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THIRD SPECIAL SESSION

**996th
PLENARY MEETING**
(OPENING MEETING)

Monday, 21 August 1961,
at 10.30 a.m.

New York

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President: Mr. Frederick H. BOLAND (Ireland).

AGENDA ITEM 1

Opening of the session by the Chairman of the delegation of Ireland

1. The TEMPORARY PRESIDENT: As the occupant of this Chair for the time being, in accordance with rule 30 of the rules of procedure, I formally declare open the third special session of the General Assembly.

AGENDA ITEM 2

Minute of silent prayer or meditation

2. The TEMPORARY PRESIDENT: In accordance with rule 64 of the rules of procedure, I invite the representatives present to stand and observe one minute of silent prayer or meditation.

The representatives stood in silence.

3. The TEMPORARY PRESIDENT: Before proceeding to item 3 of our agenda, which is "Appointment of a Credentials Committee", I should like to draw the Assembly's attention to the note by the Secretary-General [A/4847] entitled "Calling of the third special session of the General Assembly". This note sets forth the requests for the convening of a special session of the General Assembly under rules 8 (a) and 9 (a) of the rules of procedure. It also confirms the text of the telegram which was sent to all Members notifying them that the third special session would convene at United Nations Headquarters on 21 August 1961 at 10.30 a.m.

AGENDA ITEM 3

Appointment of the Credentials Committee

4. The TEMPORARY PRESIDENT: Rule 28 of the rules of procedure provides that the Credentials

Committee should consist of nine members, who shall be appointed by the General Assembly on the proposal of the President.

5. It occurs to me that it might be appropriate and in keeping with the spirit of the rules to suggest to the Assembly that the Credentials Committee for the third special session should consist of the same members as those appointed for the fifteenth regular session. I therefore propose to the Assembly the appointment of a Credentials Committee consisting of the following States: Costa Rica, Haiti, Morocco, New Zealand, Philippines, Spain, Union of Soviet Socialist Republics, United Arab Republic and the United States of America. If there are no objections to this proposal, I shall consider the Credentials Committee constituted accordingly.

It was so decided.

6. The TEMPORARY PRESIDENT: I wish to add in this connexion that the Secretary-General stated in his telegram convening the session that credentials for those representatives who were not authorized to represent their Governments in the General Assembly should be issued in conformity with rule 27 of the rules of procedure and might be submitted by cable.

AGENDA ITEM 4

Election of the President

AGENDA ITEM 5

Organization of the session

7. Mr. VAKIL (Iran) (*translated from French*): The General Assembly is meeting today in special session to consider an extremely urgent question relating to the serious situation prevailing in Tunisia since 19 July. In view of the urgent nature of this session, I would suggest to the General Assembly that it take all necessary measures to settle the organization of the session with the utmost speed.

8. First of all, I should like to suggest to the Members of the Assembly that the officers elected to the General Committee for the fifteenth regular session be continued in their present posts until the end of the special session which is just beginning. This means that the General

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Assembly would request Mr. Boland, who presided over the meetings of the fifteenth session so masterfully and with such distinction, to preside over the meetings of this special session. It also means that the Vice-Presidents of the Assembly and the Chairmen of Committees who served during the fifteenth session would be requested to go on doing so during the current special session, on the understanding that the heads of delegations from which the Vice-Presidents and Chairmen of Committees of the fifteenth session were elected would replace their absent colleagues on the General Committee.

9. Secondly, I would suggest that the General Assembly should meet only in plenary session and that it should immediately begin considering the only question on the agenda, without first referring it to the General Committee or to any other Committee.

10. These are the two proposals that I am taking the liberty of submitting to the General Assembly and I trust that they will be accepted.

11. The TEMPORARY PRESIDENT: The Assembly has heard the proposals made by the representative of Iran. His first proposal related to the constitution of the General Committee of this special session. Does any Member wish to make any comments with regard to this proposal?

12. Mr. MATSCH (Austria): The Austrian delegation warmly supports the proposal made by the representative of Iran with regard to the election of the President and to the General Committee. That suggestion seemed practical and appropriate. Mr. Boland has done an excellent job as President of the fifteenth session of the General Assembly. We are convinced that his experience, his competence and the devotion to his duties would be a great valuable asset to our deliberations.

13. We do hope, therefore, that the General Assembly will adopt the Iranian proposal unanimously and without debate.

14. Mr. SOSA RODRIGUEZ (Venezuela) (*translated from Spanish*): I have asked for the floor simply to give the support of the delegation of Venezuela to the proposal made by the representative of Iran, seconded by the delegation of Austria.

15. Mr. Boland's masterly performance as President of the General Assembly during the fifteenth session has convinced us that we could make no better choice of a President for this special session.

16. We also wish to support the second proposal made by the representative of Iran concerning the only item which appears on the Assembly's agenda.

17. The TEMPORARY PRESIDENT: Does any other Member wish to make any comments on the first of the two proposals made by the representative of Iran? If not, may I take it that the proposal is accepted by the General Assembly?

The proposal was adopted.

18. The PRESIDENT: In accordance with the decision just taken by the General Assembly, the General Committee which will serve during this special session will be the same as that elected during the fifteenth regular session. I have been informed that among those Committee Chairmen who were elected at the last session, the following four are not present at this session: Sir Claude Corea of Ceylon, Mr. Stanovnik of Yugoslavia, Mr. Mezincescu of Romania and Mr. Majoli of Italy. May I then request these four delegations to

inform the Secretary-General at their convenience which member of their delegation will serve in the General Committee at this special session?

19. I wish to take this opportunity to thank those who made this proposal and supported it, for their kind personal references to the Chair and to thank the Assembly as a whole for the mark of confidence which they extended to me by asking me to preside over this third special session.

AGENDA ITEM 6

Adoption of the agenda

20. The PRESIDENT: I now invite the General Assembly to turn to item 6: the adoption of the agenda. This special session has been called for the specific purpose of considering the item entitled "Consideration of the grave situation in Tunisia obtaining since 19 July 1961".

21. The representative of Iran proposed that the General Assembly at this special session should meet in plenary session only and should immediately start to examine the only question which appears on our agenda without reference thereof to the General Committee or to any other Committee. I now ask the Assembly whether there is any objection to this proposal.

The proposal was adopted.

22. The PRESIDENT: I now ask the General Assembly whether there is any objection to the adoption of the agenda [A/4833].

The agenda was adopted.

AGENDA ITEM 7

Consideration of the grave situation in Tunisia obtaining since 19 July 1961

23. Mr. Mongi SLIM (Tunisia) (*translated from French*): Before going on to consider the subject before us, Mr. President, I hope you will permit me to say how happy my delegation and the Tunisian people are that this special session, in which an important problem directly affecting our full sovereignty and the territorial integrity of our country will be discussed, is taking place under your Presidency. The renewed confidence that the Assembly is placing in you is a fresh manifestation of the esteem and respect that we feel for you and for your gallant country.

24. My delegation would certainly also have liked to see the delegation of France—which stands under direct indictment in this debate—take part openly in the discussion and furnish us of its own accord with any arguments it might deem proper in support of its viewpoint; for we are, and shall always be, in favour of a frank and honest statement of each country's case, out of which the truth, and whatever solutions may be proper can and must emerge. Once more, we can but regret this persistent evading of the debate.

25. The third special session of the General Assembly is today considering the item on its agenda entitled "Consideration of the grave situation in Tunisia obtaining since 19 July 1961".

26. That date marked the beginning of an aggression perpetrated by the French forces against Tunisia, involving heavy loss of life and followed by the occupation of a part of our national territory.

