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President: Mr. Amintore FANFANI (Italy).

### AGENDA ITEM 73

Question of Oman: report of the Ad Hoc Committee on Oman (concluded)

## REPORT OF THE FOURTH COMMITTEE (A/6168)

- 1. The PRESIDENT (translated from French): I call on the representative of Costa Rica, who has asked for an opportunity to explain his vote on the draft resolution of the Fourth Committee [A/6168, para. 13], adopted by the General Assembly at this morning's meeting.
- 2. Mr. REDONDO GOMEZ (Costa Rica) (translated from Spanish): The Costa Rican delegation abstained from voting on the draft resolution on Oman because our representative was the Rapporteur of the Ad Hoc Committee on Oman, which was entrusted with the consideration of this important question.

- 3. My delegation would like to repeat on this occasion the observations its representative made in the Fourth Committee [1587th meeting] when the relevant draft resolution was discussed. I shall quote those observations directly, for our views at this meeting are the same.
- 4. Costa Rica showed its great interest in the question of Oman by taking an active part in the work of the Ad Hoc Committee, which was carried out pursuant to General Assembly resolution 1948 (XVIII) of 11 December 1963. As you know, my delegation had the honour of providing the Rapporteur for that Committee. For that reason, and despite the fact that my delegation would have been very pleased to be able to vote in favour of the draft resolution in document A/C.4/L.821 on this important and delicate question, we were obliged to abstain. The general lines of this resolution correspond to my country's very well-known opinions about the need to put an end to the policies and systems of colonial government and to enable the peoples subjected to them to gain full independence and exercise the attributes of sovereignty. It is however impossible for us to support this draft. As I have said, document A/5846 contains the report of the Ad Hoc Committee on Oman, of which my delegation was a member and the opinions of the members of the Committee are there recorded [Chap. V, paras. 693-699].
- 5. The report shows that what is happening in Oman is not a situation resulting from a colonial régime. According to the Conclusions, which all the members of the Committee supported to some extent, Oman is a sovereign country in whose internal affairs there has been and still is foreign intervention. According to the report, we are not facing a case of colonialism, but a case of imperialism. Costa Rica believes that, as a member of the Committee which considered and investigated the question of Oman, it should be consistent with its own conclusions, and it therefore abstained from voting on the draft resolution submitted for our consideration [A/6168, para, 13].
- 6. Lastly, despite our abstention, my delegation expressed the most fervent hope that the people of Oman will soon be able to regain the full exercise of the attributes of sovereignty.

## AGENDA ITEMS 69 AND 70

Question of South West Africa: reports 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 (concluded) Special educational and training programmes for South West Africa: reports of the Secretary-General (concluded)

## REPORT OF THE FOURTH COMMITTEE (A/6161)

- 7. The PRESIDENT (translated from French): The Assembly will resume the discussion of agenda items 69 and 70 which was interrupted at this morning's meeting.
- 8. Miss BROOKS (Liberia); This morning I proposed a certain procedure for dealing with the draft resolutions on South West Africa. The representative of Ireland spoke of the honesty of my convictions in dealing with these problems. I should like to state that it was the honesty of my convictions for the protection of the peoples of South West Africa that caused me to propose this rule because I felt that the General Assembly had the responsibility to protect the interests of these people and that if this interest had to be protected by a simple majority rule, it should be done.
- 9. The representative of Ceylon has appealed to me to withdraw the proposal made. During the lunch hour several representatives have spoken to me, saying that they feel that the interests of these people would be protected and that the draft resolution [A/6161, para. 23, draft resolution I] should be adopted fully. We are all working for the same thing: for the emancipation of dependent peoples, for freedom, for liberty and independence. When my colleagues appealed to me, they did so feeling that this Assembly has a particular sense of responsibility toward this draft resolution. Therefore, I would say that when I have finished you will have no proposal before you as regards the procedure in voting on the draft.
- 10. The PRESIDENT (translated from French): We shall now vote on the three draft resolutions, I to III, submitted by the Fourth Committee [A/6161, para. 23]. Does anyone call for a separate vote on any part of these draft resolutions?
- 11. Mr. MARIN (Colombia) (translated from Spanish): My delegation would respectfully request the President to put operative paragraphs 2, 6, 7, 8 and 12 of draft resolution I to the vote separately.
- 12. Mr. ADAN (Somalia): My delegation was indeed honoured to present the draft resolution on South West Africa in the Fourth Committee and we saw the resolution through until it was adopted in its present form [A/6161, para. 23, draft resolution I]. The requests for a separate vote on the various paragraphs were already made in the Fourth Committee, and the representatives there gave their decision and voted upon them according to their instructions or according to their views. As the Assembly will note, separate votes were requested for a number of paragraphs. Since the General Assembly is pressed for time. I think it would be better if we voted on the draft resolution as a whole since the representatives here have already had the opportunity to express their views in the Fourth Committee.
- 13. In the Committee, in each and every case, the draft resolution was adopted unanimously. Operative

- paragraph 2 was adopted by a roll-call vote of 63 to 10. Operative paragraph 5 was adopted by a roll-call vote of 86 to 2, with 8 abstentions. Operative paragraph 6 was adopted by a roll-call vote of 80 to 3, with 15 abstentions. Operative paragraph 7 was adopted by a roll-call vote of 87 to 2, with 9 abstentions. Operative paragraph 12 was adopted by 87 votes to 2, with 9 abstentions.
- 14. The Assembly will note that in each and every case the various paragraphs of the draft resolution were adopted almost with an overwhelming majority, and various delegations had their say. They voted according to their instructions and according to their own evaluation of the matter before us. Therefore we already know the views of all and to vote separately again on all these paragraphs would consume the time of the Assembly. I do not think that many representatives will have changed their position since then. Therefore, I appeal to the representative of Colombia to withdraw his request for a separate vote. If he cannot accede to my request, then I would move that the draft resolution be voted on as a whole and that no separate voting be allowed for the various paragraphs.
- 15. The PRESIDENT (translated from French): The representative of Colombia has heard the appeal just made to him by the representative of Somalia. May I ask him whether he waives his request for a separate vote?
- 16. Mr. MARIN (Colombia) (translated from Spanish): With all due respect, my delegation maintains its request for a separate vote on the operative paragraphs of draft resolution I to which I have referred.
- 17. As for the comments of the previous speaker, my delegation wishes to state that to its great regret it cannot accept his suggestion, owing to the fact that it has a number of reservations with regard to those paragraphs. These reservations would be eliminated if a separate vote were not requested, that is, if a vote were taken on the draft resolution as a whole, without formulating the reservations which could be made in the case of the separate vote we have proposed on those paragraphs.
- 18. The PRESIDENT (translated from French): The representative of Colombia, as we have heard, does not waive his request for a separate vote on paragraphs 2, 6, 7, 8 and 12 of draft resolution I. In the circumstances, according to rule 91 of the rules of procedure, the motion for a separate vote must be put to the vote and only two speakers may speak in favour of it and two against. Does anyone wish to speak on this subject?
- 19. Mr. MONGUNO (Nigeria): In view of the explanation given by the representative of Somalia, my delegation has no alternative but to support the idea that this body should be saved from separate votes on the paragraphs mentioned by the representative of Colombia.
- 20. Mr. MWALUKO (United Republic of Tanzania): The delegation of the United Republic of Tanzania also supports the proposal made by the representative of Somalia that we vote on the draft resolution

as a whole. We think that the proposal has a lot of merit.

