



CONTENTS

	Page
Agenda item 45: Permanent sovereignty over natural resources: report of the Secretary-General (<i>concluded</i>) Report of the Second Committee.....	1
Agenda item 75: Pattern of conferences: report of the Secretary-General Report of the Fifth Committee	1
Agenda item 76: Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (<i>concluded</i>): (a) Advisory Committee on Administrative and Budgetary Questions; (d) Investments Committee: confirmation of the appointments made by the Secretary-General; (f) United Nations Staff Pension Committee Reports of the Fifth Committee	3
Agenda item 83: Report of the United Nations Joint Staff Pension Board Report of the Fifth Committee	3
Agenda item 88: Need to consider suggestions regarding the review of the Charter of the United Nations Report of the Sixth Committee	4
Agenda item 90: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General Report of the Sixth Committee	4
Agenda item 35: United Nations Relief and Works Agency for Palestine Refugees in the Near East: report of the Commissioner-General (<i>continued</i>)	11
Agenda item 23: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (<i>continued</i>) Report of the Special Committee	11

after that I shall call on any representative who wishes to explain his vote before the vote.

2. Mr. CUBILLOS (Chile) (*interpretation from Spanish*): I should like, on behalf of the sponsors, to introduce an amendment [A/L.620] to the draft resolution recommended for adoption in paragraph 16 of the report of the Second Committee [A/8221]. The delegations of Sierra Leone, Kenya, and Honduras should be added to the list of sponsors [see A/L.620/Add.1] since they have decided to support the proposed amendment and should now be considered sponsors of the amendment.

3. On the basis of consultations among the Group of Seventy-Seven, a number of delegations from developing countries decided to introduce an amendment to the draft resolution. The amendment of the sponsors, whom I now represent, seeks to restore the text of the draft resolution to the form in which it was about to be adopted by the Second Committee before the oral proposal to insert the phrase "in accordance with international law" in the last preambular paragraph. All this is set forth in detail in paragraph 14 of the report. In other words, the sponsors of the amendment propose that the last paragraph of the preamble of the draft should read as follows:

"Recognizing also the necessity for all countries to exercise fully their rights so as to secure the optimal utilization of their natural resources, both land and marine, for the benefit and welfare of their peoples and for the protection of their environment".

This is the view not only of the sponsors, but also of a very large number of delegations in the Group of Seventy-Seven. The developing countries believe that it is a mistake to refer to international law when we are trying to strengthen the exercise of their sovereignty over their natural resources.

4. In the case of marine resources as in the case of land resources there can be no doubt that the exploitation of those resources should be carried on in conformity with the national law of the countries concerned. As regards the marine resources, their exploitation should therefore be carried out in accordance with the laws of the coastal State. To govern the exploitation of those resources by international law would be to limit the exercise of the sovereignty of the coastal States over the marine resources in the waters under their jurisdiction. Furthermore, international law governing the seas is still in the stage of full discussion

President: Mr. Edvard HAMBRO (Norway).

AGENDA ITEM 45

**Permanent sovereignty over natural resources:
 report of the Secretary-General (*concluded*)**

REPORT OF THE SECOND COMMITTEE (A/8221)

1. The PRESIDENT: I shall first call on two representatives who want to introduce amendments, and

and evolution. Any reference to it at the present time could prejudice the decisions which may be taken in the future by the international community.

5. On behalf of the sponsors of the amendment and of other developing countries in the Group of Seventy-Seven, as well, I should like to submit this amendment formally, and I hope that the General Assembly will accept and adopt it, so that the final text of the draft resolution will be adjusted to the interests of the developing countries.

6. In conclusion, Mr. President, may I request you to have this amendment voted upon by a recorded vote.

7. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): In supporting this amendment, I should like to state that, although my delegation would have preferred a more explicit text on the full sovereignty of States to dispose of the natural resources on their land and in the adjacent waters over which they exercise national jurisdiction, for the purpose of furthering the maximum development and well-being of their peoples, we are prepared, by way of compromise, to accept this formula, inasmuch as no one can dispute the fact that we are dealing here with a right inherent in the sovereignty of States, a right that has been recognized in previous General Assembly resolutions and in various regional and world forums.

8. The sub-amendment which was introduced by the Soviet Union [A/8221, para. 14], to the amendment revised by Ecuador, Peru and Yugoslavia [*ibid.*, para. 13], after the debate in the Second Committee had been closed was due to the fact that in the original amendment [*ibid.*, para. 7] reference was made to the "adjacent seas"; but once this latter phrase was deleted, it was no longer appropriate to keep the sub-amendment after the words "resources, both land and marine". That was pointed out not only by the developing countries, but also by other countries, for they all felt that the exercise of sovereignty over the natural resources, both land and marine, of a State is a matter within the purview of its own national laws, and not international law, because if that were not true, it would mean that a State would not have the right to sovereignty over its own resources—even within the areas under its national jurisdiction—a right whose full recognition of which was precisely the purpose of the draft resolution that was adopted.

9. For these reasons we are sure that the draft amendment appearing in document A/L.620 and Add.1 will be unanimously supported by delegations, and that this will correct the error appearing in paragraph 16 of the report.

10. Mr. VALLARTA (Mexico) (*interpretation from Spanish*): As regards the contents of operative paragraph 6 of the draft resolution under discussion, my delegation would like to make the following statement for the record.

11. First, the report which Member States are asked to submit—and which they may or may not sub-

mit—does not mean that their report must or may be governed by any guidelines that may be handed down by the Committee on Natural Resources.

12. Secondly, as regards the measures which countries decide to adopt in order to control the outflow of funds, it should be pointed out, as we have done in the past in the Second Committee, that my country has had, has now and plans to continue having, a system of free convertibility of its currency.

13. The PRESIDENT: No other delegation has asked to speak on this issue. I take it therefore that the Assembly is now ready to proceed to the vote. Only one amendment has been proposed [A/L.620 and Add.1]—namely, to amend the seventh preambular paragraph of the draft resolution contained in paragraph 16 of the report [A/8221].

14. We shall vote first on the amendment, and then on the draft resolution as a whole. A recorded vote has been requested on the amendment.

A recorded vote was taken.

In favour: Algeria, Barbados, Bolivia, Brazil, Burma, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo (Democratic Republic of), Cyprus, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guyana, Honduras, India, Indonesia, Israel, Jamaica, Kenya, Kuwait, Laos, Liberia, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Southern Yemen, Sudan, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, Hungary, Ireland, Italy, Japan, Mongolia, Netherlands, New Zealand, Norway, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Afghanistan, Argentina, China, Fiji, France, Greece, Iran, Iraq, Jordan, Lebanon, Libya, Madagascar, Romania, Singapore, South Africa, Spain, Syria, United Arab Republic.

The amendment was adopted by 65 votes to 23, with 18 abstentions.

The draft resolution as a whole, as amended, was adopted by 100 votes to 6, with 3 abstentions (resolution 2692 (XXV)).

15. The PRESIDENT (*interpretation from French*): I call on the representative of France, who wishes to speak in explanation of vote after the vote.

16. Mr. VIAUD (France) (*interpretation from French*): I hope I may be excused for taking a few minutes more of the Assembly's time, but the subject we have just dealt with is too important for my delegation not to have felt it necessary to explain its vote.

17. We voted the draft resolution as a whole, but we abstained on the amendment. In so acting, we could not help feeling somewhat uneasy. We are always in favour of the principle of the permanent sovereignty of States over their natural resources, and we are ready to recognize as much whenever the opportunity presents itself. But we also realize that the developing countries do not all mean the same thing by this concept. Since these are important differences of emphasis among them on an essential problem, we doubt the desirability or the propriety of the terms employed by the General Assembly in the resolution we have just adopted.

18. More specifically, if certain developing countries feel that private investments constitute a necessary support for the financing of their development, and if at the same time other developing countries feel that the operations of private capital in their territory may be a danger to their economic independence, that means that the problem is not yet ripe. Any action by the General Assembly in the direction of either of these conceptions has, therefore, little chance of being favourably received by the other, and hence of representing the views of the international community. That is why today we experience that feeling of uneasiness to which I referred a few moments ago—something that has not happened to us before.

