

**CONTENTS**

	Page
Agenda item 66: Question considered by the first emergency special session of the General Assembly from 1 to 10 November 1956 (continued) .....	1247
Agenda item 63: Question of West Irian (West New Guinea) Report of the First Committee.....	1259

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

*In the absence of the President, Mr. Krishna Menon (India), Vice-President, took the Chair.*

**AGENDA ITEM 66**

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

1. Mr. KIDRON (Israel): In connexion with the debate on the present item, the Israel delegation will be in a position to make a statement on Israel's plans for the withdrawal of its forces at a meeting of the General Assembly tomorrow afternoon. I should therefore be grateful if arrangements could be made to enable my delegation to make that statement tomorrow at that time.
2. Mr. FAWZI (Egypt): I must confess that the United Nations—and each and every one of its Members—has been for too many months placed in an extremely awkward and humiliating position. Not content with being an aggressor against Egypt, Israel, with world political Zionism, is proceeding to destroy the United Nations and to make of it the most pitiable, the most miserable, mockery of all time.
3. Do we in the General Assembly and in the United Nations accept or reject the assumption that force of arms is our law and that world political Zionism is our lord and master? Since the moment we accepted and signed the United Nations Charter, we have supposedly answered the first part of that question and have forsaken the use of force to settle disputes. The second part of the question has been answered in the Assembly, and beyond it, since the beginning of time and for eternity, as God Almighty—not world political Zionism—is our Lord and Master.
4. Yet Israel, a spearhead of political Zionism, is acting, and a few capitals are reacting, as if that were not so. They want us to assist and to rejoice in having the United Nations and the whole world lie prostrate and helpless before Israel's arrogant posture and eruptions of war.

\* Resumed from the 661st meeting.

5. The present debate comes in the wake of no less than seven adjournments, without debate, of previously scheduled meetings—adjournments caused by Israel's playing for time and by Israel's abuse of the seemingly inexhaustible patience of the Assembly, particularly of some of its powerful Members. While we believe none of Israel's promises to reform and behave, and although we do not share the hopes entertained by a few circles, but share instead, with many others, serious misgivings about the dignity and effectiveness of the United Nations in view of this most dangerous and most unbecoming procedure, we have reluctantly agreed to these adjournments lest it be said that we did not allow sufficient scope for efforts outside the meetings of the Assembly to find a solution and peacefully to secure Israel's immediate, complete and unconditional withdrawal, in implementation of the Assembly's resolutions.

6. Yet, instead of contributing honestly to these efforts, Israel is still playing for time, is still playing tricks, is still going ahead with this system and policy of deceit. As we expected, and as practically everybody else expected, it has used the time afforded by the many successive adjournments to sow more seeds of strife and conflict, and to disseminate more copiously the untruths, the distortions and the falsehoods for which it is an unchallenged master. There was practically not a single statement made by any responsible official which Israel did not like which was not methodically and completely distorted and falsified. Even the official documents presented to the United Nations were subjected to such twisting, such distortion and such misleading processes by Israel.

7. Parallel to this, Israel, after attacking Egypt, after committing its aggression, is not satisfied or content with the destruction and havoc it has caused in Egypt, but it attacks Egypt's reputation. It claims that Egypt is a source of mischief. It claims that Egypt is nobody at all. Why? Because Israel, so it says, has defeated Egypt in war. As for the question of who is the source of mischief, I really do not need to tell the Members of the Assembly that it is Israel. As for a country like Israel defeating Egypt in war—which has been publicized day and night by Israel—this has been said for the obvious purposes of humiliating Egypt and hurting its reputation, and as a means of getting more and more money from those good samaritans, or misled samaritans, who venture to help Israel in this aggressive policy.

8. We do not come here to compare the strength of one with the strength of the other. The fact of the matter is that what happened recently in Egypt was not a war between Israel as such and Egypt; it was a war forced upon Egypt by the United Kingdom, France, Israel, world Zionism and many others whom I would rather not mention specifically now. This reminds one of an aspect of mediaeval life. In the Middle Ages, when a man had a misunderstanding, a

conflict of words or something like that with someone who was far stronger than he was, they used to arrange what was then called *judicium Dei*, God's judgment. What was meant by that? Well, the powerful man, who was usually rich, rode on a horse with all the paraphernalia of armour, while the poor man, the less powerful one, had to make his way on the ground and was hardly armed at all. It was said, "Well, God is just, and if the less powerful man is right, God will give him victory over the other".

9. This time, it was Egypt against three empires, the British empire, the French empire, and the empire of world political Zionism. That is what happened, and that is what still creates a smell of burning in the air up to the present moment when I am addressing the Assembly and, through it, the world beyond. In spite of all this, and in spite of an almost interminable list of aggressions by Israel, Egypt is still accused, formally and officially, of being the aggressor. If anyone has any doubts about this, he should read the newspapers published on 26 February 1957. In those newspapers it was stated in large letters that it was Egypt who was the aggressor, and this was also broadcast over many radio stations. Well, sometime in 1956 there was an episode in a court in the United States in which the accused, though it was clearly proved that their hands were dripping with the blood of guilt, defended themselves so robustly and so cleverly that the judge told the accused, "You know, fellows, I am beginning to think that I did it all".

10. The way the United Nations and its Members have been treated—or rather, mistreated—during these last eventful months is something of which we should all be ashamed. I am sorry to have to say this, and I include myself, of course, and I bear my share of the responsibility and the shame. Our work here has been virtually stymied and paralysed for many long, impatient weeks in the matter of efforts and consultations aimed at finding a way out of the present intolerable situation and at securing Israel's withdrawal and its agreement to abide by the resolutions of the General Assembly. Undoubtedly, there have been some commendable contributions made to these efforts, but it is generally, and rightly, felt that what has taken place and is still taking place in this connexion has largely ignored the very existence of Egypt and the United Nations, and has, on the contrary, gone to every extreme to satisfy and be at the service of Israel and of Israel aggression. Egypt has barely been consulted, Egypt has barely been informed of vital developments concerning none other than Egypt itself. The General Assembly has neither been informed nor consulted on these events. Those who are consulted, those who are taken intimately into the confidence of those who are making attempts outside the United Nations—for which they should be thanked by everyone—those who are allowed into the holy of holies of the temple of thought and of policy in some capitals, are not Egypt or the General Assembly, but are none other than the group of conspirators and aggressors who, during these days, are most conspicuously and blatantly represented in Washington.

11. Certain trends and certain views which have emanated from those consultations and have been thrown into everyone's face are nothing but a replica of the policies of the aggressors, nothing but an echo of the speech made in Washington on 27 February 1957 by the Prime Minister of France who, some people feel, has succeeded in softening the robustness and even

the hard core of the stand of some Members of this Organization on principle and on the Charter of the United Nations. The Prime Minister of France could scarcely qualify as a model and guide in matters of justice, of constructiveness, and of high ideals, as he appears with his hands still dripping with Algerian and Egyptian blood. And, of all people, he levels irresponsible and false accusations against Egypt and its Government. This posture of self-complacency, self-forgiveness and mud-slinging at others is, I venture to say, entirely unbecoming, even to a Prime Minister of France.

12. However, we remain undaunted. We remain staunchly determined, unshaken in our faith, standing on our rights and on the Charter. Let them connive and conspire. Let them stay up at nights cooking up more mischief and planning more destruction. Whatever they do, they cannot make us swerve from our rights and our ideals.

13. It is natural for the General Assembly to see to it that compliance with its resolutions should be complete, honest and free from elements which would render such compliance a mere link in a chain of trickery and deceit and would show it at its face value as something entirely contrary to its real content and its real contention.

14. I trust that the General Assembly will bear with me when I state further that Israel's withdrawal must not be the result of a bargain, an exchange, for a price, for something which might have been promised by people who have no warrant whatsoever, no right of any kind, to give any such promise. Neither Egypt nor the United Nations can possibly recognize the validity of any such bargain, of any such deal.

15. The resolutions of the General Assembly are perfectly clear. So are Egypt's rights. We shall stand on these resolutions and on our rights under the letter and the spirit of the Charter of the United Nations.

*Mr. Urquía (El Salvador), Vice-President, took the Chair.*

16. *Mr. VOUTOV (Bulgaria)*: The meetings of the General Assembly of the United Nations in connexion with the Anglo-French-Israel aggression have been numerous. There have been more than half a dozen resolutions adopted by the Assembly demanding that Israel should withdraw from all Egyptian territory occupied by its forces, including the Gaza and Aqaba areas. Nearly three weeks have passed since the setting of the last time limit within which Israel was to withdraw from Gaza and Aqaba, but in the meantime there has been no sign that the Israel Government intends to comply with the decisions of the United Nations.

17. Public opinion and the representatives of many countries insist that an end must be put finally to the protraction of this question. But still there are no results. Everyone is asking the reason for this. How did it happen that the chief aggressors, France and the United Kingdom, well armed with up-to-date equipment, were—despite the threat to their prestige, despite the economic difficulties which would follow in the wake of the failure of their action, despite the domestic and foreign political upheavals which would inevitably follow their withdrawal—forced to leave Egyptian territory within a short time, while Israel, a small country with a small population and a small army, could balk decisions of the United Nations and not be driven out of the territory which it has annexed?

18. The reply is clear. The main reasons are two: first, the further concessions that were made to the aggressors in some General Assembly decisions, and secondly, the firm support which the United States rendered to Israel aggressive circles. Here I do not have in mind the role of the United Kingdom and France. Under the pressure of the main Western countries, some concessions were made to Israel. Thus, resolution 1125 (XI) of 2 February 1957 partially satisfies some of Israel's demands, in particular the demand for the stationing of United Nations armed forces on the armistice demarcation line established by the General Armistice Agreement between Egypt and Israel of 24 February 1949 [S/1264/Rev.1].

19. The condemned aggressor, Israel, was allowed to play with the largest world organization, the United Nations, by putting forward incessant demands for elucidation of the conditions for withdrawal, elucidation on the administration of Gaza, elucidation on the positions of United Nations forces, elucidation on navigation in the Suez Canal, and all sorts of other elucidations. After the elucidations were given—which wasted lots of time—Israel started putting forward conditions which the United Nations was to fulfil beforehand, if the aggressor was to withdraw. Thus, the Israel tactics of postponement were imposed on the United Nations.

20. All this is a result of the attitude of appeasement of the aggressor. It is below the dignity of the United Nations to tolerate this any longer or to negotiate with those who, in a most flagrant manner, trampled upon the basic principles of the United Nations, violated world peace and kindled a war in the Middle East. But if the situation is to be explained still further, if the truth is to be reaffirmed more strongly, we have to point to the second and, as a matter of fact, the most important reason for Israel's non-compliance: the unconditional support which the United States ruling circles are rendering to Israel, which has encouraged Israel to adopt provocative conduct with regard to the United Nations.

