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**President: Mr. Muhammad ZAFRULLA KHAN
(Pakistan).**

Address by Mr. Jorge Alessandri Rodríguez,
President of Chile

1. The PRESIDENT: I invite His Excellency Mr. Jorge Alessandri Rodríguez, President of Chile, to address the General Assembly.

2. Mr. Jorge ALESSANDRI RODRIGUEZ, President of Chile (translated from Spanish): I bring the voice of the people of Chile to this General Assembly of the United Nations, just as it is beginning to complete its labours and to reach the culmination of its efforts to strengthen international understanding and co-operation and to promote better living conditions for all mankind.

3. It is the voice, fervent and full of hope, of a people living in the extreme south of the American continent, in a long and narrow land stretching from the Andes to the Pacific. It is a land of volcanoes, lakes, mines, deserts and fertile fields, extending to the Antarctic wastes. It is a land which in other times was considered one of the legendary ends of the earth. There a young nation, but one already mature enough to be aware of the destiny of mankind and to assume its responsibilities in international organizations, was built and consolidated. I here confirm the determination of Chile to contribute to the achievement of a stable peace which will safeguard rights and liberties throughout the world, guarantee rapid social and economic progress, especially in the less privileged areas, and convert the fear which man now feels in the face of his own technological achievements into security and confidence.

4. Chile takes part in the United Nations on a footing of equality with all other States, whatever their size or degree of development. There is no country today which does not carry weight in the world or which is without its share of the responsibility to defend the common heritage of civilization and its inalienable right to exert its influence in rectifying the sometimes uncertain course of the international community and guiding it in the proper direction.

5. We in Chile are proud of our democratic régime, of our high respect for freedom and for the legal and constitutional principles by which our communal life has been scrupulously governed for 130 years. We have fostered tolerance and fidelity to the dignity and worth

of the human person. This concept of social reality, which recognizes differences and trends within itself, has been the essence of Chilean life since the very beginning of our existence as an independent nation.

6. A people such as ours, which is anxious to adapt itself to the exigencies of modern life, has become clearly aware of the fact that democratic principles, to be effective, must be put into practice both in the realm of public liberties and in the economic and social field. Our people believe that a democratic régime does not become a complete reality until it is able to raise the level of living and eliminate backwardness and poverty.

7. Chile, like other countries in various parts of the world, is carrying on a dramatic struggle to achieve the well-being to which all its citizens without exception are entitled, but it comes up against a barrier which is at times insurmountable, a barrier which is more powerful than the tenacious will of our people and the efforts and vigilance of their leaders. I refer especially to the economic and financial limitations, which in the case of Chile are particularly serious because they are accompanied periodically by natural catastrophes such as the earthquake which we suffered two years ago.

8. Chile has very clear and concrete objectives for its planned development. It has efficient organizations and experts of recognized ability to carry out its programmes. Its ten-year development plan, which required lengthy and careful preliminary studies, is designed primarily to increase the gross national income, to make full use of material and human resources, to diversify production and to secure immediate social benefits for the people. In order to execute this plan we must rely principally on our own resources, together with international financial help.

9. The road to the attainment of these objectives is, however, a hard one and the occurrence of unforeseeable phenomena in the economic field compels us to submit to a régime of austerity and sacrifice in order not to interrupt the progress we are making. Chile, like other Latin American countries, is at this moment facing a crisis which is a typical result of the congenital weakness of our economies and of the constant disequilibrium in our balance of payments, which is largely caused by the fact that today nations cannot as before limit their progress to their material possibilities because the prodigious advances made in the means of communicating ideas and images have made it possible to know about events in all parts of the world almost at the very moment they occur. Thus the great masses of the people have an ever greater thirst for progress, which their leaders cannot disregard.

10. Despite the scarcity of our means, the incessant struggle which we wage against an inhospitable nature, and our complete dependence on foreign markets, we

have made progress in the industrial, social and cultural fields that is truly amazing. It is a source of great satisfaction to the Chilean Government to be able to state that in regard to problems as fundamental as housing and education the country has during my administration been more than able to keep up with population growth, which means that we are on the way to reducing our backwardness in these vital areas. Obviously, we still have much to do in these and other fields; we have urgent problems which cannot be postponed, many material wants to supply, many human aspirations to fulfill. Nevertheless, however serious our problems are, I can assure you that we shall never succumb to resignation or inertia in the face of these difficulties.

11. There are abundant reasons for saying these things from this rostrum, because it is the United Nations which has provided a rational yardstick by which we can measure the inequalities between the highly industrialized countries and the developing countries, inequalities which directly affect world order and which in recent years have become more pronounced and more intense. I know that it is here in the United Nations that the point of balance may be found because here are the clear-sightedness and action necessary to alleviate the deleterious consequences of the disequilibrium in the world's riches which affects so many peoples of the world. Many of them which were already backward now see themselves lagging even further behind because of the scientific and technological advances which are producing changes and material progress of such magnitude.

