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*President:* Mr. Corneliu MANESCU (Romania).

*In the absence of the President, Mr. Khatri (Nepal) Vice-President, took the Chair.*

AGENDA ITEM 14

Report Of The International Atomic Energy Agency (concluded)

1. Mr. McKEOWN (Australia): The presentation by the Director-General of the International Atomic Energy Agency of the Agency's annual report<sup>1/</sup> provides an opportunity to note the progress made by the Agency over the last year in pursuance of its mandate to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world.

<sup>1/</sup> Annual report of the Board of Governors to the General Conference, 1 July 1966-30 June 1967 (Vienna, July 1967), and supplementary report: transmitted to members of the General Assembly by notes of the Secretary-General (A/6679 and Add.1).

2. The eleventh regular session of the General Conference, which was held at Vienna from 26 September to 2 October 1967, marked the entry of the Conference into the second decade of the Agency's activities in furthering the application of atomic energy for peaceful purposes.

3. The Agency now consists of ninety-eight member States, and we are happy to note that an application from Malaysia for membership was approved at the recent General Conference. In the eleven years which have elapsed since its establishment, the Agency has already achieved an honoured place among the organizations of the United Nations family and has made steady progress in the principal fields of its activities. It gives us particular pleasure to commend the Agency's report inasmuch as we have long been closely associated with the IAEA. Australia continues to provide a member of the Board of Governors and to participate actively in the Agency's work.

4. When the Agency was created, the peaceful uses of atomic energy were still in their infancy and the possibilities of harnessing the forces of the atom to the service of man were still to be realized. The intervening years have seen a steady growth in the peaceful applications of atomic energy and in the production of electrical power from nuclear energy. In some countries, nuclear power plants are already in commercial operation; in other countries, such as my own, we are looking forward to such a development. Much, of course, remains to be done, particularly in the developing countries. It is already clear, however, that the second decade in the life of the Agency can be expected to see a very considerable expansion in the peaceful applications of nuclear energy, in power production and in other fields, which will make heavier demands on the skills and resources of the Agency.

5. On behalf of my delegation, I should like to express our appreciation for the reports that have been put before us, for the work done and the progress achieved. The Agency will continue to have our support in its activities in fulfilling the purposes of its Statute. In that spirit, we shall support the draft resolution which has been sponsored by Argentina, Bulgaria and Indonesia [A/L.534].

6. Mr. YANKOV (Bulgaria): The annual report of the International Atomic Energy Agency, submitted for consideration by the General Assembly [A/6679 and Add.1], provides us with the opportunity to assess the work done by the Agency during the eleventh year of its existence. The delegation of the People's Republic of Bulgaria appreciates the efforts of the IAEA to promote further international

co-operation in the peaceful uses of atomic energy to the benefit of mankind.

7. The comprehensive annual report of the IAEA and the lucid introductory statement made by the Director-General of the Agency, Dr. Sigvard Eklund [1619th meeting], contain valuable information concerning the accomplishments of the Agency and the problems it is faced with in the discharge of its tasks. Without going into detail, we wish to note with satisfaction the progress and the growth of the Agency during the past years.

8. The ever-growing role of atomic energy and the increase in its use as a source of electric power or for desalinization techniques, its wide range of applications in the field of industry and agriculture, food preservation and medicine, fully justify the greater emphasis on the study of practical problems and the increased attention to practical benefits from the use of atomic energy. In this connexion, we appreciate the efforts of the International Atomic Energy Agency to promote more effective international co-operation and co-ordination. My delegation has noticed with satisfaction the endeavours of the Agency to extend its contribution to the application of radio-isotope techniques, particularly in industry and agriculture, with special reference to the irradiation of food products.

9. Another very useful field of the IAEA activities is the dissemination of nuclear information and particularly the establishment of the International Nuclear Information System. We welcomed this initiative and express our readiness to co-operate in the successful functioning of this system.

10. One of the most important tasks of the Agency during the period covered by the annual report has been the assistance to developing countries in order to make atomic energy available to them. The technical assistance programme is being related mainly to the use of atomic energy and the application of nuclear techniques in agriculture and health. This programme has to be further combined with greater efforts in assisting the developing countries in the training of specialists for research and practical work.

11. The international and regional training courses, conferences, symposia and seminars organized or sponsored by the Agency, together with the granting of fellowships, provided by member States or by the Agency itself, acquire greater importance with the increasing practical application of atomic energy.

12. There are many other fields which cover the wide spectrum of activity of the IAEA. Its role in promoting a broad international co-operation is steadily growing. Its positive impact on international relations is noticeable. Of course, the Agency has many problems to solve in order to achieve further success in its endeavours. One of the important requirements for the greater effectiveness of the Agency is the attainment of full universality in its membership. It is neither in the interest of international co-operation in the peaceful uses of atomic energy, nor in the interest of the International Atomic Energy Agency itself when some countries are still not admitted as members. One of them is the Democratic Republic of Germany, a highly industrialized

State, with considerable achievements in the peaceful uses of atomic energy and following a policy of international peace and co-operation. It is unjustifiable that this State, which can greatly contribute to the activities of the International Atomic Energy Agency, is still being kept outside the membership of the Agency. We consider that it is high time to reconsider the present attitude towards the Democratic Republic of Germany and to provide for its possible admission as a member of the Agency.

13. The main goal of the International Atomic Energy Agency, as defined by its Statute, is the "development or practical application of, atomic energy for peaceful purposes". In this atomic age, when man's capacity to master the great scientific discoveries and technological advances in the field of atomic energy is matched by his capacity for mass destruction, we are deeply concerned over the possible dissemination of nuclear weapons. The nuclear arms race and the spread of nuclear weapons in a world of great international tensions and conflicts represent a real danger for the very existence of mankind. Therefore, any initiative, any effort to prevent the use of the terrible destructive power of the atom deserves every possible assistance and encouragement. It is with this understanding that my country is taking part in the persistent endeavours to reach an agreement on the non-proliferation treaty.<sup>2/</sup> We consider that such a treaty will constitute an important step conducive to further steps in the field of disarmament. It will create more favourable conditions for broader and more effective co-operation in the peaceful uses of atomic energy, because the main efforts and economic resources will be concentrated upon the technological advancement and application of atomic energy for peaceful and creative uses for the benefit of all mankind.