21. Obviously Israel does not draw courage from the strength of its army which, without the aid rendered to it by the United Kingdom and France, would not have been in a position to do what it did at the end of October 1956 in the Sinai Peninsula. Evidently, it does not have the support of world public opinion, as world public opinion condemns the aggression clearly and categorically. Obviously Israel draws courage only from the United States.

22. In its short history, Israel, unfortunately, has never undertaken any independent action. It has always relied on the support of the main imperialist Power, or it took action on the instructions of the Western great Powers. An excellent example in this respect was the latest aggressive adventure in the autumn of 1956. The role Israel is now playing is dangerous and contemptible. After Israel served the British and French imperialists in their striving to seize the Suez Canal—fortunately this was not achieved—Israel is now working for the self-proclaimed successor to the British and French imperialists who have been driven out of the Middle East, the imperialist circles of the United States.

23. From this high rostrum we again address the Israel statesmen and ask them once more to think it over and to realize that they are playing with fire, that they are playing with the destiny of their people and that they can kindle the conflagration of a horrible new

war not only in the Middle East and in the Near East, but all over the world.

24. But, as I have already stressed, the greatest blame for the non-settlement of the Middle East crisis lies, above all, with the real leaders of this game, the United States. Despite all machinations, despite the false propaganda in the Press, on the radio and on television, in spite of the hypocritical speeches of the representatives supporting the United States, every political-minded person knows who it is that pulls the strings backstage, the strings of the puppet show now in progress. The double play of the United States has been exposed to the end.

25. In recent weeks the United States leaders assumed the role of peacemakers and of statesmen gravely concerned over the settlement of the Middle East crisis. Without the United Nations assigning to them the role of mediators, they have appointed themselves mediators in allegedly liquidating the Israel aggression against Egypt. Before I analyse in brief what prompted this self-assumed initiative and what its aim is, I should like to draw the attention of the Assembly to the fact that, in this case, the United States is acting the way the United Kingdom and France did in their aggression against Egypt in October 1956. The United Kingdom and France made Israel invade Egypt, and right after that, despite the existing international organs for the preservation of peace—for example, the Security Council—they appointed themselves mediators in order to lay hands on the Suez Canal. The United Nations condemned these self-appointed mediators and forced them to withdraw. This is the fate which should befall everybody who would follow the example of the British and French aggressors. This must be demanded in respect of the United States too. Now the United States ruling circles are encouraging Israel not to comply with the United Nations decisions, and without anybody having assigned any task to it, the United States has proclaimed itself a United Nations representative and is allegedly conducting some talks.

26. The aggressor takes the attitude of an angry, dissatisfied partner in a firm who has been deprived of his rights. And so an endless comic play of assurances, of conferences, of distant flights, of postponements of meetings of the United Nations General Assembly and so on and so forth is now in progress. Again, the United States ruling circles are presenting the United States—the strongest capitalist country in every respect—as weak and helpless to influence one of the smallest and weakest capitalist States of the world, Israel. Nobody could be so naive as to think that a great Power like the United States cannot influence Israel, a country in whose 1956 budget one-fourth of the income was derived, in the form of loans and other aid, from the United States. We know of many other cases in a number of countries where the United States, with far less "sacrifice", plays a decisive role in shaping their home and foreign policies. That is why we cannot believe, in this particular case, in the helplessness of the United States, no matter how it tries to convince us.

27. Since we do not believe the explanation of the helplessness of the United States, let us now see why all this is taking place before the world. The reply to this question will be found if we turn to the answer to the analogic question put a few months ago to the United Kingdom and France, which had assumed the same role as that which the United States is playing at present.

28. At this moment, the United States Congress and the Press are debating the so-called Eisenhower doctrine. This doctrine, worked out, as it was officially announced, by the United States Secretary of State, Mr. Dulles, aims at filling the so-called vacuum which was allegedly created after the Arab peoples chased away the British and French imperialists; or, in other words, this doctrine has been fabricated to facilitate the invasion by the American imperialists of the Middle East and in this way to place a new, though old, yoke of imperialist domination on the Arab peoples. Irrespective of all the ornamentations and vagueness which are part of this so-called doctrine, the whole world knows that American monopolists want to enslave the peoples of the Middle East for many years to come.

29. With a view to penetrating the Middle East, American imperialists want to make use of two means. One means is to give some economic and military aid in order to repel the alleged Communist danger, which is non-existent. The second means is Israel. Through the Truman doctrine, the United States got into some countries of the Near and Middle East. Now, through the Eisenhower doctrine and with the aid of Israel aggressive circles, the United States wants to enslave other peoples in that area and to get hold of other key positions. Through the so-called new proposal for managing the Suez Canal, the United States endeavours to get a foothold in Suez, while through its "noble" proposal to send its fleet to the Gulf of Aqaba—allegedly in order to ensure undisturbed navigation for Israel vessels—the United States wants to seize a key position in Suez, Aqaba and the Sinai and Arabian Peninsulas. These are the reasons for the United States' endless protraction and systematic hindering of the settlement of Middle East problems.

30. Before I deal with the question of the methods which the United Nations must adopt to compel the aggressors to fulfil its decisions, I would like to say a few words on the proposal of Canada on this question. The representative of Canada, Mr. Pearson, at the 660th meeting offered a plan whose implementation would satisfy Israel. Israel troops would withdraw, according to this plan, and peace would come to this part of the world. We do not doubt that the adoption of such a plan would be greeted by Israel with satisfaction because the Israel ruling circles and their overseas collaborators desire precisely such a plan. Mr. Pearson offers a new form of annexing other people's territories—under the United Nations flag, the military occupation and administrative severance from Egypt of living parts of its territories. It is known that Israel offered to take over the administration of the Gaza area on behalf of the United Nations.

31. As you can see, the representative of Canada wants us to punish the aggressor by giving him a prize, a compensation, for the "great feat" he achieved. But what is the difference between this proposal and the positions of the United Kingdom and France when they invaded Egypt? They addressed ultimatums to Egypt and Israel—that is to say, to the attacked and the attacker—but bombed only the territory of the aggressor's victim. They killed the population of Egypt only, while they helped the attacker with aircraft, ammunition and food. Now Canada is telling us that measures must be taken to prevent the two sides from repeating the events of 1956, while it proposes punitive measures, not against the aggressor, but against the victim of the aggression. To this I would like to add that the representative of Canada, with his proposals

supported by the principal imperialist Powers, wants to involve the United Nations more and more in acts contrary to its Charter.

32. At the proposal of the Canadian delegation [A/3276], United Nations troops were assembled and later sent to Egypt, contrary to the Charter and in disregard of the Security Council. Now the Canadian delegation proposes that the United Nations should take on itself new and unnatural rights—in flagrant contradiction of its Charter—in order to annex territories of independent countries, Members of the United Nations. Such an initiative, undermining the foundations and international prestige of the United Nations, must be decisively rejected.

33. The Bulgarian delegation considers that it is high time that more concrete and practical measures were taken against Israel to force it to withdraw its troops from Egypt. That is why we shall support all measures and all decisions of the General Assembly—including the recommendations for sanctions against the aggressor—which will finally put an end to the aggression against Egypt. In this connexion, I declare that the Bulgarian delegation will vote for the draft resolution submitted by Afghanistan, Indonesia, Iraq, Lebanon, Pakistan and Sudan [A/3557] which envisages a refusal on the part of States Members of the United Nations to render any military, economic or financial support to Israel so long as it does not withdraw its troops from Egypt.

34. Mr. RIFA'I (Jordan): Before I proceed with my statement today, I should like to invite the attention of the representatives to the delaying tactics of Israel that were expressed in the few words spoken by the Israel representative at this meeting. The Assembly has lately been slighted to the extent that its debate on the very serious problem of today has been put off from one day to the other, waiting on the grace of Israel, the aggressor. It is most regrettable that a state of stagnation in our debate has taken place because the leading Powers, who seem to be directing the activities of this august Organization, are being influenced by the wishes of Israel. Talks and discussion are taking place between Israel and other States outside of the Organization, with complete disregard for the competence and authority of the United Nations and the views of its Members. It is for the sake of the prestige and the dignity of the United Nations that we must go ahead with our discussion and dwell on the necessity for taking immediate and effective measures against the aggressor. For this we do not seek, and we do not need, the endorsement of any State, no matter how influential it may be.

35. At the 660th meeting, after my delegation made its statement, the Secretary of State for External Affairs of Canada put forward certain proposals on which I wish to make certain comments since Mr. Pearson suggested them as a programme to the Assembly. I would not have made particular reference to the Canadian statement were it not for the fact that the views of Mr. Lester Pearson sometimes find an entry into the minds of some of us and sometimes are an expression of the thoughts of others.

36. The Canadian representative declared at the outset of his speech that he tried to be impartial and he said: "We are not influenced by a desire to support either of the contestants at the expense of the other . . ." [660th meeting, para. 30]. I wish to remind the Canadian representative that the two contestants here are

an aggressor and a victim, a criminal and an aggrieved party. The two parties are Israel, which violated the principles of law and order, and Egypt, which has always been on the defensive and whose territory is still partly occupied. The two parties, as events have developed, are the United Nations and Israel, which is challenging the Organization and defying its verdicts. We expect Mr. Pearson, in such a situation, to take sides and to defend right, justice and peace.

37. Mr. Pearson based his theme on the following argument: "The problems with which we are dealing go deeper than the immediate issue of withdrawal of military forces. They have their roots in the past..." [660th meeting, para. 31]. But to me, and perhaps to the great majority of Members of the Assembly, there are no other problems before us except the immediate issue, which is the non-withdrawal of Israel. That is the problem about which we are holding the present debate and on which we hope to take action.

38. We expected to hear the Secretary of State for External Affairs of Canada express the same views he did on 3 November 1956 when he said:

"The immediate purpose of our meeting tonight is to bring about as soon as possible a cease-fire and a withdrawal of forces, in the area which we are considering." [563rd meeting, para. 102.]

But it seems now that Mr. Pearson wishes to relate matters to their roots in the past. How far back does he wish us to go in tracing the roots of these problems? I am afraid that, whenever we try to stop at a certain stage in the past, events will take us to an earlier date. We will have to go back to a date prior to the creation of Israel in 1948 and prior to the partition scheme of 1947. Events will take us back to 2 November 1917, the date of the Balfour Declaration regarding the establishment of a Jewish national home in Palestine, at which time the Jews in Palestine were only 57,000 in number, most of whom were Arabs of Jewish faith, not crowds of Zionists converging from all corners of the world.

39. The Palestine question is so wide and so deep-rooted that no one can start discussing it from any recent date. It must go back to the days when Palestine was Palestine and when the Arabs were the rightful masters of the country, not when it was usurped by the Israel invaders. The basic causes lie there. Therefore, it would be better for all purposes, for all practical purposes, to deal with the immediate issue before us as it stands today, without drowning it in the deep past. The immediate issue is the failure of Israel to withdraw behind the armistice line promptly and unconditionally. Here again, the Canadian representative sees the problem from a different angle. He said that the problem "is one of securing a fair and agreed basis for the withdrawal of Israel from those places which it still occupies beyond the armistice demarcation line." [660th meeting, para. 37.]