12. The pressing needs of many developing nations, the internal pressure of the masses of their people to achieve better living standards, the lack of food, housing, schools and hospitals, produce a fertile field for discouragement and pessimism, making the people feel cheated and giving rise to situations which lead to national or international discord and threaten world peace and security. It is not only the antagonisms between the great Powers and the armaments race which undermine world tranquillity; it is also the poverty which still prevails in many areas of the globe. Hence the campaign against poverty is an offensive against war itself.

13. I think it is only honest to point out frankly the danger of the present situation and the need to strengthen the efforts being made to ensure that the principle that "peace, prosperity and security are in the final analysis indivisible" will be put into practice. Without aspiring to Utopias, we can see clearly that the economic and social situation in the world of today would be eased if the machines destined for man's annihilation were converted into machines for the improvement of all aspects of human life. I am not unaware of the difficulty of arriving at a formula, which might appear simple, for the attainment of an ideal so desired by all nations, great and small, powerful and weak. As the representative of the Chilean people, however, I must proclaim here the urgent need to foster negotiation and to encourage any initiative which might lead us, if not directly to universal disarmament, at least to its first stages.

14. It would not be right, in a general panorama of world events to mention only the difficulties and dangers and to keep silent about anything that is auspicious and positive. In referring in particular to the work of the United Nations thus far in the seventeenth session of the General Assembly, how could I fail to

express my country's satisfaction with the work accomplished? Among the agreements already adopted, I should draw particular attention to those designed to achieve the prohibition of nuclear tests, to reopen disarmament talks, to solve the problem of West Irian, to develop the principles of the United Nations Charter with a view to promoting friendship and co-operation among nations, to eliminate the last vestiges of colonialism, to convene a conference on international trade for the consideration of problems relating to the foreign trade of the developing countries, to improve the legal status of women in the world and to overcome racial prejudice and religious intolerance. All these contributions that you have made, gentlemen, reveal that, despite the difficulties inherent in such a large Organization, the United Nations is constantly increasing its effectiveness and its moral and legal influence.

15. The different regions of the world are playing an ever-increasing role in this world Organization as they accelerate their development. You will all agree, for example, that current happenings in Latin America are of decisive importance for the international community and for the future of the world. Latin America is a continent which is experiencing the most intense population explosion in the world: by the end of this century, the number of its inhabitants will have more than doubled. This is a critical time for our continent, but we are determined to perform prodigies. Each of our countries is willing to do everything possible to ensure progress, while respecting its own character and traditions. Nevertheless, it is imperative for us that the great industrial Powers should take even more interest in our continent, appreciate the extent of its dizzy rate of growth and accurately assess the urgency of our problems.

16. It is still difficult to appreciate the magnitude of the process which has begun in Latin America during the last few years, especially with the Alliance for Progress. There are deficiencies and delays in the latter but there is good will on the part of all to remedy them. This Alliance is part of an irreversible movement with repercussions not only in the hemisphere but in the entire world, because there is one key fact to which any leader must refer in plain terms in this General Assembly: namely, that the increasingly rapid development of our countries, for which our limited national resources are insufficient, calls for international help but it must be help conceived in a new, more dynamic and more rational form, help which will benefit both the recipient and the donor by increasing the purchasing power of the former. This help must be a harmonious combination of financial resources, technical assistance and the radical reforms which each State must undertake. In fact, we must try to achieve a profound transformation within a democratic framework without impairing human values or disrupting our institutions. We are now trying to bring about in Latin America the integration which was the dream of our liberators. We have the Latin American Free Trade Association, in which various countries of the continent take part and which is the instrument created to achieve the greatest possible increase in regional trade.

17. As far as international technical assistance to Latin America is concerned, some highly capitalized countries of Europe, following in the footsteps of the new United States policy, are taking the first steps to promote an accelerated programme of economic development for our continent. We wish to pay a tribute to those Europeans who have achieved an exemplary

degree of co-operation among their nations and have succeeded in rebuilding them and in making such extraordinary progress. Some fears have arisen in Latin America about the possibility that Europe might become stratified into closed economic blocs which would jeopardize the market for Latin American products. Now, however, there are indications that Europe realizes that it cannot disregard our countries but must take them into consideration in the economic and technical field, in investments and in cultural and commercial exchanges. Thus a more effective bond will be harmoniously and steadily forged between Europe and our countries, which were closely connected before the war of 1914.

18. Along with the present trend towards regional integration, Latin America is at the same time trying to develop its ties with the rest of the world. It is for this reason that we also feel the need for closer contact with Asia, Africa and Oceania, that is to say with those continents which have heretofore been outside our sphere of interest, being under colonial domination, but which now, masters of their own destinies, are beginning to exercise a marked influence in the world in favour of peace, self-determination, respect for human rights, and economic and social welfare.