- 21. In the first place, all delegations have had ample opportunity to explain their views in the Fourth Committee. Secondly, it seems to me that it is rather late in the day to engage in very lengthy procedural ways of voting on a draft resolution. It seems to me that the Assembly would do well to vote on the draft resolution as a whole, and that is why we support such a proposal.
- 22. The PRESIDENT (translated from French): The Assembly has heard two delegations, those of Nigeria and the United Republic of Tanzania, speak against the proposal for the separate vote. Under the rules of procedure, we may hear two more speakers, in favour of the proposal.
- 23. Mr. REDONDO GOMEZ (Costa Rica) (translated from Spanish): My delegation considers that it is a most elementary right of any delegation to request that it be given the opportunity to formulate the reservations about a draft resolution it deems appropriate. For that reason, we feel that we should support the Colombian representative's request.
- 24. The PRESIDENT (translated from French): We may hear one more speaker in favour of the request for a separate vote. Does anyone wish to speak to this effect?
- 25. As no one asks to speak, I put the motion for a separate vote to the vote.

The motion was rejected by 64 votes to 34, with 7 abstentions.

26. The PRESIDENT (translated from French): I now put draft resolution I to the vote.

Draft resolution I was adopted by 85 votes to 2, with 19 abstentions.

27. The PRESIDENT (translated from French): Draft resolution II was adopted without opposition by the Fourth Committee. May I take it as adopted without opposition by the General Assembly as well?

The draft resolution was adopted.

28. The PRESIDENT (translated from French): Draft resolution III was also adopted without opposition by the Fourth Committee. May I take it that the General Assembly adopts this draft resolution without opposition as well?

The draft resolution was adopted.

- 29. The PRESIDENT (translated from French): I call on the representative of Ireland, who wishes to explain his vote.
- 30. Mr. O'SULLIVAN (Ireland): I wish merely to explain that, since the Assembly did not vote separately on certain paragraphs of draft resolution I, my delegation abstained from the vote, as it did in the Fourth Committee. We abstained from the vote because the draft contained certain paragraphs which we could not support—principally the final preambular paragraph, referring to a serious threat to international peace and security, and operative paragraphs 2 and 8, referring to the activities of financial interests operating in South West Africa.

31. Before I leave the rostrum, I should like to refer to the statement made before the vote by the representative of Liberia. What she said was characteristic of the gracious lady that she is. It is true that we are all working for the same objectives. Some of us have different interpretations of how those objectives should be achieved; some of us have different interpretations of Articles of the Charter and the rules of procedure. I should like to make it quite clear that the statement made by my delegation during the procedural debate this morning in no way reflected on our attitude to the question of South West Africa. As is known, we were for three years members of the Committee on South West Africa. We have in the past co-sponsored draft resolutions on South West Africa. We always seek to support draft resolutions on South West Africa-when we are not prevented from doing so by the existence in those draft resolutions of paragraphs such as those to which I have just referred.

## AGENDA ITEM 16

Election of members of the Economic and Social council (continued)\*

- 32. The PRESIDENT (translated from French): The Assembly will resume discussion on agenda item 16 on the election of members of the Economic and Social Council. It will be recalled that at the 1396th plenary meeting the General Assembly elected only eight of the nine new members of the Economic and Social Council. Three ballots on the candidatures of Iran and Syria for the last seat were inconclusive and it has not yet been possible to fill that seat.
- 33. In accordance with rule 95 of the rules of procedure we shall proceed to another ballot. First, however, I should like to outline the procedure I intend to follow.
- 34. After the last of the nine new members of the Economic and Social Council has been elected, I shall consult the General Assembly on the procedure to be followed in choosing from among these nine members the three which will serve for three years, the three which will serve for two years and the three which will serve for one year. The delegations directly concerned seem to agree that this choice can be made in two ways: either by proceeding to a new ballot, restricted to the nine elected members, in which case the three members obtaining the largest number of votes would serve for three years, the three obtaining the next largest number of votes would serve for two years and the remaining three would serve for one year; or by the President's drawing lots among the nine elected members.
- 35. All those concerned agree that, since this consultation is directly bound up with the procedure to be followed in the elections, it should take place by secret ballot.
- 36. If there are no objections we shall therefore follow the procedure which I have just explained, that is, we shall first elect the nine new members of the Economic and Social Council and after that I shall consult the Assembly on the procedure to be followed in choosing among the nine new members those who

<sup>\*</sup>Resumed from the 1396th meeting.

are to serve for three years, those who are to serve for two years and those who are to serve for one year.

37. If there are no objections, I shall consider this procedure approved by the Assembly.

It was so decided.

- 38. The PRESIDENT (translated from French): We shall proceed to elect a new member to fill the seat which is still vacant.
- 39. Under rule 95 of the rules of procedure, the next ballot will be the first in a series of unrestricted ballots. I would remind the Assembly that members have the right to vote for any country except, of course, those which are already members of the Economic and Social Council and those which have been elected with effect from 1 January 1966, that is to say, the following countries: Algeria, Canada, Cameroon, Chile, Czechoslovakia, Dahomey, Ecuador, France, Gabon, Greece, India, Iraq, Luxemburg, Morocco, Pakistan, Panama, Peru, Philippines, Romania, Sierra Leone, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela.
- 40. I would also remind the Assembly of the agreement reached, to the effect that the seven new African and Asian members for which provision is made in paragraph 3 of General Assembly resolution 1991 B (XVIII) must comprise five African and two Asian countries. As you know, one Asian country and five African countries have so far been elected. I am sure that representatives will bear this in mind when voting.

On the President's invitation Mr. MacLaren (Canada), Mr. Solano López (Paraguay) and Mr. Bota (Romania) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	107
Invalid ballots:	0
Number of valid ballots:	107
Abstentions:	2
Number of Members voting:	105
Required majority:	70
Number of votes obtained:	
Syria	<b>54</b>
Iran	50
Afghanistan	1

- 41. The PRESIDENT (translated from French): As none of the candidate countries has obtained the required majority we shall proceed to a second unrestricted ballot, but I must first inform the Assembly of a communication from the Chairman of the Fifth Committee.
- 42. The CHAIRMAN of the Fifth Committee has asked me to appeal to all delegations here present to help his Committee in its work by sending representatives to the morning and afternoon meetings tomorrow, Saturday, 18 December, since he had to adjourn this afternoon's meeting of the Fifth Committee for lack of a quorum. There are still some extremely important questions to discuss, including that of the United Nations Emergency Force and the second reading

of the budget. I associate myself with the Chairman of the Fifth Committee in his appeal that all delegations be represented at the two meetings scheduled for tomorrow.