27. The Tunisian delegation must, therefore, naturally open the debate with a general statement, as complete as

possible, regarding the constituent elements of this serious act of armed aggression of which our country has been the victim and which is still going on. We shall do so with the utmost objectiveness and without emotion, for emotion often deludes those who allow themselves to be ensnared by it, making them lose sight of their true interests. The emotional motives or reactions which seem to have prompted the French aggression against us provide additional evidence, if any were needed, of effects contrary to those that had been expected and of results the reverse of those that had been sought.

28. First of all, may I be permitted, at the beginning of my statement, to express our gratitude to all the Member States who without allowing themselves to be hampered by geographical, ideological or other considerations, have displayed to us their active solidarity in this painful ordeal that we are undergoing.

29. The fifty-two delegations from Africa, Asia, Eastern and Northern Europe and Latin America who have joined with ours in calling for or supporting the convocation of this special session have thereby manifested a devotion and respect that our Organization particularly needs in these very difficult times for the pursuit of its main aim of maintaining national peace and security based on law and justice.

30. By making this gesture, these delegations have, to say the least, expressed their serious anxiety regarding the preservation of international peace and security, in the face of the inability of the Security Council to make an appropriate decision which would put an end to the aggression of 19 July 1961 and enable Tunisia to secure the withdrawal from all its territory of all the French armed forces that are in Tunisia against the will of its people and Government.

31. Ever since 20 March 1956, the date on which Tunisia recovered its full sovereignty, the Tunisian Government has unceasingly called for the withdrawal of all French troops from its national territory, because their presence is incompatible with the new international status of Tunisia, which has been recognized by France as an independent and sovereign State. Above all, this presence symbolizes in our minds the military occupation which brought our country under colonial domination in May 1881, causing it to lose the free exercise of its sovereignty. Moreover, this presence aids and abets a colonial oppression which, since November 1954, has been the cause of a real war at our borders in Algeria, whose gallant people have been fighting ever since then for freedom and independence.

32. For these three essential reasons, the Tunisian Government has since March 1956 made numerous efforts to obtain the evacuation from Tunisia of all French troops, whose conduct, even after March 1956, has remained unchanged.

33. In connexion with their other operations in Algeria, the French troops carried out various "operations" in violation of Tunisian sovereignty, until the day—8 February 1958—of the bombardment of Sakiet-Sidi-Youssef, which was the subject of the complaint of aggression introduced by Tunisia against France¹ in the Security Council. It was then that we began to raise publicly, and before this international forum, the question of the presence of French forces on our national territory

against our will, with reference to the direct threat—now clearly apparent—that such presence poses to our own safety and, consequently, to international peace and security.

34. The aggression committed at Sakiet-Sidi-Youssef in February 1958 provided us with initial, painful evidence of this danger, which the aggression committed latterly at Bizerta has served merely to confirm. In a statement made following the aggression of 8 February 1958, President Bourguiba said:

"It is no longer possible for an army that allows itself to flout our national dignity, two years after our independence, to be tolerated in Tunisia. The battle for the evacuation of Tunisian territory is beginning. It is our intention that this evacuation should be complete and should include Bizerta."

35. You all know that following the debate in the Security Council the good offices of certain States led to an initial agreement, concluded in June 1958, providing for the evacuation within four months of all French troops stationed elsewhere than at Bizerta. That was the first stage.

36. In an exchange of letters dated 17 June 1958,² which I shall analyse later, France undertook not to "maintain any armed forces on Tunisian territory other than those which may be stationed there by virtue of agreements negotiated between the two States". After those four months, the letters stated, negotiations would be entered into with regard to the troops at Bizerta, in order to define their provisional status pending a final agreement.

37. We have, through the usual diplomatic channel, requested the opening of such negotiations, but we have always encountered delaying tactics.

38. Consequently, on 17 February 1959, President Bourguiba was prompted to make one more public appeal for the withdrawal of French troops from Bizerta, but this time he added that Tunisia was ready to negotiate an arrangement—a provisional arrangement, of course—relating to the presence of French forces in Bizerta, in exchange for a speedily negotiated settlement of the Algerian question.

39. Four months later, in the face of the French Government's silence on that offer, President Bourguiba was obliged to withdraw it.

40. Finally, on 25 January 1960, President Bourguiba, in his speech to the Second Conference of African Peoples at Tunis,³ solemnly called for the "battle for Bizerta" to begin again. In the face of the French Government's obdurate refusal to enter into negotiations, the Tunisian Government had no other recourse but to take the necessary measures to bring about the evacuation of the last French soldier. On that occasion, President Bourguiba said:

"We have tried to attain our goals by persuasion and negotiation. Rather than reach a state of open conflict, was it not preferable to seek an amicable settlement which would strengthen mutual friendship and confidence? We therefore continued to negotiate. Bizerta is, in truth, a festering sore in Tunisia's side: it adds nothing to France's security and threatens to restrict Tunisia's freedom and independence. The negotiations were becoming more and more protracted,

¹ *Official Records of the Security Council, Thirteenth Year, Supplement for January, February and March 1958*, document S/3952.

² *Official Records of the Security Council, Sixteenth Year, Supplement for July, August and September 1961*, document S/4869.

³ The Conference met from 25 to 31 January 1960.

being slowed down by changes of Government or of ambassadors. Finally, we had to realize that nothing can be done as long as the colonialist virus survives.”

41. May I recall that the same month of January 1960 witnessed, a few days later, the uprising in Algiers against General de Gaulle's Government.

42. That event might no doubt have helped to speed up the liberation of Bizerta, for the French Government seemed to be in difficulties. We would have found it easy then to erase the last traces of colonialism. However, instead of doing so, the Tunisian Chief of State called off the “battle of Bizerta” and all the measures which were to have been taken before 1960, the anniversary of the Sakiet-Sidi-Youssef aggression, were suspended, for we are loath to take advantage of the difficult domestic situation of a partner or even of an adversary. Thus the Tunisian Government voluntarily revoked all the measures that had been taken preparatory to meeting the French Government's refusal to negotiate; it did so in order not to embarrass France, which was having to cope with a difficult domestic situation.

43. Later on, however, in April 1960, President Bourguiba again called for the evacuation of Bizerta and the opening of negotiations which would permit this to be achieved.

44. Later still, at the beginning of this year, in February 1961, in the course of his meeting with General de Gaulle at Ramboillet, the Tunisian Head of State again raised the Bizerta problem and defined with all the necessary clarity the attitude of the Tunisian Government calling for the outright evacuation of the military installations. Nothing in the attitude of the French Chief of State at that meeting provided the slightest hint as to the French intentions which, unfortunately, were to be made manifest in June and July 1961.

45. At the end of June, the Tunisian Government realized that the military authorities in Bizerta had begun installation and extension work which was wholly incompatible with any intention to wind up or evacuate the base. Hence our astonishment and misgivings, as well as a very legitimate popular outcry.

46. This is why, on 6 July 1961, President Bourguiba reverted to the issue in a letter⁴ addressed to President de Gaulle in which, in a friendly but firm tone, he asked for the clear recognition by France of the principle of the evacuation of the French-occupied zones in Tunisia, that is, Bizerta and southern Tunisia, and for the opening of negotiations between the two Governments with regard to the details and the timetable to be observed.

47. This letter of 6 July from the Tunisian Chief of State to the French Chief of State clearly indicates Tunisia's determination to hope against hope and to go to great lengths in order to negotiate. Unfortunately, the French Government persisted in its attitude of non-co-operation and in scarcely veiled terms rejected Tunisia's conciliatory request. Thus attempts at conciliation and appeals for negotiation over a period of three and a half years had led to a totally negative result; the French Government, relying on delaying tactics, refused to embark on negotiations with a view to settling the Bizerta question.