40. In the report of the Secretary-General of 26 February 1957, Mr. Hammarskjöld repeated what he had stated on more than one occasion. Mr. Hammarskjöld said:

"According to the decisions of the General Assembly, the withdrawal would have to be unconditional." [A/3563, para. 1.]

That is what the Secretary-General said, but Mr. Pearson says that "a fair and agreed basis for the withdrawal" should be secured. The representative of

Canada, furthermore, envisages certain arrangements and recommendations and states:

"If Israel refuses to withdraw its forces immediately—not on the implementation but on the adoption of such recommendations by this Assembly—it would be taking on a very heavy responsibility indeed..." [660th meeting, para. 42].

This statement bases Israel's withdrawal on the adoption of recommendations set forth by him, that is to say, the recommendations envisaged should be a prerequisite for immediate withdrawal. In other words, according to the ideas of the Secretary of State for External Affairs of Canada, the recommendations should come first and the withdrawal should follow. Such a view looks strange indeed to my delegation.

41. Turning to his proposals, Mr. Pearson presented the following suggestions. First, he admits that the armistice demarcation lines do not prejudice or confirm any political right or claim or boundary. But while he denies Egypt the right of territorial sovereignty over Gaza, he does not apply the same rule to Israel. If the Armistice Agreement does not give Egypt any sovereign rights over Gaza, then the same Agreement does not give Israel any sovereign rights over the territory of Palestine which Israel occupies on its side of the armistice demarcation line. The same conditions which apply to Egypt's control of Gaza technically apply to Israel's control of Palestine territory, except for one distinction, namely, that Gaza is an Arab territory inhabited by a totally Arab population and governed by an Arab government, which is the Government of Egypt. The case of the Israel-held territory of Palestine is different.

42. The establishment of Israel in this area is illegal because it is based on invasion, aggression and usurpation. Therefore, while Egypt's presence in Gaza is for the protection of Arab rights and Arab existence, Israel's presence in Palestine is for usurping such rights and exterminating the Arab inhabitants.

43. Mr. Pearson calls for scrupulous observance of the Armistice Agreement. But at the same time he advocates a departure from this adherence when he recommends changes in the military and legal status of Gaza which cannot be allowed under the Armistice Agreement if scrupulous observance is his demand.

44. A second proposal by Mr. Pearson relates to the Gulf of Aqaba and the Straits of Tiran. He said:

"... it should be agreed and affirmed... that there should be no interference with innocent passage through or any assertion of belligerent rights in the Straits of Tiran.

"Israel troops, on their withdrawal from the Sharm el Sheikh area, should, as the Secretary-General puts it in his report of 24 January, 'be followed by the United Nations Emergency Force in the same way as in other parts of Sinai' in order to assist in maintaining quiet in that area..." [660th meeting, paras. 48 and 49].

45. My delegation's views on this matter, which we have expressed on previous occasions, are as follows. The functions of the United Nations Emergency Force were clearly defined in the report of the Secretary-General of 6 November 1956 [A/3302] and in his report of 24 January 1957 [A/3512]. Those functions are limited in scope and temporary in nature, with specific tasks to accomplish. The Force was not meant to influence the political or military balance in the area.

The position which the Force will take up will be at the Egyptian-Israel armistice line in such a way as to bestride that line. It cannot take up a final position on Egyptian territory, with which Israel has no armistice line whatsoever. The Sharm el Sheikh area is Egyptian territory on the Egyptian coast where no Egyptian-Israel armistice line exists and no Israel border extends. The area is far beyond the scope of the stationing of the United Nations Emergency Force and beyond the claims of Israel under the provisions of the Armistice Agreement.

46. The United Nations Emergency Force, which would follow the withdrawing Israel forces from Sharm el Sheikh, would move thereafter to take up its final position at the armistice line, which does not extend, as I said, to any point along the western coast of the Gulf of Aqaba. This being so, it becomes clear that the deployment of the United Nations Emergency Force in Sharm el Sheikh is not within the functions of that Force. These functions are clearly stated in several reports and statements by the Secretary-General.

47. On the other hand, we must point out again—and it seems that we need to stress this point—that no claims by Israel on any Arab lands can be discussed until the Arab rights in Palestine are restored in full. We have no equivocation on this point and nothing to hide.

48. Ever since the Palestine problem was known, the Arabs always and on every occasion were the victims and the party to pay the price. Never has Israel lost, and never was it other than an aggressor. Today we are again asked to pay the price—the price for justice and redress. It would indeed be tragic for the United Nations to retreat in the face of the aggressor and yield to his demands. Those who may accept the responsibility of rewarding aggression shall ever be blamed by humanity in the days to come.

49. Any action that we may take to deal effectively with the aggression by Israel is a moral act, more moral than political. How sad it is to see Israel, the aggressor, the violator, making headlines in the news. How sad it is to see all the public opinion and the whole governmental machinery of the greatest country in the world engaged day and night in talks and discussions on Israel's withdrawal. And how sad indeed it is that the United Nations General Assembly, with its eighty nations, is prevented from proceeding with discussions on this problem until one of its Member States receives a satisfactory answer from Israel. This is a derogation from the prestige of this Organization, and it has already caused great disappointment.

50. What is it that we are asking for? What we want is to remove aggression and to suppress defiance. But if we want to pay a price for this—which is, in fact, the responsibility of every Member in this citadel of justice and peace—then we had better look to some other markets outside the United Nations and outside of New York. If we have to pay the price of justice and redress, we had better pay it in a manner which would at least preserve our honour and our pride.

51. The third proposal of the representative of Canada is in respect to the Gaza strip. Mr. Pearson, in a detailed explanation, came out with the following conclusion:

"To co-ordinate and make effective arrangements to this end, the Secretary-General might decide to

appoint a United Nations Commissioner for Gaza. Working with the Commander of UNEF and the Director of UNRWA, and after consultation with Egyptian and Israel representatives as well as with refugees and other local Arab leaders, he could arrange to bring about with all possible speed the replacement of the present Israel civil administration of the area." [660th meeting, para. 72.]

52. Mr. Pearson, who was quite active in 1947 in winning support for the partition of Palestine, is trying now, in 1957, to take the Gaza strip away from its Arab administration and to put it under an international régime. He is trying not only to make a major change in the status of the territory under consideration, but also to widen the functions and tasks of the United Nations Emergency Force in such a way that it will become able to solve territorial problems. This definitely goes far beyond the Force's functions, which should not touch on any controversial political or legal issue. If a solution is to be given along this line, we suggest that the Force should be deployed in the territory on the Israel side of the line from which the murderous attacks by Israel have always come and from which this last aggression was launched. Why deploy the Force on the Arab side of the line?

53. The Canadian representative said that the resolutions of the General Assembly embodied the proposals which he set forth. The record of the General Assembly, and in particular the statements of the sponsors of the draft resolutions to which Mr. Pearson referred, prove beyond doubt that nothing of his proposals was incorporated in these resolutions.

54. In this connexion, I should like to recall some relevant comments made by the representatives of India and the United States as co-sponsors of the draft resolution [A/3518] which became resolution 1125 (XI) of 2 February 1957. I am reiterating these extracts because they embody the principles on which further development will be based in respect of the situation resulting from the aggression committed by Israel against Egypt. As to the point of the immediate and specific problem with which we are dealing, the representative of India, Mr. Krishna Menon, said on 2 February 1957:

"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." [651st meeting, para. 106.]

Then Mr. Krishna Menon, whose views were identical with the views of the representative of the United States at that time, said also:

"We cannot accept the position that the invading forces would 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.]

Then, with regard to Gaza, Mr. Krishna Menon said:

"Therefore, there can be no question of civilian forces or civilian authorities or any kind of projection whatsoever." [651st meeting, para. 110.]

55. As to the deployment of the United Nations Emergency Force, the representative of India said:

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

"There must be Egyptian consent for that process. It has been basic to the whole functioning of the United Nations Emergency Force that it could not set foot anywhere on Egyptian soil except in full accordance with international law and practice and in conformity with recognition of the sovereignty of Egyptian territory." [*Ibid.*, para. 121-123.]

Mr. Krishna Menon went on to say:

"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." [*Ibid.*, para. 135.]

He went on to say further:

"The present operation is merely to move the invading forces from the area to which reference has been made." [*Ibid.*, para. 140.]

56. In commenting on the discussion on that date, the representative of the United States said:

"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." [*Ibid.*, para. 146.]

57. This is the situation—and I am sure that Members of the United Nations will see it—which I believe still governs our deliberations. There is no doubt in my mind that nothing has happened since the Assembly adopted these resolutions which would divert the Members of this august body from these basic and fundamental principles.

58. Lastly, my delegation finds it on this occasion fitting, and perhaps necessary, to reaffirm its stand on the issue before us. This is an issue of principle. Withdrawal must be unconditional and immediate. Aggression must be not rewarded, but penalized. We hope that all Members will share with us these views, and we look forward to the effective action of the General Assembly.

59. Mr. HANIFAH (Indonesia): It is now almost four months since this question was first considered by the first emergency special session of the General Assembly from 1 to 10 November 1956. At that time—on 2 November 1956, to be exact—the Members of the Assembly overwhelmingly called upon Israel to withdraw all its forces behind the armistice lines [*resolution 997 (ES-I)*]. Subsequently, in numerous resolutions of the Assembly, adopted by the same overwhelming majority, this call was reiterated. Yet today, four months later, Israel forces are still occupying Egyptian territory, in defiance of the clear call of the Assembly to withdraw all forces behind the armistice lines. This is, indeed, a disturbing situation.

60. It is disturbing first because the withdrawal of all Israel forces from Egyptian soil is, in our view, the essential step to securing the return of normal conditions and stability in that important region of the world. It is the basis—the only basis—on which peace can be built and further strengthened. It remains, therefore, the strong opinion of my delegation that, as the

Secretary-General stated in one of his reports to the Assembly, on 15 January 1957:

"Withdrawal is a preliminary and essential phase in a development through which a stable basis may be laid for peaceful conditions in the area. When the General Assembly, in its various resolutions concerning the recent crisis in the Middle East, gave high priority to the cease-fire and the withdrawal, the position of the Assembly reflected both basic principles of the Charter and essential political considerations." [*A/3500, para. 15.*]

61. Israel forces were and still are occupying Egyptian territory as a result of aggression. If our aim is the strengthening and promotion of peace, then that aggression must be undone. Peace cannot be built on the fruits of aggression. Such a peace cannot in any case have any real meaning, nor can it endure. The road to real and lasting peace can only be sought in first undoing the aggression that has been committed against a State Member of this Organization.