43. We shall now go on to a second unrestricted ballot.

On the President's invitation Mr. MacLaren (Canada), Mr. Solano López (Paraguay) and Mr. Bota (Romania) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	109
Invalid ballots:	0
Number of valid ballots:	109
Abstentions:	0
Number of Members voting:	107
Required majority:	72
Number of votes obtained:	
Syria	56
Iran	<b>50</b>
Afghanistan	1

44. The PRESIDENT (translated from French): Since no country has obtained the required majority the General Assembly will continue voting and proceed to a third unrestricted ballot.

On the President's invitation Mr. MacLaren (Canada), Mr. Solano López (Paraguay) and Mr. Bota (Romania) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	110
Invalid ballots:	2
Number of valid ballots:	<b>10</b> 8
Abstentions:	0
Number of Members voting:	108
Required majority:	<b>72</b>
Number of votes obtained:	
Syria	56
Iran	51
Afghanistan	1

45. The PRESIDENT (translated from French): As the third ballot has not been decisive, I propose postponing the continuation of this election until tomorrow afternoon.

It was so decided.

## AGENDA ITEM 17

Election of one member of the Trusteeship Council

- 46. The PRESIDENT (translated from French): The Assembly will proceed to the election of one member of the Trusteeship Council to fill the seat which will fall vacant when Liberia's term expires at the end of 1965.
- 47. All Members of the General Assembly, including outgoing members of the Trusteeship Council, may be candidates for this post, except the seven members of the Trusteeship Council, namely, Australia, China, France, New Zealand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the United Republic of Tanzania.

the United States of America and the United Republic of Tanzania.

At the request of the President, Mr. MacLaren (Canada), Mr. Solano López (Paraguay) and Mr. Bota (Romania) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	107
Invalid ballots:	1
Number of valid ballots:	106
Abstentions:	4
Number of Members voting:	102
Required majority:	68

## Number of votes obtained:

Liberia	89
Pakistan	5
Afghanistan	1
Haiti	1
Iran	1
Jamaica	1
Luxemburg	1
Senegal	1
Uganda	1
Venezuela	1

Liberia, having obtained the required two-thirds majority, was elected a member of the Trusteeship Council for a period of three years beginning on 1 January 1966.

#### AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: reports 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 (concluded)\*

- 48. The PRESIDENT (translated from French): In connexion with agenda item 23, we shall now resume the explanations of the votes on the draft resolutions of the Fourth Committee [A/6160, para. 50] in relation to territories which have not been discussed separately. The General Assembly adopted these drafts at its 1398th meeting.
- 49. Mr. MISKE (Mauritania) (translated from French): The delegation of Mauritania would have preferred not to speak on the draft resolutions adopted by the General Assembly yesterday; having already expressed its opinion on the subject in the Committee, it would have liked to save the time of the General Assembly and of its President.
- 50. Nevertheless, the tendentious interpretation given to draft resolution VIII yesterday by one of the delegations in a speech made on the pretext of an explanation of vote in fact opened a debate on the substance of the problem and obliges us, first, to explain how the Mauritanian delegation understands the draft resolution on the Spanish Sahara and Ifni and why it supported that draft resolution and, secondly, to make certain elarifications.
- 51. Everyone is aware that the country known as Mauritania was divided into two colonies, one French

- and the other Spanish, and that only the French colony attained independence in 1960. The obvious desire of the Mauritanian people is for the unity of their country. This unity and, consequently, the liberation of the Spanish colony are matters which concern only the Mauitanian people and, by the force of circumstances, the administering Power.
- 52. It happens that the Government of Mauritania maintains good relations with that Power; that is why it hopes to attain its objective through bilateral negotiations. That is also why, when this problem of decolonization was raised, and rightly so, in the body dealing with Non-Self-Governing Territories, the Mauritanian delegation drew up a draft resolution advocating the only action which appeared to be called for, namely, a recommendation that direct bilateral negotiations should take place between the two countries concerned, namely, Spain and Mauritania.
- 53. Indeed, as President Moktar Ould Daddah recalled a few days ago before the Mauritanian National Assembly, the good relations which exist between the two countries, on the one hand, and the positive attitude adopted by the Government of Spain with regard to problems of decolonization, on the other, seem to us to afford grounds for the hope that bilateral negotiations will be opened in the near future and will have a favourable outcome.
- 54. Certain friendly African-Asian delegations, entrusted by our group with the task of preparing joint draft resolutions, have asked us to accept, for practical reasons, the inclusion of another Territory, Ifni, in the same text. Indeed, since Ifni and Sahara are administered by the same Power and are situated in the same geographical area, they have been considered by the Committee on decolonization under a single heading. The two Territories, however, have no connexion with each other; they are far from having a common frontier (one need only look at a map to see that); and they are completely different as regards administrative, legal and political status. Has not Spain stated on several occasions that it is ready to discuss the future of Ifni with the country concerned?
- 55. We made no difficulty, however, in agreeing that the two Territories be included in the same resolution. That an attempt should be made to argue in any way from the fact that territories are considered under the same item or in the same resolution seems to us absurd. There are numerous examples in this connexion, particularly draft resolution V, which was adopted yesterday by the General Assembly and concerns twenty-six territories, including Antigua, the Bahamas, the Cocos Islands, Guam, the New Hebrides, St. Helena, the Turks and Caicos Islands and the Virgin Islands. Are all these territories irrevocably bound to have the same fate merely because they appear in the same resolution? I do not think I need labour the point.
- 56. I should now like to make a few clarifications. I thought I understood the representative of Morocco, in his speech yesterday [1398th meeting], to be claiming the Spanish Sahara for the country he represents. Now there is irrefutable Moroccan evidence—at least,

<sup>\*</sup>Discussion resumed from the 1398th meeting.

it should be irrefutable for those who regard themselves as loyal subjects of His Sherifian Majesty establishing that the Spanish Sahara is an integral part of Mauritanian territory.

57. The Moroccan White Paper on Mauritania—that famous Morroccan White Paper—published in 1960 by His Sherifian Majesty's Foreign Ministry, states, among other things, the following:

"Mauritania is that vast territory, embracing the southern provinces of the Kingdom of Morocco, which lies between the regions of Tindouf and Seguia-el-Hamra to the north, the Algerian Sahara to the east, the Atlantic Coast to the west and the Senegal River to the south."