48. It is this attitude of the French Government and this refusal to accede to our claims concerning the troops

stationed in the Bizerta zone and the re-establishment of the south-western frontier of Tunisia, in accordance with international agreements, which led to the resumption of popular demonstrations in Tunisia calling for the restoration of Tunisia's rights and territorial integrity.

49. Before going on, I should like to make two preliminary remarks in order to dispose of a certain insidious propaganda campaign which, I must acknowledge, has been so skilfully conducted that it has led international opinion astray to a considerable extent. Only a few days ago, in dealing with the question of southern Tunisia, certain commentators displayed such a degree of confusion that I deem it my duty once again to recall the true facts of the case, in the interests of an honest debate, of public information and of the judgement of history.

50. In the first place, in the West, the frontier between Tunisia and Algeria was determined and delimited in 1901 by a commission of French officers as far as a place called Bir-Romane. The French authorities did not deem it necessary to go any further to the South, considering the Sahara as a *res nullius*, or rather a sea of sand which could not be marked out. This western side of our southern confines is not at present involved in our claims or in our action. We consider that only an Algerian Government, in a free and independent Algeria, would be qualified to hold discussions with us, in an atmosphere of fraternal confidence, with a view to pursuing the demarcation of the frontier.

51. In the second place, the frontier between Tunisia and Libya was determined in two international instruments which representatives of the French Government helped to draw up.⁵

52. In 1911, a Franco-Turkish Commission—in which France was acting in its capacity as the protecting power of Tunisia, and Turkey as the Suzerain of Libya—terminated its demarcation work, running from the Mediterranean shores in the North to the southernmost point common to Tunisia and Libya, which was assigned the boundary mark No. 233, at a place called Garet-el-Hamel, situated fifteen kilometres to the South of the parallel of the town of Ghadames. The report of the proceedings of this commission serves as the reference document, and more precisely, boundary mark No. 233 serves as the starting-point, for the delimitation of the border between Algeria and Libya, since it is the last point to the north marking the common frontier line between Algeria and Libya.

53. Thus on two occasions work has been carried out, ratified and confirmed by the deposit of the relevant documents with the United Nations, and the works clearly indicate boundary mark No. 233 (Garet-el-Hamel) as the southernmost limit of our eastern boundary.

54. And yet up to the present time the French Government has refused to restore to Tunisia the strip of territory situated between this boundary mark and the place known as Fort-Saint, identified by boundary mark No. 220, lying about forty-five kilometres to the north of boundary mark No. 233.

55. Having become convinced that, as in the case of Bizerta, the French Government, despite all our friendly

⁴ Official Records of the Security Council, Sixteenth Year, Supplement for July, August and September 1961, document S/4871.

⁵ Exchange of letters constituting an agreement to delimit the Franco-Libyan frontier between the Government of France and the Government of Libya. Tripoli, 26 December 1956 (United Nations Treaty Series, vol. 300, 1958, No. 4340).

diplomatic advances, did not intend to honour its own commitments, the Tunisian Government decided to dispatch a band of volunteers whose mission was to raise the Tunisian flag on boundary mark No. 233, which the international treaties recognize as belonging to us. The fighting in the desert stopped on the orders of my Government as soon as the latter had been informed of the interim resolution of the Security Council dated 22 July 1961,⁶ and in pursuance of paragraph 1 of that resolution, our men, who had begun their march from Fort-Saint, returned to their original position and to their starting point.

56. I should like to add one clarification: Garet-el-Hamel, at boundary mark No. 233, is more than 100 kilometres to the north of the Edjelé oil fields which we are said to covet. Merely to state this distance should suffice, it seems to me, to refute these insinuations concerning our intentions and greedy ambitions.

57. I would now refer once again to the justified exasperation displayed by our people in calling, after 6 July 1961, for the restoration of Tunisia's rights and of her frontier as recognized internationally.

58. The popular demonstrations, which have been used as a pretext for yet another refusal to negotiate, did not at any time involve any acts hostile to France, to the French Government or to French nationals in Tunisia. Indeed, the Frenchmen in Tunisia themselves recognize this fact, but it did not prevent the French Government from seizing on these peaceful demonstrations as a pretext for strengthening its troops in Bizerta. From an attitude of non-co-operation, the French Government switched to one of threats and intimidation, which was shortly thereafter to degenerate into aggression pure and simple.

59. In the face of France's flagrant violation of its undertaking—I quote again—not to "maintain any armed forces on Tunisian territory other than those which may be stationed there by virtue of agreements negotiated between the two States", and of the imminent dispatch of a large number of paratroopers, despite Tunisian opposition, the Tunisian Government decided on 19 July to prohibit all flights over its territory by French aircraft and announced that it would order any aircraft that might violate this prohibition to be fired upon. Such a decision is a normal prerogative of sovereignty, and no one can blame us for having made it.

60. But shortly after this prohibition had been announced, French aircraft began to fly over the Bizerta area, disregarding warning shots.

61. France's aggression was planned long before 19 July 1961. In fact warships, including an aircraft-carrier, were already in Bizerta waters. During the night of 19-20 July, the French forces launched a fierce attack by land, sea and air on the Tunisian positions and the civilian population in Bizerta. The aggression was directed not only against the town but against the whole Bizerta area. For four days, thousands of parachutists and members of the Foreign Legion, whose reputation is already well known, committed acts that are contrary even to the rules of warfare. The day of 21 July was a day of massacre of the Tunisian population. Parachutists, Foreign Legion, armoured units and bombers all took part in the assault on Bizerta. The

balance-sheet is well known: over 800 dead and 1,155 wounded, mostly civilians.

62. I have no wish to dwell on the atrocities committed by what must be called the French Army, but I cannot refrain from referring to the case of the 150 Tunisian civilians whose bodies were handed over to the Tunisian authorities by the French on 22 July. Most of these bodies still had their hands tied behind their backs. The fact was witnessed and noted by many French as well as foreign journalists.

63. I should also like to denounce here the use by the French aggressor troops of that horrible weapon, the napalm bomb. At one moment the French naturally issued denials on the subject, but the photographs which I hold at your disposal and the evidence given by foreign observers seem to me to have refuted these denials.

64. The material damage was immense; I have had occasion to enumerate the items before the Security Council, especially at its 964th meeting. I should simply like to point out that the French forces deliberately attacked the country's economic potential; this is strikingly illustrated by the fierce attack on the large cement-works which was a target of the first Bizerta bombings. The systematic destruction and theft of industrial equipment are other no less impressive examples.

65. After the adoption of the Security Council's interim resolution dated 22 July 1961, requesting both parties to cease fire immediately and proceed to "a return of all armed forces to their original position", fighting did indeed cease, Tunisia acting in conformity with the Security Council decision, but France acting on the premise that all its military objectives had been achieved. For, in the eyes of the French Government, the cease-fire in no way meant compliance with the Security Council resolution, contrary to the statement made by the representative of France in the Security Council on 22 July 1961 [963rd meeting] that the cease-fire had taken place in pursuance of the decision taken by the Council. Two official *communiqués* from Paris, issued on 26 and 28 July, confirm France's refusal to comply with the Security Council's decision: if there is a cease-fire, it is solely because the French forces have achieved their objectives. This refusal by the French Government to comply with the Security Council's interim resolution has in fact resulted in an extremely precarious situation, and the cease-fire remains in force only thanks to the restraint of the population and the Tunisian forces, who have not yielded to the numerous acts of provocation by the army of occupation.

