



CONTENTS

	<i>Page</i>
Agenda item 9:	
General debate (<i>continued</i>)	
Speech by Mr. Ramos (Philippines)	1
Speech by Mr. Badarou (Dahomey)	8
Speech by Mr. Bista (Nepal)	11
Speech by Mr. Kyprianou (Cyprus)	14
Speech by Mr. Argwings-Kodhek (Kenya)	18
Statement by the representative of Malaysia	21

President: Mr. Emilio ARENALES (Guatemala).

*In the absence of the President, Mr. Ignatieff (Canada),
Vice-President, took the Chair.*

AGENDA ITEM 9

General debate (*continued*)

1. The PRESIDENT: May I remind Members that the Assembly has agreed to close the list of speakers in the general debate at 5 o'clock this afternoon.

2. Mr. RAMOS (Philippines): Let my first words be of congratulation to the President, and to the Government and people of Guatemala, on his unanimous election. We are fortunate indeed, and we have ample reason to congratulate ourselves, that we have him to preside over our deliberations at this session, for he brings to the Presidency eminent personal qualities, the prestige of the high position he holds in his own country, and a brilliant record of involvement in the work of the United Nations. The Philippines is linked to Guatemala by more than bonds of friendship—we share with sister countries of Latin America the rich heritage of the great culture of Spain—and the Philippine delegation takes genuine pride in his election. With our congratulations, we extend to him our assurances of unstinted co-operation in what we hope will be a fruitful session.

3. May I, at the same time, express our profound gratitude to the distinguished Foreign Minister of Romania, His Excellency Mr. Corneliu Manescu, for the wisdom, competence and tact with which he steered the General Assembly through its session last year.

4. To our 125th Member, Swaziland, the Philippine delegation extends its congratulations and a warm welcome. We are confident that it will make a meaningful contribution to the work of the United Nations. It is our hope that its people will find in independence the fulfilment of their aspirations for a better and fuller life.

5. Within the last twenty years, more than seventy-five countries have become independent, all of them with high

expectations that independence would bring not only political freedom but also freedom from exploitation, from poverty, from fear. And they have pinned their faith and hope on the United Nations and on the principles enshrined in its Charter. Indeed, for a time we were heartened by the encouraging signs of *détente*. The start of the peace talks in Paris, the agreement on the Treaty on the Non-Proliferation of Nuclear Weapons [see resolution 2373 (XXII)], the increased contacts among nations belonging to different economic and political systems—all these have encouraged the hope for enhanced international co-operation and peaceful coexistence based on the equal rights of nations, large or small. But peace continued to elude mankind's anxious grasp. In the Middle East, in parts of Africa, in our own part of Asia, war in one form or another is a tragic reality even as we meet here and pledge ourselves anew to the cause of peace.

6. Only a few weeks ago, the world witnessed another cynical violation of the rules of international law and order prescribed in the Charter of the United Nations. Naked force was applied against a Member of the United Nations by some of its own allies whose representatives have tirelessly championed the principle of peaceful coexistence and non-intervention in the internal affairs of other States.

7. Today it is Czechoslovakia. Whose turn will be next? And when the world makes a tally of the results of that deplorable adventure, it must count the loss all Member States have suffered—the set-back to our common desire for the peaceful settlement of disputes and the destruction of the mood of confidence in international relations which we have all been trying so hard to promote. It is our hope that the Soviet Union will quickly correct its terrible blunder and bring about the immediate withdrawal from Czechoslovakia of troops of the Warsaw Pact Powers, leaving the gallant Czechoslovak people to decide their own future.

8. The conflict in Viet-Nam still remains the principal obstacle to peace and stability. The Paris conversations aroused expectations that remain unfulfilled and the pace of the talks has been most discouraging.

9. Nevertheless, the hope remains that, in a few months, the discussions will finally take a more meaningful turn. As one of the countries aiding the Republic of Viet-Nam in its struggle for freedom and existence, the Philippines is deeply interested in any negotiations involving that nation's ultimate destiny. The Philippines desires to see the South Viet-Nameese people secure from internal subversion and external aggression, and guaranteed their right to form and maintain a government of their own free choice.

10. Nothing has happened on the mainland of China or in the outside world which would justify any change in

decisions we have previously taken on the question of the representation of China. On the contrary, the Peking régime, by reason of the excesses of its so-called cultural revolution, its warlike policies towards its neighbours, and its continued oppression and persecution of the people of Tibet, has forfeited any right to represent the Chinese people in the United Nations. That right belongs to the Republic of China as a founding Member of the United Nations.

11. Let me now dwell on what the Secretary-General has called the “most crucial and most challenging long-term struggle of this century”, namely, the struggle to narrow the widening gulf between the many countries that are poor and the few countries that are rich. The first United Nations Development Decade is nearing its end and the second Decade is about to begin.

12. The first Decade has seen modest successes in some fields and deepening frustrations in many others. One lesson we must learn from the first Development Decade is this: the second Development Decade will not succeed without a heightened awareness of the need for international co-operation and understanding. There are disheartening signs that many developed countries simply do not care. They have not increased their financial assistance and are not disposed to make changes in their patterns of international trade, technical assistance, investment, and external aid. These are manifestations of “prosperous provincialism” in international life, which the Secretary-General of the United Nations Conference on Trade and Development, Mr. Prebisch, has correctly identified as a dangerous phenomenon growing in the affluent countries.

13. A recent sign of this return to isolationism was the action taken by the United States Congress to pare down to the barest minimum American aid to developing countries. The amounts of external aid approved by Congress were the lowest in two decades. Among the victims of the sharp pruning knife of Congress were the Asian Development Bank and the International Development Association. The former was to have received \$200 million and the latter \$160 million. These are relatively minor outlays and their elimination underscores the new indifference of the rich countries to the economic needs of the developing countries.

14. The developed countries are, after all, in a position to grant more aid. As a group, their gross national product between 1961 and 1966 grew by an unprecedented 25 per cent, while the net transfer of their resources increased by only 5 per cent. That is why we cannot understand why most of the developed countries have not reached the target of 1 per cent of their gross national product as external aid to the developing countries. Meanwhile, the developed countries spent about \$175,000 million for armaments in one year alone. If only 10 per cent of that staggering amount were channelled to foreign aid, this world would be a happier, a kinder and certainly a safer place to live in.

15. The second Session of the United Nations Conference on Trade and Development, held in New Delhi early this year, does not augur well for the success of the second Development Decade. New Delhi gave no clear answers to the immense problems of development. For instance, in

New Delhi, the developed countries agreed most reluctantly and only in principle, after intense and bitter negotiations, to the proposal for a generalized system of non-reciprocal and non-discriminatory tariff preferences and to the aid target of 1 per cent of their gross national product to the developing countries. However, the target date for those goals was not specified. These are, therefore, vague commitments at best, and the developing nations cannot relax their efforts, believing that the battle has been won.

16. There are other areas where the developed countries could be helpful if they wished. We refer to the need to ease the terms and conditions of aid. Some \$4,500 million in interest and principal are now being repaid by developing countries. At present rates and terms, net development lending would become negative by 1975. The tying of aid should be reduced to the minimum since tied-aid cuts the benefits to the developing countries by as much as 15 per cent to 20 per cent. It may therefore be said that helping poor nations has become a highly profitable business.

17. Nothing in what we have said exempts the developing countries from their responsibilities. The primary responsibility for development must rest with the developing countries themselves. After all, four fifths of the cost of development must come from domestic financing, and the rest from external sources. The developing countries must re-examine their development goals and objectives. My delegation believes that agricultural development should be given the highest priority, because agriculture will continue to be the main economic activity in the developing countries. There is one revolution in this area which everybody welcomes. It is the so-called “green revolution” that has been brought about by the record production of rice, wheat and corn in a growing number of desperately hungry lands. In the Philippines, we have developed a new strain of rice with unprecedented yields, and sent seeds to all who ask for them. With this new variety, the Philippines will have a rice surplus for the first time in more than eighty years.

18. While according priority to agriculture, we must not neglect industrial development. For we know that, while agriculture may satisfy a nation's primary necessities, only industrialization can raise its living standards above the level of bare subsistence.

19. We should like to express, at this juncture, the abiding confidence of my Government in the United Nations family of organizations concerned with financial, technical and economic assistance. Our support for their work is amply demonstrated by the recent announcement by the President of the Philippines, Mr. Ferdinand E. Marcos, that the Philippines is increasing its contribution to the United Nations Development Programme for 1969 by 75 per cent from \$286,000 to \$500,000. The Philippines is also increasing its contribution to the United Nations Children's Fund by 70 per cent, from \$110,104 to \$186,860. To the World Food Programme, the Philippines pledged early this year the amount of 686,000 pesos, an all-time high. We hope that these increased contributions from a poor developing country like the Philippines might have some significance in a period of shrinking contributions from some of the developed countries. We are all engaged in a war against poverty, disease, hunger and misery. This is one

war we can afford to escalate, and one which would benefit all mankind.

20. It is said that one of the main reasons for the failure of the Development Decade was the serious oversight which resulted in the failure to integrate social with economic development. It is clear that this oversight must be corrected if the second Development Decade is to succeed. The draft declaration for social development [A/7161, annex I], which is on our agenda, sets the pattern for such integrated development, and we urge its adoption at this session.

21. The Conference of Ministers Responsible for Social Welfare held last September in New York has come up with constructive recommendations to achieve social welfare goals through national effort and international co-operation. The Conference declared that social progress is the ultimate aim of all development and that a unique opportunity now exists for social welfare to make its full impact on national development. We urge that the Conference's recommendations¹ to this end be adopted as soon as possible.

22. This year we mark the twentieth anniversary of the Universal Declaration of Human Rights. The International Conference on Human Rights held last April in Teheran adopted the Proclamation of Teheran.² That historic document states, among other things, that the Universal Declaration "constitutes an obligation for the members of the international community" and that it has "created new standards and obligations to which States should conform". These are, in a sense, highly revolutionary affirmations which impose upon all countries the obligation to support measures designed to enhance the capacity of the United Nations to deal more effectively with violations of human rights wherever they may occur. We believe that the proposal to create the Office of United Nations High Commissioner for Human Rights³ is such a measure, and we urge its early consideration by the Assembly.

23. During this International Year for Human Rights, the one lesson we should bear in mind is that we must never take human rights for granted. We cannot take them for granted so long as the evil of racial discrimination plagues so many national societies, and so long as one Member State of our Organization, the Republic of South Africa, continues to dignify *apartheid* as an official policy of the State. We must also recall that, during the invasion of Czechoslovakia, the invading forces took over the newspapers and the radio stations even before they captured the leaders of the Government. The first casualties were freedom of thought, freedom of speech, freedom of the press, and freedom of information.

24. Permit me to take up now a problem that lately has cast an ominous cloud upon the South-East Asian scene: the dispute between the Philippines and Malaysia over Sabah, which is a large portion of North Borneo. The

Philippines contends that it has acquired sovereignty and dominion over Sabah from the Sultanate of Sulu. Malaysia, on the other hand, asserts that it has acquired sovereignty and dominion over the territory from the United Kingdom.

25. The United Kingdom appears to have acquired its alleged sovereignty and dominion from the British North Borneo Company. That Company in turn derived its claim of sovereignty and dominion from Messrs. Overbeck and Dent. Those two gentlemen were the recipients of certain rights and privileges granted by Sultan Mohammed Jamalul Aslam and specified in a document signed by the said Sultan on 22 January 1878.

26. I have before me a photostat of the document that was signed by the Sultan of Sulu on 22 January 1878. It is in the Malay language, written in Arabic. The crux of the dispute concerns the proper interpretation that should be given to this document. The Philippines contends that it is a lease. Our opponents assert that it is a deed of cession or a sale.

27. From the beginning of this controversy on Sabah—first with the United Kingdom and now with Malaysia—the Philippines has endeavoured to have the dispute elevated to the International Court of Justice for decision. We believe that the dispute is a legal dispute. Under Article 36, paragraph 3 of the Charter of the United Nations, legal disputes are, as a general rule, to be referred to the International Court of Justice for decision. Until now, we have not succeeded in getting the United Kingdom or Malaysia to agree to refer the dispute to the International Court of Justice.

28. An important provision of the agreement of 22 January 1878 between the Sultan of Sulu and Messrs. Overbeck and Dent refers to the obligation of the grantees or their successors in interest to pay to Sultan Mohammed Jamalul Aslam and "to his heirs and successors" the sum of \$5,000 Malayan annually "until the end of time". The obligation to pay \$5,000 Malayan—which amount was later increased to \$5,300 Malayan in 1903—has been complied with successively by Messrs. Overbeck and Dent, by the British North Borneo Company, and by the British Government. The Federation of Malaysia also respects that obligation.

29. From the date the deed of 22 January 1878 was signed, payment was made annually until the year 1936, when Sultan Jamalul Kiram, then the reigning Sultan, died. The payment was suspended in 1936 because the British North Borneo Company wanted to be certain that the money they paid went to the right party or parties.

30. The late Sultan Jamalul Kiram died childless, but he left a will bequeathing his properties in the Philippines and in North Borneo to certain relatives named in that will. In 1939, upon the suggestion of British officials, the heirs of the deceased had to appear before the Superior Court of North Borneo to prove their right to succeed the deceased. Chief Justice Macaskie of the Superior Court of North Borneo adjudged the heirs of the late Sultan Jamalul Kiram—there were nine of them—as the individuals entitled to receive the amount of \$5,300 Malayan annually. Among

¹ See document E/4590.