19. We abstained on the amendment, not only because it meant deleting the words "in conformity with international law", but because, as we said in the Committee, we feel that the reference to marine resources must not in any way entail any change in the French conceptions of various notions or definitions such as those of the continental shelf or of territorial waters. I should like this last point to be clearly noted in the record of this meeting.

AGENDA ITEM 75

Pattern of conferences: report of the Secretary-General

REPORT OF THE FIFTH COMMITTEE (A/8222)

AGENDA ITEM 76

Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (*concluded*):*

(a) Advisory Committee on Administrative and Budgetary Questions;

(d) Investments Committee: confirmation of the appointments made by the Secretary-General;

(f) United Nations Staff Pension Committee

REPORTS OF THE FIFTH COMMITTEE (A/8111/Add.2, A/8114 and A/8116)

AGENDA ITEM 83

Report of the United Nations Joint Staff Pension Board

REPORT OF THE FIFTH COMMITTEE (A/8227)

20. The PRESIDENT (*interpretation from French*): I call upon the Rapporteur of the Fifth Committee, Mr. El Baradei of the United Arab Republic, to present in one statement these five reports of the Fifth Committee.

21. Mr. EL BARADEI (United Arab Republic), Rapporteur of the Fifth Committee: I have the honour on behalf of the Fifth Committee to present its reports on the following.

22. First on agenda item 75: a draft resolution is submitted for the approval of the Assembly in paragraph 3 of the Committee's report [A/8222]. In this connexion, I should like to state that the Fifth Committee, when it took action approving the draft resolution, did so on the understanding that the calendar of conferences referred to in paragraph 4 of the draft resolution would be revised so as to take into account decisions of the General Assembly taken subsequent to the Fifth Committee's consideration of this item.

23. Secondly on agenda item 76 (a), (d) and (f). Draft resolutions are submitted in the three Committee reports [A/8111/Add.2, para.5; A/8114, para.3; A/8116, para.7].

24. Thirdly on agenda item 83: a draft resolution is submitted in paragraph 5 of the Committee's report. [A/8227].

25. The Fifth Committee hopes that the various draft resolutions it has submitted will receive the unanimous approval of the General Assembly.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Fifth Committee.

26. The PRESIDENT (*interpretation from French*): I invite members to turn their attention first to the report of the Fifth Committee on agenda item 75. That report appears in document A/8222. As no representative has asked to speak in explanation of vote, the Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 3 of its report. In the Fifth Committee the draft resolution was adopted without objection. If there is no objection, may I take it that the Assembly adopts the draft resolution?

The draft resolution was adopted (resolution 2693 (XXV)).

27. The General Assembly will now consider the reports of the Fifth Committee on agenda item 76 (a), (d) and (f).

* Resumed from the 1898th meeting.

28. The first report, on item 76 (a) [A/8111/Add.2], refers to a vacancy in the membership of the Advisory Committee on Administrative and Budgetary Questions resulting from the resignation of Mr. J. P. Bannier effective 31 December 1970. The draft resolution recommended by the Fifth Committee appears in paragraph 5 of its report. If there is no objection, I shall take it that the General Assembly adopts the draft resolution recommended by the Committee.

The draft resolution was adopted (resolution 2620 C (XXV)).

29. Before going on to the next item, I should like, on behalf of the entire Assembly, to say a few words about Mr. Bannier. It is well known that Mr. Bannier worked with the Advisory Committee for two three-years periods, and his ability and the esteem which he enjoyed in that Committee are such that he was asked to remain at his post, which he did for one more year. But he can definitely not remain any longer, and he has therefore resigned.

30. For many years Mr. Bannier guided the deliberations of that important organ of the United Nations with the interest objectivity, wisdom and integrity. As he relinquishes his heavy responsibilities, I wish to express to him, on behalf of the entire Assembly, our deep gratitude for the devoted services he has rendered the cause of the United Nations and our warm good wishes for many years of health and happiness. Thank you, Mr. Bannier.

31. The second report of the Fifth Committee, refers to item 76 (d) [A/8114]. The draft resolution recommended by the Fifth Committee is contained in paragraph 3 of the report. If I hear no objection, may I take it that the Assembly adopts the draft resolution recommended by the Committee?

The draft resolution was adopted (resolution 2694 (XXV)).

32. The next report refers to item 76 (f) [A/8116]. The draft resolution recommended by the Fifth Committee is contained in paragraph 7 of its report. If I hear no objection, may I take it that the General Assembly adopts the draft resolution?

The draft resolution was adopted (resolution 2695 (XXV)).

33. The Assembly will now take up the report of the Fifth Committee on agenda item 83 [A/8227]. The Fifth Committee recommends the adoption of the draft resolution contained in paragraph 3 of its report. If there is no objection, I shall take it that the General Assembly adopts the draft resolution.

The draft resolution was adopted (resolution 2696 (XXV)).

AGENDA ITEM 88

Need to consider suggestions regarding the review of the Charter of the United Nations

REPORT OF THE SIXTH COMMITTEE (A/8219)

AGENDA ITEM 90

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General

REPORT OF THE SIXTH COMMITTEE (A/8213)

34. The PRESIDENT (*interpretation from French*): I request the Rapporteur of the Sixth Committee, Mr. Owada of Japan, to introduce in one statement the two reports of that Committee on the items now before us.

35. Mr. OWADA (Japan), Rapporteur of the Sixth Committee: I have the honour to submit to the Assembly on behalf of the Sixth Committee its report in connexion with agenda item 88 [A/8219].

36. It is pertinent to recall that this item had previously been included in the agenda of the twenty-fourth session at the request of Colombia and had been allocated to the Sixth Committee. At that session, the General Assembly, on the recommendation of the Sixth Committee, adopted resolution 2552 (XXIV) which decided to include in the provisional agenda of its twenty-fifth session an item entitled "Need to consider suggestions regarding the review of the Charter of the United Nations". Accordingly, on 18 September 1970, the General Assembly, on the recommendation of the General Committee decided to inscribe in its agenda the present item and allocated it to the Sixth Committee.

37. For the consideration of this item, the Sixth Committee devoted seven meetings, held between 30 November and 4 December. The discussion in the Committee went into the procedural and substantive aspect of the question, ranging from the question of opportuneness or otherwise of such a need, to the enumeration of concrete points to which the attention of the Committee was invited. A draft resolution of a procedural character was submitted by Brazil, Colombia, Costa Rica and Nicaragua, later joined by Haiti, Japan and the Philippines.

38. As a result of those discussions, and after a series of consultations, the Sixth Committee, at its 1244th meeting held on 4 December 1970, proceeded to the vote on that draft resolution in a revised form, the text of which is to be found in paragraph 13 of the present report.

39. By 69 votes to 12, with 12 abstentions, the Sixth Committee adopted that draft resolution. Thus, the Sixth Committee is now recommending to the General Assembly the following course of action: first, to request the Secretary-General to invite Member States to communicate to him, before 1 July 1972, their views and suggestions on the review of the Charter of the United Nations; second, to request the Secretary-General to submit to the twenty-seventh session of the General Assembly a report containing the views

and suggestions of Member States communicated to him; and third, to include in the provisional agenda of its twenty-seventh session an item entitled "Need to consider suggestions regarding the review of the Charter of the United Nations".

40. In this connexion, I wish to invite the attention of this Assembly to the fact that, as appears from document A/8224, the Fifth Committee has dealt with the financial implications of the present draft resolution.

41. Agenda item 90 was considered by the Sixth Committee on the basis of the report of the Secretary-General [A/8130 and Corr.1]. The report of the Committee [A/8213] outlines its treatment of this item.

42. At the 1229th meeting, on 18 November 1970, the representative of the Secretary-General introduced the report of the Secretary-General giving an account of steps taken or planned by the United Nations, by UNESCO and by UNITAR in furtherance of the objectives of the Programme established by the General Assembly in resolution 2099 (XX) of 20 December 1965. The representatives of UNESCO and UNITAR were present in the Sixth Committee and participated in the consideration of the item.

