at this moment the United Nations Emergency Force, should be placed on both sides of the armistice demarcation line so that the Armistice Agreement might be better secured and so that there might be no violation of it.

121. It is the position of my delegation, as a sponsor of this draft resolution, that the Force can be placed only on both sides of the armistice demarcation line, which is sketched for ready reference on the map at the end of the Secretary-General's report [A/3512]. The line goes from Rafah, on the other side of the Gaza Strip, down to a point just below Elath, on the Gulf of Aqaba. It is not the individual position of my Government, but the position of the draft resolution, that the United Nations Emergency Force, after the total withdrawal of Israel, be placed on this armistice demarcation line. That would mean the total evacuation of the Gaza Strip and also the removal of the invading forces from that area in the Sinai desert between the red line on the map and the Gulf of Aqaba. But there is no suggestion, and there can be no suggestion, that foreign forces, which are United Nations forces, can be stationed anywhere on Egyptian territory.

122. Here I want to go into the facts and into what might be called the law of this question.

123. The procedures involved in this question are all governed by the resolutions which we have adopted and which incorporate, as Members recall, paragraph 12 of that report of the Secretary-General [A/3302] from which the United Nations Force emerged. My Government at that time laid down specific conditions on which we would participate in the United Nations force. But if we had merely laid down those conditions, they would have had little value except as being the view of one Government. Those conditions, however, were accepted. The Secretary-General accepted them when we agreed to participate in that Force. My delegation made reference to it again on 7 November 1956 [567th meeting] when we were engaged in the last phase of obtaining the withdrawal of the British and French forces from Egyptian territory. We stated that it was understood that if the Force was going to function on Egyptian territory, there must be Egyptian consent for that process.

124. It has been basic to the whole functioning of UNEF that it could not set foot anywhere on Egyptian soil except in full accordance with international law and practice and with recognition of the sovereignty of Egyptian territory.

125. This is not the view of only one Government; indeed, it is not only something that was agreed to by resolution, but it is an international agreement between the Secretary-General and the Egyptian Government, which is set out in an *aide-mémoire* [A/3375, annex], and the Secretary-General made reference to it yesterday [649th meeting].

126. If that is not sufficient, the Secretary-General, in his latest report [A/3512], has set out in paragraphs 5 (a), (b), and (c) what must be regarded, in terms of his draft resolution, as the governing conditions under which any recommendation, any proposal here can be considered.

127. At the present moment the point to be resolved is the evacuation of the invading forces from the Gaza Strip. It is argued sometimes that there is some doubt as to the legal status of this territory, but there can be no doubt as to what its status was before the invasion; and what sub-paragraph 5 (a) says is that there can be no changes in regard to that. Therefore the only solution, the only development, the only response that can be made by the invading party is to withdraw behind the armistice line in regard to that particular area.

128. There has been some reference in various speeches to the effect that the United Nations could go all round the world conducting elections and introducing troops and taking over the governments of sovereign States. The Charter is very clear on this and, under the provisions of Charter VII, any proposal to introduce troops into Egyptian territory would require the consent of the Government of Egypt.

129. It is true that the United Nations Emergency Force is an organ of the United Nations. To that extent it takes its instructions, its guidance from the United Nations, but, as the Secretary-General has pointed out on previous occasions, it is equally true that it has to function on sovereign territory; so that, if there is the law on the one side, there is the law on the other side that sovereignty has to be respected. Therefore arrangements must be made, which is what the Secretary-General has done, with the Government of Egypt, and the Government of Egypt has responded in good faith. Therefore there cannot be any question of ordering these forces to operate anywhere except in terms of Egyptian sovereignty and with Egyptian consent. Sub-

paragraph 5 (c) says the United Nations actions "must respect fully the rights of Member States recognized in the Charter". The right of a Government under the Charter is the right to maintain its sovereignty. It must also respect international agreements—and I submit that the Armistice Agreement is an international agreement, and therefore that its terms must be respected.

