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**President: Mr. Abdul Rahman PAZHWAQ
(Afghanistan).**

AGENDA ITEM 92

Strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination

1. Mr. BUSNIAK (Czechoslovak Socialist Republic) (translated from Russian): Acting upon the instructions of the Government of the Czechoslovak Socialist Republic, the delegation of Czechoslovakia suggested to the General Assembly that it include in the agenda of the twenty-first session an urgent and important item entitled: "Strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination". Allow me today, when we are beginning the discussion of this item, to express on behalf of the Czechoslovak delegation our satisfaction that the General Assembly has accepted our request to include this item in the agenda and has also accepted our recommendation to consider this item, in view of its importance, in plenary session.

2. We are convinced that the majority of the Members of the General Assembly will find in the explanatory memorandum (A/6393) which we have submitted a reflection of their own appraisal of modern international phenomena, that they will share our deep concern and at the same time will realize the need to take steps towards strengthening the authority of the principles which are at the basis of the Charter of the United Nations.

3. A few years ago, after a period of tension, we were able to note with a certain optimism and hopes symptoms of positive progress in international relations. Trends began to make themselves more apparent which, had they been allowed to develop and flourish, might have opened up before mankind prospects of more stable security. Concrete possibilities began to loom up of a successful solution of a number of important problems that we are urgently faced with in international life. The peoples were able to taste the first fruits of peaceful international co-operation. It seemed that the responsible statesmen of the West were beginning to understand

the realities of modern times and to recognize the need to learn from the sorry experience of the past.

4. Latterly, however, it has been becoming very perceptible that the situation is being very dangerously aggravated. Conflicts in various parts of the world are increasing and intensifying; the blood of peoples is being spilt and material and spiritual values are being destroyed. These conflicts, incidentally, are being unleashed by certain Members of the United Nations—an Organization which, in its Charter, has prohibited the use of force in international relations and has enjoined its Members to co-operate in peaceful efforts to promote the development and welfare of peoples.

5. During the general debate just ended almost all delegations have expressed concern about the present international situation and voiced their serious apprehensions about the future of peace throughout the world. Those statements directly reflected the justifiable concern felt by peoples about the fact that the existing conflicts and the dangerous hotbeds of tension are not only not dying down but on the contrary are becoming more and more intensified.

6. Steps must be taken immediately to halt this dangerous course of events and prompt action taken to change the dangerous course being steered—otherwise it will be too late. The efforts of States and of all peace-loving forces must be directed towards making a decisive turn in the direction of strengthening peace and peaceful co-operation among States, towards taking effective action to eliminate the obstacles to a badly-needed reduction of international tension and towards rendering all possible assistance in the development of friendly relations and co-operation between peoples.

7. If the present unfavourable situation is analysed, it becomes obvious that the basic cause of the very serious critical situation in the world today is the arbitrary use of force in international relations, the usurpation of the right to intervene by force in the affairs of other countries, and the suppression of national liberation movements. The illegal use of force is the main instrument of the policy of imperialism, the purpose of which is to dominate other peoples and whole continents. The distinctive feature of such a policy is the endeavour to obtain a privileged position to the detriment of other peoples and to secure a monopoly of power in a changing world. Another feature of this policy is the desire to halt national liberation movements and to delay the progressive development of mankind.

8. The most striking example at the present time of such a policy of the crudest application of force in international relations is the aggressive war being

waged by the United States in Viet-Nam. The armed intervention by the United States in South Viet-Nam and the aggression committed against a sovereign State, namely, the Democratic Republic of Viet-Nam, are, as the Foreign Minister of Czechoslovakia declared in the general debate at the present session, "a glaring violation of the basic rules of international law, the elementary principles of humanity and the principles of the United Nations Charter, by which States should be guided in their relations with other States and peoples whether they are Members of the United Nations or not" [A/PV.1416, pp. 28-30].