19. When the seventeenth session of the General Assembly opened the tension which was later to culminate in the Caribbean crisis was becoming more acute. The world trembled at the idea that the spectre of war might become a reality. Those were days of anxiety and profound anguish. Fortunately common sense prevailed and the world began once again to return to normal and to regain hope despite the disquieting and threatening symptoms which unfortunately persist. I should like to express special gratitude to Secretary-General U Thant for the selfless and intensive work he performed in those critical days in furthering the negotiations.

20. I am particularly glad that, at a historic meeting upon whose outcome the fate of the whole world depended, the representative of Chile on the Security Council urged, with impassioned insistence, the need for the intervention of the Secretary-General.

21. I regret that the recent increase in international tension should have originated in the American continent, whose countries have always been so firmly devoted to peace.

22. Chile, like the other members of the inter-American system, at once reaffirmed its adherence to the principles and practices on which that system is based and acted in accordance with its obligations. At the same time it acted with the utmost determination in the Security Council. In this respect I must remind you that Chile will retire from its seat in the Council within a few days.

23. For two years Chile has done everything in its power to assuage antagonisms among the countries which brought their disputes to that forum and to find formulas for agreement and peace in accordance with the serenity, prudence and freedom of judgement which have always inspired the international policy of my country.

24. We are glad that all political and economic systems and all groups can coexist in the United Nations, because this constitutes an inducement to reach understanding among peoples; it is my duty, however, to declare that Chile considers itself firmly linked to the destiny of the inter-American community, which is one

of the bulwarks of the Western free world, a world founded upon the moral and spiritual tenets of Christianity and the abiding humanistic ideals of the classical civilizations.

25. Chile is part of this free world, which is not static but subject to great transformations and which now has the historic mission of implanting social justice everywhere while respecting individual liberty.

26. Nevertheless, while faithful to its obligations, Chile has traditionally followed an independent course in the international sphere and is willing to co-operate in the United Nations with all Member States in any initiative leading to true peace and mutual progress.

27. Chile once again affirms its unswerving loyalty to the universal ideal of a positive peace, not an armed and sterile peace which only serves to keep the nightmare of war hanging over our peoples.

28. We are opposed to nuclear weapon tests. The position of the people and Government of my country is firm and decided in this respect. Chile, together with other friendly nations, submitted a draft resolution for the elimination of such tests and, wherever possible, our representatives have raised their voices to condemn them or to request the nuclear Powers to refrain from continuing them. In this regard, we shall spare no effort to attain our objectives, as we have shown once again during the present session of the General Assembly. In fact, my country has supported and co-sponsored all the resolutions so far adopted urging the Eighteen-Nation Committee on Disarmament, now meeting at Geneva, to continue and to expedite its important work.

29. We have given an affirmative reply to the inquiry which the Secretary-General addressed to us about the possibility of convening a conference for signing an international convention on the prohibition of the use of nuclear and thermo-nuclear weapons. We are signatories of the treaty preserving Antarctica from atomic dangers, signed in Washington on 1 December 1959, and, with other sister nations of Latin America, we have recently submitted a draft resolution to convert our continent into a denuclearized zone. We sincerely trust that this hope will be realized in the near future.

30. It is in this way that we interpret the longings of all peace-loving peoples who desire to remove the dangers of an atomic war from our continent and thus to protect not only present generations but also, and above all, future generations.

31. In the name of the people of Chile, in the name of the men, women and children of my country, rising above any ideological difference which may divide us but which cannot alter the unshakable unity of our citizens and our destiny, I reaffirm to you, Mr. President, and to all the representatives that we shall continue to work with fervour and with profound conviction in order that the principles on which the United Nations Charter and the Universal Declaration of Human Rights are founded may become a universal reality.

32. Contemporary man may take pride in having dominated matter and released energy, provided that this does not lead him to impose his power on his fellow beings.

33. It is possible that this historic period, so full of doubts, fears and hopes, may become the most dazzling period in history. When the astronaut is launched into the immensity of stellar space or the physicist explores the secrets of the atom, they find, not an ulti-

mate limit, but the threshold of a new and immeasurable world, the adumbration of a moral and divine Power.

34. It would therefore seem that man must be humble and implore God's help to save him from the snares and temptations which lead to permanent insecurity such as that in which we now live, so that mankind may attain harmony, dignity and happiness.

35. The PRESIDENT: On behalf of the General Assembly, I wish to thank the President of Chile for the address he has just made. The thoughts he expressed will be given careful consideration by all the representatives here present.

The meeting was suspended at 3.40 p.m. and resumed at 3.45 p.m.