62. However, as my delegation has already pointed out [*649th meeting*], while the intent of the resolutions adopted by the General Assembly was to undo physically, as far as possible, the aggression committed against Egypt, there are consequences of that aggression which, of course, cannot be reversed by any resolutions adopted here—the tragic loss of life, the destruction of property, the harm done to the economy, and so forth. The complete and unconditional withdrawal of all forces is, consequently, the least on which the United Nations must insist. In fact, this is, as I have said, the clear meaning and intent of all the Assembly resolutions adopted on this question.

63. It is also well to recall what this would mean in actual terms. Juridically speaking, the situation has to revert back to the *status quo* prior to the aggression; that is, the nullification of the advantages seized by aggression. Here there can be no question of whether the former *status quo* was good or bad. In fact, we readily admit that it was quite unsatisfactory. But the crucial and essential first step must be to undo the aggression physically, as far as possible, not only as a matter of principle, but, indeed, in order to create and make possible conditions more satisfactory than the former *status quo*, in the interest of the area concerned and the world as a whole.

64. Moreover, it cannot be overlooked that a return to the former *status quo* can only mean a return to the *status juris*, since, even after the complete and unconditional withdrawal of all forces, there can be no going back to the *status quo* before the aggression in terms of real conditions affecting the parties concerned. I have in this respect noted that Egypt has suffered irreparable damage due to the aggression, so that the situation obtaining after full compliance with the withdrawal requirements will resemble the former *status quo* juridically and physically only in the sense that the forces of Israel will be again behind the armistice lines.

65. Such a withdrawal of forces would have another beneficial result, and here I am thinking of a second disturbing feature of the situation which still obtains in that region of the world. The resolutions adopted by the Assembly on the recent crisis in the Middle East reflect, as the Secretary-General put it in one of his reports, principles of the Charter. It is therefore clear that, not only the prestige, but the very principles and purposes of this Organization are here at stake. The

continued and continuing disregard by Israel of the Assembly's resolutions must inevitably reflect adversely upon the authority and prestige of the United Nations. This is a matter which must be of immediate concern to every Member State, regardless of its position on the question of the Middle East.

66. If a Member State can with impunity neglect and even defy compliance with resolutions adopted by the Assembly—resolutions reflecting principles of the Charter—and thereby set an example of defiance for others to follow, then the very existence of the United Nations is indeed placed in the balance. It is not then impossible, as I have warned in a previous intervention on this item [640th meeting], that the United Nations may go the same way as the former League of Nations, that is, the way of non-existence. We must surely prevent this from happening. Despite its shortcomings, the United Nations is the only organization in the world to which countries can come seeking justice. But if we have faith in the United Nations, and I think we all do, then we must also keep faith with the United Nations.

67. Until the aggression has been undone, at least physically, and until the resolutions of the Assembly have been fully complied with, the situation in the Middle East will remain one fraught with dangerous consequences, demanding the gravest consideration. Only when the aggression has been nullified, when the forces have been withdrawn completely and unconditionally, and when the Assembly's resolutions have been fully complied with, will those conditions exist which will make possible the seeking of peaceful solutions to other problems in the area which, my delegation recognizes, deserve the concern and attention of the United Nations.

68. We have before us the report of the Secretary-General dated 26 February 1957. I should like to stress, in particular, the Secretary-General's clarification with regard to possible *de facto* developments in Gaza:

"A judgment on this *de facto* development would be premature, since it depends on decisions to be taken after the withdrawal of Israel from the Gaza area." [A/3563, para. 4.]

And the Secretary-General reiterated, in this connexion, that:

"According to the decisions of the General Assembly, the withdrawal would have to be unconditional." [Ibid.]

69. From all that I have stated, it should be clear that my delegation concurs fully with the clarifications and statements of the Secretary-General on this matter. Our future attitude towards the proposals of the representative of Canada must be seen in this light.

70. Indeed, possible *de facto* developments, especially as they concern the United Nations Emergency Force, not only are premature before the complete withdrawal of Israel forces has been secured, but also must be governed by new decisions taken by the Assembly. The United Nations Emergency Force was created because of the aggression against Egypt, and its task was to secure a cease-fire and the withdrawal of foreign forces from Egyptian territory. That is why the Force entered Egyptian territory with the consent of the Egyptian Government. Unquestionably it is not meant to be an occupation force, even on a temporary basis. As my delegation has stressed all along, it is our understanding that the establishment of the Force is a tem-

porary, emergency measure, which must not influence the military balance in the present conflict, and thereby the political balance, as that would affect efforts to settle the conflict.

71. I should also like to reiterate that it is on the clear understanding of the temporary, emergency nature of the United Nations Emergency Force that my Government is participating in it.

72. As for the situation in the Gaza and the Sharm el Sheikh areas, the entry of the United Nations Emergency Force into these areas is clearly within its mandate in so far as this is necessary for securing the withdrawal of all Israel forces. This, too, however, should be only on a temporary basis. While we may agree that it may take some time to secure stability in these regions after complete withdrawal, it nevertheless cannot be the intention of the Force to remain there for any length of time, since it would thus be exceeding the temporary functions for which it was established. Any change in these functions would, as I have said, require new decisions by the Assembly and would have to receive the consent of the party directly concerned, namely Egypt.

73. In conclusion, I should like to emphasize again that it is our conviction that a situation conducive to further efforts in resolving the remaining problems in that vital area can be attained only after all the forces of Israel are withdrawn behind the lines stipulated in the 1949 Armistice Agreement, in accordance with the provisions of the relevant resolutions of the Assembly. We sincerely hope that Israel, not only for its own sake but, indeed, for that of the continuing prestige and authority of this Organization and for the sake of the beginning of a lasting peace in this area, will promptly heed these requests, which reflect the considered opinion of the overwhelming majority of Member States.

74. Our aim is to see peace and stability restored in that important region of the world, the Middle East. My delegation, aware and appreciative of all the efforts being made to attain a peaceful and just settlement—and in this respect may I mention in particular the persistent and untiring efforts of our Secretary-General, which certainly deserve our deepest gratitude—will do everything to further and co-operate in the achievement of such a settlement, which, consonant with the principles of the Charter, is of such vital importance to the world.

75. For those reasons, we have co-sponsored the draft resolution contained in document A/3557, which was introduced [659th meeting] so eloquently by the representative of Lebanon.

76. In that light, we sincerely hope that the efforts now being made outside the United Nations—and, I hope, for the sake of the United Nations—will be productive and that, with the co-operation of all the parties concerned, they will lead to a speedy and just solution and will result ultimately in restoring peace in this area in particular and in the interest of mankind as a whole. But let me emphasize again that this will not be achieved until and unless the immediate withdrawal of all Israel forces from the territory of Egypt, including the Gaza strip, is accomplished. The United Nations should be able to obtain this end by all available means under the Charter.

77. Mr. JAMALI (Iraq): I would not have taken the rostrum again and taken up the time of the As-



sembly were it not for the fact that developments have forced my delegation to do so.

78. The matter before us is very simple; the issue is very clear indeed. It is Israel's invasion of Egypt. Israel's invasion of Egypt is very clear and very simple. Just as there was a British attack on Egypt and an invasion of Egypt, just as there was a French attack and French invasion of Egypt, so was there an Israel attack on Egypt. The General Assembly adopted a resolution which was obeyed by the United Kingdom and France. But Israel did not obey. Israel defied the General Assembly.

79. Had we been firm, had we stood on principle, the question would have been solved long ago. It is exactly four months since the invasion took place. It should not have taken even four days to end it.

80. We are not dealing with the gamut of Palestine problems here. We are not dealing with the internationalization of Jerusalem; we are not dealing with the refugee question; we are not dealing with territorial adjustment; we are not dealing with the boycott; we are not dealing with the blockade. All these are aspects of the Palestine problem, and we are not dealing with the Palestine problem here. We are dealing with one single issue, one simple issue—and that is Israel's invasion of Egyptian territory.

81. Had we been firm, the issue would have been solved long ago. Unfortunately, however, some powerful Members here decided not to treat Israel as an invader, not to treat Israel as an aggressor. They began to appease Israel, to listen to Israel, to engage in give-and-take with Israel. They treated Israel as a victor. Israel actually is being dealt with as a victor imposing its conditions. This is certainly detrimental to this great Organization. This policy which is being followed by certain great Powers *vis-à-vis* Israel is detrimental to peace.

82. Israel should have been told one thing, and one thing only: "Get out"—nothing more and nothing less. That should have been the attitude of the General Assembly. But to sit down and listen to the aggressor, to treat him as a victor, to listen to his conditions, certainly undermines the prestige of this Organization and undermines peace in the Middle East and in the world.

83. After withdrawal, if Israel has any complaints or any problems, it can come to this Organization with them. It has problems to raise; the Arabs have problems to raise. But problems are not to be settled through invasion and are not to be dealt with while the invasion is still in force, while Israel forces are still on non-Israel territory.

84. This Organization is faced with a grave danger, a grave choice. We have to choose between right, justice and the Charter on the one hand, and power politics, pressure groups and colonial intervention on the other.

85. Israel's demands or conditions consist of two major items: passage through the Gulf of Aqaba and the matter of the Gaza strip.

86. As far as the first is concerned, we believe that the question of passage through the Gulf of Aqaba has nothing to do with the issue before us. It is one item in the gamut of the Palestine problem; it is one of the many items which should be dealt with when we sit down to settle the problem of Palestine. But to give freedom of passage to Israel through the Gulf is to reward it by giving it something of which it has

been deprived for the past eight years because it deprived the Arabs of their homes and property. Those who are trying to please Israel, to compensate it, by giving it this freedom, are certainly prejudicing the Arab cause; they are working in an anti-Arab, anti-right, anti-justice direction. Why give Israel passage through the Gulf of Aqaba and not give the refugees passage to their homes? The refugees want passage in order to return to their homes. And, if there is to be any settlement, the two matters should be placed side by side. There should be no partial treatment.

87. As for the Gaza strip, Israel has already expressed its colonial intentions. We never doubted for a moment that Israel had come to Palestine under colonial banners, is staying there with colonial backing and is pursuing colonial policies. Israel is not an outpost of democracy in the Middle East, as propaganda here attempts to paint it. Israel is an outpost of colonialism in the Middle East.

88. We wish to appeal to the delegation of the United States—that delegation with which we have so much in common in ideology and policy. We wish to appeal to that delegation to realize that this is no time to act in an anti-Arab, anti-right, anti-justice manner. This is a time for impartiality. This is a time when the principles enunciated by the great President of the United States should be pursued in their letter and their spirit.