130. Now, if these are the governing conditions, then it follows that what is now proposed is merely the placing of these troops on territory that is the frontier between Israel and the Egyptian-controlled area, which is the armistice demarcation line. In placing them there, it is necessary that they should be placed on both sides of that line, and their function, as the Secretary-General points out, if all is agreed to, would be to assist the present observation corps to carry out what Egypt has said it desires and to which it has agreed, namely, that "all raids and incursions across the armistice line, in both directions, be brought to an end".

131. With regard to the remainder of the territory which is still under Israel occupation, the withdrawal not having been completed, the only function that UNEF can perform in that area is of the same kind as it has been performing on the rest of Egyptian territory, namely, that of supervising the cease-fire and the withdrawal and the securing of that withdrawal. Therefore the entry of this Force anywhere else at any time would be governed by the conditions under which the Secretary-General and the Egyptian Government have come to an agreement.

132. I refer to the Egyptian Government because all these operations are on Egyptian territory. It so happens that Egypt is the invaded country and not Israel. If Israel were the invaded country, it would equally apply to it, but the facts are that foreign forces are on Egyptian soil, and it is for the purpose of removing them that this machinery of UNEF has been put forward.

133. I believe that paragraph 2 of the second draft resolution is common ground, since it calls on both sides scrupulously to observe the Armistice Agreement.

134. I should now like to take each part of paragraph 3 separately.

135. There is reference here to the Sharm El Sheikh and Gaza areas. Those terms are descriptive and are easily comprehensible if one looks at the map. There is no authority anywhere in the agreement reached, no suggestion in this draft resolution, that any part of Egyptian territory, whether it be the island of Tiran or Sharm El Sheikh or any of these other places, should be occupied. My Government has repeated time and again and has made a basic position in regard to UNEF, that at no time can it become an occupying force in another country. Therefore its movements, its functioning in a territory that is Egyptian, must depend upon the agreements that have been made before. That explains the reference to the Sharm El Sheikh and Gaza areas; that is the geographical description of the territories that now remain under occupation.

136. The wording used here is "on the Egyptian-Israeli armistice demarcation line". Some representatives have raised doubts about this, and it is quite obvious that a force which is now about 5,000 strong could not stand on a line which bears a merely geometrical definition; it must be on either side. What is more, it is only under conditions where this Force that is intended to be protective can occupy both sides of the line by arrangements with both sides that it can

be other than an occupation force. If it were only on one side, then it would be placing that country under protection and, to a certain extent, sharing the character of an occupation force.

137. Then comes the next part of operative paragraph 3, which refers to the "implementation of other measures as proposed in the Secretary-General's report, with due regard to the considerations set out therein". The purpose of that paragraph is to say that all other measures must be governed by the considerations which I have read out, considerations which govern the whole of the procedure we are debating.

138. It would not be right to shy away from controversial issues; speeches have been made here on the question of freedom of navigation and various other issues, and this Assembly knows the number and the complexity of the issues surrounding this problem. Here, therefore, it is necessary to draw attention to paragraph 23 of the Secretary-General's report [A/3512] on which we have been asked to express our opinion. There are at least three important ideas here which are covered by this phraseology in the draft resolution, "with due regard to the considerations set out therein".

139. The first is that this matter is not directly related to the present crisis and that the concern evinced therein is related to legal aspects of the problem, which must be treated in its own right. In paragraph 24, the Secretary-General points out that the legal problems in this connexion are not beyond dispute, not only not beyond dispute between the parties involved but in the minds of jurists and even in the mind of the appropriate authority of the United Nations itself, because he goes on to say that the International Law Commission "reserved consideration of the question 'what would be the legal position of straits forming part of the territorial sea of one or more States and constituting the sole means of access to the port of another State'". This description, says the Secretary-General, applies to the Gulf of Aqaba and the Straits of Tiran, and he adds that a legal controversy exists as to the extent of the right of innocent passage through these waters.

140. The Secretary-General himself having said that this problem is one of long duration, that it must be treated on its own and that there are legal problems, and when we have the authority of the International Law Commission that that Commission itself has not made up its mind on the matter, there can be no question that the present draft resolution seeks to resolve the question in that way. It must be considered, if the parties are willing to consider it, or if other circumstances arise. Therefore this draft resolution does not regard this problem as covered by the present operation. The present operation is merely to move the invading forces from the area to which reference has been made.