43. The present report, which contains the draft resolution adopted by the Sixth Committee on 30 November 1970, is a clear testimony of the sentiments of appreciation by the Sixth Committee for the initiatives undertaken by various bodies to promote and co-ordinate efforts in the field of teaching, study, dissemination and wider appreciation of international law. The activities performed by the Advisory Committee, the United Nations Secretariat, UNESCO and UNITAR and their close co-operation in this field were highly valued by the Sixth Committee. The draft resolution as a whole was adopted by a vote of 85 to none with 7 abstentions.

44. If the General Assembly accepts, as I trust it will, the recommendation of the Sixth Committee and adopts the draft resolution contained in paragraph 9 of the present report, it will authorize the Secretary-General to carry out in 1971 the activities specified in his report, including the provisions of (a) fifteen fellowships at the request of Governments of developing countries and (b) current United Nations legal publications to institutions in developing countries for which requests for such publications are made by the Member States concerned. Further, it will also authorize the Secretary-General to provide assistance in the form of a travel grant for one participant from each developing country invited to the regional symposium in Africa and to the regional training course in Latin America.

45. In addition, the General Assembly will request the Secretary-General to continue his efforts to promote training and assistance in international trade law within the framework of the programme, in order to meet the need, particularly on the part of developing countries, for strengthening legal expertise in this field.

46. I wish to point out, in this connexion, that the financial implications of the draft resolution appear in

the report of the Fifth Committee contained in document A/8223.

47. On behalf of the Sixth Committee, I should like to conclude my brief statement by placing the two draft resolutions which are now recommended by the Sixth Committee before this General Assembly for adoption.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Sixth Committee.

48. The PRESIDENT (*interpretation from French*): First, I should like to draw the attention of the members of the Assembly to the report of the Sixth Committee relating to item 88 of the agenda [A/8219].

49. I shall call on delegations wishing to explain their votes before the vote.

50. Mr. ROMULO (Philippines): My delegation was glad to sponsor the draft resolution contained in paragraph 13 of the report. This draft resolution, calling for communication by Member States of their views and suggestions on the review of the Charter of the United Nations and for further discussion of the item at the twenty-seventh session of the General Assembly, is an appropriate result of the constructive and serious deliberations on this topic which took place in the Sixth Committee.

51. Contrary to the misapprehensions expressed by a few delegations at the beginning of our discussions, it proved possible to explore candidly, if only as yet necessarily in a preliminary way, the extent to which our Charter conforms to the needs of the world community a quarter-century after the founding of the world Organization—an exercise, which, as I have said, is long overdue.

52. There was complete unanimity that the fundamental principles of the Charter have gained in strength and value with the passage of years and have become the firm cornerstone of the United Nations and the basis of international relations. There was also recognition that the specific provisions of the Charter have served the international community remarkably well, attesting to the foresight with which that monumental document was drawn.

53. At the same time, numerous speakers made suggestions for reshaping specific provisions of the Charter more nearly in consonance with the needs of today, based on the long experience that now lies behind us. Most frequently mentioned were provisions dealing with the peace-keeping and particularly the peacemaking functions of the United Nations. Peaceful settlement of disputes appeared to many to be the most neglected function of our Organization. In addition, the structure and functions of the Security Council were often referred to. The delegation of the Philippines enumerated some topics for discussion in these and other areas in order to indicate that what is intended, as far as my Government is concerned, is not any wholesale or injudicious revision of the Charter

but rather the pruning and shaping that attends the growth and development of any healthy organism or organization and attests to its vigour.

54. Surely we all want what the world needs: an Organization that is not allowed to become obsolescent or maladapted to the increasing demands that are being placed upon it—an Organization fully capable of responding to the accelerating requirement for global management in matters of common concern and universal scope.

55. In embarking on the process of dialogue which this resolution will set in motion, we are also commencing to meet another overdue obligation: that of affording full opportunity for expression of views on the Charter and the nature of the United Nations by the majority of States Members, who were not present at the founding in San Francisco. A few delegations expressed the view that the new nations should have nothing to say about the adequacy or inadequacy of our Charter—that, since they were aware of the nature of the United Nations when they joined the Organization, they should not now support review of the Charter or seek a role in amending it. However, there is and can be only one world organization, and it belongs to all men alike. There is not and could not be any other United Nations to which Members might have chosen to go. In addition, the discussion we have had has confirmed our conviction that the newer States are prepared to contribute in a most constructive and creative way to this process.

56. Review of the Charter of the United Nations is not an end in itself. It is but one element in the over-all effort to maintain the practices of the United Nations in conformity with the established needs of its Members. This Assembly has already acted positively on two other elements of this effort: namely, rationalization of the procedures of the General Assembly and review of the role of the International Court of Justice.

57. To judge by the large affirmative vote in our Committee, there is no doubt that the great majority of Members regard consideration of proposals for review of the Charter as a third, integral part of this process of modernization. Through the draft resolution we have before us, the Sixth Committee has acted in a prudent and balanced manner to recommend the mechanism whereby all proposals may duly be considered and the process of change, where clearly shown to be necessary, set in motion.

58. Of course, a more perfect Charter is, in itself, not enough. The effectiveness of the United Nations, as has so frequently been stated, depends upon the uses to which the Member States choose to put it. As the Charter is improved, however, excuses for non-action and obstacles to effective action may be progressively removed. The nature of changes made in the Charter will serve to indicate to a very considerable degree the extent to which Member States take their obligations seriously and are prepared to support and use a more effective United Nations. The more reluctant should also be encouraged to rely increasingly on an improved world Organization.

59. It is for these reasons that the delegation and the Government of the Philippines have strongly advocated a positive approach to the item, "Need to consider suggestions regarding the review of the Charter of the United Nations", and support fully the draft resolution adopted by the Sixth Committee by an overwhelming vote. After all, in another 25 years we shall be on the eve of the twenty-first century and undoubtedly facing unprecedented requirements of flexibility, adaptation and innovation within the framework of the world Organization. We must do all we can now to anticipate prudently the future and guard against falling behind the rapidly-growing needs of our single, small, world community.

60. Mr. AL-ATRACHE (Syria) (*interpretation from French*): My delegation was one of those in the Sixth Committee—there were many as a matter of fact—that would have wished a unanimous resolution to be adopted—and I emphasize the word "unanimous"—on an agenda item as important as the "Need to consider suggestions regarding the review of the Charter of the United Nations". Since such unanimity proved impossible, my delegation felt it was its duty to vote against the draft resolution. However, we should like to state from the outset and in the clearest possible manner that our vote was cast against the draft resolution as presently worded, not at all against the principle of re-evaluating and re-examining the Charter in conformity with the will of the Members of the United Nations that have subscribed to it and in accordance with its actual provisions. My delegation shares the view that the Charter, being man-made, is imperfect and consequently should be adjusted whenever the need arises.

61. Such an adjustment was, in fact, effected in the most natural manner in 1963, by resolution 1991 (XVIII), of the General Assembly, when the international community, in view of the accession to independence of a number of young States and their entry into the political arena, decided to increase the membership of the Security Council from 11 to 15 and that of the Economic and Social Council from 18 to 27. It should also be noted that our Charter is very flexible and lends itself without difficulty to any adjustments that may be necessary.

If my delegation takes a negative position on the draft resolution before us, it is because we continue to believe that, in a matter as important as this, it is the way of consensus—I emphasize the word—that should prevail and that should be sought at all costs. My delegation, which was present at the debate in the Sixth Committee from the beginning, as well as at the informal negotiations in pursuit of the necessary unanimity, believes that a consensus on this matter was not impossible and that not all the possible avenues to a consensus were explored. A resolution on revision of the Charter that does not command a consensus is, we believe, in flagrant contradiction with the very terms of Articles 108 and 109 of the Charter. The inevitable result of such revision would be to weaken the United Nations rather than improving its effectiveness. For no matter what may be said to the contrary, the draft resolution before us is concerned with reform

of the Charter, with revision pure and simple as provided for in Articles 108 and 109.

63. For these reasons, my delegation voted against the draft resolution. In our opinion, it was drafted and adopted in far too hasty and untimely a manner. My delegation remains convinced that such a draft is doomed to remain a dead-letter because, as we have said, it is contrary to the letter and spirit of the Charter and, above all, because those Members primarily envisaged in Articles 108 and 109, no matter what their present positions may appear to be, are at bottom categorically opposed to its revision.