89. However, to yield to local pressure, to Zionist propaganda and to French colonial interests and to adopt a policy based on such action is certainly detrimental to the prestige of the United Nations and detrimental to peace in the Middle East and in the entire world. We certainly believe that, when Mr. Eisenhower, the President of the United States, in a recent speech, came out in support of the United Nations and its principles, denounced aggression and said that aggression was not in the spirit of the Charter, but was a violation of the Charter, he was representing the true spirit of the United States of America. If, however, United States policy behind the scenes, working in collusion with Mr. Mollet, Prime Minister of France, and in collusion with Israel, has the effect of giving Israel advantages and rewards for its aggression, I think that the United States will be undermining not only its own interests and prestige, but also world peace and this very Organization for which President Eisenhower showed so much concern and so much appreciation.

90. I wish to place it on record that, as regards the Israel-Palestine problem, all the Arab countries, including my own, stand on one policy—namely, that Israel aggression should not be rewarded. There is only one thing to be said to Israel: "Get out"—nothing more.

91. We are told that Israel is a democracy. We are told that Israel is carrying the torch of democracy and civilization to the Middle East. We submit that the contrary is true. Israel is the bearer of aggression, of anarchy, of war to the Middle East. Israel has not respected the Charter of the United Nations. Israel has violated the Charter. Israel's invasion of Egypt was nothing but a violation of the Charter. Israel has denied human rights to the 1 million Arabs of Palestine. Israel does not recognize and respect the Universal Declaration of Human Rights. Israel does not recognize the United Nations resolutions on Palestine. Israel has torn to pieces the resolutions of 1947 and

1948. Israel has violated these resolutions. Some of us have counted the number of resolutions on Palestine which Israel has violated—and the figure is seventy-four. Seventy-four resolutions of United Nations organs on the question of Palestine have been defied by Israel. Some Members of the Assembly have shown an interest in counting the number of vetoes which the Soviet Union has cast in the Security Council: I do not know how many are interested in counting the number of United Nations resolutions which Israel has defied. Finally, Israel has torn to pieces the Armistice Agreement with Egypt. To Israel, that Agreement does not exist.

92. Thus, for Israel there is no Charter, no human rights, no United Nations resolutions and no Armistice Agreement. What, then, is the law or the order under which this so-called symbol of democracy in the Middle East lives? It is this symbol of democracy, this symbol of civilization which attacks, with military force, one Arab State one day, a second Arab State the second day, a third Arab State the third day, and so on—one day this one day that, depending upon Israel's might and the backing which Israel receives from Zionist sources and colonial Powers.

93. I must say that this Israel democracy treats its citizens of Arab descent in accordance with truly democratic rules and a truly democratic spirit. In this connexion, I should like to read out an excerpt from a statement made by an Arab member of the Knesset:

"I consider it my duty to lay bare these ghastly facts before the public through this message, after the Government had attempted in various manners to conceal this massacre.

"Rigorous censorship prohibits the publication of facts in the Press. (A member of the Knesset made an attempt to raise the case in the Knesset on Tuesday, 13.11.1956, but she was stopped, and everything she said about the case of Kfar-Qasim was wiped out from the minutes of the House.)"

This is democracy; this is freedom of the Press.

94. After referring to the tragedy of Kfar-Qasim, of which mention has already been made here, this Arab member of the Knesset stated:

"But not those who directly committed the crime are alone responsible for it. Those primarily responsible are the makers of the policy of persecution of the Arab inhabitants—those who follow the policy of racial persecution and have for eight successive years been imposing the horrible military rule, treating the Arab citizens as enemies who have no rights and who should be harassed and persecuted. The ugly crime of murder at Kfar-Qasim village is the result of the official policy of the Government towards the Arab citizens, of the continuous disregard of their rights, and of the racial indoctrination the State authorities promote against the Arab citizens.

"The Government has no moral right to take a decision referring to a closed military tribunal the officers of the Frontier Force unit, Yehuda Alexandrovitch and some of his subordinates.

"These criminals should be tried before a public court to expose everything that lies hidden behind this dastardly crime of murder."

This is the democracy of Israel in the Middle East. Those who champion Israel as an outpost of democracy and civilization in the Middle East should know these facts.

95. We are concerned not only with peace in the Middle East, but also with the future of this Organization and of world peace. We believe that the policy of treating Israel as a dear child, of yielding to Israel's aggression and of rewarding Israel for what it has done in collusion with France cannot lead to peace. The dangerous effects of this policy will spread not only to Egypt, but to the entire Arab world, including my country.

96. We should like to submit that it is time for this Organization to decide the question: To be or not to be? If this Organization wishes to continue to exist—and its existence is vital to peace—then our policies in this Organization must change. We cannot work behind the backs of the nations concerned and produce policies which are aggressive, unfair and unjust, policies which would reward the aggressor.

97. I wish to say again that we Arabs have exhibited a great deal of patience and have done a great deal of waiting. We are noted for our impatience, but in this case I assure you we have shown the world that we have almost inexhaustible patience. But I am afraid that our patience is not really inexhaustible; it has its limit and it will reach its end.

98. I wish to say again that we have nothing against the Jews. We are not anti-Jewish and we are not anti-Western. We are not against those colonial Powers belonging to the West. We are against Zionism, we are against colonialism when it denies our rights, when it invades our lands. We are not anti-anybody.

99. It is for us to decide in this Organization whether we want right and justice to prevail. We have to decide whether we want a settlement to be made by mediation, not by invasion. Do we want the Israel prophet of war, Mr. Ben-Gurion, to have his way and say, supported by Mr. Mollet? We have to decide whether this world Organization is moving in the path of justice and fairness, which looks at the whole and recognizes the whole. Or are we going to atomize the Palestine problem and, with it, human morality, sense of justice and conscience?

100. I appeal to this august body to work in the light of its highest principles, and to be guided by morality, not by expediency or by power politics. In the long run, expediency and power politics will not provide us with peace. President Eisenhower's policy is an excellent one and follows the true spirit of the Charter. Anything less than that will certainly lead us into more trouble and more unrest and, believe me, the news we read in the newspapers of the activities which are taking place behind our backs may plunge us into bloodshed in the Middle East. I hope that will never happen.

101. Mr. KIZYA (Ukrainian Soviet Socialist Republic) (*translated from Russian*): More than three months have passed since the General Assembly adopted its first resolution calling for a cease-fire in the Middle East and the withdrawal of United Kingdom, French and Israel forces from Egyptian territory [*resolution 997 (ES-I)*]. Under the pressure of world public opinion, which harshly condemned the aggressors, the United Kingdom, France and Israel were constrained to halt hostilities against Egypt, and the forces of two of the aggressors—the United Kingdom and France—were withdrawn from Egyptian soil.

102. Nevertheless, the General Assembly is having to revert again and again to this question because the

third aggressor Government goes on stubbornly ignoring Egypt's legitimate demands for the restoration of all the territory which belongs to it and the final, complete and unconditional withdrawal of all Israel forces behind the armistice demarcation line. Such conduct on the part of Israel is bound to stir up public opinion, which rightly holds that the continued presence of Israel's troops in Egypt increases international tension and threatens new complications and conflicts in the Middle East in furtherance of interest of certain imperialist circles.

103. The request for postponement of the discussion made at this meeting by the representative of Israel is nothing but an attempt to evade responsibility and mislead the United Nations and world public opinion. That is why my delegation shares the indignation about which the representative of Egypt has spoken here.

104. Israel, as the facts clearly indicate, is unwilling to pay heed to the United Nations Charter and persists in violating the standards of international law. That is borne out by the fact that the Prime Minister of Israel, in his statement of 23 January 1957 and in subsequent speeches, made proposals concerning the Gaza strip and the Gulf of Aqaba which run counter to the Egyptian-Israel General Armistice Agreement of 1949. It is further borne out by the information given in the latest report of the Secretary-General of the United Nations [A/3527].

105. Instead of withdrawing its troops from Egyptian soil without delay, Israel continues to submit more and more conditions for carrying out that measure. In addition, it demands that Egypt and the General Assembly should make "mutual concessions". This is not the first time we have heard the representative of Israel in the General Assembly make such speeches and baseless proposals. During the latest discussion of the Egyptian question the representative of Israel again put forward claims which border on blackmail. He did not hesitate to apply the word "occupation" to the exercise by Egypt of its rights in the Gaza strip under the 1949 Armistice Agreement. We are following an extremely dangerous path when we heed the dictates of the aggressor and his protectors.

106. Alongside the so-called Canadian delegation plan, about which the representative of Bulgaria has already spoken here, the Press reports that Israel is concocting a scheme for an Israel-United Nations condominium over the Gaza area. In accordance with that plan, Israel would join to its own territory the Gaza area and certain important strategic points in the Sinai desert, such as El-Qusaima, El-Kuntilla and El-Ahaim. In the south, Israel's territory would be broadened at the expense of the whole Egyptian coastal strip and the islands at the mouth of the Gulf. In particular, Israel would build military bases on the island of Tiran and at Sharm el Sheikh.

107. In accordance with another plan, described recently in the Israel Press, Israel wishes to propose a tripartite administration in the Gaza area consisting of representatives of the Israel administration, the local Arab population, and the United Nations. Such plans have their origin, as the facts show, among official ruling circles in Israel.

108. As an example I might cite the television address made by the Minister for Foreign Affairs of Israel on 17 February 1957 in which it was openly

declared that the Israel forces would not hand over full control of the Gaza area to any other administration and that Israel was prepared to co-operate with the United Nations Emergency Force in administering that area. Such plans can be regarded only as attempts on the part of Israel to perpetrate further aggression against the Arab countries.

109. While the United Nations fruitlessly wastes time and effort on repeatedly considering this question, Israel, as reported in *The New York Times* of 8 February 1957, is holding everything in its power to entrench itself in the Gaza area and Sharm el Sheikh through military and administrative measures. According to the Jerusalem correspondent of that newspaper, in the eyes of the military and civilian officials in charge of the Gaza area there are no "ifs" as far as Gaza is concerned, so sure are they that Israel will retain its position in that annexed area.

110. The General Assembly should resolutely condemn the unworthy conduct of Israel and demand full and unconditional withdrawal of Israel's forces from Egypt. We all know that such a demand has already been put forward in six resolutions adopted by the General Assembly at the various stages of its discussion of the aggression against Egypt.

111. I think it would be appropriate to recall here that the delegation of the Ukrainian SSR, when voting for those resolutions, referred to the inadequacy of mere appeals and requests to Israel. In our opinion, the General Assembly should resolutely condemn Israel as an aggressor under the terms of the United Nations Charter and should apply vigorous measures, including sanctions if necessary, inasmuch as that Government has for months now and on various pretexts been refusing to withdraw its forces from Egyptian soil.

112. The delegation of the Ukrainian SSR likewise pointed out the dangers of a policy of concessions to Israel, such as those envisaged in General Assembly resolution 1125 (XI), a resolution which was adopted, as we know, under strong pressure from the delegation of the United States. The adoption of that resolution created a precedent which is fraught with serious consequences, for it would permit an aggressor to profit from his lawless act at the expense of the victim of aggression. The effect of such measures can only be to encourage the aggressors and lower the prestige of the United Nations. This is demonstrated by the record and is confirmed in the latest report of the Secretary-General, which indicates that Israel has now adopted an even more intransigent attitude and is using the above resolution as pretext for setting more and more conditions.