Further on we read the following:

"In order to dissociate Mauritania from the rest of the Moroccan Kingdom, Spain some time ago, substituted the expression 'Spanish Sahara' for that of 'Spanish Mauritania'."

Still further on we have the following:

"The strategic position of Mauritania, due to its geographical location, is of capital importance, and has determined the extent of the Franco-Spanish penetration since the beginning of the XXth century."

- 58. Of course, quotations are always subject to reservation and are often dangerous; we had an eloquent example of this yesterday. But I am not just quoting; I have the Moroccan "White Paper" in question here and anyone can consult it.
- 59. In addition, I have here a map attached to this "White Paper" and even more eloquent than any quotation. I shall read the caption, which is in Spanish:

"The Problem of Mauritania.—A simplified map showing the portion of Mauritanian territory under French domination and that under Spanish domination. Morocco includes all the territory between Tangier and Saint-Louis of Senegal."\*

- 60. It is therefore clear that the Sharif régime considered the Spanish Sahara—or, as it was so well put, Spanish Mauritania—as part of Mauritanian territory and that it was within this framework, the framework of grandiose expansionist ideas aimed at the whole of my country, plus a large part of Algeria and still other territories, that the Sharif régime laid claim to the territory in question.
- 61. Consequently, it would be extremely important—and the Assembly has the right and even the duty to ask the representative of Morocco this question—to know whether the régime which he represents maintains what it has been affirming so peremptorily for five years: in brief, that: (1) the Spanish Sahara is part of Mauritania; (2) that Mauritania is part of Greater Morocco; (3) that the Spanish Sahara is therefore part of Greater Morocco.
- 62. Let our Moroccan brothers have the courage of their convictions; and if this reasoning is still true for them, why add to the bones of contention? At least we agree on the first term. Why should our northern brothers oppose unification of the Mauritanian

Province and thus delay the decolonization of a piece of African land?

- 63. Let them allow us to unify Mauritania, and the day they succeed in substantiating the claim that it is Moroccan they will not longer have any problem, at least on that side of the matter. The achievement of a "Greater Morocco" will have made a prodigious and double leap forward. If, on the other hand, the Rabat regime considers that the proofs which it adduced as irrefutable in 1960 have now lapsed, let that regime, which so readily invokes historical arguments dating back over several centuries, tell us how and why the proofs have lapsed.
- 64. I now come to a rather odd argument, often advanced by the representative of Morocco. He continually refers to the friendship between Spain and Morocco as though to an incontestable proof, as though to a sufficient condition for Spain to surrender all its colonial possessions to Morocco.
- 65. An odd conception of friendship, this. But we do not find such behaviour on the part of the Rabat régime surprising. That régime has, in fact, already tried the same blackmail towards France, with which it had excellent relations until it made the fatal choice of taking responsibility for the delusions of grandeur harboured by the lluminee of Fez and trying to annex Mauritania. It hoped that is the name of friendship—that is, in Sharifian language, in the name of the important interests which France might have or might acquire in Morocco and regard as essential—the French Government was going to support its expansionist designs.
- 66. But these sordid calculations were disappointed and France refused to commit such a crime against the right of peoples to self-determination, independence and sovereignty. France faithfully led Mauritania to independence and, moreover, did so without losing the "friendship" of Rabat, despite some brave talk.
- 67. Nor is Spain going to fall into this trap. It will never, we are convinced, agree to commit the dishonourable act of helping an aggressive neighbour to amputate part of the territory of another, friendly country and enslave populations to which it has the responsibility of leading towards freedom in the reunification of their fatherland.
- 68. Admittedly, we too invoke friendship with Spain, but for us that friendship must take the form of fruitful and just co-operation between the two countries, based on mutual understanding and the satisfaction of common aspirations. It must take the form of reciprocal arrangements for the frank and honest dialogue which will allow friendly settlement of the numerous problems raised by the decolonization and reunification of a country. It prompts us to review favourably the maintenance of special bonds, not only between what the former Spanish Mauritania will have become and Spain, but also between that country and the whole of Mauritania, But we shall never ask this friendship to bring us more than it can and should bring; we do not ask of it, for example, that it return to us the former Spanish Morocco or Ifni, or even Tarfaya.

<sup>\*</sup>Quoted in Spanish by the speaker.

69. Mauritania could, however, base a claim to the frontier zones at the present occupied by Morocco on the basis of arguments far more serious than a vague community of religious and cultural background. Everyone knows that, before the French colonization, the authority of the Sultan had hardly ever reached as far as the Draa watercourse, which is the extreme natural boundary of Morocco. Southward from that watercourse there begins the zone of the nomadic Mauritanian tribes, which are in no way different from other Mauritanian tribes but in every way different from the Chleuhs of South Morocco.

70. In this connexion I should like to quote from article 18 of a peace and trade treaty, signed in 1767, between the sovereigns of Spain and Morocco:

"His Imperial Majesty refrains from deliberating on the question of the establishment which His Catholic Majesty wishes to set up south of the River Nun, because he cannot be responsible for accidents or misfortunes which might take place, in view of the fact that his sovereignty does not extend that far and that the fierce, wandering people inhabiting that country have always done harm to the peoples of the Canary Islands and enslaved them."

Mrs. Anderson (United States of America), Vice-President, took the Chair,

71. I would remind the Assembly that this treaty dates from 1767, less than two hundred years ago. The representative of Morocco referred to Moroccan sovereignty over those territories as having existed for more than a thousand years. I would add that nothing new has happened since that treaty to call in question what was said there by the ancestor of the present Sultan of Morocco. That testimony needs no comment. In any case, it proves that, on the admission of the Moroccan monarchs themselves, their most extreme claims never went beyond the Oued Nun of the south and that for them everything beyond that limit consisted of mysterious, unknown and dreaded country, rather like the heart of the African jungle for the Muslim and European historians and geographers of the Middle Ages. The Oued Nun lies well to the north of the Province of Tarfaya, which was nevertheless very generously ceded to the Moroccans by Spain a few years ago.

72. In the treaty I have mentioned, the Sultan did not hesitate to grant the Spaniards fishing rights north of Santa Cruz, that is Ifni; in other words in Moroccan territorial waters over which he considers himself sovereign. We should note the phrase "fierce, wandering peoples", charmingly applied to the Mauritanians by their brothers in Islam, which shows how limited and lacking in cordiality were the contacts between the two peoples.

73. Lastly, since the representative of the Moroccan régime is so proud of the friendship with Spain, I should like to refer to certain Spanish sources, which, I hope, he will accept as reliable. The first of these sources is the representative of Spain, who has stated on several occasions and without ambiguity that his Government has never considered the Spanish Sahara and the territory of Ifni to have anything whatso-

ever in common. He furthermore stated yesterday, from this same rostrum [1398th meeting], that the quotations given yesterday by the representative of Morocco could not be interpreted as they had been interpreted.