14. In this connexion, we are of the opinion that there could be a space for a new dimension of the activities of the International Atomic Energy Agency and new and important responsibilities could be assumed by the Agency in the system of safeguards and supervision within the non-proliferation treaty.

15. As far as the actual International Atomic Energy Agency safeguards are concerned, we would like to reiterate our support for the initiatives of the Governments of Czechoslovakia, Poland, the Democratic Republic of Germany and Hungary to place their atomic installations under the safeguard control of the IAEA, provided the member States of Euratom, and in particular, the Federal Republic of Germany, would agree to undertake the same obligations. The Government of the People's Republic of Bulgaria is ready on these conditions to place the reactor of the Bulgarian Academy of Sciences under the International Atomic Energy Agency safeguards system.

16. In conclusion, we would like to express our hope that the International Atomic Energy Agency will find its proper place in assuming its role in the further promotion of the use of the atom for the welfare and prosperity of mankind, in an atmosphere of international peace, security and fruitful co-operation.

<sup>2/</sup> Document ENDC/192 and 193.

17. Mr. GARCIA ROBLES (Mexico) (translated from Spanish): My delegation fully appreciates the great admiration which the Director-General of the International Atomic Energy Agency (IAEA) expressed this morning for the Treaty of Tlatelolco. We should like to recall that the Treaty's Article 13 provides that —

"Each Contracting Party shall negotiate multi-lateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the date of the initiation of such negotiations except in the case of unforeseen circumstances or force majeure" [A/6663].

18. Mexico had the honour of being the first signatory State for which the Treaty of Tlatelolco acquired full force. My Government, out of its conviction that the best way of teaching is example, deposited its instrument of ratification on 20 September 1967, having waived the requirements set out in Article 28 of the Treaty. Hence the Government of Mexico did not wait, as provided in Article 13, for 180 days but only for five days after depositing its instrument of ratification before beginning its negotiations with the IAEA on 25 September.

19. The negotiations have made very satisfactory headway. The Agency has already transmitted to the Government of my country a draft agreement which I am sure will become definitive long before the end of the eighteen months allowed by Article 13 of the Treaty. Before ending my remarks I should simply like to express once again the sincere appreciation of my delegation and my Government to Mr. Eklund, Director-General of the IAEA, for his Secretariat's valuable technical contribution to the work of the Preparatory Commission for the Denuclearization of Latin America which led to the adoption and signing of the Treaty for the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco.

20. The PRESIDENT: Since there are no other speakers, I invite the General Assembly to consider the draft resolution submitted by Argentina, Bulgaria and Indonesia [A/L.534]. By it the Assembly would take note of the report of the International Atomic Energy Agency to the General Assembly for the year 1966-67. As I hear no objection, I shall take it that the Assembly adopts that draft resolution.

*The draft resolution was adopted without objection. [resolution 2284 (XXII)]*

## AGENDA ITEM 22

Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General

21. Mr. FARAH (Somalia): It is my pleasant task to propose, on behalf of the African group, that this Assembly take note of the report of the Secretary-

General on co-operation between the United Nations and the Organization of African Unity [A/6885]. It has been the wish of the Organization of African Unity since it came into existence four years ago that it should co-operate closely with the United Nations and that wish has been reciprocated in the resolutions of the General Assembly. That is quite natural since the aims and objectives of the Organization of African Unity run parallel with those of the United Nations.

22. The achievements of the Organization of African Unity on a regional scale also deserve the attention of the United Nations. Steady, solid achievement of peaceful objectives is not, unfortunately, the material from which news headlines are drawn. The troubles of Africa and its still unsolved problems are prominently featured in international news media, while comparatively little coverage is given to the ceaseless efforts of the Organization in applying the principle of regional co-operation to the political and economic problems of a vast continent. But the Organization of African Unity can point with pride to peace-keeping efforts on the continent of Africa which have settled disputes that might otherwise have developed into threats to international peace and security, and to steady progress in co-operation for economic growth.

23. There is no need for me to emphasize the fact that in the present world situation even the disputes of the smaller and economically less important countries can take on the added significance of the cold war, but in its comparatively short life the Organization of African Unity has provided a steady influence which has persuaded member States to put the good of the region and ultimately the good of the international community before their own particular interest. In this continuing task the Organization of African Unity is strengthened and heartened by the constant support and co-operation which it receives from the United Nations. The presence of the Secretary-General last September at the fourth session of the Assembly of Heads of States and Governments of the Organization of African Unity was tangible evidence of the support which the Organization of African Unity is receiving from the United Nations, and his presence was particularly welcomed because of the high personal regard in which the Secretary-General is held by all member States of the Organization.

24. One cannot speak of the problems of Africa without mentioning those which are of direct concern to both the Organization of African Unity and the United Nations. I refer to the existence in Africa of the system of apartheid, which the United Nations has denounced as a crime against humanity; to the people still held under colonial domination in the Territories administered by Portugal, in direct contravention of the Declaration on the Granting of Independence to Colonial Countries and Peoples; and to the illegal régimes in Southern Rhodesia and South West Africa. Those are international problems as well as African problems and progress towards their solution clearly necessitates the close co-operation of the two Organizations. That is quite practicable as the Organization of African Unity

has always been guided by the principles of the United Nations Charter.

25. The continued liaison between the Organization of African Unity and the Economic Commission for Africa, as noted in the Secretary-General's report [A/6885, paras. 7 and 8], is a continuing source of satisfaction. Both those organizations carry out the undramatic but fundamental work of planning and implementing plans for economic development on a regional basis and their close co-operation can only be beneficial to the region. In the words of a distinguished African writer, both Organizations — the United Nations and Organization of African Unity — are really using similar methods for the achievement of the same ideal, in the avoidance of war, the pursuit of peace, the reduction of tensions and the preservation of human rights.