66. I should like to recall that the Security Council's interim resolution of 22 July 1961, adopted under Article 40 of the Charter of the United Nations, calls for provisional measures which are, according to the Article, "without prejudice to the rights, claims, or position of the parties concerned". Paragraph 1 of the operative part of the resolution specifies those measures in the following terms:

"The Security Council,

" . . .

"Calls for an immediate cease-fire and a return of all armed forces to their original positions".

67. Tunisia immediately met those two requirements: a cease-fire and a return of the Tunisian forces to their original position. I think it essential to point out that

⁶ Official Records of the Security Council, Sixteenth Year, Supplement for July, August and September 1961, document S/4882.

from 23 July, the day after that decision was taken, until today, 21 August, not a single French statement—whether in the Security Council debates, letters addressed to the President of the Council, or even official *communiqués*—has contested in any way the fact that the Tunisian Government has fully and honestly applied that interim decision.

68. France, however, still refuses, thirty days after that decision of the Security Council, to withdraw its armed forces to their original positions, which would involve, first, the return of the Forces that were stationed in Bizerta before 19 July to the position they occupied on that date and, secondly, the withdrawal from Tunisia and its territorial waters of all French forces, of every branch, which entered Tunisian territory after 19 July.

69. Nor has this refusal on the part of France been rebutted by France itself. On the contrary, it has been confirmed by French statements and is clearly reflected in France's action.

70. Taking advantage of the complete respect shown by the Tunisians for the cease-fire order, the French forces in Bizerta have subjected the population to acts of violence and general harassment. On 23 July, after the cease-fire had come into force, French parachutists in effect sacked the town, ransacking and looting shops and houses. Members of the civilian population, especially persons in Tunisian government service, were molested. Here again the occupying forces clearly showed determination to undermine Tunisian sovereignty: the troops attacked with particular violence State administrations and officials. Again taking advantage of the Tunisians' respect for the cease-fire, the French forces extended the area of their occupation and increased their military strength. After the cease-fire, they conducted operations beyond the area occupied, especially towards the west, while naval units—also after the cease-fire—unloaded reinforcements, equipment and supplies.

71. Moreover, in open defiance of the Security Council and the Tunisian Government, the French forces continued, after the cease-fire, to fly military aircraft over the entire territory of Tunisia. These reconnaissance flights, which are acts of intimidation and sometimes of provocation, have increased in an alarming manner, and have been spotted at various points over Tunisian territory. My delegation has regularly brought the matter to the attention of the Security Council in various documents.⁷ These flights alone constitute a sufficiently serious threat to justify a legitimate reaction on the part of my Government, under the terms of Article 51 of the Charter.

72. My delegation has drawn the attention of members of the Security Council to the danger inherent in a situation which may at any moment lead to acts of self-defence on the part of Tunisia. For, despite its keen desire to avoid any recourse to violence, my Government cannot tolerate the continual and systematic perpetration of such attacks on Tunisian sovereignty. Our profound devotion to peace cannot and must not be interpreted by France as a renunciation of the sacred rights of our country's sovereignty.

73. Since 19 July 1961 not a day has passed without French forces committing reprehensible acts against Tunisia, in defiance of law and morality. Other repre-

hensible acts are committed almost daily against the civilian population of Bizerta and the surrounding area, sometimes far from the centre of the town. For example, on 13 August 1961, three Tunisian civilians were murdered by French soldiers twenty kilometres to the west of Bizerta, at Douar-Zafra.⁸ Even last night, French paratroops opened fire on Tunisian units twelve kilometres to the east of the town of Bizerta, in the direction of Tunis.

74. These actions, often combined with frontier violations from the Algerian side, are very alarming. In fact, we have learnt from the Press that the general staff responsible for the aggression of 19 July intends to link up the French forces at Bizerta with those operating in Algeria, 170 kilometres from Bizerta, by means of a simultaneous attack which would result in the occupation of the whole northern region of Tunisia. This operation is said to be referred to as the "long plough", the 19 July aggression against Bizerta being called the "short plough". So long as France does not comply with the decision of the Security Council, all fears are warranted. The cease-fire will remain very precarious indeed so long as its observance depends on the whim of the French troops rather than on faithful compliance with the decision of the Security Council. This refusal to return the armed forces to their original positions demonstrates France's aggressive intentions, and the danger of further aggression will remain until the Council's resolution is fully carried out.

75. The cease-fire itself will continue to be very ambiguous. As the Secretary-General of the United Nations pointed out to the Security Council [*964th meeting*], upon his return from Tunisia, "It is true that the cease-fire has been established, but that does not seem to have led to an immediate cessation of all actions which, under such a cease-fire, should be ruled out".

76. Though lacking in legal justification, the French position has at least the merit of clarity. In this respect, the official *communiqués* which I have mentioned, issued on 26 and 28 July, are most edifying. They may be summed up as follows: France does not recognize the decision of the Security Council; the cease-fire only exists thanks to an offer made by the French troops after they had achieved their objectives. The *communiqué* of 28 July 1961, referring to the appeal to the United Nations, states that it must be made clear that France has no intention of settling the matter in accordance with such a procedure, and adds that, whatever the course and outcome of the debate, France intends to remain the sole judge of its own security. This shows that France is trying to impose a solution to suit its own interests alone, as it interprets them—which clearly fits in with the plan of aggression.

77. We certainly do not contest France's right to be the sole judge of its own security, but we vigorously contest its right to ensure its own security on our national soil, to the detriment of our own national security, as the aggression of 19 July has just shown. We contest France's right to maintain on our territory forces whose presence does not derive from any freely-negotiated agreement. We are not prepared to see the right of the stronger and the value of aggression confirmed to our detriment.

78. In the face of France's refusal to negotiate and to recognize the interim decision of the Security Council, and in the face of France's determination to impose a

⁷ *Ibid.*, documents S/4912, S/4918, S/4920, S/4922, S/4924.

⁸ *Ibid.*, S/4924.

solution by force, Tunisia has but two possibilities: further recourse to the United Nations, or exercise of the right of self-defence. We are now pinning our hopes on recourse to the United Nations. Unfortunately, the Security Council has been unable to take the necessary steps to enforce its interim decision. A majority of seven votes could not be obtained on a text inviting France immediately to implement the measures decided upon a week previously by the Security Council by a majority of 10 votes to none, that is, an absolute majority of the members voting.

79. The Council, which could not have been unaware of France's failure to carry out its obligations as a Member of the United Nations and a permanent member of the Security Council, nevertheless did not take due account of this default, as provided for in Article 40 of the Charter.

80. I apologize for having spoken at such length in this first part of my statement. I considered it necessary in order to clarify both the legal and the political aspect of the problem raised by the French aggression of 19 July 1961 against Tunisia and the permanent presence of French troops on our soil against our wish and against our will.

81. During the discussion in the Security Council, we heard the representative of France endeavouring to justify the attack committed on 19 July against Bizerta, representing it as an act of self-defence against a so-called aggression led—it would appear—by the Tunisian people. The facts themselves, as I have just given them, are sufficient to rebut that theory. But I should like to return to the legal aspect of this argumentation. Without embarking on fastidious polemics on the respective definitions of aggression and self-defence, I shall simply remark that in our time we have heard more than one aggressor invoke the right of self-defence. It is, however, generally admitted that self-defence can be exercised only if there has first been aggression. And aggression takes place whenever there is armed attack designed to impair the independence and territorial integrity of a State. That, according to Mr. Eugene Aroneanu, the eminent jurist, is the typical example of aggression. In the case of Bizerta one may ask which of the two, Tunisia or France, was the victim of an armed attack against its independence and territorial integrity. The facts speak for themselves. A study of the events at Bizerta leaves no doubt as to the existence, source and premeditated character of the aggression.