141. In paragraph 4, the draft resolution requests the Secretary-General, in consultation with the parties concerned, to carry out the measures specified therein and to report to the General Assembly. That is a normal request to the Secretary-General and it again points out that the co-operation of the parties in the implementation of the resolution is required. I have thus made it quite clear what, in our view, and what, in the view of this draft resolution, the functions of the United Nations Emergency Force are. And I should like to add that it is not possible to extend or modify those functions in any way without the consent of another party.

142. Paragraph 29 of the Secretary-General's report is helpful to an understanding of this draft resolution. It specifies that Israel troops, on their withdrawal from the Sharm El Sheikh area, would be followed by UNEF "in the same way as in other parts of Sinai". That is to say, there is no difference whatever of category, kind or quality with regard to this process. The paragraph continues:

"The duties of the Force in respect of the cease-fire and the withdrawal will determine its movements. However, if it is recognized that there is a need for such an arrangement, it may be agreed"—and the key word is the word "agreed"—"that units of the Force (or special representatives in the nature of observers) would assist in maintaining quiet in the area beyond what follows from this general principle."

Now there is nothing new in that, because it is open to those who have the authority for the United Nations Force on the one side, namely, the United Nations itself, represented by the Secretary-General, and the territorial Power on the other side, to come to any agreement they wish. The paragraph goes on to say that "the Force should not be used so as to prejudice the solution of the controversial questions involved"—and whatever controversies have been raging during the last seven or eight years, the Force is not a solvent for that purpose, it is merely an evacuating force with a temporary purpose unless, as in the case where it is put in on the armistice line for security purposes, it has assumed something different. Thus, it is "not to be deployed in such a way as to protect any special position on these questions, although, at least transitionally, it may function in support of mutual restraint in accordance with the foregoing".

143. To summarize therefore, I would say, first of all, there are two separate draft resolutions. The first is not conditional on the second, but the second certainly cannot have any value unless the first is operative. Secondly, the first draft resolution represents an attempt by the Assembly for, I think, the fifth or sixth time, and three months after its initial attempt, and therefore the words "without further delay" mean "withdrawal forthwith". And when that withdrawal is completed, then it will be possible for what is set out in the second draft resolution to be proceeded with. Those procedures must be governed by the principles that have been set out, which I have read, and the placement of the Force can only be on the armistice demarcation line, and its placement in any other area or for any period of time must be dependent upon the consent of the territorial sovereign Power and also upon the exigencies as decided by the United Nations Command on its side.

144. We believe that the Assembly should adopt these draft resolutions and convey to the invading country that the time has passed when it is right, appropriate or in the interests of the country itself—and the United Nations does not consider any matter except in the interests of all Member States—to delay further. It may be that one Member State is on the wrong side of a question; another Member State may not be on the wrong side; but these solutions are always intended for the furtherance of the purposes of the Charter.

145. Therefore it is my submission that the implementation of the first resolution is in the interests of all parties concerned, including the invading Power. My Government deeply regrets that even before the draft resolution has been considered by the Assembly there have been reports, which may not be accurate—I hope

they are not—that this will not be complied with. In the interval between the last resolution and this one, we also have the report of a statement by the Prime Minister of Israel with regard to the withdrawal of these troops which also must cause us all concern. In spite of all that, the Assembly, expressing its regret by the word “deploras”, asks Israel to complete its withdrawal behind the armistice demarcation line forthwith.

146. Mr. LODGE (United States of America): The United States has a few added observations to make regarding its position on the matter before us, arising out of questions which have been raised in the debate, as well as questions which have been addressed to me during the recess. Some of these points have been discussed, and I think very ably discussed, by the representative of India, in a manner with which I find myself in substantial agreement. But I think it may be useful if I touch upon certain points once again.