² See *Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968* (United Nations publication, Sales No.: E.68.XIV.2).

³ See *Official Records of the General Assembly, Twentieth Session, Annexes*, agenda item 98, document A/5963.

other things, the Chief Justice stated the following in his decision rendered on 18 December 1939:

“It is abundantly plain that the successors in Sovereignty of the Sultan of Sulu are the Government of the Philippine Islands, but Mr. de Leon contends that the decision of the Philippine courts in the administration suit relating to the late Sultan’s estate precludes that government from asserting any claim to the cession monies. In my view, this is correct. The Philippine Government allowed Sultan Jamalul Kiram to enjoy the cession monies as a private person since 1915; they have made no claim on his death and by a judgement of a Philippine court recognized the right of the private heirs of the Sultan to receive the cession monies.”

31. The pronouncement of Justice Macaskie I have just quoted treats of two subjects. The part which says: “it is abundantly plain that the successors in sovereignty of the Sultan of Sulu are the Government of the Philippine Islands . . .” obviously refers to rights of sovereignty, while the remainder of the paragraph refers to the proprietary rights of the heirs. According to Justice Macaskie, the rights of sovereignty go to the Government of the Philippine Islands while the proprietary rights—in the absence of any claim from the Philippine Government—go to the private heirs of the deceased.

32. It may be noted that Justice Macaskie has called the \$5,300 Malayan “cession monies”. This is because the plaintiffs in the suit brought before that judge did not have a copy of the original document dated 22 January 1878. The only document they had was the British translation of the deed, the Maxwell-Gibson translation⁴, which called the transaction of 22 January 1878 a cession. This document was attached to the plaintiffs’ complaint as one of their exhibits. Justice Macaskie had no other document before him and he had therefore no choice but to call the transaction of 22 January 1878 a “cession”, and the amount of \$5,300 Malayan “cession monies”.

33. The position of the Philippine Government on this point is that the Maxwell-Gibson translation of the deed of 22 January 1878 is erroneous. When, late in the year 1946, the Philippine Government finally came into possession of a photostat of the original document of 22 January 1878, in Arabic, it caused a translation to be made of that document. The different translations made of this document—one by the heirs of the late Sultan Jamalul Kiram, another by an American-language expert and a third by a Dutch-language expert—all show that the 22 January 1878 agreement is a lease. It may also be stated that an early translation of the document made in Spain called it “*arrendamiento*”, or in English, “lease”.

34. The important thing to remember here is that Justice Macaskie ruled that the amount of \$5,300 Malayan was to be paid to the heirs of Sultan Jamalul Kiram every year up to the end of time. This decision of Justice Macaskie was respected by the British North Borneo Company, by the United Kingdom and by the Federation of Malaysia.

⁴ *Treaties and engagements affecting the Malay States and Borneo*, edited by Sir William George Maxwell and William Sumner Gibson (London, J. Truscott and Son, Ltd., 1924).

35. If the agreement signed by the Sultan of Sulu on 22 January 1878 were a sale, payment of the purchase price must end some time. But the fact that payment must continue until the “end of time” indicates that the title to the property remained in the grantor—the Sultan of Sulu—while the grantees merely acquired leasehold rights and exercised powers of government expressly delegated to them by the Sultan of Sulu. Furthermore, a lease “until the end of time” is, in effect, the equivalent in English practice of a lease in perpetuity, and this does not exceed ninety-nine years.

36. In addition to the deed of 22 January 1878, the Philippine Government intends to submit to the International Court for its consideration many other documents, among which are the following:

(1) Commission from the Sultan of Sulu appointing Baron de Overbeck, Datu Bandahara and Rajah of Sandakan⁵, also dated 22 January 1878, which expressly states that the Sultan of Sulu was delegating to Baron de Overbeck his powers of government;

(2) The application for a Royal Charter filed by Messrs. Overbeck and Dent on 2 December 1878⁶, which states, among other things, that the Sultan of Sulu was delegating to Baron de Overbeck his powers of government.

(3) The letter of Earl Granville to Mr. Morier dated 7 January 1882. This letter from the British Foreign Office sets forth the official position of the British as regards the status of the British North Borneo Company after this Company was granted a Royal Charter. In the language of the Earl of Granville:

“The British Charter therefore differs essentially from the previous Charters granted by the Crown to the East India Company, the Hudson’s Bay Company, the New Zealand Company, and other Associations of that character, in the fact that the Crown in the present case assumes no dominion or sovereignty over the territories occupied by the Company, nor does it purport to grant to the Company and powers of government thereover; it merely confers upon the persons associated the status and incidents of a body corporate, and recognizes the grants of territory and the powers of government made and delegated by the Sultans in whom sovereignty remains vested.”⁷

(4) The report of the British Acting Consul-General W. H. Treacher to the Earl of Derby dated 22 January 1878⁸. Mr. Treacher accompanied Baron de Overbeck to Jolo to negotiate with the Sultan of Sulu; he was present before and during the signing of the Deed on 22 January 1878. He acted as adviser to both Baron de Overbeck and the Sultan; and he signed the document as the only witness. His report to his superiors in London, made on the same day the Deed of 22 January 1878 was signed, should therefore carry

⁵ *Papers relating to the Affairs of Sulu and Borneo, and to the grant of a Charter of Incorporation to the “British North Borneo Company,” Part II - Correspondence respecting the Claims of Holland*, C.3109 (London, Harrison and Sons, 1882), No. 15, p. 23.

⁶ *Ibid.*, Part I - Correspondence respecting the Claims of Spain, C.3108 (London, Harrison and Sons, 1882), No. 137, pp. 129-135.

⁷ *Ibid.*, No. 197, p. 204.

⁸ *Ibid.*, No. 118, pp. 118-119.

considerable weight. He explained the basis for fixing the amount of \$5,000 Malayan mentioned in the Deed. He stated in his report that at that time the Sultan's annual income from his dominions in North Borneo was \$5,000 Malayan—\$3,000 from his pearl fisheries and \$2,000 from his birds' nest caverns. And Mr. Treacher called the grant a concession—not a cession.

37. The Philippine Government has many other documents to present to the Court for consideration. The ones mentioned above have been cited as examples in order to show this body that the settlement of the dispute calls for the consideration and evaluation of agreements, contemporaneous correspondence and other documents which are proper for a judicial body to pass upon.

38. It is obvious even from a cursory examination of the documents to be considered in the determination of the issues involved in the dispute that the International Court of Justice is the organ of the United Nations that should take cognizance of the dispute between the Philippines and Malaysia. It is the body best suited to handle such a complex dispute.

39. In that case that Malaysia agrees to elevate the dispute to the Court, the Philippines will be prepared to abide by whatever decision that judicial body may render. If the decision of the Court is in favour of Malaysia, that will be the end of the Philippine claim. If the decision is in favour of the Philippines, that will not be the end of the case. For the Philippines is committed to the principle of self-determination and would be prepared to ensure the observance of that principle in Sabah.

40. The position of the Philippines is that the legal settlement should precede the political settlement. By legal settlement we mean adjudication by the Court. By political settlement we mean a settlement based on the results of a plebiscite. Our position was enunciated by the President of the Philippines in a message to the Congress of the Philippines on 28 January 1963, as follows:

"In laying claim to North Borneo in pursuance of the legal and historic rights and the security interests of the Philippines, we recognize the cardinal principle of self-determination of which the Philippines has been a steadfast adherent. In the prosecution of our valid claim, it is agreeable to us that, at an appropriate time, the people of North Borneo should be given an opportunity to determine whether they would wish to be independent or whether they would wish to be a part of the Philippines or be placed under another state. Such referendum, however, should be authentic and bonafide by holding it under conditions, preferably supervised by the United Nations, that would ensure effective freedom to the people of North Borneo to express their true and enlightened will."⁹

41. The Philippines has been charged with a failure to abide by the results of an ascertainment made by the Secretary-General of the United Nations in 1963¹⁰. We

need not dwell at length on this matter. Suffice it to say that the commitment of the Philippines to welcome the formation of Malaysia was made subject to the final outcome of the Philippine claim. This condition was expressly stated in the following three documents:

(1) Report and Recommendations of the Conference of Foreign Ministers of the Federation of Malaya, the Republic of Indonesia and the Republic of the Philippines to their respective Heads of Government, dated 11 June 1963. Paragraph 12 of that document reads:

"The Philippines made it clear that its position on the inclusion of North Borneo in the Federation of Malaysia is subject to the final outcome of the Philippine claim to North Borneo. The Ministers took note of the Philippine claim and the right of the Philippines to continue to pursue it in accordance with international law and the principle of pacific settlement of disputes. They agreed that the inclusion of North Borneo in the Federation of Malaysia would not prejudice either the claim or any right thereunder. Moreover, in the context of their close association, the three countries agreed to exert their best endeavours to bring the claim to a just and expeditious solution by peaceful means, such as negotiation, conciliation, arbitration, or judicial settlement as well as other peaceful means of the parties' own choice, in conformity with the Charter of the United Nations and the Bandung Declaration."¹¹

(2) The Manila Accord of 31 July 1963. This Accord signed by President Macapagal, President Sukarno and Prime Minister Tunku Abdul Rahman adopted *in toto* the report of the Foreign Ministers as quoted above.

(3) The Joint Statement of 5 August 1963. Paragraph 8 of that document reads as follows:

"In accordance with paragraph 12 of the Manila Accord, the three Heads of Government decided to request the British Government to agree to seek a just and expeditious solution to the dispute between the British Government and the Philippine Government concerning Sabah (North Borneo) by means of negotiation, conciliation and arbitration, judicial settlement, or other peaceful means of the parties' own choice in conformity with the Charter of the United Nations. The three Heads of Government take cognizance of the position regarding the Philippine claim to Sabah (North Borneo) after the establishment of the Federation of Malaysia as provided under paragraph 12 of the Manila Accord, that is, that the inclusion of Sabah (North Borneo) in the Federation of Malaysia does not prejudice either the claim or any right thereunder."¹²

42. I should like to invite particular attention to the phrase "after the establishment of the Federation of Malaysia" used in the Joint Statement of the President of the Philippines, the President of Indonesia and the Prime Minister of Malaya. The thought is clearly expressed in the Joint Statement that after the establishment of the Federation of Malaysia, the Philippines will continue to pursue its

⁹ Diosdado Macapagal, *Our Unfinished Revolution* (Manila, Bureau of Printing, 1964), p. 50.

¹⁰ See United Nations Malaysia Mission: report to the Secretary-General, "Final Conclusions of the Secretary-General".

¹¹ *International Legal Materials* (Washington, D.C., American Society of International Law, vol. II, No. 4, July 1963, p. 618.

¹² United Nations, *Treaty Series*, vol. 550 (1965), No. 8029, p. 358.

claim to Sabah. The Tunku accepted this idea when he agreed to the Joint Statement.

43. Finally, it may be stated that, upon the normalization of relations between the Philippines and Malaysia, in 1966, the two Governments, under the communiqué of 3 June 1966, "agreed to abide by the Manila Accord of 31 July 1963 and with the Joint Statement accompanying it, for the peaceful settlement of the Philippine claim to Sabah,"¹³ and further expressed recognition of the "need of sitting together, as soon as possible, for the purpose of clarifying the claim and discussing the means of settling it to the satisfaction of both parties in consonance with the said Manila Accord and Joint Statement".¹⁴ By agreeing to discuss anew the Philippine claim and the modes of settling it, Malaysia voluntarily forfeited any advantage which it might have acquired under the United Nations ascertainment of 1963.

44. As to the Sabah elections of 1967, they cannot be properly cited as favouring Malaysia's legal right to Sabah. Only the election of local officials was concerned in the proceedings. The question of whether the people of Sabah wished to remain with Malaysia or to join the Philippines was not asked in the ballots issued to voters, and hence was not squarely put in issue. By no stretch of the imagination could the 1967 Sabah elections be regarded as a plebiscite.

45. The new Federation of Malaysia was proclaimed on 16 September 1963. Several times after that date, the Federation of Malaysia committed itself to discuss with the Philippines the best means of settling the dispute. Towards the end of 1964, through an exchange of aides memoirs, the two countries agreed to hold talks on the clarification of the Philippine claim and on the best means of settling it. In a note verbale dated 7 February 1966, the Government of Malaysia put itself on record "that it has never moved away from the Manila Accord of 31 July 1963 and the Joint Statement accompanying it and reiterates its assurance that it will abide by these agreements, particularly paragraph 12 of the said Manila Accord and paragraph 8 of the Joint Statement".¹⁵ Again on 3 June 1966, through the joint communiqué issued by the two Governments, Malaysia committed itself to abide by the Manila Accord of 31 July 1963, and with the Joint Statement accompanying it.

46. Early this year, on the occasion of the State visit of the President of the Philippines to Kuala Lumpur, another joint communiqué was issued, calling for talks which the Philippines hoped would lead to an agreement on the best means of settling the dispute. Finally, through an exchange of notes in the months of April and May 1968, the two Governments agreed to hold talks in Bangkok for the purpose of clarifying the Philippine claim and discussing the modes of settling it.