82. Tunisia was the victim of a French armed aggression, the predesigned nature of which is clearly established by facts. On 12 July, the Tunisian Government asked the French Chargé d'affaires in Tunisia for an explanation of rumours alleging a planned expedition of parachutists to Tunisia. The French representative categorically denied that possibility. That was, I repeat, on 12 July. But on 19 July at midday, after a meeting of the Council of Ministers, Mr. Terrenoire, the Minister of Information of the French Government, stated in Paris:

"I simply confirm that parachute units, designed to supplement those already at the disposal of the base, have been or will be sent there."

What was the reason for that expedition of French parachutists to Tunisia? What right, what authority does France invoke in violating the sovereignty of an independent country by occupying its soil with French forces of all the services? That decision by the French Govern-

ment to send parachutists to Tunisia clearly shows, in our opinion, an aggressive intention towards Tunisia.

83. The reply given by the representative of France in the Security Council discussion was "self-defence". But in the case of the Bizerta aggression, this classic argument is perfectly absurd. As I have just said, the facts are only too clear. What kind of self-defence can France be speaking about?

84. Does the French Government claim that the peaceful manifestations of the Tunisian people on Tunisian territory—some 1,200 kilometres distant from France, separated by sea—jeopardize France's political independence or territorial integrity, which would naturally constitute a possible reason for the exercise of self-defence by France?

85. How can the Tunisian people demonstrating on its own territory against a foreign occupation—which it has never accepted—jeopardize the political independence and territorial integrity of France? At no time, as I have already said, have French civilians in Tunisia been in a position of danger, either to their persons or to their property. At no time have Tunisian soldiers endangered the French troops in Tunisia, equipped with the most modern and powerful weapons.

86. Furthermore, who could still support the theory of self-defence when the armed attack on Bizerta resulted in over 800 dead and some 1,200 wounded, when the French armed forces continue to flout the Security Council's interim resolution ordering them to withdraw to their original positions, when they daily increase their violations of our air space and territorial waters, continue to impose vexatious and humiliating measures, separate the various parts of the town with barbed wire barricades, forbid Italian ships entering Bizerta to fly the Tunisian flag, and have since 23 July been exercising the control powers that come essentially under Tunisian sovereignty?

87. Nowhere in the text is there an agreement on total or even partial withdrawal consented to by Tunisia at the expense of the exercise of its full and complete sovereignty over Bizerta and the Bizerta area.

88. In the letters exchanged between the Tunisian and French Governments on 17 July 1958,⁹ it was stated that the purpose of the proposed negotiations envisaging the complete withdrawal of French forces from Tunisian territory was "to establish by joint agreement between the two Governments a provisional arrangement for the maintenance of the strategic base of Bizerta until circumstances allow of the conclusion of a final agreement on this matter".

89. My delegation has duly drawn attention to the fact that the French Government showed little inclination to enter into serious negotiations on the matter. Yet in the absence of any instrument negotiated between the two Governments, how can the presence of French forces in our national territory be justified?

90. The promises that an agreement would be negotiated, promises which have never materialized from June 1958 to this day despite reiterated overtures and appeals on our part, do not constitute a juridical basis for the presence of French troops. For more than two years a provisional arrangement has been in effect at Bizerta, but it exists by virtue of a *de facto* situation which has never been made the subject of negotiations.

91. The stationing of French armed forces at Bizerta is an arbitrary act, a violation of our sovereignty and a

⁹ *Ibid.*, document S/4869.

de facto situation which my Government has been entitled to denounce at any time, especially when the French forces even as the French Government continued to equivocate and avoid replying to our proposals for negotiations, undertook engineering works betraying intentions which could not be reconciled with legality or with our own sovereignty.

92. If the agreement of 17 June 1958 could be held to constitute even a provisional juridical instrument covering the presence of French troops in Tunisia, why has the French Government never sought to base itself on any violation, or the unilateral denunciation, of such a supposedly existing treaty concerning the matter?

93. The mention in the letters exchanged on 17 June 1958 of agreement between the two Governments with a view to negotiating in the first instance a provisional arrangement actually constitutes an affirmation that there is no existing arrangement for Bizerta and that French troops cannot continue to be stationed in that part of the national territory in the absence of any agreement negotiated between the two States.

94. What Tunisia seeks is basically nothing more nor less than what the French Government enunciated in that exchange of letters, i.e., a formal undertaking accepted by my Government that France "does not intend to maintain any armed forces on Tunisian territory other than those which may be stationed there by virtue of agreements negotiated between the two States".

95. It is becoming increasingly clear, however, that the French Government is not really willing to abide by this undertaking. Since 28 July it has been relying on a new notion, set forth in its *communiqué* of that date, for which no support can be found in international law.

96. Contrary to the above-mentioned undertaking of 17 June 1958, the French Government stated in its *communiqué* of 28 July 1961 that the presence of its forces in Tunisia was based on the concept of the strategic interests of France, which alone was the judge of those interests and which did not intend to remove the forces in question until it appeared possible to do so without endangering its own security. I have already stated our view of this concept, but we feel that the United Nations, too, should express its views on a thesis which seems to us to represent a danger for all nations and for the principles on which the Organization is based.

97. This is doubtless what the French Government calls a "normal" situation. In an official note dated 11 August 1961 transmitted to the Tunisian Government through the diplomatic channel, the French Government requested that discussions should be entered into solely for the purpose of "facilitating a return to a more normal situation at Bizerta", that is, the *status quo ante* as defined in the *communiqué* of 28 July. It is out of the question for the Tunisian Government to accept a return to a situation in which the French Government alone would be entitled to decide when to evacuate Bizerta. The Tunisian Government obviously could not agree to enter into negotiations aimed at guaranteeing that situation. It therefore refused to embark upon such a futile course and in its reply reaffirmed its intention to enter as soon as possible into negotiations with France which would be conducive to a real solution of the Bizerta problem and would establish the arrangements and the time-table for the withdrawal of French forces from all parts of Tunisian territory. In that reply, the Tunisian Government informed the French Government that it had given full instructions to facilitate any move-

ment by the French troops aimed at putting the Security Council's interim resolution into effect.

98. The French Government then tried, in a *communiqué* of 17 August 1961, to make it appear that it was seeking negotiations with the Tunisian Government which the latter was refusing.

99. A *communiqué* from the Tunisian Government issued on the following day showed up those allegations for what they were worth, by pointing out that the French Government's offer could in no wise be held to open the way to serious and constructive negotiations but that quite the contrary was true.

100. Finally, I should like to speak of 18 August 1961, the date chosen by the Committee for Afro-Asian Solidarity as the day of solidarity with the Tunisian people in its struggle for the total liberation of its territory. It goes without saying that the Tunisian people could not fail to express at the same time its solidarity with and gratitude to its brothers, the peoples of Africa and Asia. Tunisian patriotic organizations made up of workers, farmers, tradesmen, women and students decided to organize demonstrations throughout Tunisia to celebrate this day of solidarity. When the people of Bizerta expressed through their patriotic organizations the intention to hold a similar demonstration, the French Government issued an official document informing the Tunisian Government that such a demonstration would be banned. Let me remind the Assembly that the demonstration was to take place in our own territory, on our national soil, internationally recognized by France itself. A Tunisian demonstration in Tunisian territory was prohibited by the French Government. The latter, revealing as it does from time to time its real intentions with regard to Tunisia, thus claimed to exercise prerogatives in the sphere of public policy which fall exclusively within the scope of Tunisian sovereignty, in defiance of the law and in violation of the interim resolution adopted by the Security Council on 22 July 1961. Thus did the French Government coolly refer to the zone in Bizerta which it occupies by force, finding it quite natural that the French Command in Bizerta should prevent any demonstration in those quarters of the city which the French occupy. The danger inherent in this concept cannot but be obvious to those assembled here, since it points clearly in the direction of annexation. I myself, in a letter addressed to the President of the Security Council,¹⁰ drew attention to the danger which such claims entail. In a note addressed to the French Government in response to this "warning", the Tunisian Government vigorously protested against the French claims and affirmed its refusal to agree that French forces should be allowed to exercise in Tunisian territory prerogatives in the sphere of public policy which fall within the scope of Tunisia's national sovereignty.