147. First, the United States has time and again urged the withdrawal of Israel forces behind the armistice demarcation lines. We believe this withdrawal should take place forthwith, and by forthwith we mean that the withdrawal should take place in only the few days necessary physically to move the forces behind the armistice demarcation lines. As a matter of fact, it seems to me that this withdrawal should take less time than was taken by the British and French withdrawals, since those withdrawals were delayed by the time necessary to set up and create the United Nations Emergency Force. Now, on the other hand, the United Nations Emergency Force is a going concern, so there need be no delay on that account.

148. While I am on the subject of withdrawal, which of course is the sole object of the first draft resolution [A/3517] and which is the governing and overriding consideration of the second draft resolution [A/3518], let me also say this in all seriousness and solemnity: that I cannot predict the consequences which can ensue if Israel fails to comply with the will of the General Assembly as expressed in the pending draft resolutions.

149. Let me make clear another point which appears to have caused some concern. The measures contained in the Secretary-General's report, which are referred to in the second draft resolution before us, would not go into effect until Israel's withdrawals had been completed. We have previously taken note of and endorsed the Secretary-General's view that, and I quote from his report, “withdrawal is a preliminary and essential phase in a development through which a stable basis may be laid for peaceful conditions in the area”. [A/3500 and Add.1, para. 15.]

150. We believe that withdrawal is the first essential step. None of the constructive measures included in the second draft resolution are intended to go into effect until Israel has completed its withdrawal. Nor, let me add once again, will any of them be undertaken without the agreement of the affected party. It is for this reason that paragraph 4 asks the Secretary-General to consult with the affected party.

151. Before I take my seat, I should like to express the hope that the representatives here will take a broad and understanding view of this. There are no hidden meanings in it. It is not a perfected document, but it represents the best that a lot of very serious Members here have been able to produce to lead us out of a very difficult and dangerous situation.

152. Mr. FAWZI (Egypt): At this crucial moment in our consideration of the question of Israel's with-

drawal behind the armistice demarcation line in accordance with the Assembly's resolutions, I feel strongly that I owe it to the General Assembly to state once more, in as clear an outline as possible, the position of the Government of Egypt on this question, which position is perfectly in line with these resolutions.

153. This position is: First, Israel must withdraw immediately behind the armistice demarcation line; secondly, following the withdrawal by Israel, the United Nations Emergency Force is to take positions exclusively on both sides of the armistice demarcation line; thirdly, the entry, the stationing and the deployment of UNEF must be with the consent of the Egyptian Government as an indispensable prerequisite.

154. The United Nations Emergency Force is in Egypt not as an occupation force, not as a replacement for the invaders, not to resolve any question or to settle any problems, be that problem in relation to the Suez Canal, to Palestine or to freedom of passage in territorial waters. It is not there to infringe upon Egyptian sovereignty in any fashion or to any extent but, on the contrary, for the sole purpose of giving expression to the determination of the United Nations to put an end to the aggression committed against Egypt and securing the withdrawal of Israel behind the armistice demarcation line.

155. Mr. MAHGOUB (Sudan): I speak now in a moment of deep sorrow and disappointment. My sorrow is for the United Nations which attempts by adopting the second draft resolution [A/3518] to undermine whatever remained to it of its moral force. My disappointment is actuated by my pity for the delegations that until the other day were stating in emphatic terms that the withdrawal of Israel behind the armistice demarcation lines should be unconditional. Suddenly, they appear before us to defend two draft resolutions which in essence give the necessary assurances asked for by Israel.

156. The assertion that the second draft resolution is dependent on the implementation of the first does not alter the fact that such withdrawal has now been made conditional. There is the fact that the two draft resolutions have been presented to us together, and, in addition, we have been told that the voting on the second will follow immediately upon the vote on the first. We were also warned by the representative of the United States that—and I quote his speech:

“The adoption of either one of the draft resolutions without the other would jeopardize the achievement of the objectives set forth in the resolution of 2 November and would not promote peace and stability in the region.” [650th meeting, para. 57.]