47. The talks in Bangkok started on 17 June of this year. For several days the Malaysian delegates asked questions ostensibly to clarify the Philippine claim. All questions

asked were answered. However, when the Philippine delegates became convinced that enough questions had been asked and sufficient answers had been given, they proposed that the two groups start a discussion on the modes of settlement. The Malaysian refused.

48. The Philippine delegation then asked the Malaysian delegation whether they would agree to discuss modes of settlement irrespective of a unilateral assessment on their part that the Philippine side had not clarified the Philippine claim to their satisfaction. They gave a written affirmative answer. A short recess followed. When the talks resumed, the Philippine delegates, convinced that the Philippine claim had already been plainly set forth in two volumes of a publication entitled *Philippine Claim to North Borneo (Sabah)*, which had been made available to the Malaysian Government many months before, that enough questions had been asked and sufficient answers already given, and that the period of clarification was over, proposed that the two delegations pass on to a discussion of the modes of settlement. A four-day recess followed, during which the Malaysian delegation announced to the world press that, acceding to the Philippine request, they would discuss modes of settlement at the meeting set for 15 July. When the two delegations met on 15 July the Chairman of the Malaysian panel declared: "I reject your claim. As far as Malaysia is concerned, this exercise under the Joint Communiqué is over and done with". At the next day's session, when the Filipinos insisted on discussing the modes of settlement, the Malaysians stalked out of the conference room, thus bringing the talks to an abrupt end. The Malaysians had attempted to play the double role of party litigant and judge at the same time.

49. Lately, the international press has been playing up the passage of a Philippine statute allegedly "annexing" Sabah to Philippine territory. Press comments on the law betray a misunderstanding of its provisions. The new law seeks to amend Republic Act No. 3046 which was enacted in 1961 to define the baselines of the territorial sea of the Philippine Archipelago. The new law has two sections only. Section 1 seeks to correct some typographical errors in the technical description of the baselines as defined in the old law. The old law did not include Sabah within Philippine territory. Neither does the new law. In other words, if a new Philippine map were plotted today based on the technical description contained in the new law, Sabah would lie outside that map.

50. The misunderstanding may have been caused by the provisions of section 2 of the new law which reads as follows:

"The definition of the baselines of the territorial sea of the Philippine archipelago as provided in this Act is without prejudice to the delineation of the baselines of the territorial sea around the territory of Sabah, situated in North Borneo, over which the Republic of the Philippines has acquired dominion and sovereignty."

The "delineation" spoken of in section 2 of the new law is a future delineation which would be made should the Philippines recover Sabah. In other words, if Malaysia agrees to have the dispute elevated to the Court and if that tribunal decides in favour of the Philippines, then a delineation of the new baselines will be made.

¹³ *Philippine Claim to North Borneo (Sabah)* (Manila, Bureau of Printing, 1968), vol. II (appendix XIV), p. 121.

¹⁴ *Ibid.*

¹⁵ *Ibid.* (appendix XV), p. 122.

51. The law in question was passed in response to a United Nations request for the updating of publications on the law of the sea in the Organization's "Legislative Series" under publication. Section 2 was inserted in order to protect the Philippine claim and avoid the possible charge that the Philippines has by law implicitly waived the claim by failing to include Sabah's waters in the delimitation of the Philippine territorial sea.

52. The statement in section 2 of the new law that the "Republic of the Philippines has acquired dominion and sovereignty" over Sabah is not new. It is a restatement of the official position of the Philippines announced many times before by the Philippine House of Representatives in resolutions passed in 1950 and 1962, by Presidents of the Philippines, by Secretaries of Foreign Affairs and by the Philippine delegation to the Anglo-Philippine talks in London in 1963, and by the Philippine delegation to the Bangkok talks in 1968.

53. Cognizant of the indispensable role of regional co-operation in progress and stability, the Philippines has always stood in the forefront of Asian regional endeavours. Within the last two years and a half, we have seen the establishment of three organizations that hold great promise for the future of Asia: the Asian Development Bank, the Asian and Pacific Council, and the Association of South-East Asian Nations.

54. Substantial progress has been made by all three entities. The Asian Development Bank is well established and regularly functioning; the Asian and Pacific Council held its third ministerial meeting last July, and the Association of South-East Asian Nations has several projects already agreed upon and on the way to implementation. Unfortunately, this progress may be hindered by the simmering dispute over Sabah between the Philippines and Malaysia. The danger is especially acute in the Association, whose projects require the close, constant and active co-operation of the five Member States.

55. In the circumstances the Association and, for that matter, the Council cannot afford to remain indifferent to the dispute. Indeed, the controversy has an importance which transcends the particular interests of Manila and Kuala Lumpur. The dispute is, in fact, a test case and puts squarely before these organizations the question as to whether they have the means and the willingness to resolve controversies between their members. And if their efforts should prove to be unavailing, then the United Nations must take a hand in accordance with the purposes and principles of the Charter. This question must ultimately be faced for, as between men, disputes can and do arise between States, no matter how close their association. What must concern us really is whether these disputes can be resolved in accordance with the dictates of law and justice.

56. Let me state very clearly that, while the Philippines will persist in pursuing its claim to Sabah with vigour and determination, it will do so only by peaceful means. The Philippine Constitution expressly "renounces war as an instrument of national policy and adopts the generally accepted principles of international law as part of the law of the nations". My country is unconditionally committed to the cardinal principle of the United Nations which

outlaws the use of force in international affairs and binds all States to settle their disputes by peaceful means.

57. But, with equal vigour, we invoke the principle that international agreements must be kept and honoured. We therefore expect Malaysia to abide by the Manila Agreements of 1963 wherein it solemnly undertook to

"bring the the claim to a just and expeditious solution by peaceful means, such as negotiation, conciliation, arbitration or judicial settlement as well as other peaceful means of the parties' own choice, in conformity with the Charter of the United Nations and the Bandung Declaration".

58. Our respected and beloved Secretary-General, U Thant, in the introduction to his annual report, recommends to all States to have increasing recourse to the International Court of Justice in order to settle their disputes. He writes:

"In my concluding observations last year I drew attention 'to the urgent need for States to have wider recourse, in their relations with other States, to the various means for the pacific settlement of disputes'. In this context I drew attention to the availability of the International Court of Justice, as a principal organ of the United Nations, for the settlement of legal disputes. This year the Court has, for the first time, presented a report to the General Assembly. I believe that it would be to the common interest of the United Nations if the General Assembly and the other principal organs of the United Nations, in addition to the Member States, were to utilize more fully the machinery of the Court in dealing with problems which are capable of solution by legal and judicial processes." [A/7201/Add.1, para. 168.]

59. In our region, Cambodia and Thailand, and more recently Pakistan and India, agreed to settle their territorial disputes by judicial settlement and by arbitration, respectively. The United Kingdom, which rejected a Philippine proposal to bring the Sabah dispute to the International Court in 1963, when it still controlled the Territory, has, on the other hand, declared its readiness to ask the Court to decide the dispute over British Honduras as well as the dispute over Gibraltar. The British and the Malaysians cannot, therefore, justify their refusal to go to court on the ground that they consider our claim to be without merit. Common sense dictates that they would be more ready to go to court if they considered the Philippine case to be weak than if they considered it to be strong.

60. *The Times* of London, which can hardly be accused of favouring the Philippine claim, grudgingly admitted in an editorial of 20 September 1968, that "the Filipinos can make out some case" on Sabah and affirmed that "the legal backing of Sabah's status is nowhere impeccable". And *The New York Times*, in an editorial of 27 September 1968, asked a question that must be in the mind of any reasonable person:

"Could not the Philippines and Malaysia agree to submit the question of Sabah to the World Court or to some other impartial third party, as the Philippines President has proposed? If Malaysia's case is as sound as Kuala Lumpur insists, the Malaysians have nothing to fear from such a review."

61. Territorial disputes have been the cause of some of the bloodiest wars in history. The Philippines, as a party to a territorial dispute, now comes forward to forswear any recourse to violence and to affirm instead that it is prepared to argue its case before a competent tribunal and to accept without reservation the judgement of that tribunal.

62. In a world sorely beset by the doctrine and the practice of violence, the Philippines dares to assert before this body its unshakable faith in the rule of law, its firm belief in peace through law. If the United Nations is to remain faithful to the Charter and true to its vocation, it has an inescapable duty to encourage and support our earnest appeal to the rule of law.

63. In conclusion, I would say that until the Sabah claim is settled pursuant to the solemn undertakings of the two Governments, I hereby make the reservation and put it on record that the Philippine Government cannot and does not recognize the power, competence or authority of the Government of the Federation of Malaysia to represent or speak for the people of the Territory of Sabah or to make any commitment for them before the United Nations or any of its organs, organizations, committees, agencies or conferences.

64. Mr. BADAROU (Dahomey) (*translated from French*): Allow me, Mr. President, to congratulate you in the name of the delegation of Dahomey on your election as a Vice-President of the General Assembly of the United Nations at its twenty-third session. Through you, I should also like to address my very sincere congratulations, on behalf of Dahomey, to H. E. Mr. Emilio Arenales on his election as President of the Assembly. I find this is particularly gratifying, not only because his election is proof of the growing importance and role of that part of the world commonly called the third world, but also and chiefly because he is the representative of one of those "little" countries which, like Dahomey, are deeply attached to peace. There is no doubt that, thanks to his outstanding qualities, the present session will pursue a harmonious and positive course.

65. I also take this opportunity to pay a well-deserved tribute to H. E. Mr. Corneliu Manescu, Minister for Foreign Affairs of Romania, who conducted the work of the twenty-second session with a vivacity, tact and impartiality matched only by his exquisite courtesy.

66. Since our last session, the international community has been shaken—and, alas, is still shaken—by numerous crises which can make the most optimistic among us rightly entertain doubts regarding the achievement of one of the fundamental purposes of our Organization, namely the maintenance of international peace and security.

67. In the view of the delegation of Dahomey, the essential cause of these crises resides in the disregard, if not the open violation, of the principles which are the very foundation of the United Nations. Under cover of alleged "higher interests", the principle of the sovereign equality of States and that of non-intervention in the domestic affairs of States, have been flouted with impunity. This represents a retrograde trend, which, if we are not careful, will take us back to the law of the jungle. Like many others, my

delegation therefore wonders anxiously what fate will sooner or later befall the small weak States if the international community fails to return, while there is still time, to a concept of international relations which is more consistent with morality and law.

68. Recent events in Czechoslovakia and the invasion of that country by foreign troops have justifiably aroused strong feelings throughout the world, particularly in the people and Government of the Republic of Dahomey.

69. True to its foreign policy which is based, among other principles, on resolute hostilities to all forms of subjection and domination of one people by another, Dahomey, on 22 August last, reaffirmed with respect to the events in Czechoslovakia its position on strict respect for the sovereignty and integrity of all States, non-intervention in their domestic affairs and their right to self-determination.

70. Dahomey can only deplore the fact that these principles, which should be sacrosanct in the interests of world peace, are now being so gravely violated in Czechoslovakia.

71. This is the place for the delegation of Dahomey solemnly to reaffirm, if this is still necessary, its devotion to the purposes and principles of the Charter of the United Nations. It is deeply convinced that only strict observance of, and respect for, these principles will make possible the peaceful and fruitful coexistence between nations with different political, economic, social and cultural régimes and the peace which we all so ardently desire.

72. The constant concern to safeguard peace which must be that of all Members of our Organization requires that they should do all in their power to ensure that the universal mission that the authors of the Charter rightly conferred upon the United Nations can be fully achieved. The admission to the United Nations of a new Member State, Swaziland, and the forthcoming admission of Equatorial Guinea should give us cause for rejoicing because these two new Members will strengthen the universal character of the United Nations. It is with real pleasure that the delegation of Dahomey extends its greetings and congratulations to Swaziland, which it welcomes to membership in our Organization, and also to Equatorial Guinea which has just achieved independence and which we hope will soon take a seat in our midst. We take this opportunity publicly to express our satisfaction at the co-operative and progressive attitude at present displayed by Spain with regard to decolonization, an attitude which contrasts so markedly with the reactionary obstinacy of its neighbour, Portugal.

73. In speaking of the universal mission of the United Nations, we are inevitably led to note the absence of certain countries from our ranks, an absence which impairs our Organization's ability to accomplish the fundamental purposes of the Charter—particularly the maintenance of peace—the most striking absentee being the People's Republic of China.

74. The daily life of the international community provides ample evidence that it is unrealistic to try to ignore a nation of 700 million people, a nuclear Power moreover, whose right to be associated with and participate in all discussions

for the establishment of true peace in the world we do not dispute. Although my Government does not share the philosophical or ideological views of Peking, it believes that the People's Republic of China should be admitted to our Organization if it so wishes and if it intends to abide by the principles of the Charter. However, this admission should not involve the eviction of Nationalist China.

75. The Viet-Nam conflict has entered a new phase and although the clash of arms has not yet been silenced, it is with profound satisfaction that the Government of Dahomey learned of the positive decision of the parties to the conflict to sit down together around the table of hope which is, *par excellence*, that of negotiations. True, the Paris talks have not yet produced any concrete results, but they constitute, we are all convinced, an important first step in the search for peace in South-East Asia. We hope that the people of Viet-Nam, who have been so sorely tried for many years, may at last be able, in the tranquillity of peace, to devote themselves fully and without hindrance to their economic and social development.