26. It is for that reason that the members of the African group endorse the objectives of those resolutions [2011 (XX) and 2193 (XXI)] in which the General Assembly states its desire to promote co-operation between the United Nations and the Organization of African Unity, and express their appreciation of the efforts of the Secretary-General to implement the objectives of those resolutions.

27. The PRESIDENT: May I take it that the General Assembly decides to take note of the report of the Secretary-General?

*It was so decided.*

#### AGENDA ITEM 26

Report of the Committee on arrangements for a conference for the purpose of reviewing the Charter

28. The PRESIDENT: I shall now put to the vote the draft resolution contained in the report on this item [A/6865, para. 7].

*The draft resolution was adopted by 85 votes to none, with 9 abstentions [resolution 2285 (XII)].*

29. The PRESIDENT: I call upon the representative of the Soviet Union in explanation of his vote.

30. Mr. KUTAKOV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation wishes to state the following in connexion with the adoption of the draft resolution contained in the report of the Committee on arrangements for a conference for the purpose of reviewing the Charter [A/6865, para. 7].

31. The Charter of the United Nations contains all the elements necessary to make the Organization an effective instrument for maintaining peace and developing co-operation among nations.

32. The fact that the United Nations, when faced with international problems, has in many cases been powerless and unable to fulfil its task is in no way due to the content of the Charter but rather to the positions adopted by certain States which circumvent and violate the Charter in order to pursue their own selfish interests.

33. In recent years the imperialist Powers and their allies have committed a number of acts which are contrary to the spirit and purpose of the Charter and

violate important United Nations resolutions. Instances of such acts are the United States aggressive war in Viet-Nam, Israel's seizure of parts of the territory of Arab States and the violation of the inalienable rights of African and other peoples by the Republic of South Africa and Portugal.

34. Obviously, the most important task facing our Organization today is to ensure that all its Members comply with the fundamental provisions of the Charter, and to implement those provisions of the Charter which relate to the maintenance of international peace and security. In such circumstances, the very fact of raising the question of amending the Charter can be seen only as an attempt to provide a convenient loophole for those who view the Charter as an impediment to the attainment of their selfish goals — goals completely at variance with the purposes of the United Nations and incompatible with the maintenance of international peace and security.

35. In view of these considerations, the Soviet delegation wishes to emphasize that there is no justification for their raising the question of the review of the United Nations Charter and therefore for convening a conference for that purpose. Accordingly, the Soviet delegation abstained in the vote on the draft resolution submitted by the Committee.

#### AGENDA ITEM 91

Treaty for the Prohibition of Nuclear Weapons in Latin America

REPORT OF THE FIRST COMMITTEE (A/6921)

*Mr. Örn (Sweden), Rapporteur of the First Committee, presented the report of that Committee and then spoke as follows:*

36. Mr. ÖRN (Rapporteur of the First Committee): The report of the Committee deals with item 91 on our agenda. The draft resolution on this item [A/6921, para. 8], in which the Committee welcomes the Treaty for the Prohibition of Nuclear Weapons in Latin America — which was also hailed from this rostrum by the Director-General of the International Atomic Energy Agency this morning [1619th meeting] as an achievement of a truly pioneer character in the field of nuclear disarmament — was sponsored by twenty Latin American and Caribbean countries and adopted by the Committee by 79 votes to none, with 21 abstentions. I hereby submit the recommendation of the Committee for the consideration of the Assembly [*ibid.*, para. 8].

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

37. The PRESIDENT: In accordance with the decision just taken, statements will be limited to explanations of vote.

38. Mr. BRAITHWAITE (Guyana): In speaking on the report of the First Committee [A/6921], which is now before the Assembly, my delegation is conscious of the prolonged consultations and debate which took place when the representatives of the States signatory to the Treaty for the Prohibition of Nuclear Weapons in Latin America presented their draft resolution to the First Committee.

39. However, since the report now before us cannot reflect the reservations expressed by many delegations, including my own, on the issue of universality which this draft resolution raised, I feel it necessary, in explaining the vote of my delegation, to put before this Assembly my country's grave concern that the General Assembly should — and here I quote from the draft resolution — "welcome with special satisfaction" a Treaty which is discriminatory in its articles and which excludes my country, Guyana, from participation on grounds which are irrelevant to denuclearization.

40. My country, Guyana, has been excluded from participation under article 25 of the Treaty [A/6663]. The existence of a boundary controversy initiated by a neighbouring State some fifty years after the border between our countries was formally fixed by arbitration — some fifty years after the arbitral award had been accepted by both sides — the existence of that controversy has been used to exclude my country from participation under the Treaty.

41. Guyana's exclusion breaches the principle of universality, a principle enshrined in the Charter of the United Nations. My country has been made the target of discrimination for a purpose extraneous to the establishment of a nuclear free zone. In terms solely of principle, we maintain that the discriminatory article should never have found place in a Treaty of this kind. We maintain that the drafters should never have so compromised their aims as to agree to the exclusion of any State within the region. But in practical terms as well, the effect of our exclusion compromises this Treaty's great objectives. For it is not merely illogical but dangerous that territory should be left open within the region to the "testing, use, manufacture, production or acquisition... of nuclear weapons," and for the "receipt, storage, installation and deployment" of such weapons [article I] and this in a Treaty whose purpose is the creation of a nuclear free zone. It is not merely illogical but dangerous that the Treaty's drafters should have made peaceful settlement of a territorial dispute a condition precedent to signature at all. It must be recognized that the exclusion of any State unable to settle a dispute by peaceful means leaves open the question of means which are not those of peace — means which in such a case would in no way be restricted by the sanctions which the Treaty seeks to impose.

42. It was with these considerations in mind that my delegation sought changes in the draft resolution which is now before us — changes which would have had the General Assembly recommend the deletion of the discriminatory article at present embodied in the Treaty. It is a matter of deep regret to my Government that the changes finally effected have failed in their attempt to confront the issue of discrimination, have failed in their attempt to confront the issue of exclusion and, in effect, have failed to confront the issue of universality.