157. All the resolutions previously adopted by the General Assembly, and in particular the one of 19 January [1123. (XI)], have made it clear that the withdrawal should be unconditional, and have refrained from giving any guarantees or assurances. The General Assembly was called into emergency session for one purpose and one purpose only, namely to check an act of aggression, to make such an act of aggression null and void, and to have the forces which attacked Egyptian territory withdraw behind the armistice demarcation line unconditionally.

158. The first draft resolution before us [A/3517] does not add anything more to our previous resolutions. In fact, it is less strong than the previous resolutions. It satisfies itself merely with deploring. It does not set a time limit. We have been told that the words “with-

out further delay" mean that an immediate start should be made, first, on withdrawal, and that such withdrawal must take less time than that of the French and British forces because of the presence of UNEF at the site of hostilities. That is all that the first draft resolution provides. It is a strict order to Israel to withdraw behind the armistice demarcation lines.

159. But let us examine the second draft resolution. We have been told that if such a draft is adopted, it will not be put into effect until complete withdrawal has taken place, and that if withdrawal does not take place, it will be nothing more than a paper resolution. What will happen if Israel does not obey the request contained in this draft resolution? We have been told that nobody can predict the consequences which will follow if Israel fails to withdraw. When we introduced the draft resolution which asked for withdrawal within five days and requested the Secretary-General to report to us at the end of those five days, we were led to believe that Israel would not obey this resolution and that the result would be a resolution by the Assembly condemning Israel and inflicting penalties, such as withholding financial, military and economical assistance. Instead of this, we are now faced with two draft resolutions which, in my opinion, and regardless of whatever explanations could be given, are dependent one on the other. Israel will not withdraw until it has been assured that the second draft resolution will be put into effect.

160. The second paragraph of the preamble of the second draft resolution states:

*"Recognising that withdrawal by Israel must be followed by action which would assure progress towards the creation of peaceful conditions"*.

No one can say that we do not want to bring about conditions which will ensure peaceful existence or peaceful co-operation in the area, because this would be in keeping with the principles of the Charter. But if it is put forward as a condition and as an assurance for withdrawal, it means that any person or any State can effect an occupation of someone else's country and may not leave the country or evacuate the territory except after being given some assurances. In this case, we would be acting to the detriment of the moral influence of the United Nations.

161. Operative paragraph 1 of the draft resolution speaks of carrying out measures upon Israel's complete withdrawal. To my mind this amounts again to an assurance, if not to a condition, for the withdrawal. What are these measures? I will deal with them later. I will list them one by one as they appear in the Secretary-General's report.

162. Operative paragraph 3 speaks about deployment of forces on the Egyptian-Israeli demarcation line. An explanation has been given to us that this means that the forces would be deployed on both sides of the demarcation line. Why should this fact not be inserted in the draft resolution in clear terms? Why should it be left for further interpretations? Why should it be left to doubt?

163. The reason is very clear. Because the Prime Minister of Israel has declared in unequivocal terms that Israel will not allow a single soldier of the United Nations Emergency Force to be placed on Israel territory. Why? Because it irritates their citizens. For this reason, the draft resolution is formulated in these equivocal terms. Otherwise, there could have been a clear statement in the draft resolution that the deployment would be on both sides of the demarcation line.

164. The draft resolution goes on to speak of the implementation of other measures proposed in the Secretary-General's report. Why does it not say this also with regard to the deployment of the Force? In the Secretary-General's report, it is made clear that the Force would be deployed on both sides of the armistice demarcation line. In fact, it includes the demilitarized area of El Auja. The Secretary-General has made it very clear that the deployment of such forces should be subject to the consent of Egypt.

165. For this reason, this one measure of the Secretary-General has been singled out very tactfully, intelligently and carefully, and phrased in such a way that it would be open to several interpretations. But the other measures are left merely to be gathered from the report and to the fancy of anyone who would like to say that this measure should be applied and that the other should not be applied. If, however, we examine the Secretary-General's report, we find the measures to be taken.