101. The demonstration accordingly took place and, despite the opposition of the French forces of aggression, the Tunisian demonstrators, armed with their faith in their right and with the serene heroism of the just, were finally, after a night of unremitting effort, able to reach their Governor's quarters and to hand him a resolution addressed to the Chief of their State.

102. This incident is revealing: it shows that the French Government intends to transform aggression into a right and to convert occupation into annexation. We should not fail to draw the appropriate conclusions from this attitude.

¹⁰ *Ibid.*, document S/4932.

103. Thus, after all that I have just said, it cannot be denied that the presence of French troops in Tunisia against the will of the Tunisian Government and people and in the absence of any legal justification constitutes not only a continuing violation of Tunisia's territorial integrity and sovereignty, but also, and in particular, a source of continuing aggression against Tunisia, a sovereign and independent State and Member of the United Nations, particularly since the Sakiet-Sidi-Youssef incident in 1958. This situation has been aggravated by the arrival of further armed forces since 19 July. What has happened is that the action has taken the form of an occupation *manu militari* of a part of Tunisia's national territory, coupled with a usurpation of powers falling entirely within the scope of Tunisian sovereignty.

104. France's persistent refusal to implement the Security Council's interim resolution is a third factor causing the situation seriously to deteriorate.

105. It is unquestionably a continuing source of conflict between two Member States which endangers peace in that part of the world and, consequently, international peace and security.

106. In such a situation, a sovereign State must choose between one of the four following solutions.

107. First, to submit to brute force. I have said and I repeat, calmly but as emphatically as possible, that my Government and my people can in no circumstances contemplate such an eventuality.

108. Secondly, to appeal for any kind of assistance which might be offered to repel aggression. This would be an exceedingly grave course, the course of despair, and Tunisia, an essentially peaceful country which has done its utmost to serve the cause of peace in accordance with the principles of the Charter, could not resort to it.

109. Thirdly, to enter into negotiations with a view to a peaceful settlement of this armed conflict. Tunisia has striven vainly time and again to persuade France to negotiate regarding all suitable arrangements and dates for the elimination of this continuing source of conflict between Tunisia and France, namely, the presence of French troops in Tunisia. As I said, all the overtures which we made prior to 6 July 1961 with a view to reaching a friendly settlement were rebuffed. Can we honestly be requested to negotiate time-tables and arrangements under the manifest pressure represented by the new aggression of 19 July 1961? Can my country be asked to enter into such discussions before the traces of that aggression have been completely erased, in other words, before the French forces sent to Tunisia after 19 July, whatever service they belong to, have returned to their original positions outside the national territory?

110. Fourthly, to turn to the United Nations with an appeal for all the assistance permitted by the Charter and authorized by the precedents in the matter, particularly since 1950, in order to put an end to the new aggression of 19 July and oblige all French forces to withdraw from all parts of Tunisian territory.

111. Of these four solutions, Tunisia, which is and always will be faithful to the Charter and the Organization, has opted in favour of recourse to the United Nations, hoping that it will provide effective support and expecting that it will take action forcefully and without delay.

112. My delegation has repeatedly had occasion to affirm its faith in the United Nations on the basis of the fundamental principles of its Charter. There are many small and medium-sized countries in the world which,

like mine, continue to bring to this Organization their faith and the energy of their people.

113. Let us hope that the United Nations will not disappoint those countries. Let us hope that, faced with the current conflict, it will find the means to assert itself for the sake of the maintenance of international peace and security and of world co-operation on the basis of respect for the sovereignty and equality of its Members.

114. On certain occasions, notably during the year 1960, it has been stated from this rostrum that the United Nations is extremely useful to the small and medium-sized nations. Let me be permitted to state that it is no less useful to the great Powers; in our opinion it is equally necessary to all, whether great or small, if the purposes enunciated in the Charter are to be realized.

115. The present conflict, it should be stated, constitutes a test in which it is to be hoped that attachment to the principles of the Charter and the implementation of the Security Council's decisions will prevail over the desire to avoid giving offence or to demonstrate ill-considered "solidarity".

116. In the address which he delivered at Susa on 18 August 1961, on the day of Afro-Asian solidarity with Tunisia, President Bourguiba, speaking of what we expect from the Assembly at the current session, had this to say with regard to the ninety-nine delegations making up its membership:

"They must weigh immediate interests and consideration for France against the principles which constitute the foundation of the United Nations and the cornerstone of international peace. That is the choice which the Franco-Tunisian conflict imposes on the international community".

117. It would indeed be extremely dangerous for the United Nations and for the cause of a just peace throughout the world if a stand were to be taken with regard to this conflict on the basis of geographic or ideological solidarity or of common defence interests, to the detriment of peace with justice and respect for national sovereignty. As I had occasion to state before the Security Council, it is a question, particularly for us, of appealing to a larger sense of solidarity which transcends all these considerations: the solidarity of all nations in the face of aggression from whatever source.

118. For us, this is the true solidarity which should prevail in the case which we have submitted to the General Assembly. Our case should be examined objectively, on its own merits and in the light of the serious consequences which it may entail not only for a small country such as ours but also for any nation which may one day find itself in a similar situation.

119. Despite the continuance of the unfortunate and extremely dangerous situation which pits the two camps known as the West and the East against each other, we have not lost hope that the representatives of both sides will, in the present instance, adopt positions dictated solely by the merits of the case and conducive to the establishment of peace based on justice, right and respect for the sovereignty of nations.

120. How encouraging it would be if the latter of these two groups were to adopt such a position without taking account of the fact that France belongs to the Western camp! How encouraging if those who are called the Westerners were also to define their position openly and without taking account of the fact that France is a member of their own camp! In the case of the present

conflict which we have brought to the attention of the General Assembly, all considerations inspired by the regrettable cold war, from the effects of which the world is still suffering, should be banished. How reassuring it would be, for the delegation and people of Tunisia and for all peoples of the world, if the two great Powers were to adopt identical positions with regard to the case of Tunisia, as they did in the Security Council in 1960 with regard to the Congo when they ordered the withdrawal of all Belgian troops from that young African State! Is it too much to hope that what could be done with regard to the Congo in 1960, and with regard to Suez in 1956, can be done now with regard to Tunisia when it has been made the victim of aggression?

121. The problem currently before the General Assembly is twofold. On the one hand, it concerns the right of Tunisia to call for the early withdrawal of French troops from its national soil; that is a conflict between Tunisia and France, a conflict which, through France's doing, has degenerated into a case of armed aggression; it concerns the United Nations because the Organization has a fundamental responsibility for the maintenance of international peace and security.

122. On the other hand, there is a new aspect of this problem which has been grafted on to the earlier one and which relates to France's refusal to carry out the Security Council's interim resolution of 22 July 1961 calling for a cease-fire and a return of all forces to their original positions.