76. Since the tragic events of June 1967, tension has persisted in the Middle East, and little progress has been made towards an adequate settlement of the crisis. The cease-fire is being jeopardized by the multiplication and repetition of bloody incidents whose continuance may delay the search for a fair and lasting solution. Dahomey, for its part, considers that the cessation of hostilities, both direct and indirect, would favour the examination and settlement of general problems in that region with the help of the great Powers. It is therefore desirable that the Security Council resolution [242 (1967)] of 22 November 1967 should be effectively and fully applied. The delegation of Dahomey takes this opportunity to pay a tribute to Mr. Jarring, whose untiring and commendable efforts it fully supports.

77. Africa, too, is affected by this reality of a still precarious and constantly threatened peace. On our continent, the appalling tragedy which is shaking the foundations of Nigeria, Dahomey's great neighbour, is causing us the gravest concern. It is Dahomey's earnest hope that there will be an early end to this distressing conflict and that the law of force give way to the voice of reason, leading to a solution that is fair and just to all the parties concerned and enabling Nigeria to regain that unity and cohesion which commanded our admiration and pride. It is high time that the sound of destructive weapons should be stilled and that millions of human beings should be saved from death, famine and hardships of all kinds. We urge this vital objective on our brothers, racked by this tragedy which troubles our conscience.

78. In Africa again, though many States have achieved full national sovereignty during the last few years, it is nevertheless shocking to note that there are still some bastions of anachronistic colonialism which flout with impunity the right of peoples to self-determination. In Angola, Mozambique, and in Guinea (Bissau), under the false pretext of pursuing a civilizing mission and of defending a certain civilization, the Lisbon Government is conducting a systematic policy of exploitation and oppression, denying the peoples of these regions their national identity.

79. In Southern Rhodesia, the racist government of Ian Smith, after unilaterally declaring independence, continues

to defy the international community. It is high time that the United Kingdom Government faced up to its responsibilities. Economic sanctions having failed lamentably through the complicity of certain States, it becomes necessary to resort to armed force. This is all the more obvious since the repeated efforts at negotiation made by the United Kingdom Government with a view to bringing the rebel régime in Rhodesia to its senses have invariably—and once more only recently—ended in failure, a fact from which a lesson should be drawn.

80. The Republic of South Africa, for its part, in spite of universal reprobation, pursues its criminal policy of *apartheid* and daily strengthens its apparatus for the subjugation of millions of Africans. The friends of Pretoria and those who, motivated by sordid interests, indulge in a pharisaical attitude, will bear a heavy responsibility in the eyes of future generations and of history for having fostered the bloody clashes which lie ahead. The racist minority in power at Pretoria is not content to govern within the boundaries of the Republic of South Africa. It extends its régime of oppression to the territory of Namibia, in flagrant violation of international principles. Despite the resolutions of the United Nations, South Africa continues to exercise its domination over Namibia and the international community looked on, powerless, astounded and dismayed, when Pretoria refused last March to allow the United Nations Council for Namibia to proceed to Windhoek. In this way, South Africa reaffirmed, once again and unequivocally, its unchanging policy of contempt for our Organization. Dahomey considers that it is high time for all Member States, big or small, strong or weak, to abide by the principles which constitute the foundation of our Organization and inspire its action, by respecting its decisions, if they wish to preserve the *raison d'être* and the moral authority of the United Nations.

81. Though Africa is at present the scene of the greatest tragedies of colonialism, certain problems of decolonization also arise in other parts of the world.

82. These last months of 1968 are an appropriate time to remind the international community of the fate of West New Guinea, or West Irian, whose future will be determined in 1969. The United Nations, in endorsing the 1962 Agreement between the Netherlands and Indonesia,¹⁶ guaranteed the right of the population freely to determine its own future in 1969. We hope that adequate steps will be taken in co-operation with the administering Power to ensure the strict application of the Agreement and an impartial consultation of the Papuan people during the coming year.

83. Despite the persistence of centres of tension, it is encouraging to note that our world is sometimes illuminated by a glimmer of hope. The Treaty on the Non-Proliferation of Nuclear Weapons [resolution 2373 (XXII)] which was adopted by the General Assembly last June and of which Dahomey is a signatory, is the culmination of two years work by the Eighteen-Nation Committee. While paying a tribute to that Committee, whose task was far

¹⁶ Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian), signed at United Nations Headquarters, New York, on 15 August 1962.

from easy, our concern for realism and objectivity compels us to recognize that this treaty represents a positive achievement, it is true, but one which is very limited. We shall not dwell on its inadequacies and limitations, which were amply stressed by the representative of Dahomey when this question was discussed in the First Committee [1568th meeting]. It is enough to recall, for example, that although the Treaty contains provisions aimed at restricting the number of States possessing nuclear weapons, one can search in vain for a provision prohibiting the present nuclear Powers from multiplying their own nuclear weapons. This is an important omission since the real danger lies in the constant build-up of nuclear stockpiles by the super-Powers. For this reason, Dahomey considers that renewed efforts must be made “towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament”, in accordance with General Assembly resolution 2028 (XX). These efforts should be specifically directed towards obtaining a precise and unequivocal undertaking from the countries possessing nuclear weapons to take concrete steps as soon as possible to bring about the cessation of the manufacture of nuclear weapons and the reduction and destruction of nuclear weapons and their delivery vehicles. This is, in our opinion, the minimum undertaking that can be demanded of the nuclear States in exchange for a formal undertaking by the non-nuclear States—and especially those which already have or will soon have nuclear capacity—not to acquire nuclear weapons.

84. The peace towards which all the efforts of the international community should be directed is closely connected with economic and social development and with the reduction, if not the elimination, of the tragic imbalance which is evident in this field.

85. Ever since the first session of the United Nations Conference on Trade and Development,¹⁷ it has been constantly repeated that the terms of trade are deteriorating dangerously. The upheavals in the world show us in every case that the excessive poverty of some represents a source of anxiety and perhaps even a threat to others. And yet do we not find that those who could make the necessary efforts are not always willing to do so with good grace?

86. Four years after the first United Nations Conference on Trade and Development, there was reason to hope that the meeting at New Delhi would open a new era. It did nothing of the sort. The third world was profoundly disappointed. But is it enough to denounce the selfishness of some and to bewail our misfortune? Of course, it is not. The time has come to draw the lesson from the meagre results achieved at New Delhi, results which were particularly disappointing since a certain number of studies were known to be sufficiently advanced to be the subject of sincere negotiations leading to concrete decisions.

87. In view of the generally unjustified fluctuations in commodity prices, the only effective safeguard would be to give priority to market organization and to the fixing of a minimum agricultural wage that would give some meaning to our farmers' efforts to increase production. We, for our

part, have consistently followed the advice so far given to us. It is obvious that the growth of our agricultural resources is not sufficient to enrich us. Whether we sell our raw materials or buy manufactured products, the prices are dictated to us in both cases, and invariably to our disadvantage.

88. For the third world, the Charter of Algiers¹⁸ represents a positive step. But we must undoubtedly go farther because what matters today is what the developing countries can do among themselves, although this does not mean that they should retreat into isolation.

89. The desire to associate bilateral and multilateral aid with our own efforts comes into the category of co-operation and mutual aid, not charity or begging. Bilateral and multilateral assistance should be proportional to the needs of each of us.

90. There are industrious peoples living in hostile natural environments where the soil is arid and poor. If the aid offered to them were to be commensurate with wealth and not needs, there would certainly be little chance of the gap between rich and poor disappearing.

91. The effort which will be required tomorrow of the rich nations will inevitably be greater than the effort which they could freely make today. This is so true, that instead of the figure of 1 per cent *per annum* of national income mentioned at the end of the Geneva meeting, it is now 1 per cent of the gross national product which they should devote to aid to the under-developed countries.

92. From 1961 to 1966, aid to the developing countries remained stationary while the gross national product of the rich countries increased by nearly 300,000 million dollars.

93. This ratio speaks for itself. It continues to trouble the consciences of some because, although the search for a reasonable balance is primarily an economic question, it undoubtedly has moral implications.

94. After the slow and patient search for solutions and after the disappointment of most of its hopes, does nothing but anguish lie ahead for the third world? It is not my intention to paint a sombre picture of apocalyptic catastrophes. There is still time for us to save each other. Yes, war with the new and powerful means of destruction placed at its disposal is, to a large extent, the source of misery in the world. And yet, paradoxical as it is, enormous sums are being devoted year after year to that which engenders hatred and misery, while at the same time there is a refusal to do the minimum required to provide a little more happiness for those who need it. In this connexion, the idea of “One day of war for peace” put forward by an eminent man [agenda item 92—see document A/7183 and Add.1] merits our attention because of its symbolic value. By putting a brake on the frightening arms race, the international community could concentrate on more constructive tasks such as the joint exploitation of the resources of the seas and oceans for the development of the third world.

¹⁷ The first session took place at Geneva from 23 March to 16 June 1964.

¹⁸ Charter adopted by the Ministerial Meeting of the Group of Seventy-seven Developing Countries, held from 10 to 25 October 1967.

For the wealthy nations, it is a question of consenting to help the less well-endowed nations to create the conditions that are essential to the full development of mankind. For all nations, it is a question of resolutely committing themselves to undertake, here and now, the inspiring task of our century: the creation of a world from which despair and misery have been banished forever.

95. Before concluding, we should like once more to pay a well-deserved tribute to U Thant, our Secretary-General, for his untiring efforts in the service of the international community for the building and safeguarding of peace, and also to reaffirm Dahomey's attachment to the United Nations, to its ideals and to the purposes contained in its Charter. Dahomey is determined, as in the past, and especially in this International Year for Human Rights to join its efforts, to the full extent of its resources with those of other Member States not only to ensure the success of the work of the present session, but also to bring a little more peace, justice and solidarity to the world.

96. Mr. BIŠTA (Nepal): Before I proceed with the statement of my delegation, I should like to convey to the President and through him to the representatives here the greetings and good wishes of my august Sovereign, His Majesty King Mahendra Bir Bikram Shah Deva, for the success of the twenty-third session of the General Assembly.

97. My delegation is happy to find an illustrious representative of a Central American republic as President of the Assembly at the present session. In his election, not only the common aspirations of the developing countries are represented, but the basic principle of the Charter—that of the sovereign equality of States—is also reflected. Under his capable guidance we are assured of the successful outcome of the present session. Through him, I wish to salute the brotherly countries of Central and Latin America.

98. If the election of the Foreign Minister of Romania, His Excellency Mr. Manescu, as President of the Assembly at its twenty-second session, symbolized a general relaxation of East-West tension, his Presidency must be credited with ably contributing to closer understanding between the East and the West. The successful endorsement of the Treaty on the Non-Proliferation of Nuclear Weapons [*see resolution 2373 (XXII)*], under the Presidency of His Excellency Mr. Manescu, has further manifested his capacity to build bridges between diverse interests.

99. My delegation wishes to extend its hearty welcome to Swaziland, the newest Member in this comity of nations. We hope that the parts of Africa still under crude colonial domination will also attain freedom and independence and will join us as common partners in international brotherhood and understanding. With the granting of independence to Swaziland, the British colonial era in Africa has almost come to a close. I wish to pay a tribute to the statesmanship of the British Government for withdrawing gracefully from its colonial possessions.

100. We are fortunate to have in U Thant, our Secretary-General, a great conscientious servant of peace, and I take this opportunity to express our sincere good wishes for the success of his endeavour for world peace.

101. My country has a deep and profound faith in the ideals of the United Nations. An unequivocal affirmation of this before the General Assembly has come from no less a person than my august Sovereign, His Majesty King Mahendra Bir Bikram Shah Deva, who was invited to address this world body on 6 November last year [*1595th meeting*]. In today's world, which is full of heavy stresses and strains, we feel the best and only way for the small and developing countries to ensure their independence and security against the might of an aggressor is through the collective efforts of this Organization. The United Nations, ever since its birth, has been successful in averting the development into full-scale war of many armed conflicts in different parts of the world, including Korea, Kashmir, Cyprus and the Middle East. This indeed is no small measure of success for the United Nations, for which our generation owes it deep gratitude. But for the vigilance of this world body, the developing countries of the world would not have had the time and resources, however inadequate, so essential for their development.

102. It is for this reason that we have pledged our support to the United Nations and want to see it gain greater strength and universality. Nepal not only has faithfully carried out the decisions of the United Nations on various issues but also has been fulfilling all its obligations towards the Organization. And now, imbued with a desire to serve the Organization still more actively, it has decided to seek election to the Security Council this year. While that decision of my country signifies the deep faith it has in the ideals and the effectiveness of the United Nations, it also indicates our willingness to work honestly for the Organization's success. I am happy to note that our sincerity and devotion to the ideals of the United Nations has been appreciated by a large number of countries from Asia and other continents.

103. Despite great protestations by the peace-loving peoples all the world over, the tragic war in Viet-Nam is still continuing. That war, which has taken a heavy toll of human lives and contributed to the mounting of tension in the world, is an example of how big-Power interests bear hard on a small and poor country even to the extent of dividing it against the will of its people, subjecting them to untold misery and great sufferings. This has naturally caused the greatest concern among all peace-loving peoples everywhere, and particularly in our continent.