AGENDA ITEM 39

Permanent sovereignty over natural resources

REPORT OF THE SECOND COMMITTEE (A/5344/ADD.1 AND ADD.1/CORR.1)

36. The PRESIDENT: Amendments to the draft resolution submitted in the report of the Second Committee [A/5344/Add.1 and Add.1/Corr.1] have been proposed by thirteen Powers [A/L.412/Rev.2] and by the Soviet Union [A/L.414].

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

37. Miss SELLERS (Canada), Rapporteur of the Second Committee: It is my privilege, as Rapporteur of the Second Committee, to present to this plenary session of the General Assembly, the report of the Committee [A/5344/Add.1 and Add.1/Corr.1] on the action taken under item 39 of the agenda of the seventeenth session of the General Assembly, entitled "Permanent sovereignty over natural resources".

38. I think it would be redundant for me, before this knowledgeable Assembly, to attempt to summarize the background of the item or the discussions held by the Second Committee during this session. Suffice it to say that the action at the seventeenth session arises directly out of General Assembly resolution 1314 (XIII), which established the Commission on Permanent Sovereignty over Natural Resources. Meeting over the course of three years at three sessions, the Commission submitted to the Economic and Social Council, in the first instance, and ultimately to the General Assembly, a resolution originally presented to the sixteenth session of the General Assembly but unable to be considered during that session for lack of time. The sixteenth session of the General Assembly, however, transmitted the item to the seventeenth session and recommended that the Second Committee give it prior consideration among the items allotted to the Second Committee for discussion.

39. I think few representatives here would deny that item 39 on permanent sovereignty over natural resources touched on the vital interests of all Member States, without exception. Certainly, the record of the Committee's debate, of which fifteen meetings, or roughly one quarter of those devoted to the discussion of resolutions, were devoted to this item, and the impressive record represented in the report of the votes taken by the Committee on the various amend-

ments, sub-amendments and sections of the original resolution, forwarded by the Commission on Permanent Sovereignty over Natural Resources, would attest to the importance which all Members of the General Assembly attached to the discussion on this item.

40. It is, therefore, the draft resolution contained in the report which the Second Committee recommends for adoption by the plenary session of the General Assembly.

41. The PRESIDENT: Interventions will be limited to explanation of vote.

42. Mr. AYARI (Tunisia) (translated from French): On behalf of the delegations of Afghanistan, Algeria, Burma, Indonesia, Jordan, Lebanon, the Philippines, Saudi Arabia, Sudan, Syria, Thailand, Tunisia and Yugoslavia, I have the honour to submit amendments [A/L.412/Rev.2] to the draft resolution on the permanent sovereignty of States over natural resources submitted by the Second Committee [see A/5344/Add.1 and Add.1/Corr.1].

43. It will be recalled that, because of its importance and complexity, the subject gave rise to lengthy debate in the Second Committee. The draft resolution is the outcome of these discussions. The result of the debate on this question was that the balance of the original draft resolution was improved—a balance between, on the one hand, the univocal affirmation of the inalienable right of States to exercise sovereignty over their natural resources and, on the other hand, the reconciliation or adaptation of this sovereignty to international law, equity and the principles of international co-operation.

44. We, for our part, think that the text of the draft resolution reflects these two principal and fundamental aspects and we therefore find it better balanced than the original text submitted to us by the Commission on Permanent Sovereignty over Natural Resources [see A/5344/Add.1 and Add.1/Corr.1, para. 64].

45. Whatever the value of the final text submitted to the Assembly, however, I think we all realize that the discussion of the problem of the permanent sovereignty of States over natural resources is by no means concluded. In our view, the numerous legal, economic, social and political aspects of this problem should continue to be studied and considered by the competent institutions and organs of the United Nations with a view to providing us—and particularly the developing countries—with more information and thus more opportunity for co-operation in this field.

46. In view of the new legal status of several newly independent developing countries, the need for these countries to derive the maximum benefit from their own resources and the no less vital need to provide the best possible context for international co-operation in the economic, social and political fields, we must continue to study the question of the permanent sovereignty of States over their natural resources and must provide all countries both with better tools for analysis and with better methods of action in this respect. This, I think, is the purpose of our third amendment.

47. During the debate on this question in the Second Committee, there was disagreement about the most suitable forum for further consideration of this problem. Should the Commission on Permanent Sovereignty over Natural Resources be revived although, as will be recalled, it was set up as a kind of ad hoc committee

and its mandate has expired, or should the International Law Commission be requested to reconsider this question? Many delegations opposed the revival of the Commission on Permanent Sovereignty over Natural Resources and the idea of increasing its membership because discussion of the question in the same organ, in the same commission, would produce nothing new. Others argued that in the International Law Commission only the legal aspects of the problem would be considered.

48. This being so and in view of the differences of opinion, we thought that this question should be referred for further consideration to the Secretary-General, who will decide in what context and what institution the problem will be studied and remain under consideration. We feel it is particularly suitable to ask the Secretariat to do this, because it has already provided us with satisfactory documentation and studies, which would thus be constantly brought up to date and supplemented by new information and new analyses.