74. I should next like to quote some passages from a study published in 1961 by one of the most reliable newspapers of Madrid, ABC, under the by-line of a distinguished expert on Sahara affairs. To avoid taking up too much of the Assembly's time I shall restrict myself to quoting brief excerpts, the most significant ones, although this study is so important in relation to the subject under discussion that it would be worth quoting in its entirety.

"Indeed, this change becomes steadily more noticeable from a point further north, the basin of the River Sus in the Agadir region. From that point onwards the two ways of life start to overlap: the semi-nomads gradually become less numerous, giving way to people following the typical desert way of life, the true nomads, the proud, independent shepherds with whom the Moroccan kingdoms have never had friendly relations throughout their long history. The first signs of a different way of life appear gradually in the Sus basin, become much clearer as one continues southward and even more pronounced in the basin of the River Assaka and in the Draa basin serve as a definite frontier. Although it is still possible to find, in the region straddling the Draa, people who have ties of family relationship with people in the Anti-Atlas foothills, it cannot honestly be said that south of that river any vestige of a possible tie between that region and the north can be found.

"We have no reason to contradict the good Sultan Moulay Mohammed who made this confession, which it is well to recall today, when he signed the 1767 treaty of peace and trade in the time of Charles III."

75. With regard to the continuation of this passage I must apologize in advance to the Spanish-speaking delegations, for, since I have no French translation, I shall have to read the text in the original and I am sure to make many mistakes, which I ask them to excuse.

### [The speaker continued in Spanish]

"His Islamic Majesty had no intention of entering into discussion about the establishment which His Catholic Majesty wished to set up south of the River Nun, because His Islamic Majesty could not be responsible for accidents and misfortunes that might occur there, as his domains did not extend as far as that region. His Islamic Majesty knew exactly what he was saying. South of the River Nun, that is, south of the present River Draa, begins the land of anarchy, the Bled es Siba, as the Moroccans simply called it, because that was an area to which, as the Sultan rightly said, his rule did not extend. It was, in fact, the beginning of a completely different world.

"From the historical point of view, the intentions of Sultan Moulay Hassan in the second half of the XIXth century have been forgotten by Moroccan historians. The Sultan wanted to do his best to

bring law and order to the southern borders of his kingdom. His first attempt, in 1865, came to a somewhat inglorious end, for the expedition was unable to continue beyond the southern part of Agadir. After he became Sultan in 1882 he made a second attempt, this time successfully, for he reached Cape Nun, at the mouth of the River Nun, the present River Draa, an unprecedented feat in the history of Moroccan penetration into the lands south of the Kingdom. In 1886 the Sultan undertook a third expedition, but did not get further than Agadir; unable to push on into the region south of the River Sus, he sent for help.

"We therefore consider that the Sultan's attempts never succeeded beyond the River Sus, which is the first frontier of the Sahara, and that only once, taking advantage of the flight of local tribesmen who, to avoid fighting, let the royal caravan go through, did he get as far as the River Nun, now known as the River Draa; but that was only for a few hours.

"One has only to check on a map the distance separating the River Nun or Draa from the authentic Sahara territory in order to understand how right it is to call the Morocco the 'Yazzirat al Magrib', the western island, the Isle of the Maghreb, between two seas of a different kind. To the north and west lie the Mediterranean and the Atlantic; to the south is the much more inaccessible Sahara Desert. The history of the desert, especially what might be be called its 'philosophy' can be understood only if we regard the southern frontier of Morocco as really a shore, separating two different worlds.

"The inevitable historical friction between these two heterogeneous worlds has always developed in one direction: the confrontation between the people of the Sahara and the people of Morocco has taken the form of invasion of the north by the south, with never a retaliation in the form of a southward march from the north. The victor in this conflict between two neighbouring and different worlds has always been the same, the south, that is, the desert; the north, Morocco, has always been the loser. The Almoravide epic started in what is now Mauritanian territory and Almoravide power was felt across Morocco to the Iberian Peninsula.

"The Sahara's first great victory against the Maghreb, in the south-north direction, followed the future path of the wars that were to come in that part of Africa. The brief adventure of Pasha Djuder against Timbuktu was to be the only exception in that one-way movement. It lasted four years, against a background of centuries.

"Nearly a thousand years after the Amoravide movement, the 'Blue Su<sup>n</sup>tan' invades South Morocco and occupies Marrakesh, thereby repeating, after a thousand years, this movement of conquest which is a permanent feature of the Sahara and which fully accounts for the hostility of the nomads inhabiting those territories in the face of the foreign threat from Morocco. As Montagné said, 'the River Nun, or what we now know as the River Draa, forms the line of separation between two different

systems of social and political organization'. That line is the south 'coast' of the Island of the Maghreb.

"To base its claims on the fact that it had been invaded by people from the south, as Morocco does today, is an historical absurdity so incredible that one has only to compare it with an identical historical situation to understand its full extravagance. The Head of the Mauritanian States, Moktar Ould Daddah, exactly described Morocco's present claims to the south Saharan lands, the Spanish Province of Sahara and Mauritania, when he said that they were as absurd as it would be for France to make claims against England today on the pretext that at the time of Joan of Arc Paris and a large part of France were occupied by the English. When we see the comparison with this familiar historical episode we can best understand the full magnitude of the Moroccan error.

"But, if it is true that the confrontation of the Isle of the Maghreb with the vast expanses of the Sahara have always ended in victory for the people of the South, it is no less true that the attempts of the north to counteract that tendency have invariably come to grief precisely at the frontier between these two worlds. The Almoravide raids were never countered by invasions from the other side. Down there, at the borders of the Sahara, a true line of demarcation between two worlds has been drawn by war, poetry, legend and tradition."

[The speaker continued in French]

- 76. I believe that, in the light of all I have just said, it must be clear that if the present representative of Morocco, who is of Mauritanian origin, claims the Spanish Sahara for his country, the country in question cannot reasonably be Morocco.
- 77. The PRESIDENT: I now call upon the representative of Iraq, who wishes to make a statement in rectification of his vote.
- 78. Mr. ALJUBOURI (Iraq): In yesterday's vote on the last part of operative paragraph 2 of draft resolution VIII on Ifni and the Spanish Sahara [A/6160, para. 50], my delegation inadvertently abstained. It had been our intention to vote in favour of this part, as well as in favour of the whole resolution. I should be most grateful if this clarification were noted in the usual manner.
- 79. The VICE-PRESIDENT: I call on the representative of Morocco, who wishes to speak in exercise of his right of reply.
- 80. Mr. SIDI BABA (Morocco) (translated from French): I should like first to thank the representative of Iraq for the rectification which he has just told the Assembly he wishes to make in regard to his vote on the second part of paragraph 2 of draft resolution VIII, which the Assembly adopted yesterday on the subject of the Spanish Sahara and Ifni. My delegation thanks also the other delegations which have been so kind as to inform me of their intention to make the same rectification in writing, in order to remedy the error, certainly unintentional, which they made yesterday while voting was in progress.