166. The first measure concerns the right of innocent passage in the Gulf of Aqaba. It is true that the Secretary-General says that the question of the extent of the right of innocent passage is still the subject of legal controversy, and that the matter has been under discussion in the International Law Commission. But another statement in his report must not be overlooked and must be given its full weight. I refer to the following:

*"... it may be held that, in a situation where the armistice régime is partly operative by observance of the provisions of the Armistice Agreement concerning the armistice lines, possible claims to rights of belligerency would be at least so much in doubt that, having regard for the general international interest at stake, no such claim should be exercised in the Gulf of Aqaba and the Straits of Tiran".*  
[A/3512, para. 28.]

167. What does that statement mean? It means that one of the measures recommended by the Secretary-General is that, until the legal issue concerning the right of innocent passage in the Gulf of Aqaba has been decided by a competent body or through an agreement between the two parties, Egypt should not be allowed to exercise any right to forbid the passage of Israel ships through the Gulf of Aqaba—and it follows that this also applies to the Suez Canal.

168. The second measure concerns passage through the Suez Canal. This matter is covered in the Secretary-General's report by a reference to the Security Council resolution of 1 September 1951, which the Secretary-General asks the parties to obey.

169. The third measure is that neither of the parties should claim any belligerent rights or invoke any such rights.

170. The fourth measure is contained in the hint that the negotiations should take place between the two parties for the settlement of this problem or for the conclusion of a non-aggression pact.

171. The fifth measure concerns the settlement of the refugee problem.

172. I have not referred to these measures for the purpose of indicating that I do not agree that they should be taken, or that I do not agree that steps should be taken to achieve peace in the area. What I am saying is that the terms of the draft resolution are so equivocal and so vague that they may be given many interpretations, and some of those interpretations may be detri-

mental to Egypt's rights. It is true that the Foreign Minister of Egypt has dotted the "i's" and crossed the "t's" and very clearly stated Egypt's position on this problem. But anyone reading the draft resolution can give it any interpretation he wishes. The statement made by the Foreign Minister of Egypt will not change the interpretations which may be given this draft resolution at some subsequent time by any interested party.

173. The measures provided for in the second draft resolution cover all the guarantees and assurances for which Israel asked. In other words, Israel has obtained all it wanted. Thus, Israel—the aggressor, a country which challenged the United Nations—is to be rewarded instead of punished.

174. We have been told that the draft resolution is not perfect because it is the work of human beings, and human beings are not infallible. We have also been told that the draft resolution is the result of a compromise. But I would respectfully say this: the human brains that worked on this draft resolution really were capable of producing a clearer text; they really were capable of ensuring that they would not compromise so much that the draft resolution would constitute a complete gain for one side and a complete loss for the other.

175. I should now like briefly to comment on some of the statements that have been made in this debate.

176. First, I would refer to the statement made this morning by the United States representative, Mr. Lodge, which I quoted earlier and which, to my mind, confirms that the second draft resolution contains the guarantees required by Israel. That is why we are told that the two draft resolutions must be adopted at one and the same time. Perhaps one of the draft resolutions will be put to the vote before the other, but they are to be adopted at the same time. Thus the withdrawal of Israel forces is now being made subject to certain conditions.

177. The United States representative recalled this morning what he had stated on 28 January, namely, that the United States believed it "essential that units of the United Nations Emergency Force be stationed at the Straits of Tiran in order to achieve there the separation of Egyptian and Israel land and sea forces. This separation is essential until it is clear that the non-exercise of any claimed belligerent rights has established in practice the peaceful conditions which must govern navigation in waters having such an international interest". [650th meeting, para. 55.] Now, that statement certainly contradicts something said only a few moments ago by the very same representative, namely, that the deployment of UNEF must always be subject to Egypt's consent.

178. I shall now refer to the statement made by the representative of New Zealand, Sir Leslie Munro. In doing this, I do not mean to contradict or attack the representative of New Zealand. I know, however, that Sir Leslie Munro is an eminent jurist and a diplomat with long experience, and that he can interpret the meaning of any text before him—he can even read between the lines of such a text. I think, therefore, that his statement sheds light on the interpretations which will be given to this draft resolution by his Government and other Governments—and, of course, Israel will take advantage of such interpretations.