49. In order to give the Secretary-General enough time to reconsider this question, we have adopted a flexible approach, requesting that the report on this question should be submitted to the Economic and Social Council at its thirty-sixth session and to the General Assembly at its eighteenth session.

50. Similarly, the amendment we are proposing to the last paragraph of the draft resolution submitted by the Second Committee is designed to make the wording more accurate. The International Law Commission has already decided to continue and accelerate its work on the codification of the topic of the responsibility of States in the matter of sovereignty. We therefore preferred the more specific wording used in our second amendment: "Welcomes the decision of the International Law Commission ...".

51. In conclusion, we are suggesting that throughout the text of the draft resolution the words "under-developed countries" should be replaced by an expression which is now much more widely accepted, at any rate in the United Nations—the words "developing countries".

52. This is the substance of our amendments. Their aim is to improve the balance of the original text and thus make it easier for a unanimous decision to be reached on this problem.

53. Mr. UNWIN (United Kingdom): The United Kingdom delegation has asked for a separate vote to be held on operative paragraph 5 of the draft resolution before us [A/5344/Add.1 and Add.1/Corr.1]. It is not my delegation alone which has found that the inclusion of this paragraph is the only obstacle which prevents them from casting a vote in favour of the draft resolution. I believe there are many other delegations here today that are in the same position.

54. Perhaps I may remind the Assembly that this paragraph is only one of a large number of amendments, originally proposed by the Soviet Union, which are now included in the text before us. There are those amendments which are very far from being in line with my own delegation's thoughts on this important matter of permanent sovereignty over natural wealth and resources, and we are sorry to have seen them included. Nevertheless, we should be prepared to vote for the text, provided that operative paragraph 5 is removed. In the separate vote which we have asked for we shall naturally vote against its retention. We shall do so because we believe that it completely unbalances the

text which was prepared with such care and difficulty over a long period by the Commission on Permanent Sovereignty over Natural Resources.

55. In the debate in the Second Committee many delegations emphasized that this balance should not be disturbed. It was in response to those pleas that the United Kingdom delegation withdrew, as many other delegations withdrew, amendments originally proposed to the Commission's text. The two minor changes which were finally embodied in the text at our request were essentially in the nature of clarifications, and were accepted as such by almost all the delegations which had served on the Commission. They were clarifications that in no way altered the balance of the draft resolution, and we were prepared, if they were accepted, to vote for it, although it was still far from being an ideal text from our point of view.

56. Even with other amendments, originally proposed by the Soviet Union, which have also been embodied in the draft resolution, we should have been prepared to vote for it in the Second Committee. We were unable to do so, however, once the present operative paragraph 5 had been included, for we consider that this goes far towards nullifying many of the other aspects of the draft resolution to which we attach great importance.

57. As I have said several times, in the course of the discussions in the Committee, it has always seemed to us that there was a danger that this draft resolution, and also some of the amendments previously proposed to it, might have the effect of deterring investors from playing in developing countries capital which is so badly needed, if their efforts at progress are to succeed. It seems to us now that operative paragraph 5, in particular, weakens the force of those provisions that in our judgement might offer a sense of security to those with capital to invest in developing countries, which might offer them the assurances they need before they are prepared to risk their money abroad. For these reasons we shall vote against the retention of paragraph 5 in the text. If operative paragraph 5 is removed and the text remains otherwise unchanged in substance, we shall then vote for the draft resolution. We shall also vote for it if it includes the two amendments [A/L.412/Rev.1] which have just been presented to us by the representative for Tunisia, and which are acceptable to my delegation.

58. I very much hope, therefore, that the Assembly will uphold our proposal that a separate vote shall be taken on a matter as fundamental as this, and one to which so much time, trouble and attention has been devoted. I think it is of urgent importance to seek the widest possible measure of agreement. I have no doubt at all that the vote in favour of the draft resolution as a whole will come much closer to unanimity if this one paragraph 5 is removed.

59. My delegation assumes that the Assembly will wish this to be considered an important question. It seems to us beyond question that it should be so considered. Quite apart from the importance of the subject itself, which has been recognized by all speakers in Committee, it is also a matter on which the Second Committee spent no less than sixteen meetings, followed by two and one half hours of voting.

60. Mr. LUQMAN (Mauritania): I have asked for the floor to explain my vote on this draft resolution for the following reasons. First of all, I really do not consider this question to be as important as the representative of Great Britain thinks it is. I think we have spent a

great deal of time on many other questions that are of an even more complicated nature and of a different character—and this does not make them so important. Therefore, I do not think, in some instances, that the length of time devoted to the discussion of a question determines the importance of that question.