43. The penultimate preambular paragraph which was inserted in the revision of the draft resolution when it was before the First Committee read as follows:

"Noting that it is the intent of the signatory States that all existing States within the zone defined

in the Treaty may become parties to the Treaty without any restriction". [A/6921, para. 8.]

44. But this is not the intention of all the signatory States. The intention to exclude Guyana is explicit in the travaux préparatoires of the Preparatory Committee for the Denuclearization of Latin America. In the documents available to us, Guyana is expressly held to the excluded under the terms of article 25<sup>3/</sup>.

45. In the light of such a clear intention on the part of the signatory States, my Government finds it impossible to accept the contradictory declaration of this preambular paragraph and also that preambular paragraph which now appears in the draft resolution. A Treaty, like any other legal document, must be interpreted according to the intention of its drafters. The discriminatory article is still present in the Treaty and the principle of universality is therefore breached. It is in this breach of Charter principles that the Treaty's most damaging weakness lies.

46. In examining General Assembly resolutions either directly or tangentially related to the item before us, my delegation was unable to discover anything that would support the claim that in its mandate to the States of Latin America the General Assembly did not require a strict observance of the principles of the Charter of the United Nations. On the contrary, as my delegation was careful to point out on 28 November in the First Committee [1538th meeting], the General Assembly in its resolution 1911 (XVIII) expressed the hope that the States of Latin America, in initiating studies on an agreement for the denuclearization of the region, would do so in the light of the principles of the Charter of the United Nations.

47. When my delegation reflects on the number of abstentions on the vote taken in the First Committee on this draft resolution, and when we critically examine the reservations entered on the same draft resolution by those States which voted for it, we are encouraged in our firm belief that the issue of universality which we have raised with respect to this draft resolution and the Treaty to which it relates will long be remembered. We sincerely hope that those States which have abstained from voting or have entered their reservations have by such actions served notice that if the time ever comes — and it might — for them to plan and draft similar treaties for the universal benefit of areas including their own States, articles of a discriminatory or exclusionary nature will under no circumstances be entertained, no matter how ambiguously they might be worded, designed or camouflaged.

48. It is a matter of the deepest regret to my Government and to my delegation that the Latin American States, limited as they undoubtedly were by the terms of resolution 1911 (XVIII), should have permitted the principle of universality to be sacrificed so deliberately.

49. My delegation cannot vote in favour of the draft resolution now before us. We cannot endorse the draft resolution in any of its parts. We cannot "welcome with special satisfaction" a treaty which stands in breach of Charter principles and in so

<sup>3/</sup> See document COPREDAL/AR/31, dated 11 May 1966.

doing defeats the high purpose its signatories avowedly set out to achieve.

50. In view of our respect for the Treaty's fundamental objectives, the delegation of Guyana will abstain when the matter is put to the vote.

51. Mr. ARAD (Israel): My delegation has paid attention to the sixth paragraph of the preamble in the draft resolution [A/6921, para. 8] and will vote for the draft resolution on the understanding that no act of discrimination is intended against any Member State in the region regarding its right to adhere to the Treaty on an equal basis with other States in the region.

52. Mr. PARTHASARATHI (India): My delegation has had occasion in the First Committee to congratulate the Latin American Governments for successfully concluding the Treaty for the Prohibition of Nuclear Weapons in Latin America. We take this opportunity again to express our satisfaction at the signing of the Treaty which, apart from its profound significance for the region, is a helpful step towards the goal of general and complete disarmament, particularly nuclear disarmament. The Latin American States, particularly the Government of Mexico, deserve our special praise for their unique initiative in the field of disarmament.

53. We have now heard the statement of the representative of Guyana. We welcome it for its candour, reasoning and sincerity. We understand the genuine difficulty in which Guyana finds itself. My country has the most friendly, warm and close relations with the Government of Guyana, and we fully appreciate its position. It was in this spirit that the delegation of India made every effort to be of assistance in the informal discussions that preceded the voting on the draft resolution in the First Committee. We are saddened by the fact that an acceptable formula could not be found to alleviate the fears and misgivings of the delegation of Guyana. However, in the efforts made by the delegations of Latin America to meet a point — and a pertinent point in our view — raised by the delegation of Guyana, the sponsors revised their draft resolution by introducing a new preambular paragraph which reads as follows:

"Noting...that it is the intent of the signatory States that all existing States within the zone defined in the Treaty may become parties to the Treaty without any restriction." [A/6921, para. 8.]

54. It has been stated that paragraph 3 of the draft resolution should be interpreted in the light of this preambular paragraph. We have, therefore, to take into account the new preambular paragraph and the explanation given by the Latin American delegations in considering the draft resolution recommended by the First Committee. We are confident that the Latin American Governments will translate "the intent of the signatory States" into meaningful and effective action so that the Government of Guyana can become a party to the Treaty, which will enhance the standing of the Treaty by making it universally applicable.

55. Feeling sure that the Governments concerned will make earnest efforts to meet the points raised by the delegation of Guyana, my delegation will

vote for the draft resolution recommended by the First Committee in its report.

56. Mr. BOTHA (South Africa): In company with other Members of the United Nations, South Africa greatly welcomes the initiative and the perseverance of the Latin American countries in producing the Treaty for the Prohibition of Nuclear Weapons in Latin America. The Treaty is a milestone in the disarmament process and the Latin American countries deserve our warm congratulations for the very real contribution they have made to world peace and security.

57. In regard to the draft resolution before the General Assembly [A/6921, para. 8], the South African delegation attaches particular importance and significance to the sixth preambular paragraph which notes:

"that it is the intent of the signatory States that all existing States within the zone defined in the Treaty may become parties to the Treaty without any restriction".

58. It is the understanding of my delegation that that paragraph accepts and endorses the principle of universality, a principle to which we — and I may add many who spoke in the First Committee — attach special importance in the context of nuclear disarmament.

59. On this understanding, my delegation has no hesitation in recording its warm support for the draft resolution as a whole.

60. Mr. SALIM (United Republic of Tanzania): The Tanzanian delegation has already made its position very clear in the First Committee regarding the Treaty for the Prohibition of Nuclear Weapons in Latin America, which the Assembly is now considering.