- 81. Out of respect for President Fanfani and out of respect for you, Madam President, I refrained from interrupting this afternoon's speaker by raising a point of order when, unfortunately he used language to which the General Assembly has not, I think, been accustomed since the United Nations came into existence. We know that there are conflicts which bring men, States and blocs into opposition. These conflicts have always had repercussions here in the form of interventions which have been scathing, sometimes vehement, but we have never heard such terms as have just been used this afternoon. I shall not allow myself to be drawn along that path. First, I refuse to do so; secondly, I respect the Assembly and I respect the President. Further, the mere deference which each person, each country should show toward an opponent compels me to refrain from pursuing this "debate" which the representative of the Government of Mauritania opened this afternoon.
- 82. I must, however, state that I am deeply pained to find that a person who claims to be fully informed of his country's history—I say "his country's" advisedly, with all the significance I can put into that term—should have found it necessary to look for his arguments only in sources which are absolutely contrary to truth, honour, dignity and the civilization of the great nation from which he comes and which I have the honour to represent here.
- 83. Political disputes are fated to disappear, one way or another, but I was pained by the spectacle of a man who allows himself to address this Assembly and in the process to sully the history, culture and civilization of a nation such as Morocco. Men can fail to reach understanding, can even come into fairly violent conflict, in all intellectual honesty and dignity; but they should not try to burn their adversary in the process of burning their own boats. That is what this representative has unfortunately sought to do.
- 84. We consider that the Spanish Sahara and Ifni are two areas forming an integral part of the national territory of Morocco. This is a reality given by history, culture, geography and common sense. We do not think it in place to open a debate on the subject here. I said so yesterday [1398th meeting] to the representative of Spain and I repeat it today. When I spoke yesterday it was in order to reply to certain parts of the statement made by the representative of Spain, for he seemed to be making a special effort to establish a difference between Ifni and the Spanish Sahara, to dissociate them and so to dissociate their destinies.
- 85. Morocco has no intention of opening a debate on this question in the Assembly. I mean a dignified, classical debate, in the sense which the whole Assembly knows; still less, do we intend to embark on the kind of debate into which there has been an attempt to drag us this afternoon.
- 86. I shall conclude by repeating that Morocco has no intention of intervening at international level, at General Assembly level, to settle its national problems with Spain. The Moroccan representatives have said so and have so agreed with the representative of Spain.

- 87. When the Afro-Asian group decided to open this case, on a well-defined occasion, it was my duty, incumbent on me by virtue of the task entrusted to me, not to remain indifferent to a discussion started in the Fourth Committee or in the Afro-Asian group on a problem of direct concern to my country.
- 88. But I must now make it clear from this rostrum that when the draft resolution was being drawn up Morocco did not propose the inclusion of the phrase on which a separate vote has been taken, concerning the initiation of negotiations. The opinion which I gave, when the members of the Afro-Asian Sub-Committee were kind enough to draw up their draft resolution, the opinion which I gave in good conscience, was that the test should be confined simply to a request to Spain to put an end to colonial domination in that part of my country, in that part of the African continent.
- 89. It was another representative who urged, rather insistently, that the idea of negotiations be brought into the draft resolutions; furthermore he did not fail to make this known to the information agencies. I believe, if my memory is correct, that he found occasion to mention it again in his speech this afternoon.
- 90. It was not Morocco, then, that sought to open a debate. It was not Morocco that sought to force the hand of Spain through a decision of the United Nations. We merely wanted, as a Member devoted to the cause of decolonization, to make our own modest contribution, as we have done in regard to all other colonial questions.
- 91. It is true that, in relation to this question, the problem is of particular interest to us. But the deep feeling and interest guiding us in our action in national affairs has not made us wish to take up an attitude on which we have not first agreed with those with whom we are in discussion.
- 92. We consider that a debate on the substantive issue should be avoided until such time as the Moroccan Government decides, in full knowledge of the issues at stake, to take up its responsibilities and, when it considers the time ripe, bring the matter before the international bodies.
- 93. I have thought it necessary to make this clarification in order to dispel any ambiguity and clear up the misunderstanding which seems to exist in some people's minds, as well as to show that we have played our part in this matter in a calm, disinterested and honest manner.
- 94. We believe that the action undertaken should be guided by this spirit of friendship, calm and understanding, for the problems facing our country today cannot be solved through the use of wounding language, of language which I do not even wish to find words to describe.
- 95. Before ending I should like to say also that, when I replied yesterday afternoon to the representative of Spain, it was not my intention to open a discussion; I merely wanted to remind the Assembly of certain facts. I deliberately avoided a deeper discussion, which would have been out of place, particularly after the vote on the draft resolution. If we had wanted to open

- a discussion and to try and influence the opinion of the General Assembly in one way or another, we could have taken an active part in the discussion before the vote. But we let matters take their course. We think that the Assembly will be able, calmly and in full knowledge of the facts, to make its own proper contribution towards solving one part of the colonial problem which today faces the world and is a matter of concern to all nations that love peace and justice.
- 96. The PRESIDENT: I call on the representative of Mauritania, who wishes to speak in exercise of his right of reply.
- 97. Mr. MISKE (Mauritania) (translated from French): I do not think I need say that the Mauritanian delegation has the highest respect for this Assembly and could not permit itself any form of behaviour here that might seem to show lack of respect.
- 98. The Mauritanian delegation has also, it is hardly necessary to say, the highest respect for President Fanfani and for yourself, Madam President, since at the moment we have the pleasure of having a lady as President.
- 99. I have no intention of repeating what I have just said or of going over arguments already used. Nor do I want to talk for the sake of talking. I have cited facts and evidence. I think that what might interest the Assembly would be to hear the facts refuted, if they can be, or else admitted, for, in my opinion, honesty demands that, in a discussion, one either fairly refutes the facts or acknowledges them to be true.
- 100. I spoke of evidence. I was very surprised to hear some of it described in a manner that was unexpected, for me at least, and I believe also for other representatives. I shall not pursue that point. But I wonder whether the representative of Morocco considers that the testimony of the Sultan of Morocco is a mere nothing for him.
- 101. I quoted a well-known international treaty, which can be easily consulted. I invented nothing and I challenge anyone to prove the contrary. But if it is not proven that this treaty is an invention, I should like to know what the representative of Morocco thinks of this evidence, which unequivocally states that the sovereigns of Morocco do not want to have anything to do with the countries which the Moroccan leaders are now claiming, that is to say, not only the Spanish Sahara, but the whole of Mauritania. If they admit the truth of this evidence, it is for them to show that new facts have emerged since that time, that is, in the last two centuries, to prove that henceforward the country which is Mauritania, including the Spanish Sahara, can be considered to be under Moroccan domination and as Moroccan territory.
- 102. I leave aside the fact that even a domination lasting as long as two centuries does not necessarily prove that a territory has been definitely acquired by a given country. But there is no proof that this domination even began. I have cited even more recent Moroccan evidence, the White Paper, which I showed the Assembly just now and which I can personally put at the disposal of Members of the Assembly if they cannot get it elsewhere; but I think they should