61. However, my delegation is completely in favour of the retention of operative paragraph 5 of this draft resolution for the following reasons—and I believe that several other delegations also feel the same way. There is nothing contrary to the principles expressed in this draft resolution that is expressed by this paragraph. This paragraph reads:

"It unreservedly supports measures taken by peoples and States to re-establish or strengthen their sovereignty over natural wealth and resources"
[A/5344/Add.1 and Add.1/Corr.1.]

There is nothing in this paragraph contrary, therefore, to the principles expressed and for which this draft resolution was submitted. I continue reading from this paragraph:

"... and considers inadmissible acts aimed at obstructing the creation, defence and strengthening of that sovereignty." [Ibid.]

62. I do not think that there is anybody in this Assembly who would not see that the contents of this paragraph are completely within the context, interest and principles for which this draft resolution was submitted. Therefore, I would like, from this rostrum, to direct my statement to those delegations, who in the Second Committee had expressed their sincere interest in the subject before us, to ponder and to think about this paragraph. Its retention would not in any way harm the contents of the resolution.

63. Since the President has given me this opportunity to speak, I should like, at the same time, to express the position of my delegation with regard to operative paragraph 4 of the draft resolution. My delegation would vote for paragraph 4 if the fourth from last line were to read as follows: "... national jurisdiction of the State taking such measures shall be resorted to." My delegation feels, therefore, that the words "shall be exhausted" prejudice the case and bring about some sort of doubt as to the sovereignty of the State. It is only the national jurisdiction that is responsible to say in case some legal action is taken whether or not the national jurisdiction has been exhausted. Therefore, my delegation is very strongly against the retention of the words "shall be exhausted". If the paragraph remains as it is, my delegation will vote against it.

64. Mr. KLUTZNICK (United States of America): If operative paragraph 5, to which the representative of the United Kingdom and the representative of Mauritania have already referred, is retained as a part of the draft resolution before us [A/5344/Add.1 and Add.1/Corr.1], the United States will regretfully have to vote against the draft resolution on permanent sovereignty over natural resources. If, on the other hand, that paragraph is deleted and no other important or consequential changes are made, the United States will vote in favour of the draft resolution. We are prepared to accept the amendments proposed by the representative of Tunisia, which he explained a short while ago.

65. Permit me to explain our attitude. My Government does not oppose paragraph 5 because of its authorship. This must be made very clear at the outset. It does oppose it because of its content. The draft resolution

on permanent sovereignty over natural resources is designed to affirm the sovereignty of States over their natural resources. That affirmation the United States is pleased to support. We do not need to assure this Assembly that my Government wholly supports that every country, including our own, should enjoy the full benefit of its natural resources.

66. Now, putting aside operative paragraph 5, the draft resolution strikes a healthy balance between the rights and the obligations of sovereignty. The exercise of sovereignty, with regard to natural resources as in other cases, requires respect for the rights of others as well as one's own rights. This the draft resolution recognizes, except in operative paragraph 5. That paragraph, in its own terms, is "unreserved". It does not make sense, painstakingly to compose a draft resolution which sets forth the rights and obligations of States, which affirms their sovereignty and the modalities of the exercise of that sovereignty and, at the same time, declares unreserved support for measures to "re-establish or strengthen their sovereignty over natural wealth and resources".

67. To support unreservedly "measures" may be taken to imply any measures, including measures in violation of international law, of treaties, of contracts, of the demands of economics, of the international interest, in violation of the true national interest. To support unreservedly measures to re-establish or to strengthen sovereignty over natural wealth and resources is to suggest that any measures in exercise of sovereignty are legitimate in form, however illegitimate they may be in substance.

68. Permit me to give an example which illustrates the extreme interpretation to which the language of operative paragraph 5 readily lends itself. Hitler's Germany, in exercise of its sovereignty, confiscated the property of persons formerly its nationals. That confiscation was universally recognized as part of a programme of barbarism. Yet, if this Assembly is to state that it unreservedly supports measures taken in the exercise of sovereignty, it makes no reservation with respect to the Genocide Convention. It makes no reservation with respect to racial discrimination. It makes no reservation with respect to the application of other aspects of the Universal Declaration of Human Rights, including the right to own property.

69. The United States does not oppose this paragraph because the paragraph affirms sovereignty over natural wealth and resources. It opposes paragraph 5 because it distorts sovereignty over natural wealth and resources. If operative paragraph 5 were to be deleted, the draft resolution would constitute a strong affirmation of the sovereignty of States and peoples over their natural wealth and resources. The draft resolution expressly affirms that sovereignty in the second, third, fourth and eleventh preambular paragraphs, and it again affirms that sovereignty in operative paragraphs 1, 3, 6, 7, 8 and 9. It implicitly recognizes that sovereignty in the remaining paragraphs of the draft resolution. The difficulty with operative paragraph 5 is that, by appearing to support any kind of action which any State may take in the name of sovereignty, it contradicts both the truth and the remainder of the draft resolution.