9. The United States, by its military actions against the Democratic Republic of Viet-Nam and the brutal war it is waging against the people of South Viet-Nam, is violating the basic principles of the United Nations Charter, both as regards the prohibition of the use of armed force against another State and the sacred right of peoples to independence and self-determination. The bombing of foreign territory and the large-scale military operations undertaken against the national liberation movement—operations for which the United States has sent into South Viet-Nam an army of almost half a million men—are the clearest examples of the violation of those two vitally important principles.

10. No one can be deceived by the efforts made to represent the United States' aggressive war in Viet-Nam as a so-called "liberation mission", conducted on the basis of some kind of commitments made to the puppet régime of the Saigon dictator set up by the United States itself. There is every justification for the appropriate retort made so pertinently to that claim: "You are aliens in Viet-Nam; the people of Viet-Nam are at home in their own country."

11. It should be emphasized here that the so-called "peace campaigns" of the United States are merely a screen for the further expansion of this aggression; that is fully confirmed also by what has been happening recently.

12. The interests of peace and international security urgently require that the United States quite unconditionally abandon the policy it is at present pursuing in South East Asia.

13. The peoples of the world demand that there should be an immediate suspension of the bombing in Viet-Nam and that the heroic people of that country be enabled to return to peaceful life and to decide their own destiny at their own discretion, without foreign interference and without the presence of foreign bases and troops, so that conditions for a peaceful solution of the conflict may be created on the basis of the Geneva Agreements of 1954.

14. The crude application of force against the Viet-Nameese people is not an isolated manifestation of that policy. It represents the culmination of a whole series of aggressive activities carried on by imperialism, particularly United States imperialism, which is intervening by armed force wherever its own selfish strategic, political and economic interests clash with the legitimate interests of the peoples. Moreover, it does not hesitate to risk subjecting mankind to the immediate threat of the outbreak of

a world-wide armed conflict. We could go on listing examples of this aggressive policy of the United States from Cambodia and the Congo even to Cuba.

15. What has been said about the use of force in relations between States can, in general, be applied also to the manifestations of the policy of suppressing the national liberation movements of colonial and dependent peoples. The use of force against peoples who are endeavouring to exercise their inalienable rights to self-determination and independence, constitutes the main obstacle to the consummation of the historic process of eliminating the colonial system, and, at the same time, as stated in the resolution of last year's General Assembly (2105 (XX)), constitutes a direct threat to international peace and security.

16. It is fully in accord with the facts of history and of legal practice to say that, by its nature and essence, colonialism involves the constant and illegal use of force against the peoples of colonial territories. The demand to put an end to the illegal use of force is inseparably bound up with the demand for the complete elimination of colonialism. There is no need to go far to find examples to prove the truth of what I have just said of South West Africa. Just recently the General Assembly concluded its discussion of the question. The question of Southern Rhodesia and other colonial territories is still being discussed.

17. The armed hand of the colonialists still holds more than 50 million people enslaved in scores of colonial territories. In recent years racist oppression in the Republic of South Africa has attained new extremes and there is now an imminent threat of the whole Territory of South West Africa being forcibly annexed by the Republic of South Africa. The use of force against the national liberation movement in Angola and Mozambique, which are ruled by the Portuguese colonialists, has increased and become more intensive. Last year an artificial entity was formed in Southern Rhodesia, based on a system of the most brutal colonialist and racist oppression.

18. It is quite natural that oppressed peoples who are suffering from the illegal use of force by colonialism should be entitled to resort to self-defence, employing any means capable of enabling them to exercise their inalienable right to self-determination. Since these peoples are waging a righteous and lawful struggle against the forces of aggression and colonialism, they are at the same time fully entitled to demand and to obtain aid and support, which will make their resistance more effective.