123. Thus, there is a conflict between France and Tunisia coupled with a conflict between the United Nations and one of its Members, France, which, moreover, exercises special powers within the Organization by virtue of its status as a permanent member of the Security Council and which therefore has a greater responsibility than others to respect the Council's decisions.

124. Such is the situation. I have set it forth objectively and honestly. My country and my people expect from the Assembly what the Security Council was unfortunately unable to achieve, namely, a clear-cut and unequivocal decision which will put an end to this conflict once and for all.

125. Mr. BARNES (Liberia): It is a privilege of mine to bring to the President the very good wishes and sincere congratulations of my delegation on his unanimous re-election, I should call it, as President of this special session of the General Assembly. In its confidence of his ability, patience and impartiality, my delegation cherishes the wish that under his able guidance the work of this Assembly will be marked with the stamp of success.

126. When I had the honour to address the Security Council on 6 June 1961 [950th meeting], on the subject of the situation in Angola, I expressed regret, sorrow and disappointment on behalf of my delegation that the tide of circumstances had forced my delegation to appear before the Council on an issue that not long before had been on the agenda of the General Assembly.

127. The situation this time is only slightly reversed, in that I am obliged to appear now before the General Assembly at this special session on an issue which only recently was on the agenda of the Security Council and which, owing to the unfortunate turn of events, had to be introduced before this body for the purpose of finding a solution.

128. The disappointment at this step is perhaps stronger since we are confronted with yet another case

of non-compliance by a Member—a founding Member of the United Nations—with a decision taken by an organ of the United Nations, and we have to repeat the process of turning from one body of this world Organization to another to achieve the results aimed at by a serious majority of its Members.

129. This Organization cannot fulfil its important role unless—the Security Council, having failed to assure the maintenance of peace and security, or to secure compliance with its resolution of 22 July 1961¹¹—the General Assembly now takes appropriate measures to restore the peace and adopt such other necessary measures as may be required to remove the basic cause for the situation now prevailing in Tunisia. The Assembly's action is especially important and demanding in the premises, since a small and a large nation are involved, and it is the large nation which has failed to comply and continues to impose upon the smaller nation its military presence without the consent of the sovereign of the territory.

130. My delegation has, therefore, joined with other Members in requesting that this special session of the General Assembly be called, not only to help France and Tunisia reach an amicable solution to their problem but also to assist the United Nations to carry out its role as the foremost authority in the world charged with the preservation of peace and security. The General Assembly, as the most representative organ of the United Nations, must remain the keeper of the peace as well as the conscience of mankind when other efforts for the maintenance of peace and security have not succeeded.

131. As it will be recalled, on 22 July, following the urgent appeal of the Secretary-General to the Council [962nd meeting] to take an intermediary measure pending the further consideration of the item and conclusion of the debate, my delegation laid before the Security Council a very brief draft resolution¹² calling for an immediate cease-fire between Tunisia and France and for the return of all armed forces to their original positions. In introducing the draft resolution, my delegation emphatically stressed the preliminary nature of the draft, which was intended to recommend an interim measure with the view to stopping the armed conflict and creating conditions conducive to immediate negotiations which would lead to the speedy evacuation of French forces from Tunisian soil, as called for by the circumstances and expressed in the draft resolution¹³ then standing in the names of Liberia and the United Arab Republic before the Council. The interim nature of this draft resolution was also intended to create for the Security Council an atmosphere in which members could, without the harassment created by the current fighting, with calm and poise, give full consideration to the situation and assist both Governments in a speedy solution of this most unfortunate series of events.

132. The draft resolution for an interim measure was duly adopted—the French delegation, however, not participating in the vote. My delegation still feels a sense of apprehension at the position taken by the French delegation which could not, as stated, participate in the vote for a cease-fire and the return of all armed forces to their original positions just because it so ardently wished a return to a peaceful solution and

¹¹ *Ibid.*, document S/4882.

¹² *Ibid.*, document S/4880.

¹³ *Ibid.*, document S/4878.

therefore did not see the need to exhort itself on this wish. This attitude was confined to a most unusual assertion to the effect that it was Tunisia that took aggressive action against the base at Bizerta. In this unfortunate attitude lies the whole irony of the situation.

133. Unfortunately, this interim resolution has not been implemented fully and effectively, because the French forces have not strictly observed the cease-fire and have not returned to their original positions before the fighting broke out on 19 July. Instead, the French stated their intention to continue to occupy positions in the city of Gizerta and the surrounding country-side, far removed from the base itself, until they received various guarantees from the Tunisian Government regarding communications, supplies and other functioning of the base. The interim resolution adopted by the Council was unconditional and the subsequent behaviour of France—a nineteenth-century behaviour in a twentieth-century world—in attaching unilateral *ex post facto* conditions to the Council's resolution, its high-handed treatment of the Secretary-General during his trip to Tunisia, and in its refusal to participate in the Security Council decisions on the subject, have raised serious doubts about the willingness of the French Government to co-operate in a fair and reasonable settlement of this most dangerous situation.

134. In these circumstances, the Security Council at its subsequent meetings on 28 July and 29 July was faced with the clear duty of effecting compliance with its interim resolution, and of further exerting its influence for a permanent settlement of the question. The proposed draft resolution,¹⁴ then submitted by Ceylon, Liberia and the United Arab Republic, which expressed serious concern over the fact that France had not complied fully with the interim resolution, and invited France to do so, did not, unfortunately, obtain the approval of the majority of the members of the Council—although it was clearly in accordance with the facts expressed from observations concerning France's non-compliance, and represented the logical step for the Council to take in obtaining full compliance with its own action.

135. We are not gathered here to lament the fact that the Security Council found itself unable to take the necessary measures to compel compliance with its interim resolution—a result which is most undesirable from the standpoint of the expectation of members that the Council must have the courage and the authority to secure compliance with its decisions if peace and security are to be maintained in the world.

136. Rather, our purpose and determination is to call upon the United Nations, through the General Assembly, which includes all Member States, great and small, to assert the primacy of the interests of the international community, and to protect the interests of aggrieved States, in discharge of the broad functions with which it has been endowed. Our purpose and determination is to see to it that the cry for help be heard within these walls, even though the suppliant cannot find it elsewhere. Our purpose and determination is to ensure that all States, and especially the small States can find succour, justice and protection of their sovereign rights in the United Nations, for if they cannot find it here, then the alternatives must be very difficult and very dangerous indeed.

137. Thus the first and most urgent task of this special session of the Assembly is to take prompt and effective action to support the interim resolution and to ensure that it is immediately carried out. This continues to mean that the French must cease all military operations and pressures against the Government of Tunisia on its own territory, and withdraw French forces to the original positions they occupied before 19 July. Unless this is done, the very authority of the United Nations will have been flouted by a Member State—indeed, a founding Member. Unless this is done, the position of the United Nations as the best instrument for the peaceful settlement of disputes and the maintenance of peace and security will be seriously undermined. Unless this is done, there may be need and encouragement for small nations to seek protection outside the United Nations, which may hardly be to their best interest in the final analysis.

138. In addition to obtaining full compliance with the interim resolution, this Assembly has a collateral responsibility. It has become evident that the basic problem in Tunisia is the continued presence of French forces on Tunisia's territory without the consent of the Tunisian Government and people. This certainly must continue to remain an irritant because it is basically incompatible with Tunisia's sovereignty and therefore a clear violation of that sovereignty. This has become painfully apparent to Tunisia: that, as long as foreign troops remain on its territory without its consent, its independence and sovereignty are a mockery. Therefore the only positive solution to the problem lies in the total evacuation of such forces, and this is a solution which we must continue to press while seeking implementation of the interim resolution.