64. In conclusion, my delegation expresses the hope that by September 1972, the date set in the draft resolution to be adopted by the General Assembly for placing this item on the Assembly's agenda once again, the international situation—particularly as regards the universality of our Organization—will be such that the necessary consensus will be easy to achieve, which would mean that a re-examination of the Charter would then, and only then, be timely and welcome.

65. Mr. ALVAREZ TABÍO (Cuba) (*interpretation from Spanish*): My delegation would like very briefly to explain its vote on the draft resolution submitted to the Assembly for consideration because we do not share the view that it is necessary to consider proposals on the review of the United Nations Charter.

66. Obviously, in each controversy or international conflict men today ask the following question: has the existence of United Nations lead to the elimination of war, aggression and threats of aggression? No country is in a better position than Cuba to answer that question. Ever since the triumph of the Cuban revolution, on 1 January 1959, our country has had to resist all kinds of aggression: economic blockades, economic pressures, subversive activities, the launching and unloading of explosive weapons by air and sea, organization of invasions by mercenaries, infiltration of spies and saboteurs, practical attacks by air and sea, various attacks from the Guantanamo base, the hijacking and sinking of fishing vessels and the continuing threat of armed aggression.

67. There is no doubt that the world has still not attained the peace and security that its peoples would like to see—especially the small countries that have attained their independence, and hope to chart their own course without any foreign interference. But the blame for the tragic historic reality of today's world should not be placed at the door of the United Nations Charter. Its provisions are perfectly clear in their objectives to bring about peace with dignity for all the peoples of the world. But the primary prerequisite for the effectiveness of the Charter is unconditional respect by all States for the obligations that flow from the provisions of the Charter. There is no finer principle than that contained in Article 1, paragraph 2 of the Charter: "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples".

68. If the United Nations has not yet been able to achieve its objectives it is not due to any deficiencies in the Charter but rather to the existence of powerful reactionary forces within the Organization that are anxious to subject the weaker nations to their complete domination with total disregard for the principle of the sovereign equality of States. We cannot, therefore, understand the attempt to divert the issue towards the alleged need to review the United Nations Charter.

69. Furthermore, in the present historical circumstances, when we have still not succeeded in putting the principle of universality fully into effect—although it is stated implicitly in the Charter—and the right of the People's Republic of China, of the German Democratic Republic, the Democratic Republic of Korea and the Democratic Republic of Viet-Nam to be represented in the Organization is still blocked, it is practically a utopian proposal in the circumstances to insist on a review of the Charter. We should also point out that in such a diverse international community, made up of States with legal superstructures and institutions reflecting their economic and social conditions, it is not possible to impose an international legal order that does not represent mankind as a whole.

70. The United Nations Charter is the product of a treaty which lays down methods for its reform. It is the reflection of a dynamic and flexible international balance which by a constructive interpretation has made it possible to bring its norms into line with the new requirements of international life, which is in a constant state of flux. It is therefore extremely dangerous to disrupt that balance by proclaiming the necessity of reviewing the Charter in such a general and imprecise way as possibly to create a definite crisis in the Organization.

71. For all those reasons, we believe the Charter should be maintained in its present spirit and form so that the principal bodies of the United Nations may implement it properly adjusting its flexible provisions to the new situations created by life itself. Consequently we shall vote against the draft resolution submitted to the General Assembly by the Sixth Committee.

72. Mr. KOLESNIK (Union of Soviet Socialist Republics) (*translated from Russian*): The delegation of the Soviet Union, speaking in the debate in the Sixth Committee, already had the occasion to express its position of principle on the non-admissibility of any review of the Charter under the present circumstances. The Soviet delegation emphatically opposed the raising of this question, for a number of serious reasons stemming from a careful analysis of the activity of the United Nations and of its main organs and from the actual development of international relations during the recent period.

73. In its attitude to the Charter and to the activity of the United Nations, the Soviet Union does not proceed from any transient considerations or a desire to secure special advantages for itself or its friends. It is guided first and only by a concern to reinforce the

international legal order and strengthen international peace and security, since it is only on that basis that normal relations of friendship and co-operation can be developed between States with different social systems.

74. In the course of the 25 years of the United Nations, the Charter has stood the test of time, as was noted in the Sixth Committee in statements made by many representatives.

75. It is not by chance that at the twenty-fifth commemorative session, the General Assembly adopted unanimously the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [*resolution 2625 (XXV)*], which reaffirms all the basic principles and purposes of the Charter.

76. It should be noted that during the quarter-century of the existence of the United Nations there have been a good many attempts to change, circumvent or revise the basic provisions of the Charter. In point of fact, they began the day after the Charter came into force. But an analysis of all the many schemes and proposals for Charter revision—both new and old, both those put forward previously and those which are put forward today—shows that they suffer from one common defect, that of being unrealistic; and irrespective of their motives they all in the final analysis pursue narrow group interests and objectives and are thus directed at undermining the foundations of the United Nations and at impairing the legal basis of peaceful co-operation among States through strict observance of the Charter.

77. The interests of peace and international co-operation based on equality and justice, including the interests of the developing countries, demand that attention be focused not on revision of the Charter but on strict compliance with the Charter's provisions. Experience shows that in cases where the United Nations and its Members have acted in accordance with the Charter, the Organization has been able to promote the maintenance of peace and has helped to avoid new military conflicts, to overcome various dangerous international crises and to further the break-up of the colonial system of imperialism. The 25 years of experience also clearly show that whenever decisions contrary to the Charter have been forced through, the international authority of the United Nations has declined, and the Organization has found itself on the brink of some crisis or other.

78. To assert that the causes of tension and armed conflict in the world are rooted in particular provisions of the Charter would be naïve. The causes of the Organization's ineffectualness in a number of situations are to be found not in the Charter, but in gross violations of the Charter by the imperialist States which wage aggressive wars in order to stifle the national liberation and revolutionary movements of peoples. That is the root cause.

79. To achieve an easing of international tension and a corresponding enhancement the Organization's role

and authority in international affairs, strict observance of the Charter by all States must be sought by every means, and measures must be taken to strengthen international security on the basis of the Charter.

80. Given the present international situation, with severe conflicts occurring in various regions of the world, it would be naïve to assume that a document more perfect than the existing Charter could be produced. Involving the United Nations under these circumstances in a futile exercise of reviewing the Charter would only distract it from far more important and urgent issues.

81. In view of all these considerations, the Soviet delegation voted against the draft resolution in the Sixth Committee. The decision adopted by the Sixth Committee is of a procedural nature. In effect, however, it is an attempt to induce the States Members of the United Nations to engage in the near future in a revision of the Charter, and consequently it cannot but have far-reaching adverse consequences.

82. As the Soviet delegation pointed out in the Sixth Committee, the draft resolution with all its implications departs from the basic provisions set forth in Articles 108 and 109 of the Charter, and from this point of view its legality is open to question. The approach proposed in the draft resolution differs fundamentally from the procedure whereby certain amendments have, as we know, already been made to the Charter.

83. In the course of the debate and intensive informal consultations the Soviet delegation sought ways of finding an agreed solution which would reflect the various points of view in an even-handed manner. Unfortunately, the other side did not manifest the necessary spirit of co-operation. A sober assessment of political realities gave way to the arithmetical counting of votes. The Soviet delegation bears no part of the responsibility for this.

84. The Soviet delegation is deeply convinced that the time for a review of the Charter has not yet come. It will be guided by this view as the draft resolution is considered at today's plenary meeting, and it will vote against the draft resolution. The Soviet delegation requests a roll-call vote on the draft resolution.

85. Mr. YASSEEN (Iraq) (*interpretation from French*): The constitutionality of a review of the Charter is not at issue. The Charter is not sacrosanct. Technically, it is nothing but a treaty and can be amended or reviewed according to the procedure provided by the Charter itself and by the general principles concerning the law of treaties. Article 108 and Article 109 in fact speak of the possibility of the constitutionality of review and amendment. These two Articles lay down a specific procedure. But that is not the problem we are considering here, for the question here is whether a review of the Charter is desirable.