61. We have taken the floor simply to reaffirm our position. We have welcomed the Treaty and we continue to hail the principles enshrined in it as a positive contribution our Latin American friends have made towards the goal of general and complete disarmament. We also continue to congratulate the Latin American States for this remarkable achievement. We regret, however, that because of exclusionary provisions embodied in article 25 of the Treaty we shall not be able to cast our positive vote on the draft resolution before us [A/6921, para. 8]. Much as we regret it, our delegation is compelled to abstain on the draft resolution.

62. Mr. ADEBO (Nigeria): The delegation of Nigeria regrets very much that it has to take the floor at this time. Our regret is due to the fact that the situation which developed in the Committee has left us with no alternative but to make a protest against what we believe is a defect in the Treaty that we are endorsing this evening, but a defect which we believe that our Latin American friends do honestly intend to remove. We have been in very close association with Latin American countries ever since we became a Member of the United Nations. We were among the first to applaud their action when they began to consider their first draft of this denuclearization treaty. We have always been their greatest admirers for the thoroughness with

which they have gone about preparing this draft Treaty. It is, therefore, with great regret indeed that we discovered what we believe to be a most unfortunate defect in that Treaty, and that is the provision to which those who have spoken before me on this rostrum have referred; the provision which makes it impossible at this time for a country like Guyana to be a party to this important treaty.

63. The relations between my country and Guyana have always been very close. The Government and people of Nigeria have been most affectionately inclined towards Guyana, even before Guyana became independent. We therefore view with very deep concern the fact that they are, as it were, deliberately excluded from the adherence to the Treaty at this time. On the other hand, having regard to the consultations that took place in the Committee, consultations to which we were a party, we have a feeling that our Latin American friends themselves do regret that there is this unfortunate clause in an otherwise perfect Treaty.

64. We are convinced that they do mean what is stated in the preambular paragraph of the draft resolution [A/6921, para. 8], which has already been read out to the Assembly by the representative of India. Yet, we agree with the representative of Guyana that, in so far as his country is concerned, one cannot expect him to accept this at its face value. We of the Nigerian delegation are also not accepting it at its face value, but we do believe, from personal experience, from personal acquaintance, from personal association, with the representatives of the Latin American countries in this Organization, that they mean what they say in this preambular paragraph. On those grounds, the Nigerian delegation will vote in favour of the draft resolution before the Assembly, although it does so with the reservation which has been indicated in this statement.

*M. Mănescu (Romania) took the Chair.*

65. The PRESIDENT (translated from French): I shall now put to the vote the draft resolution submitted by the First Committee in its report [A/6921, para. 8]. A roll-call vote has been requested.

*A vote was taken by roll call.*

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

*In favour:* Finland, Gambia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lebanon, Libya, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Spain, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Afghanistan, Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Brazil, Burma, Canada, Ceylon, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia.

*Against:* None.

*Abstaining:* France, Ghana, Guyana, Hungary, Kenya, Lesotho, Liberia, Mali, Mauritania, Mongolia, Poland, Syria, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Yemen, Zambia, Algeria, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cuba, Czechoslovakia.

*The draft resolution was adopted by 82 votes to none, with 28 abstentions [resolution 2286 (XXII)].*

66. The PRESIDENT (translated from French): I shall now call on representatives who wish to speak in explanation of vote.

67. Lord CARADON (United Kingdom): Our vote today was cast in admiration and gratitude—admiration for those who have worked so tirelessly and so successfully, and gratitude for the lead that they have given us.

68. The Treaty which is the result of their labours is a triumph for the high purposes which the Latin American States have set and also a triumph for the perseverance and determination and skill of their able representatives, led by Ambassador García Robles.

69. With reference to the speeches made today—particularly with reference to the speech made by the representative of Guyana, whose views we greatly respect, and we also greatly respect the wish of his country to participate in the Treaty—we have those speeches in mind. But at the same time we confidently look forward to the day when the Treaty has entered into force for all States within the zone defined by the Treaty.

70. Specially we welcome the provision in the resolution before us that all States within the area of the Treaty will be free to become contracting parties without any restriction. That is the wording of the resolution. We welcome the fact that the resolution is clear and specific in this important respect.

71. The object of the resolution is plainly stated. It is the object not to exclude or to discriminate but to bring every State in the area within the orbit of the common aim, no less than the aim to rid the whole of the great continent from the heavy burdens and the terrible dangers of the nuclear arms race. Any remaining reservations which may exist should not obscure the fact that today, under Latin American leadership, we have taken a stride forward in the field of disarmament. We have turned from delay and frustration to action and success. We rejoice that it is the lead of the Latin American States which has shown us the way. We salute their wisdom and we most sincerely trust that they will proceed in unity.

72. Mr. MARRACHE (Syria) (translated from French): My delegation has abstained in the vote on the draft resolution concerning the Treaty for the Prohibition of Nuclear Weapons in Latin America. Nevertheless, we should like to make it clear that our abstention does not diminish in any way our full support for the general objective which the countries of Latin

America set for themselves by signing the Treaty, that of averting from their countries the danger represented by those weapons of mass destruction. We are fully aware of the importance of that step that Latin America has just taken along the path to denuclearization and general and complete disarmament. We congratulate the countries concerned on that success and we should like to express the hope that they and their peoples may indeed enjoy total peace and nuclear security.

73. My delegation's vote does not mean that it questions in any way the basic goal of the Tlatelolco Treaty, nor the fact that that Treaty is an important step towards the realization of that goal. Our abstention is due solely to some reservations we have with regard to certain methods or circumstances that accompanied the drafting and conclusion of the Treaty in question, as well as to some special provision of the Treaty.

74. Those reservations are concerned in particular with those explosions for peaceful purposes unfortunately authorized in Article 18 of the Treaty, which we regard as extremely dangerous, particularly in the light of the fact that the Latin American Treaty may serve as an example to other continents and that it could set a precedent in this field. In our opinion, that provision is a rather serious drawback.