113. By this time it must be apparent to everyone that a State as small as Israel would not have dared to wage aggressive war against Egypt and obdurately ignore the demands of the General Assembly and world public opinion for more than three months if it had not had support from abroad. Imperialist circles in the West are now trying to use the forces of the aggressor, Israel, which are occupying territory that belongs to Egypt, as a trump card in the furtherance of their aggressive designs against the peoples of the Near and Middle East.

114. In its statements the delegation of the Ukrainian SSR has already drawn the attention of the General Assembly to facts which demonstrate the existence of collusion between the ruling circles of Israel and im-

perialistic circles in the United States. Recently, the newspapers have been publishing more and more reports to the effect that certain circles in the United States are conducting secret negotiations with Israel concerning the allocation to that country under the Eisenhower doctrine of enormous quantities of arms and military equipment worth a total of more than \$100 million.

115. In the light of those reports Israel's position with regard to Egypt and the other Arab countries becomes clear. Without the support of influential circles in the United States, the United Kingdom and France, Israel would never have dared to challenge the whole Arab world and the United Nations to boot.

116. It is perfectly obvious that imperialistic circles in the United States, taking advantage of the weakened position of the British and French imperialists, are now trying to establish their own supremacy in the Near East. They are using Israel as an instrument of intrigue and blackmail in their efforts to create tension in that area.

117. There is an Arab proverb which says, "Black or white, a dog is a dog". Colonialism, whoever the colonizer may be and whatever the label it wears, is still colonialism and inevitably goes hand in hand with suppression of the national liberation movements of subject peoples, harsh exploitation and the plundering of the natural resources of the dependent countries.

118. The new United States plans with regard to the countries of the Middle East are fraught with serious dangers, not only for the independence of the peoples of that area, but for the cause of peace throughout the world. The intention of the United States to intervene in the internal affairs of the countries of the Middle East, even to the point of using armed force, is creating a situation of tension in that area which may lead to serious international armed conflict.

119. In the statement of the Minister for Foreign Affairs of Israel to which I have already referred, it was proposed that Israel's interests in the area of the Gulf of Aqaba and elsewhere should be guaranteed by the United States Navy. This proposal testifies to new efforts on the part of the United States to take advantage of the conflict in the Middle East to penetrate even further into that area. Small wonder that Cairo Radio should have reported on 15 February 1957 that the United States had become the ringleader in the conspiracy against Egypt in particular and against Arab nationalism as a whole.

120. In these circumstances, the General Assembly should give the most serious attention to the possible results of the aggressive policy pursued by the United States in the Middle East and act to forestall eventualities which would be disastrous for the peoples of those countries and for the cause of peace throughout the world.

121. The delegation of the Ukrainian SSR has already voiced its misgivings with regard to the increasingly frequent attempts to transform the United Nations armed forces into occupation troops and use them, in settling the Middle East problem, to wring from the Arab countries concessions which would benefit the imperialistic States. The facts confirm the validity of our misgivings.

122. In that connexion I should like once again to draw attention to the fact that the General Assembly, under Chapter VII of the United Nations Charter,

does not enjoy the right to take decisions regarding the establishment and utilization of international armed forces. That is a matter which falls exclusively within the competence of the Security Council. Hence any attempt to extend the functions of such forces in the territory of a victim of aggression are illegal and dangerous, inasmuch as they constitute intervention in the internal affairs of a State Member of the United Nations.

123. In the statements made by the representatives of several Western Powers, it has been clearly suggested that the forces of the United Nations should be used to promote imperialist expansion under the United Nations flag. This is the only possible interpretation of the attempts which are being made to use those armed forces for the occupation of the Gaza and Aqaba areas on the pretext of so-called "internationalization". The same idea is to be found in the proposal made by the Canadian delegation. Can we, I ask, acquiesce in such a scheme?

124. The delegation of the Ukrainian SSR continues to hold that complete withdrawal of Israel's forces from Egyptian territory should automatically be followed by prompt withdrawal from that same territory of the forces of the United Nations. Only in this way can justice be secured for the victim of aggression, Egypt. If this is done, the General Assembly will have achieved its purpose, which is to maintain international peace and security, and will have enhanced its prestige in the eyes of peace-loving peoples.

125. In the course of our discussions on this question some delegations have been trying to divert the General Assembly from its primary and most urgent task, namely, to secure the complete withdrawal of Israel's forces from Egyptian soil and to condemn those imperialistic forces which have supported the aggressor and are hatching new colonialist schemes. Such efforts have nothing in common with any sincere desire to strengthen peace and security in the Middle East, for it is clear to everyone that until those forces have been withdrawn from Egyptian territory no other Middle Eastern problem can be solved.

126. For that reason the delegation of the Ukrainian SSR expresses the hope that the General Assembly will not allow itself to be diverted from the primary task which confronts it and will prove capable of restraining the aggressor by securing the complete and unconditional withdrawal of Israel's forces from Egypt. The General Assembly should fulfil the task entrusted to it by the peoples of the world. In so doing, it would strengthen the cause of peace in the Near and Middle East.

127. Mr. SHAHA (Nepal): Six resolutions have been adopted by this august body calling for Israel's complete and immediate withdrawal from the Egyptian territory it occupies. It is highly regrettable and unfortunate that the Government of Israel has not thought it proper to withdraw its armed forces from the Sharm el Sheikh area and the Gaza strip, despite the adoption of two resolutions by the General Assembly on 2 February 1957 [resolutions 1124 (IX) and 1125 (IX)], the second of which tended to give Israel some guarantees upon its withdrawal from that area. It appears that the commendable efforts of the Secretary-General and of the United States Government outside the General Assembly to bring about Israel's withdrawal seemed to have been frustrated by the intransigent and recalcitrant attitude of the Israel authorities.

128. Israel's defiance of the moral authority of the United Nations has confronted the Organization with a really unpleasant and grave situation. It would have been much better for Israel itself and the world Organization had Israel followed the example of the British and French in withdrawing its forces from Egyptian territory in response to the will of the General Assembly. Israel is, after all, a small country which needs the protection of the United Nations more than relatively bigger and powerful countries. If Israel has not thought it fit to rely on the assurances of the United Nations and of the United States for the protection and safety of its legitimate rights in the future, upon whom else can Israel possibly rely? Israel has been insisting on the adoption of concrete measures beforehand which might safeguard its rights of navigation in the Gulf of Aqaba and prevent alleged raids against its people and territory from Gaza. But whatever substance there might be in its demands for these guarantees of security, the United Nations certainly cannot allow Israel to set a price for its withdrawal under the present circumstances, because in that way Israel's invasion of Egypt will stand vindicated, and its defiance of the authority of the United Nations so far will also appear to have been justified.

129. How can we allow the aggressor, the invading country, to reap the benefit of aggression by laying down conditions for its withdrawal and by providing for guarantees prior to withdrawal? We cannot allow Israel's defiance to go unchallenged and unscathed if the high moral authority of this Organization is to be maintained intact.

130. If the United Nations fails to do anything to help the victim of aggression, that is, Egypt in this case, what can the latter do, other than fall back on its own strength for the restoration of lost territory and the exercise of the inherent right of self-defence provided for in the Charter? The non-compliance of Israel with the Assembly's resolutions has already charged the political atmosphere in the Middle East with very great tension, which might lead to a breach of the peace at any moment.

131. If Israel, at this critical and historic juncture, fails to comply with the recommendations of the United Nations, it might have to bear the entire responsibility for endangering the peace of the world. I am sure that the Government of Israel is not unaware of the gravity of the situation. It is not fear of sanctions, but respect for the moral authority of the United Nations that should have led Israel to comply with the Assembly's resolutions.

132. Rightly did the President of the United States bring out in his talk to the nation on the night of 20 February 1957 that: "If we agree that armed attack can properly achieve the purposes of the assailant, then I fear we will have turned back the clock of international order."

133. Israel, by refusing to withdraw from the territory of Egypt which it has occupied, has harmed not only its own interests but also the prestige of the United Nations and has endangered the prospect for the settlement of the Middle East question, which is already fraught with grave consequences to world peace. These considerations will determine the attitude of my delegation toward the draft resolution that has been submitted [A/3557] and any which might be submitted in the future for discussion and vote in the General Assembly.

## AGENDA ITEM 63

## Question of West Irian (West New Guinea)

## REPORT OF THE FIRST COMMITTEE (A/3565)

*Mr. Matsch (Austria), Rapporteur of the First Committee, presented the report of that Committee (A/3565) and then spoke as follows:*

134. Mr. MATSCH (Austria), Rapporteur of the First Committee: In the debate, a majority of delegations held the view that the United Nations should lend its good offices to assist in negotiations between Indonesia and the Netherlands in order that a just and peaceful solution of the question of West Irian might be achieved in conformity with the principles and purposes of the Charter. Other representatives were of the opinion that such negotiations would not lead to any positive results because for many years the two parties concerned have been defending points of view diametrically opposed to each other. The debate has shown that there are juridical and political aspects involved in this dispute between the two States which have been interpreted in different ways by a great number of representatives.

135. The resolution included in the report was adopted by the First Committee by 39 votes to 25, with 9 abstentions and is recommended by the First Committee to the General Assembly.

*In accordance with rule 68 of the rules of procedure, it was decided not to discuss the report of the First Committee.*

136. The PRESIDENT (*translated from Spanish*): I will now give the floor to any representatives who wish to explain their votes on the draft resolution in paragraph 7 of the report of the First Committee.

137. Mr. BELAUNDE (Peru) (*translated from Spanish*): It was very painful for Peru to vote in the First Committee against the draft resolution which has already been adopted by that Committee and which is now before the General Assembly.

138. My delegation has close ties with the delegations of Indonesia and the Netherlands. It welcomed the admission of Indonesia to the United Nations with enthusiasm and on several occasions paid tribute to the great cultural achievements of the Netherlands. The Peruvian delegation cannot forget that the Governments of the Netherlands and Egypt worked together to achieve the admission of eighteen new Members to the United Nations.

139. Our ties with these two delegations are equally strong and we would have liked to have abstained during the voting, since the problem was very difficult and we could not find a solution which was satisfactory to us and in strict compliance with the Charter. We hoped for a conciliatory proposal which, as in the cases of Algeria and Tunisia, would have expressed the desire and contained the hope of a solution to this dispute between two friendly Powers. Unfortunately no such draft resolution was submitted.

140. Filled with the best intentions and magnanimity, thirteen Powers submitted a draft resolution [A/C.1/L.173], which proceeded, as I know, from the most generous motives, but the Peruvian delegation was prevented from voting in favour of it by a legal scruple which I hope the Assembly will understand.