86. The Charter reflects a dynamic international equilibrium. Over the past 25 years, however, the Charter has shown its flexibility and adaptability to new

circumstances, thanks to resolutions and decisions taken by the competent bodies, particularly the General Assembly. The General Assembly's interpretation of the provisions of the Charter is of the utmost importance, for this interpretation, if it cannot be regarded as an authentic interpretation, issues from a body which comprises all the parties to the United Nations Charter and hence enjoys remarkable authority.

87. Moreover, the desirability of a review of the Charter does not seem to us proven. Present international circumstances do not allow us to risk an adventure whose outcome we cannot foresee. The international situation is not propitious for a review of the Charter. The community of the United Nations is not, in my delegation's view, constitutionally constituted. The absence of China vitiates all work on the issues of major importance debated in the United Nations. It might be said that the draft resolution adopted by the Sixth Committee [A/8219, para.13] is only a procedural one. I recognize this. But in the absence of the People's Republic of China, it is inappropriate to initiate even the procedural aspect of the very important process of a review of the Charter. For this reason, my delegation will vote against the draft resolution.

88. Mr. MORALES SUÁREZ (Colombia) (*interpretation from Spanish*): The vote we shall cast in this regard, and which we hope will be cast by a substantial majority of Member States, represents in our view an affirmation of independence of judgement by those of us who think it necessary to consider the text of a document which, like the Charter of the United Nations, came into being in circumstances which were superseded and changed many years ago.

89. I wish to recall that the sponsors of the draft resolution now before the Assembly, on agenda item 88, have maintained an attitude of great flexibility and conciliation, open to suggestions and initiatives forthcoming in the course of the debate. This flexibility covered every aspect, including those not bearing on the heart of the matter: which is to enable States Members to set forth their views on the review of the Charter in the proper forum.

90. We do not seek reform for the sake of reform; we seek rather to make possible a detailed and considered examination of the Charter. We do not believe there is any legal instrument which can become sacrosanct, or that there can be any veto on free discussion of the problems.

91. The sponsors feel that the draft resolution as adopted by the Sixth Committee represents a simple structure which is adequate to the purpose it pursues. All we want is to guarantee the exercise of an essential prerogative of Members of the United Nations: namely the free review of the norms which govern us.

92. Mr. ENGO (Cameroon): The delegation of the Cameroon is compelled to explain its vote before the vote because of the unfortunate construction that could be placed on it. My Head of State, His Excellency Mr. Ahmadou Ahidjo, stated in this Assembly recently

the view of my nation on the broad issue involved. We believe that it is more important for this Organization, at this time, and especially during the commemoration of the twenty-fifth anniversary of its birth, to recognize the causes of each and every ailment it has had to face over the last 25 years. It is the conclusion of my nation that the Charter of the United Nations has starved from lack of political will far more than the lack of precise and adequate provisions for peace. The facts before us underline this quite clearly.

93. In the nature of things, there appears to be a floating illusion that the greater—and thus more precise—the number of legal provisions, the greater the chances for their respect and application. In the absence of effective machinery for enforcing sanctions, it is difficult to implement legal rules and norms without the necessary political will. However, we respect the views of those who are convinced at this stage, on the facts before them, that a need exists to review the Charter. The draft resolution before us deals with the preliminary question of the need to consider suggestions regarding a review of the Charter of the United Nations. It is our view that an opportunity should be given to States to express their views, at least, to provide enough data to the rest of the international community to determine whether or not the need exists in fact, first, to consider suggestions that are made for the review, and second, whether it is necessary to review the Charter. At this stage our minds are still open, and we think it is necessary and most desirable in the General Assembly for us to give an opportunity for all to express their views, and that States which wish to do so should be given adequate opportunity.

94. We shall therefore cast an affirmative vote, on that understanding and without prejudice to our viewpoint on this basic question of whether or not, on the facts, the Charter should be reviewed.

95. Mr. DELEAU (France) (*interpretation from French*): My delegation will vote for the draft resolution submitted by the Sixth Committee because we consider it to be a procedural resolution that does not prejudice the substance.

96. We appreciate the fact that the sponsors have accepted an amendment to the preamble that makes it purely factual and takes no position on the substance of the question of a review of the Charter, and also that the dates appointed for resumption of work on this matter and for the requests for information from Governments have been set far enough ahead to give everyone time for thought. We regret, however, that a procedural formula commanding unanimous support, or at least the support of a very great majority, could not have been arrived at.

97. On the substance, we are not persuaded that a review of the Charter would be timely; we believe that first of all it would be better to try and give full effect to all its provisions.

98. Be that as it may, we shall await the views of Governments. We shall give our opinion, after thinking

the matter over. We express the hope that this difficult subject will be approached only with the caution necessary in an undertaking that may lead rather to a weakening of the Charter than to a strengthening of that fundamental document to which, only a few weeks ago, on the occasion of the twenty-fifth anniversary of our Organization, we reaffirmed the loyalty of our Governments.

99. The PRESIDENT (*interpretation from French*): The Assembly is ready to vote on the draft resolution presented by the Sixth Committee in paragraph 13 of its report [A/8219]. The administrative and financial implications of the draft resolution appear in paragraph 6 of the report of the Fifth Committee [A/8224]. There has been a request for a recorded vote.

A recorded vote was taken.

In favour: Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Burundi, Cameroon, Canada, Chad, China, Colombia, Congo (Democratic Republic of), Cyprus, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Pakistan, Panama, Paraguay, People's Republic of Congo, Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sudan, Swaziland, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Iraq, Mongolia, Poland, Romania, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Cambodia, Chile, Finland, Iran, Norway, Portugal, Saudi Arabia, Southern Yemen, Sweden, Yemen.

The draft resolution was adopted by 82 votes to 12, with 11 abstentions (resolution 2697 (XXV)).

100. The PRESIDENT (*interpretation from French*): No delegation has asked to speak in explanation of its vote after the vote so we shall turn to the report of the Sixth Committee on agenda item 90 [A/8213]. The draft resolution recommended by the Sixth Committee appears in paragraph 9 of the report. The administrative and financial implications of the draft resolution appear in paragraph 4 of the report of the Fifth Committee [A/8223]. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma,

Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo (Democratic Republic of), Cyprus, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, People's Republic of the Congo, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Southern Yemen, Spain, Swaziland, Sweden, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Fiji, Hungary, Mongolia, Portugal, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The draft resolution was adopted by 92 votes to none, with 11 abstentions (resolution 2698 (XXV)).

101. The PRESIDENT (*interpretation from French*): Only one delegation has asked to speak in explanation of vote after the vote. I call upon the representative of the Soviet Union.

102. Mr. FEDOROV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation would like to explain its position with regard to the vote on the draft resolution. The Soviet delegation has already pointed out that, on the question of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, the Soviet Union takes the view that the execution of the Programme should not go beyond the budget appropriations for the year concerned, and that any additional costs should be met from voluntary contributions.

103. In this connexion the Soviet delegation opposed the inclusion in the draft resolution of the new operative paragraph 2, which provides for assistance in the form of a travel grant for one participant from each developing country invited to the regional symposium in Africa and to the regional training course in Latin America. As you are aware, the question of travel expenses of participants was not raised or discussed in the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Unfortunately, at the insistence of certain States the draft resolution, which had been prepared by the Advisory Committee, was made to include a new operative paragraph 2 which in our view does not have a direct substantive connexion with the execution of the United Nations Programme in this field.

104. The Soviet delegation cannot support the related expenditure of more than \$20,000 and regards as unjustified both the introduction of this question and the assignment to the United Nations budget of the cost of travel to seminars and courses organized by UNITAR.

105. It is the Soviet delegation's view that a proposal to finance under the United Nations budget the cost of participants' travel to regional symposia and courses is highly unusual in United Nations practice. It seems to us that the most appropriate course, and the one in keeping with the practice of United Nations bodies, would be for UNITAR, when it organizes symposia and courses under its programme, to find the funds necessary to carry out such activities without requesting additional appropriations from the United Nations.

106. The Soviet delegation firmly believes that UNITAR, which organizes these symposia and courses, has a budget independent of the United Nations and should find the needed resources by, more specifically, redistributing its estimates of expenditure in order to pay the travel costs of participants in such activities.