104. It is indeed very unfortunate that that war, which is a burden on the conscience of humanity, should continue so long, despite the United Nations, which symbolizes the common desire of mankind to live in peace. Dedicated servant of peace that he is, the Secretary-General has taken the initiative and suggested certain reasonable measures for the cessation of hostilities in Viet-Nam. The suggestions of the Secretary-General are practical and they have our support.

105. His Majesty's Government of Nepal holds that any solution to the Viet-Nam crisis, in order to be lasting, must take into consideration the desire of the Viet-Nameese people. The Viet-Nameese people have an inalienable right to independence and sovereignty. It is their right to live in peace and unity; this must be scrupulously respected by all.

106. The Geneva Agreement of 1954 has a judicious basis in that it accepts the right of the Viet-Nameese people to

unite and live as a sovereign independent nation. Besides, it looks at the problem from a political angle, in contrast to the military angle, and seeks to solve it politically. His Majesty's Government therefore believes that it is still possible to find a political solution to the Viet-Nameese crisis on the basis of the Geneva Agreement.

107. The Paris peace talks, which started this summer, once again kindled the hope that the Viet-Nam tragedy might once and for all be solved. The peace talks are still going on and are becoming protracted; so far they have failed to produce any constructive result. His Majesty's Government welcomes any move which seeks to solve the problem anywhere except on the battlefield and has therefore welcomed the Paris talks too. But, first of all, in our opinion, there must be a complete cessation of the bombing of North Viet-Nam in order to create a suitable atmosphere for any meaningful negotiation.

108. While the tragedy of Viet-Nam continues in the face of world opinion, a new element of great tension was only recently introduced in Czechoslovakia. The Czechoslovakian régime seemed to be adjusting itself to the new changes in the society which had been brought about by years of socialist construction. Just at that time, very suddenly, Soviet troops as well as the troops of four other socialist countries crossed the frontier and entered Czechoslovakia. Naturally there was great concern and anxiety all over the world. It seemed that the clock had been moved backward. When the Czechoslovak and Soviet leaders met in Moscow to arrive at an understanding we all waited with bated breath. The Czechoslovak people have won the admiration of all by their unity and discipline. His Majesty's Government hopes that, as a result of the talks between the Soviet Union and Czechoslovakia, and further talks if necessary, the Czechoslovak and Soviet leaders will so develop their understanding as to arrive at a mutually acceptable solution which would permit the Czech people to conduct themselves according to their own wishes.

109. The eruption of armed conflict between the Arab States and Israel in the Middle East in June 1967 came as a great shock to the world. Fortunately the armed conflict has stopped, thanks to the timely steps taken by the United Nations. But the root causes of the conflict are far from removed. Arab-Israel hostility is based on their long-established and rigidly held views about each other, backed by strong emotions. This has been further aggravated by the interests of the super-Powers. While the United Nations efforts for peace-keeping in the area were able to maintain an uneasy truce in the past, there has been no positive development towards ending the permanent state of belligerency and creating a basis for a stable peace in the area.

110. Although it is easy to understand the difficult problem of survival faced by Israel, refusal to withdraw its armed forces from the occupied Arab territories cannot be justified. Territorial gains by military conquest, in any circumstances whatsoever, are contrary to the objectives of the United Nations Charter and the norms of international behaviour. It is therefore necessary that Israel should withdraw all its armed forces from Arab territories, including the old city of Jerusalem, occupied by it during the last armed conflict, as a first step towards an accepted solution.

111. His Majesty's Government of Nepal understands the sentiments of the Arab States, as it understands the difficulties of Israel for survival. But it is high time that both sides cast off their old prejudices and suspicions and recognized the truth that Israel exists and that no peace is possible unless Israel withdraws its forces from Arab territory. In the improved circumstances, the Secretary-General's Special Representative can play a more useful role for fulfilment of his mission. His Majesty's Government has lent its full support to Security Council resolution 242 (1967) of 22 November last year, which provides a most sensible basis for a lasting political solution of the question of the Middle East.

112. While talking of the role of the United Nations in the Middle East crisis, our attention is drawn to the problems of the United Nations peace-keeping operations. It is true that the activities of the United Nations which are generally described as peace-keeping operations are only attempts to prevent a particular situation from deteriorating further by maintaining a truce and supervising cease-fire arrangements. They are not an attempt to provide a permanent solution to the problem. Nevertheless, they are very useful activities. So long as there are uneasy truces in different parts of the world, the usefulness of the peace-keeping activities cannot be questioned. On the contrary, we believe that, in the absence of total elimination of the possibility of conflicts between countries—an objective whose achievement is rather doubtful in the present circumstance—inability on the part of the United Nations to conduct its peace-keeping operations, for any reason whatsoever, will take away the effectiveness of the world body and it will not inspire the same degree of confidence from the smaller nations it has been inspiring up till now. It is very unfortunate that the political and constitutional aspects of the peace-keeping question are still far from resolved. It is our earnest hope that a better appreciation of this question by all Members, especially the super-Powers, will ultimately provide a solution and save the United Nations from its present crisis.

113. His Majesty's Government has, from the very beginning, been firmly and consistently giving its most emphatic support to the banning and complete liquidation of the weapons of mass annihilation and to general and complete disarmament. We have been doing so for idealistic as well as practical reasons. When the 1963 partial nuclear test-ban Treaty and the agreement not to launch objects of mass destruction into outer space [*see resolution 1884 (XVIII)*] were arrived at a few years ago, Nepal welcomed those steps as helpful for the achievement of the final goal of disarmament.

114. One of the most significant achievements of the United Nations this year has been the signing of the Treaty on the Non-Proliferation of Nuclear Weapons, which has closed the door of the nuclear club to new entrants and put a ban on nuclear proliferation. The Eighteen-Nation Committee on Disarmament, and especially its two co-Chairmen, the United States of America and the Union of Soviet Socialist Republics, deserve special tribute for their work.

115. I am happy to say that Nepal was one of the several countries which signed the Treaty on the very day it was opened for signature. We commend the Treaty for its noble,

though limited objectives, as well as for its happy augury for peaceful co-operation between the super-Powers. This kind of peaceful co-operation between the super-Powers is a good sign for the future. His Majesty's Government has completed arrangements for the ratification of the Treaty, and we urge signatory States, particularly the nuclear Powers that took a lead in the conclusion of the Treaty, to ratify it at an early date.

116. The Treaty, as I have said, is inspired by a very noble ideal but, probably for realistic and practical considerations, it could not have more than a limited objective which falls short of complete and general disarmament. It may be pointed out that, while the Treaty does rule out an increase in the numerical strength of the nuclear-weapon States, it does not prohibit production and stockpiling of nuclear armaments by the nuclear-weapon States. It is therefore generally feared that it does not provide for a matching balance of mutual obligations and responsibilities between the nuclear-weapon States and the non-nuclear States. However, limited measures of disarmament such as this Treaty are desirable, because further proliferation of nuclear weapons is not conducive to national and international security. Non-proliferation should have actually started with those who possess nuclear weapons, rather than with others. But, showing great concern for peace, the vast majority of non-nuclear-weapon States, in the present case, have agreed on non-proliferation. This has, in our opinion, placed the nuclear Powers under a moral obligation to adopt more positive measures towards disarmament.

117. In our opinion, as the Treaty has vested the nuclear countries with special power by recognizing their sole right to remain nuclear, it is for them to do something in order to allay the fear of non-nuclear-weapon States about the lack of matching obligations. In this respect, his Majesty's Government does not view with favour a security guarantee by the nuclear-weapon States as this, in stead of paving the way for nuclear disarmament, presupposes the continuous protection by the nuclear Powers with the same nuclear weapons which we wish to see totally destroyed. His Majesty's Government, therefore, sincerely urges the nuclear Powers and other members of the Eighteen-Nation Committee on Disarmament to work out further measures of arms control and disarmament leading to the final goal of complete disarmament, both nuclear and conventional. In this respect they will be well-advised to give their most serious consideration to the recommendations of the recent Conference of Non-Nuclear-Weapon States [A/7277]. We should also like to emphasize here the particular significance of the development of nuclear energy for peaceful purposes and international co-operation in this field and pay tribute to the work done by the International Atomic Energy Agency.

118. His Majesty's Government has welcomed the recent agreement reached between the United States and the Soviet Union on an exchange of views regarding limitation and reduction of strategic nuclear weapon delivery vehicles, both offensive and defensive, including anti-missile weapons. While we eagerly await the beginning of such talks, we welcome the memorandum of the Soviet Union concerning urgent measures to stop the arms race and achieve disarmament, which in our view merits serious consideration by the present session. The agenda item entitled "One

day of war for peace", proposed by Cambodia, Gabon and Madagascar, would, in our opinion, provide an opportunity for useful discussion concerning the slowing down of expenditures on armaments.

119. My delegation is of the strong conviction that no question affecting war and peace in general can be solved without the active participation of the People's Republic of China in the United Nations. China, the most populous country in the world, is not only an ancient nation which has contributed much to human civilization and knowledge, but also a modern nation which has achieved tremendous progress in every walk of life and established itself as a nuclear Power. To refuse to recognize the existence of China is to refuse to see reason, and that is exactly what a section of the membership of the United Nations has in effect been doing, blatantly and deliberately, ever since the People's Republic of China came to be established as the lawful Government of the land nearly two decades ago. Such an attitude of intransigence has certainly done more harm than good to the cause of peace.

120. Nepal has a profound faith in the Charter as well as in the system of the United Nations and nothing gives it more satisfaction than that it be given more strength and universality. It is with this desire as well as with the desire to see the wrong done to a close and friendly neighbour duly redressed that my delegation has been consistently supporting the restoration of the lawful rights of the People's Republic of China in the United Nations.

121. My delegation earnestly desires that countries like Germany, Korea and Viet-Nam, which are divided against their will, should have the right to live in unity and peace without outside interference. The sooner these nations take their rightful places in the United Nations, the better it will be for the United Nations, for them and for the rest of the world.

122. The policy of racial discrimination and segregation pursued by the Government of South Africa is still continuing, to the great chagrin of the civilized world. My delegation strongly believes that this policy of racial segregation, *apartheid* as it is called, is a relic of primitive barbarism and is in gross violation of human rights, fundamental freedoms and all that the United Nations Charter stands for.

123. The South African Government, in utter defiance of world opinion, is now, moreover, trying to fortify itself further through unholy alliances with other reactionary forces in the world. The United Nations resolutions urging a trade boycott have not been effective either, as they have failed to receive a full response from the major trading partners of the Republic of South Africa. My delegation would like to urge the permanent members of the Security Council and the main trading partners of the Republic of South Africa to take sterner measures to force the racist minority Government in Pretoria to give up this wicked policy.

124. South Africa's continued occupation of the territory of Namibia is a further affront to the United Nations. The United Nations Council for Namibia has our full support, but it is our belief that, in order for it to be able to

discharge its function in accordance with the relevant General Assembly resolutions, it should receive the co-operation of the permanent members of the Security Council which, unfortunately, has been lacking till now. It is in the interest of peace that these Powers should lend their support because we must not overlook the risk of violent racial conflict in southern Africa over the question of Namibia.

125. My delegation also supports strongly the right of the people of Southern Rhodesia to democratic government based on the principle of "one man, one vote". We hope that the United Kingdom, which, as the administering Power, has a moral responsibility for the African majority, and the other big Powers will willingly co-operate for the effective implementation of the mandatory sanctions imposed by the Security Council against the illegal white minority régime established in open defiance of the administering Power and in utter disregard of the wishes of the African majority in Southern Rhodesia.

126. Another source of grave international anxiety is the continued presence of colonialism in certain other parts of the world. A large number of people are still suffering under the ruthless exploitation of the colonial Powers, whose repressive and retrogressive policies are incompatible with the United Nations Charter and the Universal Declaration of Human Rights. The worst type of colonialism is practised by Portugal in such African territories as Mozambique, Angola and so-called Portuguese Guinea. The denial of the fundamental right of freedom and self-rule to those colonial people is also an impediment to world peace and co-operation.

127. The world today stands sharply divided not only politically and ideologically, but also economically. My delegation is of the opinion that economic disparity is the cause rather than the effect of political and ideological differences and therefore is a matter of greater concern. The United Nations, working through its different organs, specialized agencies and organizations, has been able to bring about a growing awareness among Member States that their individual efforts to eradicate poverty, ignorance and disease from their respective territories are but parts of a world-wide concerted move to put up a strong fight against these evils. Although there is now a realization of the intensity and magnitude of the problem, actually only a little progress has been made in the direction of finding a solution to the problem. The economic gap between the developed and the developing countries far from being abridged, is becoming wider and wider. Nepal, being among the least developed of the developing countries, is also painfully aware of the ever-increasing economic disparity among the developing countries themselves which are at various stages of development.

128. The target for development set for the United Nations Development Decade is still far from being achieved although the Decade itself is nearing an end. Most of the developing countries have failed to register the minimum 5 per cent growth in their economies which was the target for the Development Decade. This failure can be attributed mainly to a slower flow of international financial resources.