19. Colonialism will be completely eliminated and the principle of the self-determination of peoples will be fully implemented only when the peace-loving peoples, by their joint efforts, compel the old and the new colonialists to abandon the use of force as a means of achieving the objectives of their policies in the international field. The use of force against national liberation movements must be ended and the domination of minority racist régimes in Africa abolished—that is the goal, the attainment of which can no longer be deferred.

20. The policy of the arbitrary use of force, of aggression and the suppression of national liberation movements is also the principal reason for the slower development of normal relations and co-operation between States with different social systems. It also damages the cause of peace and blocks the solution of such pressing international problems as disarmament and bridging the enormous gap between the levels of economic development of the developing countries and the countries that are industrially developed.

21. It has frequently been stressed that peaceful coexistence and co-operation are inconceivable without strict observance of the principles of the Charter by, and in respect of, all States. The obligations deriving from the principles of the Charter are indivisible, just as the cause of peace and international security is indivisible. For this reason, the requirement to abstain from a policy of force in international relations constitutes the most fundamental basis for broad international co-operation and progress in solving the important problems of today.

22. The policy of force—the irreconcilable antithesis of the peaceful philosophy of the Charter—is, at the same time, extremely detrimental to the prestige of the United Nations. It creates dissension in its ranks; it weakens its internal capacity for constructive action and creates an atmosphere of uncertainty and mistrust regarding the effectiveness of the United Nations in the modern world. In order to change this situation and in order that the United Nations may acquire full authority and the practical possibility of performing its essential tasks, we must put an end to the violation of its basic principles and call to order all those who place their own interests above those of international co-operation.

23. The General Assembly cannot, in my opinion, remain indifferent to a situation in which the threat and use of force, which are strictly prohibited by the Charter, serve as a tool for achieving the aggressive aims of certain States. It is intolerable that any substantiation should be accorded to the theory, long since repudiated, that anyone with force at his disposal can use it to an unlimited extent and at his arbitrary discretion. The General Assembly must take a position of principle with regard to a policy which is a threat to peace and peaceful coexistence between States—the policy of those who disregard the interests of peace and international security and refuse to co-ordinate their actions with the principles and purposes of the Charter. The General Assembly should do its utmost to see that its appeal expresses the extreme urgency of its rightful demand for an end to occurrences which have a profound and unfavourable effect on the development of the world today. It should speak out clearly, urgently and uncompromisingly and state its views on the present dangerous development in international affairs, and thus help to avert the trend towards further exacerbation and ensure that international life follows the path of peaceful co-operation between peoples, based on the principles of the Charter.

24. The primary essential is to affirm the basic principles of the Charter, the violation of which is the reason for the present crisis in relations between

States and for the safeguarding of which the United Nations was founded. In signing the Charter, all Members of the United Nations undertook the solemn obligation "to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations". At the same time they laid down the following principle as one of the basic purposes of the United Nations: "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace."

25. The importance of the situation and the recognition of the general responsibility of States Members of the United Nations for world peace and security make it incumbent on the General Assembly at this very moment to remind States most seriously of their duty to observe the principle of the prohibition of the threat or use of force in international relations and to respect the principle of self-determination of peoples and their right freely to determine their own course of development.

26. The illegal use of force, which today is a real threat to world peace, assumes different forms: for instance, the form of an armed attack against the territory of another State, including bombing, the use of armed repression, and so on.

27. Each of these manifestations of the policy of force is in direct conflict with the Charter and with the generally recognized principles of international law and the international obligations deriving from a number of international agreements. All of these without distinction are contrary to the honour and conscience of mankind and lay a very heavy international responsibility upon those who perpetrate them. None of them can be justified either morally, politically or juridically.

28. The right of peoples to self-determination and independent development should be regarded as a value which should be given the same protection as the independence and inviolability of sovereign States. It derives from the equality of all peoples and the indivisibility of the cause of peace and the interests of human progress. The time has now passed when colonialists could deal as they liked with colonial peoples as with objects of oppression and exploitation and when offences against those peoples could be condescendingly passed over in silence and remain unpunished. We consider that the General Assembly should proclaim the obligation to abstain from the use of force and forcible actions against peoples struggling for their freedom and independence, for self-determination and freedom to decide their own destiny.