107. It is for these reasons that the Soviet delegation abstained in the vote on the draft resolution concerning the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

AGENDA ITEM 35

United Nations Relief and Works Agency for Palestine Refugees in the Near East: report of the Commissioner-General (*continued*)*

108. The PRESIDENT (*interpretation from French*): Before taking up item 23, I have an announcement to make. Representatives will undoubtedly recall that resolution 2656 (XXV), adopted by the General Assembly on 7 December last requested the President, in consultation with the Secretary-General, to designate the Member States that would constitute the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. At the 1921st meeting I announced the nomination of eight States, and I added that negotiations were continuing for the designation of the ninth State. I have the pleasure and the honour to announce today that the Government of Trinidad and Tobago has agreed to join the working Group, whose membership is now complete.

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*)

REPORT OF THE SPECIAL COMMITTEE (A/8023/Rev.1)

109. U THA TUN (Burma): Ten years ago, the General Assembly presented to the world the Declaration on the Granting of Independence to Colonial Countries and Peoples when historic resolution 1514 (XV) was adopted almost unanimously. The Declaration states in paragraph 1 that:

“The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation”, and in paragraph 5 that:

“Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations . . .”.

110. During the years immediately following the adoption of that Declaration, millions of people were freed from the bondage of colonialism. Many countries attained nationhood, and people throughout the world thought that the elimination of colonialism from the surface of the world was just a matter of time. However, the momentum of decolonization became gradually slowed down, and the process of decolonization almost stopped towards the end of the decade of that Declaration. Last year we were unable to welcome even a single State into this family of independent sovereign nations. This year, however, we were fortunate enough to receive a country from our Asian part of the world—namely, Fiji—into this world Organization of sovereign nations. In this connexion I should like to take this opportunity to offer the sincere congratulations and good wishes of the Burmese delegation to the Government and people of Fiji on their country's recent accession to independence and on its admission to Membership of the United Nations.

111. During the past decade, due to the effort of this world Organization, some 30 countries have actually obtained independence. It was a great achievement indeed. Whatever the achievements attained by the colonial peoples during the decade, however, the undeniable fact is that there are today some 28 million unfortunate people, in 45 dependent Territories, small and large, under colonial domination. The lives of those unfortunate people vary from country to country depending upon their administering masters. In the southern part of Africa millions of people remain the victims of racism and exploitation.

112. First of all, let me turn to the situation prevailing in Namibia, a country which came under direct United Nations responsibility in 1966 by historic resolution 2145 (XXI). Since then the General Assembly and the Security Council have adopted various resolutions calling upon South Africa to relinquish its control over that Territory. To date, South Africa has not only

* Resumed from the 1921st meeting.

arrogantly ignored those United Nations resolutions, but also has sought by various means to consolidate its illegal control over the Territory. The most serious step has been the implementation of the infamous Odendall Report, instead of implementation of the Declaration on the Granting of Independence. At present Namibians are not only deprived of their elementary rights of self-determination, but they are also forcibly and systematically drawn into the *apartheid* way of life to serve the needs of the racist minority régime in Pretoria. Those who do not conform to the *apartheid* way of life arranged by Pretoria are treated like criminals under its racist laws introduced into that Territory. These measures have been condemned by all of civilized mankind, and that condemnation has been reflected in various United Nations resolutions.

Mr. Bohiadi (Chad), Vice-President, took the Chair.

113. If South Africa chooses to persist in its negative attitude, in spite of world public opinion, then we must be even more persistent in our positive attitude exercising our individual as well as our collective responsibilities. We must not fail to make use of all available means provided for in the United Nations Charter. In this connexion, the most responsible organ of the United Nations, the Security Council, must and, we are sure, will continue to search and apply the most effective actions, of course with the whole-hearted cooperation of the Member nations, to put an end to this serious and deteriorating situation in that international Territory.

114. As regards the Territories under Portuguese administration—Angola, Mozambique and Guinea (Bissau)—the Portuguese Government continued to oppress the indigenous people. Far from accepting or even beginning to give effect to the principles of self-determination in the Territories, the Portuguese Colonial Government, in an effort to suppress the popular struggle for emancipation has further intensified its military operations against the native peoples. In so doing, Portuguese armed forces have on a number of occasions even violated the territorial integrity of some African States sharing common borders with the three Territories. Very recently, on the night of 21 to 22 November, Portugal was again involved in an invasion against the peace-loving sovereign State of the Republic of Guinea, and Portugal has rightly been condemned by the Security Council [*resolution 290 (1970)*] only a couple of days ago, precisely on 8 December, for its invasion of the Republic of Guinea. All those incidents underline the real danger inherent in the escalation of military operations. In line with its colonial policy Portugal's military expenditure has been rising steadily since 1961, and had reached 48 per cent of the central Government's expenditure by 1968. That is very high indeed. Such vast military expenditure would be difficult for any country to sustain. Portugal, one of the poorest countries in Europe, with a *per capita* gross national product of only \$457 in 1967, has been able to survive this military burden because of the contributions paid by foreign economic monopolies which are making lucrative profits out of the country's natural resources. Forced by the costs

of the wars to seek new sources of revenue, lacking the capital, the organizational and technological knowledge necessary for engaging in resource exploration and exploitation, the Portuguese were driven to open the doors of their colonies to foreign investments and monopolies. In 1965 restrictions on non-Portuguese investment were relaxed and foreign investments moved in from Western Europe and the United States. Those monopolies are now exploiting in various fields—oil, iron, sulphur, phosphates, diamonds, copper etc.—paying handsome royalty to the Lisbon Government. The Gulf Oil Company alone paid Portugal more than \$11 million in 1969.

115. As in Namibia and the Portuguese Territories, the situation in Southern Rhodesia has, of course, gone from bad to worse. The illegal authorities of Salisbury declared the country a republic in March of this year. By that action the Salisbury régime has broken its last link with the United Kingdom. With the declaration and introduction of a new constitution, only 16 of the 66 seats in Parliament may be held by Africans though the white population forms only 5 per cent of the total population. Also by the new Land Tenure Act, the country has been almost evenly divided into two parts, one for the 4.5 million Africans and one for 250,000 whites, the part reserved for the whites including all major urban and industrial areas.

116. Our greatest concern is that the mandatory sanctions approved by the Security Council, and successively widened, have not so far had the desired effect of bringing down the illegal régime. It is no secret that the main cause of the ineffectiveness of the sanctions is the evasion of sanctions. The main offenders are, as all of us know, South Africa and Portugal, which have openly demonstrated that they have no intention of obeying the binding decisions of the Security Council. It is therefore obvious that the sanctions covering the Territory of Southern Rhodesia alone are not sufficient. We may have to consider sanctions to cover all the adjoining Territories of the Unholy Alliance if they still continue to violate United Nations sanctions.

117. If I have gone into details about the problems concerning the southern part of Africa, during my present intervention, it is not because the colonial problems elsewhere are not important. Of course, the evils of colonialism whether in a small Territory or a big Territory are the same. However, the problems in some of those other Territories do not have the same implications and dangers as in the colonies in southern Africa.

118. Before concluding my statement, I should like to repeat that the delegation of Burma attaches the greatest importance to the sacred principles of human rights and self-determination as inscribed in the Charter of the United Nations and strongly believes that unless those principles are respected, the international community, peace and security will continue to be endangered. And as a sponsor of resolution 1514 (XV) containing the Declaration, we are committed to the goals of the Declaration on the Granting of Independence

to Colonial Countries and Peoples. We stand by that commitment and will continue to work for the implementation of the Declaration.

119. Mr. ABDULGANI (Indonesia): I should like first of all to thank the Rapporteur of the Special Committee for the excellent report concerning the work of this Organization during the last year. I wish further to express my delegation's tribute to the members of that Committee and to its Chairman, the distinguished Ambassador of Sierra Leone, Mr. Nicol, for the way in which they have discharged their duties, which has enhanced the commemorative session of the twenty-fifth anniversary of the United Nations this year.

120. In consideration of the item before us, on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Indonesia would like to repeat its reluctance to the use of the term "granting". Perhaps it is a deficiency in my understanding of the word "granting", but to me it implies a favour bestowed from the stronger to the weaker, from the higher to the lower, while freedom acquired from colonial Powers was not always a favour or a grant. Again, I repeat, it is not my intention to underrate resolution 1514 (XV), but the very use of the word "granting" fails to convey the whole range of forces responsible for this process.