- be able to get it, because in 1960 and 1961 it was distributed in thousands and perhaps tens of thousands of copies and I am sure there is a copy in the library of every chancellery in the world.
- 103. Is this evidence false? I invited the Assembly to ask the Moroccans whether they regarded the White Paper as still valid and whether the arguments in it are well-founded. If so, if they claim the Spanish Sahara as being still part of Mauritanian territory, since at that time they were claiming the whole of Mauritania, even if they dare not now admit it, because the claim was so absurd, I should like to know whether they consider the Spanish Sahara to be Moroccan because it is Mauritanian, or whether they have changed their opinion in the last five years and, if they have, why they have changed it. I think we have the right to expect a reply; I think that this falls within the framework of the discussion opened yesterday, whether we call it a debate or not, for the representative of Morocco certainly did open a discussion. He advanced arguments at great length to support his point of view. Now he wants to stop there. I think honesty must compel him to recognize that it was he who opened the debate, if it is a debate.
- 104. I do not want to take up the time of the President and of the General Assembly, but I do think that, when a speaker addresses the Assembly, he must do so in a serious way. Facts must be cited, serious arguments must be produced, or else people should be silent and not waste everyone's time in tiresome discussion.
- 105. The PRESIDENT: We shall now consider the joint draft resolution [A/L.476 and Add.1] together with the amendments submitted by Somalia [A/L.477].
- 106. Mr.' COULIE. LY (Mali) (translated from French): On behalf of the delegations of Algeria, Ceylon, Ethiopia, Ghana, Guinea, India, Iraq, the Ivory Coast, Kenya, Mali, Mauritania, Rwanda, Sierra Leone, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania and Yugoslavia, to which list Burundi must now be added, I have the honour of submitting draft resolution A/L.476 and Add.1 for the consideration of the General Assembly.
- 107. As representatives will undoubtedly have noted, this draft resolution, sponsored by nineteen delegations, is a text of general scope, enumerating findings and proposing measures applicable to all colonial territories which have not yet acceded to independence. The content of the draft resolution was inspired by the conclusions reached in the 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. The authors of the draft resolution took into account also proposals and observations put forward by delegations in general discussion on the reports of the Special Committee.
- 108. In the preamble to the draft resolution, the relevant resolutions already adopted by the General Assembly on the subject of decolonization are recalled. It is also noted with regret, still in the preamble, that the colonial Powers have been delaying in applying the Declaration on the Granting of Inde-

pendence to Colonial Countries and Peoples. Special emphasis is laid on the lack of co-operation among colonial Powers and especially on the provocative attitude of the Government of Portugal and the authorities in South Africa, which are continuing to refuse the population they administer the right to independence and self-determination.

- 109. Lastly, the operative part includes measures which, in the opinion of the sponsors, ought to be taken by the General Assembly and, if necessary, by the Security Council, in order to expedite implementation of the Declaration. In that part of the draft resolution the General Assembly notes with satisfaction the work accomplished by the Committee and requests it to continue to look for ways in which the Declaration can best be implemented without delay.
- 110. The sponsors of the draft resolution believe it to be a well-balanced text, to which the Assembly can give general assent. Colonialism is not only a menace to international peace and security, but also a crime against humanity. The sponsors therefore believe that the General Assembly and the Security Council should spare no effort for the rapid and total elimination of this scourge. The adoption of the draft resolution which we have the honour of submitting will, in our opinion, constitute a step towards the elimination of colonialism. We hope, therefore, that this draft will not encounter any objection.
- 111. Before leaving the rostrum I should like to draw attention to a slight change which the sponsors would like to make in the seventh paragraph of the preamble. This change consists in deletion of the word "Member" before the word "States". The paragraph would then read as follows:

"Deploring further the attitude of certain States which, despite the resolutions of the General Assembly and of the Special Committee, continue to cooperate with the Governments of Portugal and South Africa and even to provide them with aid which is being used by the two Governments to intensify the repression of the oppressed African populations."

- 112. I should like also to draw attention to the amendments submitted by the delegation of Somalia [A/L.477]. The sponsors of the draft resolution accept these amendments and ask that they be incorporated in the draft.
- 113. Still speaking on behalf of the sponsors, I should now like to suggest, or even propose that, as it is rather late, the draft resolution which I have just submitted be put to the vote at our first meeting on Monday, 20 December.
- 114. In regard to the voing procedure, I propose, on behalf of the sponsors, that the joint draft resolution be adopted by simple majority, as was the case this morning in regard to the draft resolution on Oman [A/6168, para. 13].
- 115. Mr. ADAN (Somalia': I wish to take this opportunity to thank the representative of Mali and the cosponsors of the draft resolution [A/L.476 and Add.1] for having accepted the incorporation of my amendments into the main draft. I also wish to state that I am in full agreement with the rest of the text of

the resolution and, therefore, I should like my delegation to be added to the co-sponsors.

- 116. The PRESIDENT: I now call upon the representative of the United States who wishes to speak on a question of procedure in connexion with the vote.
- 117. Mr. GOLDBERG (United States of America): I have asked to talk not on substance. I cheerfully acquiesce in doing so on Monday. But I should like to talk about the important question of procedure raised by the representative of Mali. In order that there may be no difficulties, when we take the vote on Monday, about the nature of the voting required on the draft resolution—the question which we have dealt with and considered here—I have asked for the floor in order to present a procedural motion. My motion is as follows:

## Mr. Fanfani (Italy) resumed the Chair.

"The General Assembly finds that the resolution contained in document A/L.476 and Add.1 makes recommendations with respect to the maintenance of international peace and security. Accordingly, Article 18 (2) of the Charter applies."

- 118. I have carefully put the motion in this manner so that the Assembly may decide the issue squarely and within its competence. It is not—I repeat, it is not—within the competence of the Assembly to decide that a resolution which does deal with peace and security is not an important question. That issue has been decided in the Charter. It is not subject to modification either by the changing of the rules or in any other way short of a Charter amendment.
- 119. I should like to make this very clear because I think there should be no disagreement among any Members of this Assembly about that question. If the matter is an important question, then the Charter requires that it be decided under a two-third rule, and the Assembly is without competence, by changing its rules of procedure, to amend the Charter. Any resolution adopted in violation of this provision of the Charter can be null only and void.
- 120. The Assembly can, however, decide whether a draft resolution does in fact make recommendations on the maintenance of international peace and security. The motion I have presented would have the Assembly make that finding, from which the application of Article 18 (2) of the Charter would then flow.
- 121. I should like frankly to state my delegation's views or that question. In our opinion, this draft resolution does indeed make recommendations with respect to the maintenance of international peace and security. I do not see how the contrary argument can be made—although, having been present here today, I have no doubt that some may attempt to make it. In at least three paragraphs of the draft resolution there are specific provisions that clearly come within this category. In the eighth paragraph of its preamble, the draft resolution find that colonial rule and apartheid threaten international peace and security. That is a specific finding, designed to invoke Chapter VII of the Charter and the authority of the Security Council for the maintenance of international peace and security.