129. In the field of international trade, it is vitally important for the developing countries that the prices of

and demand for primary commodities are stabilized and that a liberal policy is followed with regard to the free flow of manufactured goods from the developing to the developed countries. This and other related problems of commodity trade and preferences were discussed at length at the Second Session held in New Delhi this year. The outcome of the conference, however, was seriously compromised on account of the differences between the developed and the developing countries as well as among the developing countries themselves.

130. For Nepal and many other countries, being land-locked is a permanent handicap to development. The 1965 Convention on Transit Trade of Land-Locked Countries, which was approved by the United Nations Conference on Transit Trade of Land-Locked Countries,¹⁹ recognizes the right of land-locked countries to free and unrestricted transit of goods to and from third countries through the territory of a coastal State. This convention, after having being ratified by the requisite number of States, came into force as of June 1967. It is, however, yet to be ratified by certain States. Nepal strongly believes that it is in the common interest of both the developing and the developed countries that prosperity be equally shared by all. For this, a new liberal framework for trade and international assistance has got to be created. In this context, whereas it is necessary that the developed countries show a reasonable degree of accommodation and understanding towards the developing countries, it is equally important that the latter also do the same in respect of the least developed among themselves.

131. I have briefly dealt with the main problems facing the world today. In the field of international relations, Nepal pursues a policy of non-alignment and peaceful co-existence. Our outlook and attitudes towards these problems are mainly governed by these principles, which we have adopted not because of any considerations of expediency but because they constitute an article of faith for us. Similarly, we have deep confidence in the principles and purposes of the United Nations Charter. It is our strong conviction that the future of mankind can be secure only through the concerted and unified efforts of all in the United Nations. Let us all unite in this objective and co-operate with each other to make the United Nations an effective instrument of peace and world prosperity.

132. Mr. KYPRIANOU (Cyprus): It is with particular pleasure that I would like to extend to my colleague, the Foreign Minister of Guatemala, the sincere congratulations of my delegation on his election to the Presidency of the General Assembly at its twenty-third session. It is a particular pleasure not only because of the friendship between his country and my own, although geographically so distant from each other, but also because, in his person, the people of Cyprus, when under foreign rule and during difficult times, found a great and true friend, whom they shall always remember and consider as such. We fully share, therefore, the joy of his country at this great honour which has deservedly been bestowed upon him. We are confident that he will discharge the duties of his high office and perform the task entrusted to him successfully, with the ability and the wisdom and the experience which he possesses.

¹⁹ Held in New York from 7 June to 8 July 1965.

133. It would be remiss of me not to join with the other colleagues who have preceded me to this rostrum in expressing our deep appreciation to the outgoing President, the Foreign Minister of Romania, Mr. Manescu, for the exemplary manner in which he carried out his extremely difficult task in most complicated and delicate circumstances and at a time when frustration, disappointment and fear in the world had reached an agonizing degree.

134. But if the outgoing President was presiding over this Assembly in the circumstances that I have indicated, it is regrettably equally true that our new President has now been called upon to preside over this year's session in even graver conditions, and at a time which appears to be most crucial in so far as the future of the United Nations and the fate of mankind are concerned. This, I believe, is no exaggeration. We have reached the point when not only do we not see our expectations and hopes on the way to final fulfilment—as we so strongly complained in years past—but we are now faced with a gloomy outlook for the future unless the present trend of developments in the international situation are not only checked but, indeed, reversed. This is not a time for romanticism, or for perfectionism, or to being content with beautifully worded declarations or the mere reiteration of our principles and our hopes. It is not enough to identify and to speak of the causes. We must react positively and in a decisive manner if we are to reverse the present trend of developments.

135. Previous general debates were marked by the apprehension of existing dangers and by a varied degree of frustration and disappointment at the inability of the United Nations, due not to any fault of its own but to the failures of its Members, individually and collectively, to make enough progress towards solving the various international problems, or towards fulfilling the requirements of the Charter, thus realizing the expectations and aspirations of mankind.

136. This year it is not merely apprehension of existing dangers, and it is not merely frustration and disappointment; it cannot be merely the registering of fears. The fact is that all of us, whether we say so in the same words or not, clearly see the grim, indeed horrifying, prospects if the situation which we are in the process of examining and assessing is not effectively changed. This is not pessimism. It is realism. It is the need for positive action and correction. We cannot pretend that we do not see the realities. We cannot afford to be misled any more by wishful thinking in believing that none of the existing situations can lead to a wide-scale conflict. Let us also remember that wars and disasters have never been the outcome of logic and reason, but often of miscalculation and of the failure to recognize and accept the realities and therefore control the developments. We surely cannot but realize in which direction we are being led by events. The time has come when we must strive sincerely for peace not by mere words; we must give content to our words by faithful action. There does not seem to be any alternative, and if any optimism is at all justified it can be seen only in the light of this hard fact. We must all give content to our words by faithful action. This is especially true of the great Powers, whose responsibility, individual and collective, is indeed very grave. They are literally in a position to cause the destruction of the world or to avert it. They now

possess the means and the power to achieve the one or the other.

137. The super-Powers are on the way to the conquest of space, as we are so aptly being reminded in the course of these very days by the magnificent achievement of the American astronauts, to whom we take the opportunity to extend our congratulations and our admiration. The super-Powers have made great progress in achieving great means for destruction; the super-Powers have made great progress in achieving means for greater progress. But do the great Powers not realize that peace on the earth is sliding out of their hands, from our hands, from the hands of the United Nations? The effectiveness of the United Nations cannot be very great unless the great Powers lend, in a sincere and constructive manner, their support to it. But this is also true of the small countries, whose collective role can still be very important. The small countries must not only faithfully discharge their own share of the responsibility but also must react more vigorously; they must keep reminding the great Powers in the most convincing manner that peace cannot be achieved and maintained through the division of the world into spheres of influence or by the great Powers giving their own arbitrary and subjective interpretation, as their own interests may require, to the principles of the Charter and of international law which, when we meet in this Assembly every year, we all appear to understand in theory in the same spirit and meaning.

138. It is an implicit purpose of the general debates to refer to the various aspects of the developments in the world: political, economic, social, technical and legal. It is customary to speak of the achievements of the year under review and to point out the fields in which no progress has been made and why, and to submit our views as to how to proceed further. It has been the practice for every one of us to review the outstanding political problems and a number of other issues, political or non-political, relating to the activities of the United Nations. On this occasion I shall not elaborate on all the issues, but I shall endeavour to lay the necessary emphasis, as I am sure we all see it, on the priorities which so overwhelmingly require our attention at the present moment.

139. Without minimizing in any way the significance of the various achievements, and especially those of the United Nations, in the different fields of its activity in the areas of economic, social, humanitarian and technical development; without in any way wishing to underestimate the partial though important progress which has been made in the field of disarmament, or the limited progress in regard to the process of decolonization, the slowness of which, on the other hand, cannot escape our attention, a fact which we are obliged to record while welcoming Mauritius and Swaziland to the family of independent States; without pretending to forget what has been stressed every year consistently and repeatedly relating to the necessity for creating better social and economic conditions throughout the world, another significant element in the effort for consolidating peace; without in any way porporting to give the impression that our aims for the universal application of human rights has reached a satisfactory stage—which in fact it has not, as we are obliged to record in this International Year for Human Rights—and which is yet another important aspect in so far as the

consolidation of peace is concerned; without intending to belittle any of the efforts which are being pursued in connexion with the outstanding political problems in various parts of the world—and in some cases there has been some improvement; without underestimating any of these developments and aspects, I feel that it would be out of all proportion and unrealistic if we were to over-emphasize the achievements and the efforts towards consolidating world peace at this particular juncture when the very foundation upon which we have been endeavouring to build and consolidate appears to have reached the point of near collapse. Let us all admit it with courage, if we are to find the strength to do something positive about it. Every effort and every achievement is praiseworthy, but if these are to prove really useful, it will be only when the probabilities of a major disaster disappear.

140. The Secretary-General, in his introduction to the annual report on the work of the United Nations [A/7201/Add.1], gives a very clear picture of the present international situation. My delegation fully endorses his observations and his conclusions. His comments, made with his usual objectivity and wisdom, should be utilized by all, in the way that they deserve, and should guide us in our deliberations. A glance at the map of the world would suffice to convince us of the reality, of the hard fact, which is that we are on the wrong path. On every continent and in every region there are volcanoes threatening to erupt and lead the world to a major disaster. We spoke of the major ones during last year's debate, and their ferocity has not diminished in any appreciable degree.

141. The war in Viet-Nam still goes on and the deplorable loss of human life continues, whereas no significant progress, if any—at least up to this moment—appears to have been made in the Paris talks which started a few months ago between the United States and North Viet-Nam and which at the time gave rise to so many hopes. Is there any doubt in the mind of anyone that the continuation of this war might lead to a wider conflict, with unforeseen consequences? Is it beyond the imagination of statesmen to find ways and means to end this war and its human carnage and establish a common ground for a peaceful solution? A military victory is no longer an achievable goal but, even if it were, it would be meaningless when measured against the loss and the damage to both sides, in human and political terms.

142. On the other hand, the speedy termination of this crisis will serve the primary purpose of the moment, that of removing the probabilities of a major disaster. Any initiative and any action of a bilateral or unilateral nature, such as the total cessation of the bombings or any other step or steps towards de-escalation, is worth while in the search for the road to a peaceful way out. In this connexion the views expressed repeatedly by the Secretary-General are, in our opinion, both realistic and constructive. The war must end as quickly as humanly possible. The talks in Paris provide the opportunity for progress in the right direction, and there is a widely acceptable basis upon which to work, namely the Geneva Agreements.

143. The situation in the Middle East also appears dangerously unchanged, despite the efforts of the United Nations and in particular resolution 242 (1967) of the

Security Council, of 22 November 1967, which, in the view of many provided in the circumstances a framework for a peaceful solution; and despite the persistent endeavours of the Special Representative of the Secretary-General, Mr. Jarring, to assist in the implementation of that resolution. No one underestimates the difficulties and the complexities involved, and it is obvious that Mr. Jarring is in need of more decisive support in carrying out his task. And he must have the support. We feel that Mr. Jarring must be constructively and genuinely assisted to find a formula for the implementation of the Security Council resolution.

144. The underlying issues of the Middle East situation are well known to us all; so are the views of each one of us. What is now important is for all to help towards a peaceful settlement. None can, directly or indirectly, condone for any purpose whatsoever the retention of the territories occupied as a result of the war. This is a clearly established principle, from which there can be no departure in any circumstances. Withdrawal is the first and foremost requirement. True the resolution contains a number of other elements. It is hoped that the diplomatic activities which are currently going on in the United Nations will prove to be constructive in assisting Mr. Jarring to reach workable conclusions as to the implementation of that resolution. A peaceful way out must be found. For what realistic alternative is there? Continued injustice, continued conflict, the perpetuation of humanitarian problems, and the constant possibility of a new explosion which might lead to a major disaster? It is the imperative duty of all to avert that.

145. In Asia there are still a number of other sources of danger in addition to Viet-Nam. They have not disappeared; they have been merely overshadowed by the magnitude of the Viet-Nam war—perhaps temporarily—but they should also not be forgotten and we should not be led to believe that they do not present a threat to peace any longer.

146. In Africa, the civil war in Nigeria still goes on, and that unfortunate country is still suffering from the effects of that war. While the humanitarian aspects of the situation require immediate attention, a political solution to the problem, in a spirit of conciliation and within the framework of unity, cannot be further delayed.

147. In the same continent, the process of decolonization has not been completed, despite all the inherent dangers that this may involve, due to the stubbornness of the colonial Powers, as well as to our collective inability to act effectively. The same is true of the practice of racial discrimination and *apartheid*, which still continues to be exercised in the most inhuman manner in one form or another in certain parts of the African continent—in South Africa, in Namibia, and in Southern Rhodesia, where also the situation does not give rise to any hope, as was clearly established at the fruitless meeting in Gibraltar last week.

148. Is it beyond the strength of world conscience, represented in and by the United Nations, to deal effectively with these issues which, in addition to being morally and politically objectionable, may one day also lead to a major disaster?

149. The European situation is potentially one of the most dangerous and its repercussions are felt automatically

throughout the entire world. It has recently worsened seriously and has once again threatened international peace and security. It is not easy to forget that the two world wars were started in Europe. The political and ideological division in Europe has been in itself a permanent source of danger to peace. The continued division of Germany and the question of Berlin were, in themselves, sources of danger to world peace. But in Europe, in the course of the past few months, we have witnessed a new event extremely grave in itself, the consequences of which—and I should like to emphasize this—cannot, in my humble submission, yet be determined.

150. Last year we all spoke in this Assembly of the *détente* which appeared to be gaining momentum in Europe, and we all expressed the hope that that was the beginning of a new and happier chapter in the common effort towards consolidating world peace. Now, in Europe, this effort has received a very painful blow. It has been said that the invasion of Czechoslovakia and the occupation of that country was a family affair. But we thought that, in so far as war and peace were concerned, and in so far as the universality of the principles of non-intervention and sovereign equality were concerned, there was only one family; and that was the United Nations. When the item on non-intervention was discussed and the relevant resolution [2131 (XX)] adopted by the General Assembly three years ago it was stressed that all Members of the United Nations were equal and that any intervention or interference for whatever reason in the internal affairs of any State was absolutely prohibited. No distinctions were made and no spheres of influence were ever recognized in this respect. Are we now to look for exceptions to this basic principle, which we have all construed in the same way and adopted unanimously without any dissenting voice?