121. Nevertheless, the Declaration does represent a strong moral force and a moral means to an end. In itself the Declaration has had a world-wide influence in acting as a catalyst to expedite the decolonization process. Still, there are forces, inside and outside the United Nations, that are unwilling to co-operate and even try to obstruct, deliberately, the implementation of this historic Declaration.

122. The report we have before us is clear proof of that fact. Earlier our Secretary-General in paragraph 113 of the introduction to his report [A/8001/Add.1 and Corr.1] stated:

"The past year has again brought little progress towards the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples",

and that, apart from Fiji's independence,

"there has been a marked slowing down in the pace of decolonization this year. The fact that, ten years after the adoption of the Declaration, forty-five dependent Territories still remain, with approximately 28 million inhabitants who live under colonial rule, calls for a closer re-examination of the means hitherto employed by the Organization to attain the objective of the Declaration and a rededication and renewal of efforts on the part of Member States so as to eradicate colonialism in all its forms."

123. The same situation applies to the dependent Territories now as did for us in Indonesia 25 years ago. As a nation which is this year celebrating its twenty-fifth anniversary of independence, we know the inter-

play and the kind of forces at work. The same progressive forces are striving to be free, and the same reactionary forces are doing their utmost to stifle this development. The difference is neither in dimension nor in kind but merely in the manner in which the colonial forces are carrying out their repressive intentions.

124. I should like to refer to our experience with regard to the problems of post-independence. The initial bright hopes which fired our imagination in 1945 have several times been followed by disappointments and frustrations at the difficulty of implementation. It is the well-known historic process of the inevitable pains of growth. Like most of the other nations which have achieved their independence since the Second World War and which were victims of colonialism for so long, the first problems we faced were those of national unity and territorial integrity. Then came the problems of economic development. These problems are still enormous in scope. We have experienced the phenomena of internal upheavals and the emergence of dissident movements which, on analysis, seem to be characteristic of the newly independent nations.

125. We have all seen how the Western metropolitan Powers have sought to use these post-independence experiences as proof that their calls for caution and patience in the search for independence are justified. They constantly appeal for evolution and not revolution as the course to follow and, sometimes rightly but most of the time hypocritically, they point to our problems as proof of their wisdom, thereby tacitly implying that a granted independence is far better than an independence fought for. The final argument directed at us to persuade us to follow the peaceful and evolutionary road is that colonialism is dead. It is obvious that colonialism is dying and that it is historically condemned to die soon, but we in the post-colonial world know from bitter experience how desperate and vicious are the death-throes of this phenomenon.

126. The general situation today in South East Asia, in the Middle East and in the whole of southern Africa is undeniable proof of that fact. The vigorous decolonization process in those areas, with its frequent by-products of dissident movements emanating from extremist internal forces, whether right or left, has been blocked by many serious obstacles, mostly because of the efforts of external forces to transform these dissident movements into civil wars and coups d'état. In this way, the breaking up of the old colonial order has been obstructed and diverted.

127. That these situations, created by the remnants of colonialism, are a basic threat to international peace and security is self-evident and was recognized by most of the world leaders assembled here during the celebration of the twenty-fifth anniversary of the United Nations and voiced in their respective messages to our Assembly.

128. President Suharto in his address to the Asian-African Group here at the United Nations in May of this year, and again at the Third Conference of Heads

of State or Government of Non-Aligned countries held at Lusaka, Zambia, three months ago, put it this way:

“We are aware that now on the continents of Asia and Africa there exist areas of strain and tension which are a latent threat to international peace and to the progress of the Asian-African countries. Southeast Asia, West Asia or the Middle East, and all the territories of South Africa are the regions from which the tension originate and the regions to which we refer. We believe that all three areas contain a similar, fundamental problem. What is raging in those regions is, in essence, a manifestation of the decolonization process which is accelerating swiftly towards nation-building. This process engendered in its wake the opposing forces of integration and disintegration, forces which are yet intricately related, but always interrupted and hampered by the power-play of still another set of forces, external and foreign to those areas.”

129. We should like, at this point, to support the general feelings of dismay which the Security Council expressed on this subject in the days following Portugal's invasion of Guinea. This invasion, stubbornly denied by Portugal and tacitly condoned by its associates, is clear proof that colonialism is not yet dead, or at least that a dying colonialism is a destructive force which deserves our continuous alertness. We feel that we are dealing here with interrelated questions, each of which compounds the seriousness of the others. The first question, of course, concerns colonial oppression; but in the particular case of Portugal's incursion into the territory of Guinea we must necessarily consider the question of military aggression by a colonial régime against another sovereign State.

130. It is our considered opinion that the situation cannot be viewed in isolation but that it must be weighed within a broader context, and that context is the universal contradiction between the ideals of the United Nations Charter and the reality that is colonial oppression. The report of the Special Mission¹ makes that contradiction painfully clear and reflects the deep concern shared by all.

131. We are in full agreement with those who have said that the wider implications of the Conakry invasion are a symptom of a built-in tension, of structural friction and conflict arising from the suppression of the legitimate aspirations of the peoples living under Portuguese administration, who do indeed have the right to self-determination and independence.

132. The same applies to the situation of the Palestinian people in the Middle East and to the peoples of the whole area of Indo-China in South-East Asia. We therefore reaffirm our commitment to the recognition and implementation of their inalienable right to equality and self-determination.

133. It is at this point that I should like to spend a few moments speaking in introspection and self-

examination. I feel it is necessary to stress the importance of maintaining our own national unities and cooperation among the different national liberation movements. I say that not because unity is an ideal for which we should be striving, but because unless we do so the colonial Powers will have a pretext for intervening in our affairs and abusing the right to self-determination by breaking up our national unity and territorial integrity.

134. I should like here to refer to the Declaration on the Granting of Independence to Colonial Countries and Peoples, paragraph 6 of which states that:

“Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.”

135. However, it is not for the United Nations to prevent such violations from occurring. It is our own vital responsibility to preclude that possibility by strengthening our own national unities and by developing the ties between the different national liberation movements within each Territory, thereby denying the opportunity and pretext for foreign intervention.

136. If we turn for a moment to the continent of Europe, the birth-place of modern science and technology, and also the birth-place of colonialism and communism, where civil wars have pretentiously been proclaimed world wars, we now witness the development of new situations conducive to the reconciliation of the divided nation of Germany, a process we have all applauded as one of historic importance. That process should give us all food for thought, particularly those of us from Asia and Africa. We should ponder whether this is also the time for the divided nations of Asia and Africa to come together.

137. Twenty-five years of bitter experience have shown that political independence is not sufficient, that sovereignty over our own natural resources and freedom from economic dictation are fundamental elements of national independence. That reality is reflected in the current session of the General Assembly, where control over our natural resources, including those beneath the sea, has been an important issue. Let me place the present disagreements on the issue of the sea-bed and ocean floor in historical perspective. That perspective leaves us with the distinct impression that we are now witnessing here a replay of the developments of the nineteenth century, when the colonial Western nations engaged in a scramble for the territories of Asia and Africa in complete disregard of our national interests.

138. Today, the situation is similar. We have the advanced and more highly technological countries scrambling for the valuable underwater territories and limiting our right to exploit, or at least to maintain ownership of, the natural resources of the sea-bed and ocean floor contiguous with our land. The concept of the more highly developed nations being able to ride roughshod over the interests of smaller, weaker and

¹ *Official Records of the Security Council, Twenty-fifth Year, Special Supplement No.2.*

less developed nations is not a new one. What we are now witnessing is merely a new version of the old game.

139. In conclusion, I should like to draw together the threads running through this statement by pointing out that many of the different issues facing us at this session—items like the sea-bed and ocean floor; the Middle East situation; *apartheid* in South Africa and Namibia and the recent invasion of Guinea—are but facets of the primary issue with which we must deal. That is, of course, the question of decolonization.

140. As we embark upon the second decade following the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and at the same time move into the second quarter-century of the United Nations, we must all realize how crucially important is the Secretary-General's appeal for a closer re-examination of the means employed to implement the Declaration and rededication and renewal of efforts on the part of Member States to eradicate colonialism in all its forms.