139. Tunisia is a small State and it has appealed to the United Nations, as it rightly ought to do, for help and assistance in its conflict with France. The representative of Tunisia was good enough, a few minutes ago, to recount the facts of the dangerous situation still prevailing. I therefore need not repeat them again here.

140. Suffice it to say that the unfortunate conclusion therefore to be drawn from these statements is that the Government of France continues the use of force on Tunisia's territory, thereby ignoring the call for a cease-fire and the return of its armed forces to their original positions, and continues to impose its military presence on Tunisia without the consent of the Tunisian Government and people.

141. Any realistic approach to a solution must therefore be one in which the continued existence of the United Nations is maintained, the sovereignty of all Tunisia safeguarded and the interest of France brought within the framework of reality.

142. No Member of the United Nations has, in fact, given within this Organization any real support to the French actions in Tunisia. No Member of the United Nations except for France itself—and even this was done in an "unconvinced manner"—has tried to justify or even explain the French action by France's internal needs and interests. Even if such a need should exist, and certainly it does not, there is no thought in anyone's mind that it would justify the excessive military action in another's sovereign territory in which at least 670 Tunisians died and more than 1,000 were wounded. It is difficult to believe that France's insistence on continuing to maintain forces in Tunisia is vitally con-

¹⁴ *Ibid.*, document S/4903.

nected with its own security. Even, however, if these forces had some value for these security purposes, France could continue to maintain them only with the consent of the Tunisian Government. On the other hand, it appears to my delegation that a military outpost or base on hostile territory could be of very little value and use to France, and it would be in a far better position to protect its own security by withdrawing its troops, thereby retaining the goodwill and friendship of Tunisia, than by maintaining them on a territory hostile to it.

143. Under these circumstances, my delegation submits that the Assembly has little choice as to the action it can take in the matter. The situation is, in fact, amazingly simple. French troops find themselves in a foreign sovereign country—Tunisia. The Tunisian Government, which must have the freedom to decide on the fate and development of its own country, does not wish that these forces remain on its soil and has accordingly not consented to this military presence. On the basis of the prerogatives of sovereignty, the General Assembly must insist that the French troops abandon the territory of Tunisia in accordance with the expressed wish of the Tunisian Government. The United Nations cannot tolerate unnecessary bloodshed or stand helplessly by and witness the continuation of a situation which the world community considers entirely undesirable.

144. My delegation would be among the first to assert that France has made a valuable and considerable contribution to the disappearance of colonialism. The presence of a number of African States in the United Nations underlines that fact. These acts of statesmanship are deeply appreciated. It is equally noted that there exists in Africa a sincere desire on the part of African Governments to maintain friendly and cordial relations with France. It is not too much to appeal to this great democratic nation to recognize this desire and not to engage in activities which most seriously jeopardize the continuation of this burning desire for friendship, and the friendship itself. I should wish to address myself to the representative of France and ask in all seriousness: is it worth it? The French representative has not graced us with his presence today. This absence is indeed greatly regretted and its wisdom is seriously doubted. Perhaps, however, if it is realized that this special session of the Assembly is not directed against France, but is a sincere effort to assist it in the solution of the problem, for the sake of peace and friendship, the French Government will have a change of heart and participate in our debate.

145. We would hope that France will cherish and nourish its friendship with Tunisia and will adhere to the view which was expressed by its representative at the time of the Security Council debates concerning Tunisia and France in 1958. At that time the representative of France said:

“France and Tunisia have too many interests in common to allow themselves to be deflected by any difficulties which may momentarily divide them. My Government, for its part, is convinced that our two countries will find in themselves sufficient intelligence and courage jointly to build a future of co-operation and friendship.”¹⁵

146. As my delegation sees it, the Assembly should have its attention directed to the effort of restoring friendly relations between two great countries. We should not permit the situation to be clouded by temporary differences which obscure the much more fundamental interests they hold in common. These dark and portentous clouds must be dispersed.

147. The General Assembly can take a forward step in this direction by adopting, and we hope unanimously, the draft resolution [A/L.351] sponsored by Afghanistan, Burma, Cambodia, Ceylon, Congo (Leopoldville), Cyprus, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Morocco, Nepal, Nigeria, Pakistan, Saudi Arabia, Somalia, Sudan, Thailand, Togo, United Arab Republic, Upper Volta, Yemen and Yugoslavia. It is my honour to introduce this draft resolution before the Assembly.

148. In this draft resolution, the Assembly supports the interim resolution adopted by the Security Council and calls for compliance by France with it in respect of paragraph 1. The Assembly recognizes the sovereign right of Tunisia to call for the withdrawal of all French armed forces present on its territory without its consent, and calls for the initiation of immediate negotiations between the Governments of France and Tunisia to devise peaceful and agreed measures in accordance with the principles of the Charter for the withdrawal of all French armed forces from Tunisian territory.

149. In view of the fact that Tunisia has complied with the Security Council's interim resolution while France has failed to do so, it is imperative that the General Assembly should now call upon France only—and I repeat, only—to comply fully with the terms of the interim resolution in respect of paragraph 1 thereof. Operative paragraph 1 of the draft resolution is intended to achieve this desirable result.

150. The fundamental tenet on which all activities of this Organization have rested has been based on the principle enunciated in Article 2, paragraph 1, of the Charter, recognizing the sovereign equality of all its Members. The intercourse of States with each other and human conduct within the international community necessitate rules for international conduct. Those rules require the consent of the receiving State for the presence of foreign troops on its territory. As Tunisia does not consent to the presence of French troops on its territory and that presence is a violation of Tunisia's sovereignty, it is desirable that the Assembly recognize that it is inherent in Tunisia's sovereignty to call for the withdrawal of such troops. This desirable objective is intended to be achieved by operative paragraph 2 of the draft resolution.

151. The insistence by France on the maintenance of the *status quo* over the Bizerta base, which has driven her, and continues to drive her, into action the result of which creates a permanent source of international friction and endangers international peace and security would, at first blush, deny the hope for negotiation of this issue between France and Tunisia. Nevertheless, as the United Nations must not abdicate its functions and responsibilities, and must strive assiduously to encourage the settlement of disputes by peaceful means, the machinery for which is negotiation, it is desirable and imperative that this Assembly recommend the initiation of negotiations between the two contending parties to enable discussions that will lead to the

¹⁵ *Ibid.*, Thirteenth Year, 826th meeting, para. 6.

withdrawal of all French armed forces from Tunisia, the time-table and method of such withdrawal being left to agreement in accordance with the Charter of the United Nations. This desirable objective is intended to be achieved by operative paragraph 3 of the draft resolution. On behalf of its sponsors, I commend it to the General Assembly and call upon all delegations to lend it their full support.

152. In conclusion, may I be permitted to say that the French Government can certainly draw little consolation from the triumph of its military might against a small and peaceful nation. If this is a victory, it is indeed a Pyrrhic victory. How many more such victories can the world, which today leans on the edge of terror afford? One cannot believe that a great democratic

nation which has cradled the civilization of man would seek to carry out a vendetta against a small and inoffensive country. Centuries ago, the slogan of the Roman Cato against the historic predecessor of modern Tunisia was: *Carthago delenda est*—Carthage must be destroyed. It is not Tunisia which would be destroyed today, but rather faith in democracy and in peaceful methods of settling disputes—a faith which is essential for the preservation of the world.

153. Those who consistently believe in upholding the freedom of all peoples will, I am sure, be found within the ranks and on the side of the supporters of this draft resolution.

The meeting rose at 1 p.m.