179. The representative of New Zealand said that the Assembly had reached "a most significant stage, perhaps a critical stage" in its debate on the current item, and that it was time for the Assembly to take stock of its objectives. [650th meeting, para. 114.]

180. What are these objectives? Sir Leslie Munro expressed the belief that everyone was "convinced of the absolute necessity of preventing another outbreak of hostilities between Egypt and Israel"—I am equally convinced with him—"whether it be in Gaza, the Gulf of Aqaba or indeed anywhere where direct contact might occur between them". [*Ibid.*, para. 115.] Further, Sir Leslie Munro said that we now had "a golden opportunity . . . to take these effective steps, by reason of the presence of the United Nations Emergency Force in or near the sensitive areas which Israel is at present occupying outside its own boundaries". [*Ibid.*, para. 117.] It is true that there is a golden opportunity, a golden opportunity for Israel to have a final settlement of all the disputes between it and the Arab countries. Why? Because of the presence of UNEF in what Sir Leslie Munro calls the "sensitive areas".

181. Sir Leslie Munro said further that the report of the Secretary-General, in whom we reposed such confidence, afforded "a basis for the deployment of UNEF in these areas—Gaza and Sharm El Sheikh—and along the armistice demarcation line, pending a settlement of the problems involved". [*Ibid.*, para. 118.] This, again, is a clear interpretation of the second draft resolution to the effect that the deployment of the Force would continue pending a settlement.

182. Sir Leslie Munro also expressed the belief that there would be "no dissent from the view that one of our principal aims must be to ensure that both parties . . . should refrain from all acts of hostility, including the exercise of any claim to belligerent rights, and this would naturally include . . . any claim to belligerent rights on the high seas and in recognized international waterways such as the Gulf of Aqaba", [*Ibid.*, para. 119.] Being modest, Sir Leslie Munro stopped there, otherwise he would have said "and also the Suez Canal".

183. We realize that the United Nations is not a world government. We know that it has no executorial powers and that its draft resolutions only have a recommendatory nature, but certainly the United Nations has a moral force. The United Nations has many powers in its hands. It has the right to condemn an aggressor. It has the right to condemn any State that does not obey the recommendations of the General Assembly. It has the right to inflict sanctions. It has the right to suspend the membership of such a State, as well as the right to expel that State. But has the United Nations tried any of these measures in this case? The answer is definitely "no". On the contrary, the United Nations has retracted its steps in the face of the challenge of Israel. It is now making the withdrawal of troops conditional. Whether the sponsors of the second draft resolution put this interpretation on it or another interpretation, this withdrawal, if it ever takes place, will be conditional.

184. If this second draft resolution were adopted, the United Nations would impair the only remaining power it has, that is, its moral force, for every Member State would recognize that, if it challenged the United Nations, the General Assembly would retract its decisions and go back on its resolutions. No Member State would then obey the moral force of the United Nations.

185. I am not going to call on all the Members to vote against this second draft resolution, because I know very well that my appeal will not go very far. Perhaps it may reach some people who will react to it, but it will not go very far, since they have heard other

representatives who have asked for unanimous support for the draft resolution. But I will say that by adopting this draft resolution we would be impairing the authority of the United Nations. We would be doing away forever with its moral force, and by so doing we would be providing the last nail to be driven into the coffin of the United Nations.

186. Mr. JAMALI (Iraq): I wish to raise a point of order. The interpretations given to our draft resolutions will always determine the manner in which we can cast our votes. I wish, therefore, to be enlightened by the representative of the United States and the representative of India. Would they tell us whether or not the points so clearly put by the Foreign Minister of Egypt are fully recognized by the second draft resolu-

tion? It is on this assurance that our attitude will depend.

187. The PRESIDENT: Does the representative of the United States wish to speak?

188. Mr. LODGE (United States of America) (from the floor): Not at the moment.

189. The PRESIDENT: Does the representative of India wish to speak?

190. Mr. Krishna MENON (India): I have no difficulty in answering this question. I am always conscious that Mr. Fawzi can present a case much better than I can. I have heard what he has to say, and all I have to say now is that I did try to say the same thing in my own way.

*The meeting rose at 6.20 p.m.*