141. The Special Committee's report is a significant contribution towards meeting the Secretary-General's appeal, and therefore receives the full endorsement of the Indonesian delegation.

142. Mr. PONOMAREV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): Ours is an age of stormy and revolutionary world renewal in which a major role is being played by the national liberation movement of the peoples.

143. A cardinal result of the success of the anti-imperialist national liberation struggle is the nearly total elimination of the practice of direct colonial subjugation. More than 70 new national States have emerged from the ruins of the fallen colonial empires. The national liberation movement has spread to all the continents of the earth and has become a genuine mass movement.

144. The political emancipation of former colonies and quasi-colonies, won through the heroic struggle of oppressed peoples with the support of all the progressive forces of the world, particularly the socialist States and the international working class, is an enormous achievement for all mankind. It is a paramount event of modern times. It has considerably reduced the sphere of influence of imperialism, has weakened it and has enhanced the position of peace, democracy and socialism.

145. The joint efforts of the socialist and the newly independent countries of Asia, Africa and Latin America led to the adoption by the United Nations, on the initiative of the Soviet Union, of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the tenth anniversary of which was solemnly celebrated at the commemorative part of this session of the General Assembly with the adoption on 12 October of this year [*resolution 2621 (XXV)*] of a programme of action for the full implementation of the Declaration.

146. Colonialism is not yet dead, however. Over 35 million people still live in colonial bondage. Although the colonialists have suffered major defeats and have had to fall back under the impact of the national liberation movement of the peoples, this does not at all mean that they have given up the struggle. On the contrary, imperialism and colonialism are still a serious threat, and are capable not only of evasive manoeuvres but also of momentary counter-attacks.

147. Quite recently imperialism committed a fresh crime against free Africa. On 22 November the Portuguese colonialists carried out armed aggression against a sovereign State, the Republic of Guinea.

148. The Portuguese criminals were pursuing a far-reaching goal—to overthrow the progressive régime in Guinea, to put pro-imperialist puppets in power there and to strike a blow at the national liberation struggle of the people of Guinea (Bissau). But they miscalculated. The Guinean people, with the support of friendly African and socialist countries and all anti-imperialist forces, suitably repulsed the arrogant interventionists and successfully defended their sacred right to freedom and independence.

149. The fascist colonial régime of Portugal would never have embarked on that crime were it not for the assistance and support received in all fields from the major imperialist NATO Powers, which supply Portugal lavishly with weapons, military equipment and loans.

150. Similarly the racist régimes which keep the indigenous population of South Africa, Namibia and Southern Rhodesia in a state of servitude would not be able to maintain their dominion were it not for the assistance and support from the United States, the United Kingdom and other Western Powers which, despite the decisions of the United Nations, continue to expand their economic, trade, political, military and other relations with those régimes.

151. As was rightly emphasized in the statement on the Portuguese aggression against Guinea just issued by the Political Consultative Committee of the States parties to the Warsaw Treaty, as reported in *Pravda* of 4 December:

“Colonialism threatens the peace and security of all peoples. So long as even a single colonial régime remains on African soil, so long as all troops are not withdrawn from that region and the military bases of the colonialists are not dismantled, the peaceful and free development of the States of Africa will be in jeopardy.”

152. The remaining bastions of colonialism must also be eliminated from Asia, Oceania, South America and the Caribbean.

153. Present-day colonialism is a dangerous and insidious phenomenon. Besides overt acts against the national liberation movements, it resorts to more sophisticated methods of combat—those of neo-colonialism.

154. The arsenal of modern colonialism contains the most varied weapons: incitement of inter-tribal enmity and various forms of economic and political enslavement of peoples through export of capital, inequitable trade, politically tied "aid", the involvement of States in aggressive military blocs, the establishment of military bases on their soil, the installation of puppet régimes, and so forth.

155. In this connexion, the following statement by the founder of the Soviet State, V. I. Lenin, may appropriately be quoted:

"Finance capital is such a great, such a decisive, you might say, force in all economic and in all international relations, that it is capable of subjecting, and actually does subject, to itself even States enjoying the fullest political independence."²

156. Life has fully confirmed the truth of Lenin's words. The attainment of political independence by a territory does not mean that the struggle for real freedom and independence for its people is over. The struggle goes on: against neo-colonialism, for final independence from imperialism, for social progress.

157. An essential requirement of success in this struggle is the unity and solidarity of the national liberation movement forces and the strengthening of their links with all anti-imperialist and anti-colonialist forces that stand for peace and security, for freedom and independence, of all peoples, for the democratic road to development.

158. From the time it was founded our Republic has always sided with the peoples fighting for their national liberation. Its position is determined by the principles of Lenin's national policy and stems from an understanding of the importance of the contribution made by the national liberation movement to the world revolutionary process.

159. The national liberation movement today has powerful and dependable allies in the Soviet Union and other fraternal socialist countries. We are convinced that the time is not far off when the long-suffering colonial peoples will finally sweep from their land the remnants of colonialism and embark upon the broad road of economic and social progress.

160. The past 10 years have demonstrated the great significance and vitality of the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, the results of this decade also impose many commitments on the United Nations for the future, and first and foremost that of the full and unconditional implementation of the provisions of the Declaration.

161. A considerable role in formulating measures for the implementation of the Declaration is played by the Committee of Twenty-Four. In the view of our delegation, it did useful work during 1970, the results

² V. I. Lenin, *Collected Works* (Moscow, Progress Publishers, 1964), vol. 22, p. 259.

of which speak for themselves. The Committee adopted the programme of action for the full implementation of the Declaration. That programme was endorsed by the General Assembly two months ago. The Committee continued its study, begun in 1964, of the pernicious activities of international monopolies in the colonies. It also studied in detail the question of military activities and arrangements by colonial Powers in the Territories under their administration, and produced some very constructive conclusions and recommendations. The Committee dealt with the question of the role of the specialized agencies and institutions associated with the United Nations in the implementation of the Declaration and other United Nations decisions on decolonization, and also examined the situation in all the remaining colonial Territories.

162. On the whole, the Byelorussian delegation takes a positive view of the decisions adopted by the Committee on the questions dealt with. The task now is to give those decisions practical effect.

163. It is the duty of the United Nations to render all possible support to colonial peoples struggling to attain their freedom and independence.

164. The policy of the colonial Powers which are obstructing the implementation of the Declaration on various pretexts must be emphatically condemned, and they must be required to implement the Declaration unconditionally. They must renounce their reckless policy and finally heed the voice of the United Nations, which demands the cessation of the pernicious activities of international monopolies in the colonies. The General Assembly should demand that the colonial Powers speedily implement the decisions of the United Nations on the elimination of military bases and cessation of military activities in the colonies.

165. The specialized agencies and institutions associated with the United Nations should intensify their assistance to the peoples of Angola, Mozambique, Guinea (Bissau) and other Territories struggling for national liberation. These agencies must be required to take effective steps towards the discontinuance of all assistance to the Republic of South Africa and Portugal. It is time for such agencies as the International Bank for Reconstruction and Development and the International Monetary Fund to end their obstructionist policy and adopt a course of co-operation with the United Nations in the implementation of its decisions.

166. The Byelorussian delegation will support United Nations decisions aimed at the practical fulfilment of these tasks.

167. The PRESIDENT (*interpretation from French*): I call on the representative of Cameroon on a point of order.

168. Mr. ENGO (Cameroon): I am raising a point of order partly on the ground that the rules of procedure of the General Assembly must be observed, but also because of my conviction that the subject matter before

the General Assembly at this time is of such importance that it must be treated with the greatest of respect.

169. My delegation has observed that rule 69 of the rules of procedure states that "A majority of the Members of the General Assembly shall constitute a quorum"—that is to say, that a quorum is required in order for the Assembly to be able to perform its duties. However, I do not want to vitiate that which

has been done. I wish merely at this stage to propose, under rule 78, that this meeting of the General Assembly should be adjourned immediately.

170. The PRESIDENT (*interpretation from French*): If there are no objections, the meeting is adjourned.

The meeting rose at 5.45 p.m.