141. The delegation of Peru helped to draft the United Nations Charter at the San Francisco Conference in 1945; there we were careful to ensure that

the Organization should advocate the solution of all problems according to methods recommended by international law. This principle is set forth categorically in Article 33 of the Charter, which states that the United Nations—that is, either the Security Council or the General Assembly—should call upon the parties to solve their disputes by peaceful means, by negotiation, mediation, conciliation, arbitration and judicial settlement. In other words, the United Nations should favour all the means known to international law and all the institutions of international law which have evolved during the juridical development of the world: negotiation, which presupposes direct contact between the parties; and recourse to good offices, which means intervention of a third party, yet with the consent and on the spontaneous motion of the party lending its good offices and with the agreement of the parties concerned. This constitutes mediation and conciliation.

142. Later, in pursuance of this Article of the Charter, as all representatives who were present at the second part of the third session at Lake Success will remember, the Assembly adopted resolution 268 D (III) providing for the establishment of a panel of conciliators and mediators—prominent men—to whom the parties could have recourse for the settlement of their disputes if they were unable to find a solution by direct negotiation. This means that the Assembly may recommend that a situation requires good offices, just as it should recommend at the same time conciliation proceedings or arbitration. In my view, however, it is not in the nature of the good offices method to designate those who are to carry out this function unless they receive an express mandate or there is at least an express acceptance from the parties concerned.

143. Recourse to good offices is an institution founded on the confidence and assent or agreement of the parties concerned and is a delicate and subtle instrument which cannot be converted into an institution to be imposed by a decision of the United Nations; we must keep in mind that, according to the draft resolution, three persons may be designated and these persons may not be able to rely on the consent of the parties concerned.

144. The Peruvian delegation would have voted gladly for any other draft resolution recommending that the parties should seek to settle this dispute by any of the methods enumerated in Article 33 of the Charter. This is the legal scruple which prevented the Peruvian delegation, to its great regret, from joining the other Latin-American delegations in sponsoring this draft resolution.

145. In conclusion, I would express my fervent hope that contact between the Netherlands and Indonesia may be resumed and that these two Powers, which have done so much for European and Asian civilization, can achieve a solution in conformity with the Purposes and Principles of the United Nations Charter.

146. Mr. BIOY (Argentina) (*translated from Spanish*): We are dealing here with the question of West Irian, a dispute about territories. Questions of this nature present differences which distinguish them from each other. Some of them are exclusively territorial, and geography and history are the sole determinants in seeking a solution. Others are in the main human and require other elements and criteria for their solution. In nearly all cases it is very difficult to find a solution without a direct agreement between the parties. For this reason my delegation cannot support a draft

resolution, such as the one submitted by the First Committee, which does not restrict itself to expressing the hope that the parties will reach a peaceful settlement by direct negotiation in conformity with the principles of the United Nations as set forth in its Charter.

147. Mr. ZEINEDDINE (Syria): My delegation was among those delegations which sponsored the draft resolution adopted by the First Committee. We also took part in bringing the issue of West Irian to the United Nations [*A/3200 and Add.1*]. Our actions in introducing this issue and in sponsoring the draft resolution and in voting for it are a sequence in an attitude based upon the following facts.

148. We believe that the question of West Irian offers the General Assembly at one and the same time more than one matter to be considered, due to the complex nature of the issue. On the one hand, the question is a dispute between two Member States which has existed previously and which has not been solved; it is also a colonial issue of liberation from foreign rule. But it has another nature, which is of particular importance in the world affairs of today.

149. The question of West Irian has caused and continues to cause international frictions which are continuing to widen more and more, particularly after the African-Asian Conference, held at Bandung in 1955, had taken a stand on that issue. We were told in the Committee, but we were not convinced—and it was again stated at this meeting—that this issue brings with it to some delegations some juridical scruples that they cannot overcome because the consent of both sides is needed for negotiations to take place. That is very true. But in the present circumstance, where the Netherlands refuses to negotiate on an existing dispute, a real one, where the Netherlands claims one thing and Indonesia claims another—when there is international friction of this nature, it is not, in our view at least, in any way the ground for any juridical scruple whatsoever. This scruple, and I want to be frank, is not in our view a juridical one, but rather a political attitude of being ready to support the interests of certain Powers out of solidarity with them for various reasons, particularly in order to support the policy of some colonial Powers. This is a fact which really saddens us indeed.

150. This draft resolution received forty votes in the First Committee [*863rd meeting*]—thirty-nine, and then a delegation that was delayed expressed its desire to support it—with twenty-five against it. It received this vote because there was a general feeling in the Committee that the Netherlands is trying to evade negotiations and is able to do so because, in the General Assembly of the United Nations, it can rally a number of delegations to support its viewpoint for one reason or another. That saddens us indeed because the moral effect of such a stand on the part of the majority of the Committee and the detrimental effects, if I may say so, of opposition to negotiations in this particular case is something that teaches many countries a lesson on how to look to the realities of the world situation existing today.

151. I for one have been opposed to the Assembly's adopting any draft resolution which does not call for negotiations and good offices—in other words, a milder one. We would prefer to know the position of the various countries on such issues so that we would know how to deal with these issues better in the future, rather than let them drag in the manner in which they have been dragging up to now.

152. We have appealed before and we would like to appeal again—not in this particular instance, but as a matter of general policy in the United Nations—to some countries to go along with history and with the development of liberation of the countries which are not yet liberated. I appeal to them to be ready at least to condescend to negotiate with the people who have the right, which has been recognized, to administer their own country, as in the present case, in which the Netherlands has recognized that sovereignty over the whole of Indonesia, including, of course, the Residency of West Irian, was transferred unconditionally and irrevocably to Indonesia. We say so, not because a draft resolution is or is not going to be adopted, but to explain our attitude and our vote and, at the same time, to be able to make an appeal in the most sincere manner that it would be well to reconsider some of the stands that have been taken by some delegations on this issue.

153. Mr. LALL (India): I wish to explain briefly the attitude of my delegation regarding this matter and also, in this context, the vote which we will very shortly cast.

154. As the representative of Syria has said, the draft resolution before us on the question of West Irian puts before the General Assembly the minimum requirements of the case in the present situation.

155. We all know that this is an issue on which negotiations have taken place. We also know that there has been much sympathy expressed previously in the Assembly for the process of negotiation, which has been pursued in the past by the two countries concerned.

156. In the opinion of my delegation nothing would be more tragic than a negative vote on a draft resolution which asks that negotiations be resumed in order that a just and peaceful solution of the question may be achieved. What could be more tragic than to reject such a request? It might be argued that the parties have failed to reach agreement by negotiation. It is for that reason that the draft resolution before us very wisely suggests that we ask the President of the General Assembly to appoint a good offices commission consisting of three members with a view to helping the parties. It seems to the delegation of India—and we would request the Assembly to consider this view—that this is a very minimum which the General Assembly of the United Nations should undertake to do at this juncture in this matter.

157. It is necessary, I think, to mention some points of substance which have been raised, especially by those who had not found it possible in the First Committee to support this draft resolution. The first point which I should like to mention is that the transfer of sovereignty, which occurred on 27 December 1949, was complete, unconditional and irrevocable. In fact, these are precisely the words used in article 1 of the Charter of the Transfer of Sovereignty [S/1417/Add.1, appendix VII]. The territory of West Irian is part of Indonesia. It has been historically such. It was recognized as such in the Constitution of the Netherlands, and it was administered as such by the Netherlands Government prior to the transfer of sovereignty.

158. Since the transfer of sovereignty over Indonesia was complete in terms of the instrument of 27 December 1949, it must obviously have included West Irian. There was no provision in it for any exclusion. Also, as it was unconditional and irrevocable, no limitations of transfer can be admitted at this stage.

159. It has been argued that article 2 imposes a limitation upon the transfer of sovereignty. But what does article 2 say? It merely states—and I would now like to quote the relevant part of the article:

“That the *status quo* of the Residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia the question of the political status of New Guinea be determined through negotiations between the Republic of the United States of Indonesia and the Kingdom of the Netherlands.”

160. This article, in our view, cannot be read as a limitation of sovereignty. On the contrary, it can only be read as a postponement in the administrative field of its application to a certain area. The negotiations envisaged in article 2 were not intended to decide the question of Indonesian sovereignty over West Irian, since that had already been decided in article 1, but only to determine the method of transfer to Indonesia. It is significant in this connexion that article 2 refers to the “Residency” and not to the “territory” of New Guinea. A residency, as we all know, was an administrative sub-division. In other words, the very language of the article is an admission that West Irian is an integral part of Indonesia. So much for that point.

161. It has further been argued, notably by the representative of Australia at the First Committee's 862nd meeting, that the letter which was signed by two Indonesian representatives and which accompanied the Charter of the Transfer of Sovereignty, the relevant articles of which we have just been mentioning, imposes, either by itself or in conjunction with article 2, a limitation on this transfer of sovereignty. What is the text of that letter? It is as follows:

“We have the honour to acknowledge receipt of your letter and we can inform you that the delegations of the Republic of Indonesia and the Federal Consultative Assembly to the Round Table Conference state that the following has been agreed upon by the delegations to the Conference.

“The clause in article 2 of the draft Charter of Transfer of Sovereignty reading: ‘the *status quo* of the residency of New Guinea shall be maintained’ means: ‘through continuing under the Government of the Netherlands’.” [S/1417/Add.1, appendix XXIV, A.]

162. This text does no more than define the *status quo*. I do not see by what stretch of interpretation it can be used to perpetuate the *status quo*. Article 2 of the Charter of the Transfer of Sovereignty makes it plain that the maintenance of the *status quo* was to be only for one year and was thereafter to be terminated by a negotiated agreement. This agreement can only be in terms of article 1, which is unconditional and overriding. In the absence of such a negotiated agreement, it is article 1 and not the *status quo* which becomes legally effective. In short, we have here an unconditional transfer of sovereignty, its application to a certain area is postponed for one year and, following the expiration of that time limit, it becomes effective whether or not there is a negotiated agreement. The position is thus in no way altered by the letter which has been quoted by certain delegations.

163. We feel it necessary to take note of another argument which has been brought into this picture. It has been argued in the First Committee that, in de-

ceding the future status of the territory of West Irian—which, as a matter of fact, has already been decided by the Charter of the Transfer of Sovereignty—we have to take into account the strategic interest of other Powers. This view was expressed most clearly and forcefully by the representative of Australia, who, at the 858th meeting of the First Committee, said that Australia had a cardinal interest in the whole area of New Guinea and in its future and that New Guinea represented the very key to Australia's defence.

164. My delegation was very disturbed to read these statements and to listen to them, because the clear implication is that, in the question of West Irian, strategic grounds and grounds which are important to a third Power should be brought prominently into the picture. It seems to us totally irrelevant to this issue. This issue concerns a colonial question which was decided in 1949 by a document agreed upon by the Netherlands and Indonesia. What remains to be done in the area covered by the document concerns the relatively small part which is known as West Irian or West New Guinea. That into this matter should now be introduced the idea that other countries have a strategic interest in West Irian, over which they have no political, historical or other claims, is, in our view, bringing into the issue a totally irrelevant idea and one that cannot possibly be allowed to affect the decision of the Assembly.