75. Further reservations are due to the fact that Cuba—and in particular the Guantánamo base—despite being a part of the Latin American continent, has remained outside the area to which the Treaty applies, and also to the fact that Guyana, another Latin American country, did not take part in the preparation of the Treaty.

76. Such are the reasons which led us to reserve our opinion and to adopt the position we ultimately took in the vote. Those reasons do not prevent us from regarding this Treaty as an auspicious and meritorious effort, which we welcome.

77. Mr. MALITZA (Romania) (translated from French): The Romanian delegation regards regional denuclearization as being one of those partial steps which, for want of an international agreement on the prohibition and destruction of nuclear weapons, can contribute to international peace and security. The protection of vast areas of the world from nuclear threat, the modification of the world's atomic map by the creation of militarily denuclearized zones, will tend to strengthen the security of the countries of the regions in question and to lessen the danger of atomic war in general.

78. It is significant that the first attempt to set up a denuclearized zone took place in the Antarctic, a deserted region marked by fewer political problems than are the inhabited regions of the world.

79. The preparation of the first treaty designed to prohibit nuclear weapons in an inhabited area comprising an entire continent was undertaken by the Latin American countries. At the time those countries were being encouraged to take that step, in 1963, the Romanian delegation, expressing the basic attitude of the Romanian Government with regard to denuclearized zones, spoke in favour of that

undertaking [1215th meeting]. Romania, which proposed the setting up of a denuclearized area in the Balkans [873rd meeting, paras. 74 to 77], and which has supported similar projects in other areas of the world, has followed with sympathy the efforts and activities that have marked the various stages in the negotiations in Mexico, which after three years of arduous work have led to the conclusion and now to the signing of the Treaty for the Prohibition of Nuclear Weapons in Latin America. As a result of that achievement, a new and sonorous Aztec name has just taken its place alongside the most significant international agreements in the annals of important legal documents.

80. The Tlatelolco Treaty was welcomed above all as an evidence of man's capacity to control the destructive nature of nuclear energy and to put the power of the atom at the exclusive service of progress and civilization. Indeed, the implementation of the provisions of that Treaty will shelter from nuclear threat an important region in which the atom, no longer a source of danger, will become a major factor in accelerating the economic development of the States concerned. That Treaty can assist in slowing down the nuclear arms race and can become an important event in the long and arduous journey towards general disarmament. Among the efforts of mankind to outlaw atomic weapons, the Treaty for the Prohibition of Nuclear Weapons in Latin America is a milestone on the road to universal denuclearization.

81. It has rightly been stressed that similar actions undertaken in other regions of the world will be made much easier by the Latin American effort.

82. As is the case with any human undertaking, certain provisions of the Treaty may contain imperfections and faults. The Romanian delegation, which believes that the basic principle in the establishment of zones must be the agreement of the States concerned, in free expression of their sovereignty, shares the opinion of delegations which have emphasized the right of all Latin American countries to accede to the Treaty without any restrictions, on an equal footing.

83. The draft resolution submitted by twenty Latin American countries implies that the contracting parties are animated by a desire to have the Treaty they have signed made fully effective throughout Latin America. It is in that sense, moreover, that we interpret the sixth preambular paragraph of the draft resolution, according to which "it is the intent of the signatory States that all existing States within the zone defined in the Treaty may become parties to the Treaty without any restriction."

84. The Treaty's universal nature for the region in question, which many speakers have stressed as one of the essential requirements of any instrument of this kind, also requires that no Territory situated within the zone but under the control of a State situated outside it can be excluded from the terms of the Treaty.

85. As already stated during the general discussion on this question in the First Committee [1509th meeting], the Romanian Government fully supports



the opinion expressed by the Cuban Government with regard to the Treaty's application to American military bases in the Panama Canal Zone and in Puerto Rico, and the legitimate demand that the United States of America should dismantle its base at Guantánamo and restore to Cuba that part of Cuban territory.

86. For its part, the Romanian delegation considers that the adoption of the draft resolution by the General Assembly provides an important moral support for the Latin American States in the efforts they are planning to make to achieve an effective prohibition of nuclear weapons on their continent.

87. For the reasons I have just mentioned, the Romanian delegation voted in favour of the draft resolution contained in the First Committee's report.

88. Mr. GARCIA ROBLES (Mexico) (translated from Spanish): Before delivering the short statement which I have prepared for this occasion I should like to thank Lord Caradon, head of the United Kingdom delegation, for the generous remarks he so kindly made this afternoon about the work of the Latin-American countries, including Mexico, and about the modest contribution which I personally had the good fortune and honour to make to the preparation of the Treaty of Tlatelolco.

89. I feel that I should be faithfully expressing the feelings of the delegations of all the signatory States when I express here once again, as I did in the First Committee, the gratitude with which we received the announcement made by the head of the United Kingdom delegation in the First Committee that his Government had decided to sign very soon in Mexico City the Additional Protocols I and II to the Treaty for the Prohibition of Nuclear Weapons in Latin America.

90. The resolution which we have just adopted [2286 (XXII)] without a single adverse vote is reward enough for the determined efforts of the twenty-one Latin-American States which made up the Preparatory Commission for the Denuclearization of Latin America, whose work culminated in the drafting and signing of the Treaty of Tlatelolco.

91. In that resolution the Assembly states that it welcomes with special satisfaction the Treaty for the Prohibition of Nuclear Weapons in Latin America and recognizes specifically that this constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote peace. In this way the Assembly has brought to a close the fruitful era which it opened in 1963 at its eighteenth session with the adoption of resolution 1911 (XVIII).

92. The Assembly very properly wished to go farther, and included in its resolution a series of pressing appeals, first to all States, then to States which are or may become signatories of the Treaty or its Additional Protocol I, and lastly to the Powers possessing nuclear weapons. These appeals should be interpreted in the light of the principles and exhortations set forth in the preamble.

93. Henceforth all the peoples of Latin America and world public opinion will be anxiously waiting to see

how the States to whom the General Assembly made appeals comply with these. We should especially like to point out the importance and urgency of the appeals directed to the signatory States—for it is they who will decide whether the Treaty can come quickly into full force—and to the nuclear States, whose co-operation is needed if the Treaty is to be fully effective.