151. In my initial remarks I referred to the responsibilities of the great Powers. We have to be realistic. The United Nations can be effective on its own in a number of respects. But in certain vital respects the United Nations can be rendered a helpless body if the great Powers collectively, and even severally, decide to ignore its existence. The great Powers have, therefore, the means to provide the United Nations with the possibilities for success. They can do so by redressing, in the first place—and this is what we are expecting in the case of Czechoslovakia—the situations arising from their own faults and failures.

152. As I said earlier, my emphasizing of the major conflicts which threaten world peace today was for the purpose of giving a true picture in perspective, as we see it, of the present international situation. It was not my intention to give the impression that none of the other aspects is important enough. It was not my intention to ignore some good, or comparatively good, or encouraging aspects and positive developments, nor to minimize the significance of other outstanding issues, to which I have either made only a brief reference or not referred at all.

153. Although I do not wish to deviate from what I have said, I feel that it may be expected of me to report to the Assembly very briefly on the current situation in Cyprus.

154. Conditions in the island have, in the course of the past nine months, improved considerably. The situation is

not as yet, of course, completely normal; there are still a number of anomalies; there are still a number of problems to solve and difficulties to overcome; but it would be incorrect not to record the fact that important progress towards normalization has been achieved as a result of my Government's unilateral initiatives.

155. In this connexion, it is my pleasant duty once again to express our appreciation of the contribution of the United Nations Peace-keeping Force and to praise the efforts of the Special Representative of the Secretary-General in Cyprus, Mr. Osorio-Tafall, and of the Commander of the Force, General Martola, who, under the wise guidance of the Secretary-General and with the valuable assistance of his collaborators in the Secretariat, have been striving continuously to contribute to the efforts towards normalization. I wish also to express our sincere thanks to all the countries participating in the United Nations Force and to all those which have been financing this operation.

156. It is the policy of my Government to continue to do its utmost for the preservation of peace and for the restoration of complete normality. Some positive response is still expected from the other side.

157. In so far as the substance of the Cyprus problem is concerned, new developments have occurred since I last reported to Members at the twenty-second session of the General Assembly. Pursuant to the Secretary-General's good offices and initiatives, talks started in June last between the two sides on the island. These talks are now in progress and it would therefore be unwise to go into any detail at this stage. It must be stressed, however, that the mere fact that these talks are taking place is in itself a positive and constructive development. It would not be realistic to underestimate the difficulties, but if goodwill and reason prevail, this effort may succeed. We have done our best to encourage the effort.

158. The Cyprus problem is well known to this Assembly; so are the underlying issues. It would, at the present moment, suffice to say that the Charter of the United Nations and its resolutions are well in our minds. We have the ambition to prove that the United Nations can be effective in its contribution to the solution of this and other problems. In our effort to solve the Cyprus problem, we have been trying to utilize to the maximum possible degree the machinery and the authority of the United Nations, in which we have placed our trust. We hope that, with the assistance of the United Nations, and in conformity with its Charter and its resolutions, we shall be able, in the not very distant future, to achieve a peaceful solution to the Cyprus problem and thus make a significant contribution to the cause of peace, to the cause of the United Nations.

159. That brings me to my conclusion. There is only one way for the United Nations to succeed. It is only when we all decide to accept it as our collective instrument and organ for the preservation of peace and the solution of our problems, and not merely as a rostrum from which we can air our grievances and propagate our policies and points of view; it is only when we all decide to respect and adhere to its Charter and its resolutions, and not merely pay lip service to them; it is only then that the hopes and

expectations of humanity, which have been placed in the United Nations, will be realized and fulfilled. We all have our share of responsibility, both the great and the small; but the great Powers have the major share of this responsibility. If they fail to discharge it, it will also be to their own detriment in the final analysis, and the time has come when all should realize and acknowledge this fact. The world and the United Nations expect a unanimous and positive response to this call; for, above short-sighted interests or ideological differences or so-called spheres of influence or other considerations mostly negative or doubtful in value, lies one objective: peace in freedom and justice.

160. Mr. ARGWINGS-KODHEK (Kenya): Allow me at the outset to convey to Mr. Arenales my congratulations and those of my delegation on his election to the presidency of the General Assembly at its twenty-third session. My delegation is confident that, under his wise guidance and able leadership, our deliberations will bear fruit and make a significant contribution towards the attainment of the ideals of the United Nations Charter. He may rest assured of my delegation's support and co-operation in his difficult task.

161. I have also the very pleasant duty of conveying a message from the President of Kenya, Mr. Jomo Kenyatta, who has sent his good wishes for the success of the deliberations of the twenty-third session of the General Assembly.

162. I should like also to express my delegation's sincere appreciation and admiration for the outgoing President, Mr. Manescu of Romania. He is a personality of proven ability and stature, and the skilful way in which he guided the deliberations of the twenty-second session of the General Assembly contributed considerably to the achievements of the United Nations.

163. When my predecessor addressed this body last year [*1570th meeting*], he observed that the General Assembly was meeting at a time when explosive issues were posing a serious threat to international peace and security. It is a sad commentary on our contemporary diplomacy that we have not since then made much progress in easing international tension. In certain respects we have actually lost ground. Nations are still fighting each other today. The disparity between the rich and the poor is as wide as ever. The concepts of conquest and occupation have revived. In spite of all the efforts of the United Nations, the most wanton and shameless violations of fundamental human rights continue to be systematically practised.

164. Let me illustrate what I mean and begin with the problems confronting the African continent. Our thoughts turn more specifically to the position of our brothers who are waging a heroic and fierce struggle for the total liberation of our continent. Africa is now menaced by growing anti-African forces, planning to annex the southern part of the continent. Millions of our brothers still live under white, colonial, racist régimes in South Africa, Namibia, Angola, Mozambique, Rhodesia and so-called Portuguese Guinea. These racist régimes have paid scant attention to human dignity and basic rights of man and have persistently defied international public opinion and

the numerous resolutions of the United Nations. These régimes have now formed themselves into a Lisbon-Pretoria-Salisbury axis, to suppress freedom and human dignity in Africa.

165. Credit should, of course, be given where it is due. I should, therefore, like at this point to record Kenya's appreciation of the granting of independence by Spain to Equatorial Guinea, although I might say that the people of Equatorial Guinea took it themselves by force. We feel that Spain has thus opened a new chapter in its relations with Africa. We would only urge that steps now being taken to bring what is now known as Spanish Sahara to nationhood will be speeded up. With the advent of nationhood to Spanish Sahara the way will have been opened to unblemished and constructive relations between Spain and Africa.

166. To revert to the Lisbon-Pretoria-Salisbury axis, we find it ironical that these minority régimes find comfort and support from certain Powers that generally boast of their democratic institutions and love for justice—Powers that profess intentions to make the world safe for democracy. What democracy? Let no one make any mistake about it: free Africa will never abandon its solemn obligation to liberate the entire continent.

167. The policies of the South African Government must be resolutely opposed by all people who strive for justice, equality and human dignity. The African people of South Africa have been condemned to live under the torture and exploitation of a minority racist régime. Discriminatory legislation imposes heavy penalties on Africans for minor crimes for which Whites are never punished. Just about any offence in South Africa today can be, and generally is, elevated to, and is generally interpreted as, a political offence for the purpose of oppressing Africans. It is no wonder, therefore, that there are over 10,000 political prisoners, practically all of them Africans, in South African gaols. In such a situation, who can doubt that the political, economic and social suppression of 14 million Africans by 4 million Whites is a definite and serious threat to inter-racial harmony and to world peace and understanding.

168. We are aware of South Africa's threat against the fraternal State of Zambia, a threat which is in fact directed against all African States. It is the South African régime that sustains the rebellious Smith régime. It is the South African régime that has master-minded the Pretoria-Lisbon-Salisbury axis for the perpetuation of *apartheid* and for maintaining minority supremacist régimes in southern Africa. It is indeed South Africa which now symbolizes forcible extension of racist régimes beyond its traditional borders. In the face of such oppression, the African people are determined to regain their liberty, dignity and independence at all costs.

169. We are fully aware of the steps that have been taken to incorporate Namibia into South Africa and the extension of *apartheid* to that Territory. We reject this as illegal. We note with grave concern that South Africa has completely ignored all United Nations resolutions that have sought to give the Africans of South Africa their basic human right to self-determination. In the case of Namibia, this Assembly, by resolution 2145 (XXI) in October 1966, terminated—may

I repeat, terminated—the South African Mandate over that Territory and Namibia became a direct responsibility of the United Nations, of this body. It is deplorable that South Africa has been able to frustrate all efforts directed towards the assumption by the United Nations of its responsibility in Namibia. In spite of the United Nations revocation of South Africa's Mandate over Namibia, the South African Government has seen fit to introduce repressive legislation and to mount a campaign of terror in the Territory. Mass arrests and fascist techniques of torture are the daily lot of the people, who only wish to exercise their birthright of freedom. The shadow of unabated cruelty hangs heavy over their lives.

170. We reject South Africa's offer of so-called independence to what it calls Ovamboland. This is but another sinister move by South Africa's régime to create a fresh Bantustan, aimed at dividing the people of Namibia and balkanizing their territory for further exploitation. We must ask ourselves how long South Africa will continue to defy the decisions of this Organization; how long this Organization will continue to be humiliated and frustrated by this racist régime. We feel that the United Nations must not yield to South Africa on the right to establish its, the United Nations, presence in Namibia. The United Nations Council for Namibia should therefore be accorded entry into the Territory without further delay.

171. In this connexion, may I add that, considering that, in 1966, the United Nations took over the Territory of Namibia, and that, last year, the General Assembly, by its resolution 2248 (S-V), appointed a group to go and establish a government in Namibia, there would be no question of any serious interference by South Africa if the United Nations were to put some teeth in the authority of its Council for Namibia. As to what could be done legally, let a United Nations team go to that United Nations Territory, using a United Nations plane and under United Nations colours; let it land on United Nations territory—and let us see what happens. Perhaps that is a little bit too sophisticated for the great Powers. But may I put it this way: You are at the door of the matrimonial home. You are tired, in the evening. You want to go inside. But when you attempt to go inside, somebody resists your entry. Would you know what to do? Speaking for Africa, I can assure you that not only would Africans know what to do; they will do something about it.

172. Yesterday we witnessed a lamentable sight, that of the Foreign Minister of a Power which lays claim to greatness, skirting around a problem which is no longer a problem. It was only twenty-four hours earlier that our greatest fears were confirmed when the meeting between Prime Minister Wilson and the rebel Smith on the British naval ship *Fearless* collapsed as expected. This was due, of course, to the intransigence of the leader of the illegal régime in Rhodesia which has been allowed by Britain to linger on as a result of erroneous actions and acts involving irresponsible and unconvincing legal technicalities. It is worth repeating part of what the Kenya Government stated when we heard that the meeting was impending:

“Any equitable settlement [of the Rhodesian question] must be based on the following principles: (1) It must demonstrably guarantee the hand-over of power to the African majority; (2) There should be no question of

independence [for Rhodesia] before majority rule; (3) [The settlement] must ensure that the paramount interests of the Rhodesian Africans are not compromised or betrayed through non-participation of the African leaders currently languishing in Smith's gaols and (4) All discriminatory legislation should be repealed in recognition of the inalienable right of the Rhodesian Africans to freedom and independence.”

173. Valuable time for action has been frittered away by Mr. Wilson and his group of guilty and frustrated men. The illegal régime and the rebels in Rhodesia must be halted now, for that régime grows more oppressive for the African people of Zimbabwe every day. Millions of Africans in that country have a whetted desire; which we now know to have been misguided, for a negotiated settlement with the rebels. We heard yesterday, and we have read in the past, distortions which seek, in short, to justify the existing situation. Evasive techniques have been used to shirk the responsibility for toppling the illegal régime.

174. What we demand now is decisive action to end the rebellion, as Ian Smith is only interested in setting up another police state of terror with the help of the South African police. Smith not only has defied Her Majesty the Queen in connexion with the hangings, as you know—after the Queen's gracious pardon, that is—but has twice treated the British Prime Minister as his personal valet—and I do not apologize for saying that. We are surprised that he was not arrested and detained in the confines of the *Fearless* the other day. Now is the time for military force. Now is the time to forget any opening of negotiations. Let us give no more time to Smith to consolidate his racist illegal régime. We have already witnessed the failure of economic sanctions applied against that régime. This, of course, could not work as long as everybody knew that Rhodesia's economy was strongly supported by South Africa, Portugal and other Powers, through deliberate leakages in the sanctions which the United Nations is not able or perhaps not willing to seal. It is an open secret that brokers in South Africa, Portugal and some well-known European countries, continue to export Rhodesian products under new labels. Great Britain should no longer shirk its responsibility to the millions of Africans in Zimbabwe. Indescribable atrocities against the Africans of Zimbabwe, including the so-called trials—trials in inverted commas—resulting in hangings of innocent Africans under the pretext that they are “terrorists” have shocked the world—or at least my part of the world. The so-called terrorists are, of course, nationalists waging a genuine struggle for the freedom and liberation of their country. And all the crimes against them are being committed in defence of a Power claiming to have power and sovereignty over the area.