165. In fairness to the representative of Australia I should like to say that, in a later statement in the First Committee [862nd meeting], he said that he wished only to express his country's concern and did not suggest that this concern over the strategic importance of West Irian should be decisive. Nevertheless, we still take the view that that concern is not one which should be permitted to sway the views of this Assembly.

166. I have already said something about the draft resolution. It is simple and direct. It uses language that we have used in other resolutions which have been adopted and which have helped to take us further, we hope, to a solution of other difficult problems. We now commend this draft resolution, which we were happy to sponsor with twelve other countries in the First Committee, to the Assembly. We trust that it will be adopted by a handsome majority and that the process of negotiation, which has unfortunately been interrupted, will go forward, with the help of three countries which will lend their good offices for the purpose.

167. Mr. GARIN (Portugal): The Portuguese delegation will vote against the present draft resolution because of juridical principles which have been explained at length by other delegations during the discussion in the First Committee and which my delegation strongly believes should be respected. In saying this, I wish to emphasize the strong ties of friendship which link Portugal to both Indonesia and the Netherlands and which Portugal will always continue to do its utmost to develop.

168. Mr. MANGASHA (Ethiopia): I shall be very brief. My delegation had the pleasure of co-sponsoring the draft resolution that is now before the house. In co-sponsoring it, we took note of the desires of the Indonesians and also of segments of the Netherlands people as expressed by their representatives in the Netherlands Parliament. My delegation feels that the proposed good offices commission, which will work in conformity with the United Nations Charter, will do much to reconcile the differences that now exist between Indonesia and the Netherlands.

169. Mr. GUNewardENE (Ceylon): It was my privilege in the First Committee to introduce [858th meeting], on behalf of the co-sponsors, the draft resolution that is now before the Assembly, and I have also had the advantage of two interventions in that Committee, so I shall be necessarily brief.

170. It is the conviction of my Government that West Irian is historically, geographically, politically and administratively a part of Indonesia. That being so, it defies my understanding why one part of that territory should be excluded. It is fairly clear that the Netherlands Government meant to convey the entirety of this territory to the new Republic of Indonesia. Abundant proof may be found in the official pronouncements made in the articles of agreement and in various utterances of people who are qualified to speak on behalf of the Government of the Netherlands.

171. We are aware of the bloody struggle that went on from 1945 to 1949. In the meantime, in December 1946, the Lieutenant Governor-General of the Netherlands Indies, Mr. van Mook, who obviously was qualified to speak on behalf of the Netherlands Government, made it quite clear at the Conference of Den Pasar in Bali that West Irian was definitely not to be excluded from Indonesia. Then we have the amendment made in 1948 to the Netherlands Constitution, in which, instead of "Netherlands Indies", we find "Indonesia", and the definition of Indonesia is well known. We have the reports submitted by the Netherlands to the United Nations in 1948 and 1949<sup>1</sup> in which Indonesia is described, and West Irian is included in that group of islands.

172. If that is the case, what did the Netherlands purport to convey in 1949? According to the Netherlands Constitution, West Irian is a part of Indonesia, and according to the utterance of the Governor-General it was meant to be conveyed. According to the Linggadjati Agreement of 25 March 1947, the position was the same: the entirety of Indonesia was to be conveyed. In the Charter of the Transfer of Sovereignty of 1949—and the words have been quoted before by the representative of India—the words are quite clear. Article 1 undoubtedly conveys *de jure* and *de facto* sovereignty to Indonesia. Article 2 only states that West Irian is a residency; it is described as such. A residency has not, of course, any independent entity; the word itself connotes that it is a part of a whole. The political status of the residency of West Irian was to be the subject of negotiations within one year.

173. If that is so, then the only interpretation that I can put on it is that the transfer of *de facto* sovereignty—in other words, any arrangements for the administrative transfer of the area—should take place within one year by negotiation. Negotiation was undertaken and failed. However, there is always room for negotiation. It was in that spirit that many Governments felt it was their duty to place this draft resolution before the Assembly, so that negotiations might again be undertaken.

174. We know that both Indonesia and the Netherlands are peace-loving countries. We know that, even in the Netherlands, there is a certain amount of public opinion in favour of a negotiated settlement. That opinion has been expressed by intellectuals, by mem-

<sup>1</sup> *Non-Self-Governing Territories: Summaries and analyses of information transmitted to the Secretary-General during 1948; ibid., 1949* (United Nations publications, Sales No.: 1949.VI.B.1 and 1950.VI.B.1, Vol. II).



bers of Parliament, by the Labour Party, by various organizations and church groups—there is a volume of public opinion in the Netherlands in favour of such a settlement. There is also a volume of public opinion among the Dutch settlers in Indonesia in this respect, and they have made representations to the Netherlands Parliament. There is also a desire on the part of the Dutch residents in the whole of the territory in that respect.

175. In view of all this, we felt that the atmosphere was right for talks. In point of fact, quite recently statements were made in the Netherlands Parliament which indicated that a negotiated settlement was desirable in the best interests of Indonesia and the Netherlands. I quoted statements from the Rapporteur of the Second Chamber of the States-General which clearly indicated that some kind of settlement was desired.

176. If there is public opinion in the Netherlands and in Indonesia is in favour of a settlement—quite recently the Indonesian Parliament unanimously adopted a resolution requesting United Nations intervention for a negotiated settlement—if there is this frame of mind on both sides which will enable a settlement to be successful, I think it is right that we should make one further effort. It is in that spirit that our draft resolution was introduced.

177. The statements that were made in the First Committee by the representatives of the Netherlands and Indonesia were also marked by restraint, moderation and a sincere desire for a search for a useful settlement. It was in that spirit that this draft resolution has been submitted to this house. I trust that it will be possible for the General Assembly to adopt it so that we might start a fresh chapter in Indonesian history.

178. The PRESIDENT (*translated from Spanish*): With regard to the vote which is shortly to take place, I would like to remind you of the following: During the ninth session, before proceeding to a vote on a draft resolution which had been submitted by the First Committee on the question of West Irian (West New Guinea), the President of the General Assembly made the following statement:

"I should like to inform the Assembly that the delegation of New Zealand, as well as some other delegations, have called my attention to the fact that, in the light of the precedents, the vote on this question should take place on the basis of the two-thirds majority rule". [509th meeting, para. 294.]

On that occasion the Assembly decided that the vote should be on the basis of the two-thirds majority rule.

179. At the tenth session of the General Assembly, as a result of a compromise between the parties concerned in the First Committee, the Assembly adopted a draft resolution without speeches and without holding a formal vote [559th meeting, para. 117].

180. Therefore, on the subject of West Irian, we have the immediate precedent that the vote was taken on the draft resolution at the ninth session on the basis of a two-thirds majority. If there is no objection, we shall apply the same procedure during the present vote.

*It was so decided.*

181. The PRESIDENT (*translated from Spanish*): We shall now proceed to the vote on the draft resolution recommended by the First Committee [A/3565, para. 7].

*A vote was taken by roll-call.*

*Thailand, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Syria.

*Against:* Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Austria, Belgium, Brazil, Canada, China, Cuba, Denmark, Dominican Republic, France, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, Sweden.

*Abstaining:* Turkey, United States of America, Uruguay, Venezuela, Argentina, Cambodia, Chile, Finland, Laos, Mexico, Panama, Paraguay, Spain.

*The result of the vote was 40 in favour and 25 against, with 13 abstentions.*

*The draft resolution was not adopted, having failed to obtain the required two-thirds majority.*

182. Mr. SOLE (Union of South Africa): The Union of South Africa has, on this occasion, participated in the vote on a draft resolution before the General Assembly solely because the request of the Government of Indonesia for the Assembly to take action on its claim to sovereignty over West New Guinea represents, in our view, an infringement of the rights of the Netherlands under Article 2, paragraph 7, of the United Nations Charter, rights which were formally reserved by the Netherlands Minister for Foreign Affairs when the item first came before the Assembly at its ninth session, nearly three years ago [477th meeting, para. 12]. We hold this view since we recognize that the Netherlands exercises full sovereignty over West New Guinea. We must therefore regard any intervention by the United Nations which calls that sovereignty into question as contrary to the injunctions of Article 2, paragraph 7, the observance of which we regard as of fundamental importance to the future of the Organization. We therefore registered our vote accordingly.

183. Mr. SUDJARWO (Indonesia): The draft resolution submitted by the First Committee on the question of West Irian—a draft which my delegation supported—has just been voted on by the Assembly. While it was not adopted, on account of the rule requiring a two-thirds majority, my delegation is satisfied that the draft resolution which was adopted by the First Committee, recommending the appointment of a good offices commission "with a view to assisting in negotiations between the Governments of Indonesia and the Netherlands in order that a just and peaceful solution of the question may be achieved, in conformity with the Principles and Purposes of the Charter of the United Nations", has received the support of a substantial majority of the nations of the world.

184. We believe the draft resolution, in the given circumstances, since bilateral negotiations have always failed, offers the most appropriate way under the Charter for the resolution of a dispute which has not only inhibited for too long the relations between my country and the Netherlands, but has also disturbed

the peaceful development of relations between important parts of the world.

185. We naturally regret that the General Assembly has not been ready at this moment to support fully the peaceful course of action recommended by the First Committee. However, my Government and people will remember gratefully that so great a body of opinion in the General Assembly supported the cause which we deeply believe to be one of justice and freedom for our fellow countrymen in that part of our country called West Irian and which we also believe to be in the best interests of the peace and welfare of that part of the world.

186. Unfortunately, the grave dispute will continue to exist, with all its ramifications. But let us hope that some day wiser counsels will prevail and that people can look for peaceful solutions of international disputes to the United Nations, in the real interests of peace and co-operation among nations.

187. Mr. ARENALES CATALAN (Guatemala): I wish to explain my vote briefly. For reasons which we stated in the First Committee [863rd meeting],

my delegation voted in favour of the draft resolution which has just been rejected by the General Assembly.

188. I have asked for the floor in order to refer to a point of procedure brought up by the President before putting the draft resolution to the vote. The President asked whether there was any objection to our following the same procedure as that adopted at the ninth session of the General Assembly when the draft resolution on this same item was considered as a substantive question requiring a two-thirds majority. My delegation did not object to the procedure suggested by the President, particularly as none of the parties directly concerned raised any objections. I should like to make it understood, however, that the fact that the Guatemalan delegation did not object to the procedure suggested by the President does not mean that we support the thesis that the appointment of a commission is a question of substance. The Guatemalan delegation believes that the appointment of a commission is purely a question of procedure and that a simple majority is sufficient for its approval in plenary meeting.

*The meeting rose at 6.45 p.m.*