29. We are deeply convinced that the situation in the world today makes it imperative not only to remind States urgently of their obligations but at the same time to undertake the further action dictated by the needs of peace. We believe that the General Assembly should immediately address an urgent and pressing appeal to all Member States to cease forthwith and to desist in future from any actions conflict-

ing with the basic principles of the Charter and with the obligations deriving from international law and to bring their policy into line with the interests of peace, security and the freedom of peoples. Such an appeal would not only stress the need for strict observance of the principles of the Charter but would also be a concrete response to the requirements of our time and could be of considerable help to the cause of peace.

30. We believe also that the General Assembly should appeal to all Member States, to help individually and collectively, by all possible ways and means, in easing international tension and eliminating anything which impedes the peaceful development of mankind and to help to support the peaceful coexistence of States with different social systems. To achieve this will call for concentrated and continuous efforts directed towards eliminating centres of tension throughout the world, eradicating manifestations of the imperialistic policy of force and interference in the internal affairs of other countries and ensuring the inalienable rights of peoples. The active participation of all States is necessary, based on the aims and requirements of the United Nations Charter. I am convinced that in the serious situation of the world today this is the only possible alternative. I am sure that the joint efforts of all who are sincerely seeking for a peaceful future for mankind and are ready to fight for it will produce results.

31. The item that has been proposed by the delegation of Czechoslovakia for the agenda of the twenty-first session of the General Assembly is motivated by the above-mentioned constructive purposes, by a desire to halt the unfavourable development of international relations and to achieve a turn for the better. I trust that our initiative will be interpreted as a manifestation of an effort which is aimed at the systematic application in modern international life of the principles of the United Nations Charter and as an integral part of the measures which the United Nations is called upon to implement in executing its principal mission—the maintenance of international peace and security.

32. Mr. NABRIT JR. (United States of America): I had not intended to participate in the discussion this morning, but some of the unfounded and sweeping statements which have just been made have led me to intervene.

33. I do not intend to speak at length. I cannot refrain, however, from noting that the willingness of certain representatives to use this and every other United Nations forum to talk about Viet-Nam, combined with their unwillingness to let any United Nations organ try to do anything about Viet-Nam, shows a cynical disrespect for the role and responsibility of the United Nations and its Members which my delegation cannot share.

34. Viet-Nam is, of course, vitally related to one of the rights touched upon in the speech by the representative of Czechoslovakia this morning: the right of self-determination. Indeed, this is the very core of the Viet-Nameese conflict. For what we seek in Viet-Nam, and what the people of South Viet-Nam are fighting for, is what any people anywhere have the

right to—namely, the right to determine their own political destiny without interference. No amount of polemics or invective or distortion of the record can alter this fact, that North Viet-Nam is so far unwilling to permit the people of South Viet-Nam to exercise that right. Surely the representative of Czechoslovakia, from the past bitter experience of his own people in both the post-war and the pre-war period, must have a deep appreciation of the strong yearning of peoples to choose their own political, economic and social system, free of external force and intervention.

35. The essential facts of the Viet-Nam conflict can be stated briefly. Viet-Nam today remains divided along the demarcation line agreed upon in Geneva in 1954 into North Viet-Nam to the north of that line and South Viet-Nam to the south of that line. Provisional though they may be, pending a decision on the peaceful unification of Viet-Nam by the process of self-determination, they are none the less political realities in the international community.

36. The Geneva agreement which established the demarcation line is so thorough in its prohibition of the use of force that it forbids military interference of any kind by one side in the affairs of the other. The accord even forbids civilians to cross the demilitarized zone.