94. We are convinced that all those who care for history's judgment of them should take very seriously the duties laid on them by this United Nations resolution. There was a stage at which expressions of encouragement and goodwill could be very useful for the preparatory work. But the signing of the Treaty of Tlatelolco, designed to ensure the complete and everlasting absence of nuclear weapons from the sub-continent with its more than 250 million inhabitants, has brought that stage to an end. We no longer need high-sounding words, but deeds.

95. There is one episode in Cervantes' immortal work in which one of the characters, Master Pedro, tells the Knight of La Mancha "Operibus credite et non verbis", which corresponds to the traditional Spanish version of the proverb "Actions speak louder than words". We are sure that this will be the criterion by which to judge the conduct of the States referred to in the Assembly resolution, the peoples directly or indirectly concerned with the future of the Treaty of Tlatelolco, whom we believe without exaggeration to include in one way or another all the peoples of the world.

96. The PRESIDENT (translated from French): I call on the representative of Venezuela, who has asked to speak in exercise of his right of reply.

97. Mr. PEREZ GUERRERO (Venezuela) (translated from Spanish): I have not come to this rostrum to speak of the situation pointed out to us by the representative of Guyana, though I may do so briefly. I have already discussed it fully in the First Committee, and so did Mr. García Robles, the representative of Mexico, who has just spoken here and who at that time spoke for the signatory States and for the sponsors of draft resolution 2286 (XXII), which we have just adopted.

98. This is one of the situations referred to in the Treaty of Tlatelolco, which are a reality in Latin America and in many other continents that have had to travel the road of colonialism, which is fortunately now ending. We should all have liked the Treaty to be perfect. But is there such a thing as a perfect treaty?

99. The reason why, on behalf of my delegation, I asked permission to exercise the right of reply is that the representative of Guyana referred to the so-called "arbitral award"—an attempt to settle by arbitration an old controversy between Venezuela and the United Kingdom. And now Guyana too is involved as heir to that controversy.

100. From this very tribune Venezuela has denounced the so-called "arbitral award", and will do so as often as the opportunity arises. But if anything is irrelevant to the present debate on the Tlatelolco Treaty for the Prohibition of Nuclear Weapons, this

question is. It is being considered in depth by my Government and by the Government of Guyana through a joint commission, which was established two years ago by an agreement between the United Kingdom and Venezuela.

101. With all our hearts we wish to improve the good relations which we have with our neighbour Guyana. And on behalf of my Government I should like to express the wish that you may shortly be informed that the controversy has come to an end.

102. At all events, as the representative of Mexico has just said, the Treaty of Tlatelolco is certainly a most important step. We, the signatories to the Treaty, derive great satisfaction from the virtually unanimous recognition here in this Assembly of its importance for the whole world.

103. The PRESIDENT (translated from French): The Assembly has now completed its consideration of agenda item 91 by adopting the resolution [2286 (XXII)] on the prohibition of nuclear weapons in Latin America.

104. I should like to associate myself with those speakers who have expressed congratulations to those who took the initiative in requesting the inclusion of that item on the agenda, on the efforts they have put forth in order that a document of such great international import could be drawn up.

#### AGENDA ITEM 64

Question of South West Africa:

- (a) 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;
- (b) Report of the United Nations Council for South West Africa;
- (c) Appointment of the United Nations Commissioner for South West Africa

*Mr. Esfandiary (Iran), Rapporteur 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, presented the report of that Committee and then spoke as follows:*

105. Mr. ESFANDIARY (Iran), Rapporteur 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: The report [A/6700/Rev.1, chap. IV], which relates to item 64 of the agenda, is submitted pursuant to operative paragraph 17 of General Assembly resolution 2189 (XXI) of 13 December 1966, which requested the Special Committee "to continue to perform its tasks and to seek suitable means for the immediate and full implementation of the Declaration in all Territories which have not yet attained independence."

106. In continuing to perform the above-mentioned task in relation to the question of South West Africa, the Special Committee took into consideration the third preambular paragraph of General Assembly resolution 2189 (XXI). In that preambular paragraph the General Assembly recalled its resolutions 1805 (XVII) of 14 December 1962 and 1899 (XVIII) of 13 Novem-

ber 1963 by which, *inter alia*, it assigned to the Special Committee certain tasks relating to South West Africa. In the same preambular paragraph the General Assembly recalled its resolution 1970 (XVIII) of 16 December 1963 by which it entrusted certain additional functions to the Special Committee.

107. In its consideration of the question the Special Committee noted that following the termination of South Africa's Mandate by the General Assembly in its resolution 2145 (XXI) the question had been under consideration by the *Ad Hoc* Committee established under that resolution. The Special Committee noted also that, having examined the report of the *Ad Hoc* Committee, the General Assembly, by resolution 2248 (S-V), set up a United Nations Council for South West Africa with the responsibility, *inter alia*, of administering the Territory until it attains independence, as envisaged, in June 1968. At the same time the question remained the concern of the Special Committee within the context of the implementation of the Declaration, and accordingly received its attention.

108. In presenting the report I should like to draw attention in particular to the resolution adopted by the Special Committee on 19 June 1967 at the conclusion of its consideration of the question at its meetings in Africa. By adopting the resolution unanimously, the Special Committee reaffirmed

"the territorial integrity of South West Africa and the inalienable right of its people to freedom and independence, in accordance with the Charter of the United Nations, General Assembly resolution 1514 (XV) and all other relevant resolutions concerning South West Africa;"

and condemned

"as illegal and contrary to...General Assembly resolutions [2145 (XXI) and 2248 (S-V)] and as a flagrant defiance of the authority of the United Nations, the measures taken and proposed by the Government of South Africa with respect to Ovambo-land." [A/6700/Rev.1, chap. IV, para. 185.]