175. Of course we sympathize with the difficult position in which the British Foreign Secretary found himself yesterday, trying to justify an unjustifiable position. Britain must reconsider its stand on Rhodesia if freedom in that country is to be restored. We Africans shall fight with all our resources until Zimbabwe is free. We are appealing here once again to the freedom fighters in that country to make one final effort at this final hour for unity among themselves, because theirs is the struggle. The struggle for the liberation of Zimbabwe will continue, as indeed it must, no matter how long it takes, and this must be known to

Smith and his collaborators. Let Britain once again show signs of discharging its responsibilities towards the people of Zimbabwe, if only to prevent the serious, looming and bloody consequences which must follow if the illegal régime is not brought to an end now.

176. Of course, we have heard the idle tales—the old wives' tales—which were repeated here yesterday to the effect, more or less, that the present situation is perhaps the best: "Let us have this type of resolution"; it is a question of half a loaf being better than no loaf. But there should be no question of half a loaf if that loaf is your loaf.

177. Apart from South Africa itself, Namibia and Rhodesia, some 800,000 square miles of our continent is still under the brutal colonialism of Portugal. Portugal has constantly refused to comply with the resolutions of this Organization on the question of granting independence to the African territories now under its sway. We reject completely the fictitious Portuguese theory that Angola, Mozambique and Guinea are its overseas territories. Those territories have never been and will never be a part of Portugal. They are non-self-governing within the meaning of the Charter, and the people there have the inalienable right to independence. In defiance of the decisions of this Organization, Portugal cheerfully continues to intensify its repressive activities against the peoples of those Territories. Portugal, instead of preparing its colonies for independence, is increasing its colonial troops and defence budgets. What is the purpose of Portugal's spending nearly 42 per cent of its annual budget for waging an inhuman war against peoples whose only desire is freedom and liberty? Portugal draws inspiration for its atrocious behaviour from its connexions with, of course, NATO, without whose supplies of arms it could not wage the war it now wages against the people of Angola, Mozambique and Guinea (Bissau). We urge the NATO members to halt the supply of arms to Portugal. Portugal is increasingly using NATO military resources to suppress the people of Angola, Mozambique and Guinea (Bissau). Indeed, it is even becoming a threat to independent African States.

178. The colonial issue of Africa is still a burning one. We have made it clear that we will never abandon our brothers who are struggling for their freedom in those areas. The Organization of African Unity has pledged its full support for the final liberation of the African continent. The intentions of the OAU must be taken seriously by the United Nations.

179. I should now like to refer to a special African problem which, for more than a year, has been a focal point, where external arms and ammunition have been clashing. I refer, of course, to Niergia. It is barely three weeks since we came to some understanding on this African problem at the Assembly of Heads of State and Government of the OAU in Algiers. It is lamentable that outsiders are still active in that African country. My delegation is so opposed to violence and bloodshed and to death by starvation that we suggest that, while so many Foreign Ministers are still here, a consistory of Foreign Ministers should confer on this issue and fix an immediate end to death. It is strange that the big and able Powers should have stood idly by during all this period doing nothing even for humanitarian objectives.

180. Elsewhere in the world our attention is inevitably drawn to the Middle East, Eastern Europe and the Far East. Before addressing myself to those areas of conflict, I should like to state a fundamental tenet of Kenya's foreign policy. Kenya firmly believes that international relations must be conducted in accordance with the principles of the United Nations Charter. This is our yardstick and we would like all nations to judge our performance by this measure. Amongst the most cherished of the principles of the Charter is the obligation of all Members of the Organization to settle international disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity and political independence of other States. The United Nations Charter, then, forms the basis of our attitude to the explosive situations which threaten international peace and security today.

181. The United Nations has been seized of this Middle East situation for well over twenty years now. Today it has become one of the most complex and intractable issues that face the international community. It has defied all attempts at settlement and remains a permanent sore in international affairs.

182. The Government of Kenya proceeds from the belief that all States have a right to exist. As a sovereign and independent Member of the United Nations, the State of Israel should enjoy this right. We do not share the philosophy of permanent belligerency now maintained against Israel by some of its neighbours, and it is our fervent hope that the State of Israel have the right to peaceful existence as a sovereign member of the world community. On the other hand, the Government of Kenya cannot and will not support the further occupation by Israel of Arab territory it brought under its control during the six-day war. The language of the United Nations Charter is clear and unequivocal on the question of territorial aggrandizement: as we have already reminded the Assembly, it urges its signatories to refrain from the acquisition of foreign territory through conquest. The Middle East situation is admittedly complex, and peace cannot be brought to the area by waving a magic wand. We believe, however, that peace can no more be ushered back through the military occupation of Arab lands by Israel.

183. Our concern on this question goes beyond political considerations. There are, for instance, effects on our own economy from the closure of the Suez Canal. Kenya, therefore, views with serious concern the continued closure of this principal waterway.

184. There is, secondly, the human problem of refugees. The tragedy of these people defies description. No people or Government could remain oblivious to their plight. Many observers now concede that the problem of refugees cannot be satisfactorily solved until an atmosphere of peace and understanding once again descends on this area.

185. The Government of Kenya therefore attaches singular importance to Security Council resolution 242 (1967) of 22 November 1967, which, apart from affirming the necessity of achieving a just settlement of the refugee problem, made it possible for the appointment of Ambassador Gunnar Jarring to assist in the efforts for a peaceful and negotiated settlement. The Jarring Mission has the full support of the Government of Kenya.

186. The last two world wars originated in Europe and rapidly spread to other parts of the world. It should be understandable, therefore, that the Government of Kenya has viewed with concern recent events in Eastern Europe. I refer, of course, to the invasion of Czechoslovakia by troops of its Warsaw Pact allies, and I am aware that it is the wish of the Czechoslovak Government that as little as possible be said here on the situation to avoid inadvertently aggravating it. We feel, nevertheless, that a remark or two on that situation is pertinent, as the events in question have a direct bearing on the Charter of the United Nations.

187. The invasion of Czechoslovakia was a clear violation of the sovereignty, political independence and territorial integrity of that country. It was an unpleasant reminder to small nations like mine that friendship between the great and the small can at times be a dangerous adventure. For that reason, it has tended to undermine our confidence in the super-Powers as well as in the United Nations Charter. The Government of Kenya sincerely hopes that the invaders of Czechoslovakia will have second thoughts and withdraw their troops from that country with minimum delay. Whatever action the Warsaw Pact countries may henceforth take in Czechoslovakia or in any other Warsaw Pact countries, my Government sincerely hopes that no attempt will be made by the super-Powers to divide the world into ideological spheres of influence.

188. Of equal concern to the Government of Kenya is the suffering of the people of Viet-Nam. It is unfortunate that this case parallels the one I have just referred to. We are witnessing a most unequal match between the richest nation in the world and a tiny nation. The policy of the Government of Kenya is clear on this issue of Viet-Nam: We condemn unreservedly the arrogance of a big Power that sees fit to tread on the toes of a small nation without provocation. We feel, moreover, that this is a futile war in which the mighty obviously cannot hope to win. Why, then, prolong the suffering of the Viet-Nameese people, who have not seen peace for the last twenty years? We believe that peace can come to that unfortunate land any time the United States wishes. The first essential step to peace, of course, is the cessation of the American bombing of North Viet-Nam. My Government is convinced that the cessation of American bombing of North Viet-Nam would swiftly lead to a political settlement. We therefore urge that the bombing of North Viet-Nam be halted without further delay.

189. I should now like to make a few remarks on economic matters. We are approaching the end of the United Nations Development Decade, and it should now be obvious to all that the Decade has been a failure. The concept of the Decade is both noble and inspiring, although not inspired; but with the position of developing countries deteriorating, it appears we have reaped almost nothing but frustration.

190. Nowhere is that frustration more symbolized than in the second United Nations Conference on Trade and Development, which convened in New Delhi, earlier this year. The first Session of UNCTAD defined the framework for trade and development; we went to New Delhi with guarded but high hopes that a global strategy for development would emerge. We from the developing countries

went to New Delhi in the expectation that the second session of UNCTAD would pave the way for a new era in the field of international economic relations. What we witnessed, however, was that, one by one, the important initiatives of the developing countries were frustrated by the affluent nations. This emphasized the point that there is no alternative for developing countries if they sincerely wish to correct the existing economic inequalities but to rely more and more upon themselves.

191. For their part, the rich nations today are increasingly involved in investing their savings in their own security, in the advancement of technology and the exploration of outer space. Their pattern of trade is so geared as to promote trade amongst themselves rather than with developing nations. Their markets are protected by tariff and non-tariff barriers. The efforts of developing countries to process their own natural products and increase their share of international trade in manufactured and processed goods are systematically nullified. The continuous onslaught of synthetics and substitutes further deprives developing nations of the resources they can derive from the use of their products and thus create some investment capital.

192. Although the second session of UNCTAD did not achieve what we had hoped it would, its shortcomings should not be attributed to it as an organization. We in Kenya submit with humility and accept that the need for UNCTAD remains as long as the gap between the rich and the poor remains. UNCTAD has demonstrated its importance in economic affairs, particularly for the benefit and protection of the developing countries. We should like to see the fulfilment of the high ideals out of which it was born. This fulfilment cannot take place *in vacuo*: it has to be done with the willing co-operation of the industrialized nations.

193. It is the ardent hope of the Government and people of Kenya, therefore, that industrialized countries will lend UNCTAD their support, without which the agency cannot really achieve the aims for which it was set up. After all, we all agree that, in the long run, international peace can be achieved only in a world in which the resources are shared equitably among the nations.

194. This statement would be incomplete without a word of welcome to our brothers from Swaziland and Equatorial Guinea, whom my delegation wishes to congratulate very heartily. Their attainment of independence is a source of great satisfaction to us in Kenya because it is one more concrete example of African triumph over imperialism. My delegation salutes them, and wishes the Swazi and Guinean delegations every success here at the United Nations. May God help them.

195. The PRESIDENT: I call on the representative of Malaysia in exercise of his right of reply.

196. Mr. RAMANI (Malaysia): My delegation has listened with care and attention to the reference the Foreign Secretary of the Philippines made in his policy statement earlier this afternoon to his Government's claim to Sabah. Indeed that reference occupied nearly all of that statement. It is desirable therefore that I preface my remarks on this occasion with the statement that Sabah is one of the constituent States of the Federation known as Malaysia.

197. My Government is not unaware of the serious nature—indeed I should say the menacing potential—of the Philippine insistence on its claim to Sabah in an area of the world where one would have thought there were problems enough regarding stability and security. But the Government of the Philippines, for reasons about which I shall not speculate, has thought it fit to increase the tempo of its drumbeat over this claim in recent months in a manner that certainly cannot serve the cause of peace in the region or promote good neighbourliness, to which the preamble to the Charter refers—and the Philippines is an original Member of the United Nations.

198. There has never occurred in the past an opportunity in this Assembly for Malaysia to state its position with regard to this claim clearly and forthrightly although, on several occasions since the autumn of 1963, this matter has been referred to—but on each occasion only incidentally. The more's the pity when it is diligently sought to develop doubts about Malaysia's undoubted sovereignty over Sabah, squarely based on the self-determination of its peoples, apart from legal considerations which are abundant and adequate.

199. Recent political history tends to be overlooked, when it needs to be remembered that the integration of Sabah into Malaysia as an autonomous constituent State was preceded by an ascertainment, by no less an authority than the Secretary-General of this Organization, of the wishes of the people, in accordance with General Assembly resolution 1541 (XV). And it is well to remember that this ascertainment was undertaken by the Secretary-General at the direct invitation of the three Heads of State and Government concerned, including the then President of the Philippines, President Macapagal, the originator and principal protagonist of this claim. It is therefore but right and proper that representatives should have an opportunity to

know and to understand in precise terms what Malaysia's attitude to this claim is and has always been; why it is unwilling any longer—certainly after the unexpected end to the talks in Bangkok in July of this year—to entertain the existence of the claim; and, most important of all, why Malaysia takes the view and feels convinced—at least in the sequence of political events that have taken place, which I shall endeavour to narrate—that this is not in the technical and juridical sense a legal dispute, patient of adjudication by the International Court of Justice. To say that is not to diminish the integrity or the impartiality of that high judicial organ of the United Nations. It is merely by way of underlining the wholly political nature of it and to draw attention to the irrationality of pursuing it as a justiciable matter.

200. The Philippine attitude to Sabah—I regret to have to say this—is a mixture compounded of fantasy, fallacy and fiction. I should like, if I may, to take a little time to rescue the central issue from the tendentious misinterpretations and tedious misunderstandings that have been thrown over it, to disentangle it from the deliberate doubts and disputations which with painful persistence the Philippine Government feels convinced it must diligently surround it, and to present that central issue in proper focus.

201. The facts are simple for all those who will not ostentatiously shut their eyes to reality. This so-called claim does not have to be a riddle wrapped in a mystery encased in an enigma. In justice therefore to the Foreign Secretary of the Philippines, who has dealt with it in great detail, and in fairness to ourselves, I should like, if I may, to make my reply tomorrow at a convenient time that the President may find it possible to allot to me.

The meeting rose at 6.30 p.m.