37. At the Geneva Conference in 1962, military infiltration through Laos was also forbidden. Yet, despite those provisions, South Viet-Nam today is under an attack, which is already several years old, by forces directed and supplied from the North and reinforced by regular units—currently some seventeen identified regiments—of the North Viet-Nameese army.

38. The manifest purpose of this attack is to force upon the people of South Viet-Nam a system which they have not chosen by any peaceful process. The prohibition of the use of force in the Charter itself must apply with full vigour to international demarcation lines which have been established by solemn international agreements. This is true not only in Viet-Nam, but also in all divided States where the recourse to force between the divided parts can have far-reaching consequences.

39. Furthermore, solemn international agreements, specifically the Geneva accord, explicitly prohibit recourse to force as a means for the reunification of Viet-Nam. It is because of the attempt to upset by violence the situation in Viet-Nam, and its far-reaching implications elsewhere, that the United States and other countries have responded to appeals from South Viet-Nam for military assistance.

40. We want a political solution, not a military solution, to this conflict. By the same token, we reject the idea that North Viet-Nam has the right to impose a military solution. We seek to assure for the people of South Viet-Nam the same right of self-determination, the right to decide its own political destiny, free from force, that the United Nations Charter affirms for all people.

41. As Ambassador Goldberg stated to the General Assembly on 23 September, when it comes to Viet-Nam: "What counts is not prowess in the art of in-

vective but prowess in the art of peace-making." [1413th meeting, para. 201.]

42. Mr. BUSNIAK (Czechoslovak Socialist Republic) (translated from Russian): May I say just a few words regarding the statement just made by the representative of the United States.

43. My delegation is not in the least surprised by the United States delegation's reaction to our statement and to the facts we adduced concerning United States aggression in Viet-Nam. We realize that the United States delegation may have certain grounds for being rather embarrassed when reference is made to the need for having a complete ban on the use of force, including a ban on aggressive war and the bombing of the territory of other States, as well as the perpetration of acts of violence against peoples who are struggling for their freedom and independence.

44. In my opinion, however, this is not sufficient justification, at any rate from the standpoint of the General Assembly, which is bound to take steps to reinforce the principles of the Charter, to prevent the General Assembly from performing its duty.

45. With regard to the item we are now discussing, I would like merely to repeat what I said in my statement today, namely, that the submission by Czechoslovakia of this item for the General Assembly's agenda was motivated by constructive reasons and by a desire to halt the unfavourable development of international relations at present observable and secure a decisive change for the better.

46. The Czechoslovak delegation, therefore, is convinced that this is how the overwhelming majority of delegations interprets the meaning of the item under discussion.

47. So no manoeuvres, on whatever pretext they are undertaken, should divert the General Assembly from holding a business-like and serious discussion on a question which at the present time is disturbing the peoples of the world.

48. The PRESIDENT: I should like to inform the Members of the General Assembly that we expect a draft resolution on the item before the Assembly very soon. As a matter of fact, I expected a draft resolution to be submitted on the day that we were taking up the item. But I have been assured that such a draft resolution will come before the Assembly without any delay. I say this because it is only when a draft resolution is before the Assembly that I shall be able to request the Members of the Assembly to decide whether or not they wish to participate in the debate. I intend, after the draft resolution is submitted and after it has been studied, to request the Assembly to co-operate with me in closing the list of speakers at the earliest convenient time. Then, I would like to request the Assembly to agree with me to have a time-limit set, at the earliest convenient time, for the submission of proposals. That would be after the draft resolution has been studied.

49. This request emanates from the fact that, at this stage of the work of the Assembly, if we do not finish the consideration of the items in the time allotted for them, it might delay the discussion and consideration of other items.

50. Of course, I shall put myself at the disposal of the Assembly, as always. If there are any views, they may be expressed to me and I shall do everything in consultation with the Members of the Assembly. But I thought it was my duty to inform the Members of the Assembly of my intention.

The meeting rose at 11.30 a.m.