109. I would draw attention also to a resolution adopted by the Special Committee on 12 September 1967. By adopting that resolution by a vote of 22 to none, with 2 abstentions, the Special Committee condemned

"the illegal arrest by the authorities of South Africa of thirty-seven African nationals from South West Africa in flagrant violation of the international status of the Territory"

and called upon

"the authorities of South Africa to cease all illegal acts in the international Territory of South West Africa and demands the immediate release of the thirty-seven African nationals mentioned above." [*Ibid.*, para. 232.]

The text of that resolution was brought to the attention of the Council for South West Africa.

110. In view of the continued and open repudiation by the Government of South Africa of the international status of the Territory, this question calls for urgent

and effective action by the United Nations. With this consideration in mind, I commend the report of the Special Committee to the Assembly.

111. The PRESIDENT (translated from French): In connexion with agenda item 64, the Assembly also has before it the report of the Fourth Committee dealing with the hearing of petitioners [A/6907].

112. If there is no objection, I shall take it that the General Assembly takes note of that report.

*It was so decided.*

113. The PRESIDENT (translated from French): I now call on the Chairman of the United Nations Council for South West Africa.

114. Mr. ABDULGANI (Indonesia) As President of the Council for South West Africa I have the honour to present to the General Assembly the report of the Council, dated 10 November 1967 [A/6897]. The report relates to item 64 of the agenda and is submitted in accordance with section V of General Assembly resolution 2248 (S-V) of 19 May 1967, which requested the Council, *inter alia*, to submit a special report to the General Assembly at its twenty-second session concerning the implementation of that resolution.

115. As representatives are aware, the full discharge by the Council of the powers and functions entrusted to it by the terms of resolution 2248 (S-V) to administer South West Africa until its independence was predicated on the withdrawal of the South African authorities from the Territory. The General Assembly therefore requested the Council to enter immediately into contact with the authorities of South Africa in order to lay down procedures, in accordance with General Assembly resolutions 2145 (XXI) and 2248 (S-V), for the transfer of the administration of the Territory to the Council.

116. Accordingly, as a first step to that end the Council addressed a letter on 28 August 1967 to the Minister for Foreign Affairs of the Republic of South Africa in which it asked that Government to indicate the measures it proposed to facilitate the transfer of the administration to the Council [A/6897, annex I].

117. It is with a sense of deep regret that I must inform the General Assembly that the Government of the Republic of South Africa did not even honour the Council with a reply to its letter. However, on 27 September 1967 the Secretary-General transmitted to the Council copies of two communications dated 26 September which he had received from the Permanent Representative of the Republic of South Africa and the Minister of Foreign Affairs of the Government of South Africa [*ibid.*, annex II].

118. In his letter the Foreign Minister informed the Secretary-General, *inter alia*, that he had received the letter of 20 August from the President of the Council and explained his Government's attitude in regard to General Assembly resolutions 2145 (XXI), 2146 (XXI) and 2248 (S-V), concerning South West Africa. In short, the Foreign Minister stated that his Government was unwilling to comply with the terms of resolution 2145 (XXI) and would continue to ad-

minister South West Africa notwithstanding that resolution, which it considered to be illegal.

119. That attitude of the Government of South Africa, needless to say, constitutes a flagrant defiance of the General Assembly and an outright rejection of its resolutions 2145 (XXI) and 2248 (S-V). Owing to the refusal of the Government of the Republic of South Africa to co-operate in the implementation of those resolutions the Council has had no opportunity to undertake in South West Africa the administrative responsibility conferred upon it by resolution 2248 (S-V).

120. It has nevertheless had under consideration certain administrative matters, as stated in its report, and it will in due course submit a further periodic report on those administrative activities.

121. The conclusions and recommendations of the Council on the task entrusted to it are contained in chapter III of the report [*ibid.*, paras. 18-19]. They are based on a clear assessment of the present situation and the totally negative and intransigent attitude of the Government of the Republic of South Africa, which has refused to lend its co-operation to the Council.

122. In considering the conclusions and recommendations of the Council I would ask the General Assembly to take particular note of the recent developments in the Territory, involving the deportation and trial in Pretoria of thirty-seven South West Africans charged with offences under the South African Terrorism Act of 1967—a law which by its very terms is clearly a violation of fundamental human rights. What is more, the arrest, deportation and trial by the South African authorities of the South West Africans concerned occurred after the adoption of General Assembly resolution 2145 (XXI), thus constituting a violation of the international status of the Territory and an open defiance of and challenge to the authority of the United Nations.

123. The time has now come for the United Nations as a whole to take further positive steps to end the tragedy of the people of South West Africa. At this stage I should like to quote some remarks made by the Secretary-General, U Thant, at the opening meeting of our Council, on 10 August 1967:

"We all recognize the difficulties which confront the Council in fulfilling this task. That is why the General Assembly in its resolution 2248 (S-V) appealed to all States to extend their whole-hearted co-operation and to render assistance to the Council. The world community is confronted in southern Africa with an explosive situation which, if unresolved, could undermine the very basis of co-operation between the races in Africa for many years to come. For this reason the work of the Council, which is concerned with an important aspect of that problem, is of great importance, for it offers a fresh point of departure, a new possibility of reconciliation, a chance to stem the growing racial hostility in that part of the world."

124. For those who may think that the Council's report does not say much—and in our opinion it does not—that quotation from the statement of the

Secretary-General must give some food for thought. It means that the time is passed for passion as well as for impassivity. The United Nations is confronted with one of the gravest problems which it has ever faced and every one of us, including the Government of South Africa, should come to terms with it before it is too late. This problem cannot be the concern of the African group alone, or of the Afro-Asian group. It is a problem for the whole of the United Nations. It involves the moral stature of the Organization and its stature as a peace-keeping body in our fragile world, its influence as the voice of the people of the world, established as the will of mankind.

125. To that end I commend the report of the Council to the General Assembly, in the hope that the debate will be a constructive one.

#### Organization of work

126. The PRESIDENT (translated from French): It has been suggested that the General Assembly should continue its consideration of agenda item 64 on Monday, 11 December, in order to give delegations more time. I have accepted that suggestion in the hope that that additional time will enable representatives wishing to speak on that item to enter their names on the list of speakers and to be prepared to speak at the proper time.

*The meeting rose at 5.25 p.m.*