70. The draft resolution before us has its origin in a draft that was meticulously considered by the Commission on Permanent Sovereignty over Natural Resources. That draft subsequently was reviewed, though

briefly, by the Economic and Social Council. As a whole, it has been scrutinized and shaped by the Second Committee. Not, however, operative paragraph 5. This paragraph, which is not to be found in the draft resolution submitted by the Commission on Permanent Sovereignty over Natural Resources, of necessity received only hasty consideration in the Second Committee.

71. It was hardly discussed at all. It was voted through in the course of a very difficult night session, during which twenty-seven votes were taken, many of them roll-call votes. The French text of the paragraph departed from the English. We do not say these things critically or undiplomatically. Candidly, all who were present were weary and tired. Since the cast and the content of operative paragraph 5 is so different from that of the remainder of the draft resolution, since it is extreme where most of the resolution is moderate, my delegation, like perhaps some others did not treat the paragraph with the seriousness it merits. It is serious because it would, in a few words, destroy what so much of the resolution and the Second Committee has endeavoured to build. Accordingly, my delegation will vote against operative paragraph 5.

72. The United States delegation also will vote against the Soviet-sponsored amendment which was defeated in committee and which is now revived [A/L.414]. That amendment would transform the balanced provisions of operative paragraph 4 into a statement that would reflect the values which the economic system of the Soviet Union attaches to property. Paragraph 4, as adopted in the Committee, recognizes that nationalization, expropriation or requisitioning must be based on public requirements. It recognizes that when they occur "appropriate" compensation shall be paid in accordance with domestic and international law. However, the Soviet amendment would provide for the unobstructed execution of nationalization, expropriation and "other essential measure"; that is to say, expropriation without regard either to national or to international law. Such a provision would violate both international law and the domestic law of the great majority of the Member States represented in this Assembly.

73. The United States, for its part, naturally will be compelled to vote against the draft resolution as a whole if the amendment contained in document A/L.414 is adopted.

74. I should like to conclude by addressing myself to a procedural and important matter. The draft resolution on permanent sovereignty over natural resources which the Second Committee has transmitted to us relates to one of the most important matters ever to come before this General Assembly. Matters vitally relating to economic development, especially of the new States and of the developing States, are of the greatest significance to the inhabitants of those States and to the alleviation of the poverty which constitutes and ever-present threat to many regions of the world, as was eloquently described by the President of Chile, and, accordingly, to the maintenance of peace. The importance of the subject matter of this draft resolution elicited repeated comments during the discussions in the Committee. Sixteen meetings and twenty-seven votes in the Second Committee were devoted to it.

75. Accordingly, the United States delegation is convinced that this draft resolution should be deemed as an important question within the meaning of Article 18

of the Charter. Resolutions on matters of such significance must reflect the convictions of a very large majority of the Members of this Assembly if they are to have the persuasion and import necessary to have a significant effect. The United States delegation is the more persuaded of the necessity of treating this draft resolution as an important question because of the form in which the draft resolution is cast. It is a rare thing for the General Assembly to "declare" as this draft resolution does. Resolutions passed as declarations purport to state with lasting import, the convictions of the General Assembly on fundamental issues. It is manifest that such declarations should be so cast as to command the overwhelming support of the General Assembly.

76. Accordingly, my delegation moves that the General Assembly decides, pursuant to Article 18, paragraph 3, of the Charter, and rule 87 of the rules of procedure, that this resolution constitutes an important question, the adoption of which will require a two-thirds majority of the Members present and voting.

77. Mr. BLOIS (Canada): I should like to give the General Assembly a brief statement of the attitude of my delegation towards the draft resolution on permanent sovereignty over natural resources [A/5344/Add.1 and Add.1/Corr.1], which was approved by the Second Committee on 3 December 1962. I shall be brief because this question has already been discussed at considerable length in the Committee, and delegations, therefore, are thoroughly familiar with the basic issues before us today.

78. The Canadian Government is keenly interested in the questions at issue in the draft resolution submitted to us for approval. My Government has never been in any doubt about the sovereign rights of every State to dispose, as it sees fit, of the natural resources situated within its territory. At the same time, however, we have been very conscious of the close relationship between the practical exercise of this right and other aspects of economic development particularly the flow of funds for investment.

79. My delegation welcomed the draft resolution prepared by the Commission on Permanent Sovereignty over Natural Resources, and was prepared, without hesitation, to vote in its favour. We welcomed the amendments proposed by the delegations of the United States and the United Kingdom which, in our opinion, served to clarify the Commission's draft. This was not true, in our opinion, of the amendment proposed by the Soviet delegation which became operative paragraph 5. In our opinion, this new paragraph seriously disturbed the balance of the draft resolution, against the legitimate rights of foreign investors and in favour of the right of expropriation.