- 122. I pose this problem as I do because, in our opinion, we cannot have it both ways. We cannot, on the one hand, go to the Security Council—on which I have the honour to sit—and say that action is called for because international peace and security are threatened, and, on the other hand, not be prepared to say that Article 18 (2) is applicable. I should think that we would all want to consider the consequences of such a decision because of the implications that are necessarily involved with respect to future Security Council consideration of the matter.
- 123. Paragraph 11 of the draft resolution calls for the dismantling of military bases and calls on certain States to refrain from establishing new ones in colonial territories. Whatever one may think of its merits, that is obviously a recommendation with respect to the maintenance of peace and security—as the Assembly found in a similar context yesterday. It will be recalled that the Assembly yesterday sustained by a vote of fifty-six to thirty-two a ruling that this is an important question and therefore requires a two-thirds majority.
- 124. Similarly, paragraph 12 of the draft resolution requests the Special Committee to notify the Security Council of situations which may threaten international peace and security and to make suggestions which might assist the Council in considering appropriate measures—again an apparent reference to Chapter VII.
- 125. I repeat what I said this morning [1399th meeting]. In deciding procedural questions, we must take a long view; we must not take a decision on a procedural question on the basis of our views on the merits of the matter. To do otherwise would be to take an opportunistic decision that could have important implications when action might be asked for in another forum, as indeed this draft resolution contemplates. After all, to invoke Chater VII or Chapter VIII of the Charter requires a finding concerning a threat to peace and security. If this question is to be considered by the Security Council, we must avoid—whatever our views may be, pro or conan inconsistent decision on this procedural matter.
- 126. I could cite other provisions of the draft resolution which uphold the view I am expressing. But the ones I have already cited are sufficient to establish beyond question that the draft resolution makes recommendations, in the words of Article 18 of the Charter, on the maintenance of international peace and security—and I repeat that this is apart from the question whether one agrees or disagrees with those recommendations; I shall have something to say on the substances of the matter on Monday. The draft resolution must therefore be voted upon as an important question under Article 18.
- 127. I submit this motion in order to make this point very clear. It is an important part of the responsibilities of this body, which is making recommendations to the Security Council. I present my motion, in the interest of clarity, to make the procedural decision easier; of course, representatives may cast their votes on it as they deem fit.
- 128. I urge that this motion be adopted by the General Assembly. I shall repeat it:

- "The General Assembly finds that the draft resolution contained in document A/L.476 and Add.1 makes recommendations with respect to the maintenance of international peace and security. Accordingly, Article 18 (2) of the Charter applies."
- I ask that that procedural motion be put to the vote.
- 129. Mr. GBEHO (Ghana): My delegation has listened with rapt attention to the matters of vital importance that the United States representative has just brought to the attention of this Assembly.
- 130. My delegation does not believe that this is the time to debate the substance of the remarks made by the representative of the United States. We agree that these matters are important and merit the keen attention of all Members of the Assembly. A considerable part of our membership is no longer present. Matters of such vital importance as this one cannot be decided upon in the absence of the entire membership, or at least a large majority of the membership.
- 131. I would therefore appeal to the United States representative not to insist that his motion be put to the vote now. I would ask him to bear with us until Monday morning, when we can take a decision on his motion.
- 132. If the United States representative insists that his motion be put to the vote now—despite the appeal made to him by my delegation—I shall formally move for the immediate adjournment of the meeting.
- 133. Mr. NATWAR SINGH (India): My delegation listened with very great respect and attention to the statement made by the United States representative. As the representative of Ghana has said, these are matters of very grave importance and require serious consideration and deliberation.
- 134. I am not sure if Mr. Goldberg said that he wished to press for a vote on his motion this evening. I should like to join the representative of Ghana in appealing to him to be so kind as to wait until Monday, so that we may have an opportunity of reflecting on the question and consulting the heads of our delegations and, if necessary, our Governments.
- 135. Mr. GOLDBERG (United States of America): I have listened to the remarks by the representatives of Ghana and India. I would not ask for a vote tonight if it is the desire of the General Assembly to give its consideration to what I regard as a very important question; and I use the term "important question" not as it is used in the Charter, but in the popular sense. I should like all delegations to be present.
- 136. I wish merely to make this comment. I make this proposal not because of any vote on substance. It has been my experience as lawyer and judge that observance of procedural rules is the earmark of the establishment of rule of law. The protection of the rights of minorities against the majority is the earmark of a democratic society and of a democratic parliamentary body. Indeed, the whole history of our country demonstrates that. The Bill of Rights, which we celebrate this week along with the Universal Declaration of Human Rights, is largely a procedural matter; it deals with rules of procedure, procedure designed to protect an individual against the authority

of the State, which sometimes finds it very inconvenient to adhere to rules of procedure, to give jury trials, to furnish indictments, to furnish counsel, to do all that is required to protect the dissenter, a minority against a majority. And this is a matter which, to me, transcends a particular draft resolution before the Assembly on substance. I shall welcome a discussion of this matter after consideration and before a full meeting of the Assembly.

137. Mr. GBEHO (Ghana): Allow me, Mr. President, through you, to thank most sincerely the representative of the United States for his quick and positive response to the appeal of my delegation. I am quite sure that if appeals and responses were worked out on the basis on which they have been worked out tonight, the task of this Assembly would be greatly facilitated in the future. It is a matter of joy to my delegation that the question regarding the motion proposed by the United States delegation will be postponed until Monday, 20 December, but we cannot rest without expressing our thanks to the

representative of the United States for his kind cooperation. We have held the United States delegation in high esteem and we know that that delegation always holds dear matters of procedure, even in its own legislatures.

138. As to the outcome of this procedure, we have no comment at the moment, but we do wish to thank the United States delegation again for its kind cooperation.

139. Mr. NATWAR SINGH (India): I merely wish to express the deep appreciation and thanks of the delegation of India to Mr. Goldberg for acceding to our appeal.

140. The PRESIDENT: I understand that everyone agrees that the study of these two questions, that of the substance of the problem and that of procedure, be deferred until Monday, 20 December. If there are no objections, this will be done.

The meeting rose at 7.10 p.m.