80. Because of the extreme nature of this statement and because of its effect on the draft resolution as a whole, we voted against the insertion of this new paragraph. My delegation voted in favour of the draft resolution in committee, although we had serious doubts about the merits of the text as amended. We have, however, given this question the most careful consideration during the past two weeks, and we have reluctantly come to the conclusion that, in its present form, we are unable to give this draft resolution our support. We propose therefore to vote against the retention of operative paragraph 5, and if this paragraph is retained we shall be reluctantly obliged to abstain on the draft resolution as a whole. I think the

reasons for this decision on the part of my delegation will be clear from what I said earlier.

81. Mr. TODOROV (Bulgaria): I should like to enter an objection, in accordance with rule 91 of the rules of procedure, to the proposal for separate votes on the different parts of the draft resolution [A/5344/Add.1 and Add.1/Corr.1] which has been made by the representative of the United Kingdom. If we start to propose separate votes again and again, we will be repeating the voting that took place in the Second Committee, and the situation will be much more complicated after the proposal for a two-thirds majority by the representative of the United States.

82. We have heard from our Rapporteur that the Second Committee devoted fifteen meetings, almost one-fourth of all its meetings, to this draft resolution, and that twenty-six different votes were taken. This draft resolution was adopted by sixty votes to five, with twenty-two abstentions. It is difficult to assume that a proper balance will be maintained if paragraph 5 is deleted, when the fact is that sixty votes were cast for this draft resolution, as it stands, in the Second Committee.

83. My delegation is not satisfied with the text of the draft resolution, either. For example, we are not satisfied with operative paragraph 4, especially with that part of the text which reads:

"However, upon agreement by sovereign States and other parties concerned, settlement of the dispute should be made through arbitration or international adjudication."

If we start asking for separate votes, we will ask for a separate vote on that particular text. Neither are we satisfied with operative paragraph 9:

"Foreign investment agreements freely entered into by or between sovereign States shall be observed ..."

I mentioned in the Second Committee, and I should like to mention again, that there are unequal and unjust agreements, which are not taken into account here. That is why I propose that no separate vote be permitted.

84. Mr. SOUSSAN (Morocco): The text on which we are called upon to vote today deserves, in our opinion, more than three sessions devoted to debate; it deserves very deep consideration. It is also worthy of a good deal of comprehension and of give and take. We think that this text, if adopted, would open new horizons to the world community, for it would open new doors to essential international co-operation and common endeavour in the complex and extremely difficult and unpredictable world of economics.

85. We live in a world today where no State, powerful or weak, can enjoy the blessing of solitude, for it would mean isolation. No one can endure isolation, for it would lead to stagnation and possibly to deterioration.

86. A few years ago, the Universal Declaration of Human Rights was adopted by this Assembly, a Declaration which was intended to assure man's right to associate and to live with others, to safeguard his inherent interests and to guarantee those of others. Today, the world community is going one step further on this blessed path. This Assembly has before it a new declaration of rights—the rights of States. It is well called "sovereignty over natural resources". The purpose of this declaration, as its title clearly indi-

cates, is to recognize the inalienable rights of a State to exercise its sovereignty over its wealth. Had the relationship between States in the past decades been different, we might not have reached the point of making this decision today or of adopting such a document, for to contest the sovereignty of a State would have been useless. Today, however, we have to pronounce ourselves on a declaration of the rights of States and their national sovereignty over their natural resources. But at this moment we are viewing the matter in economic terms. National sovereignty over natural resources is an economic declaration. In past decades, we have seen countries which perhaps were unknown to the world emerge into the world community, because some nations, or groups of nations, went into unknown territories, found peoples who were living under different conditions, created industries and commerce different from what was there at that time, but they did so for purposes different from those for which we ourselves would have done it. We have seen industries emerge and natural resources exploited in many formerly colonized territories. But for what purpose? They were to fulfil the needs of a handful of immigrants who had travelled to those countries, often under government sponsorship.

87. Now times have changed; we are under new régimes, in a new era of the world, the era where independence of countries is the goal of everybody. We have our sovereignty over natural resources, but we have to fight for our economic independence. In order to achieve our economic independence we have to answer the questions relating to some production and economic factors. In this connexion we have to change our structure, the structure of trade and industry within the country; for that, States must be able to utilize their wealth to its fullest extent and according to their development programmes.

88. The reason why we are voting in favour of this draft resolution, which we hope will become a declaration, is that it offers us both the possibility of preserving our sovereign rights and, as we have mentioned previously, the privilege of providing certain guarantees to the investments which would come into the country to help us utilize our natural resources.

89. The whole text is clear and concise although it has been slightly altered, but it does offer a comprehensive study of the rights and responsibilities of States, in regard to their sovereignty over natural resources, to which they owe a great deal in their economic development.

90. We received this morning with pleasure, the amendment presented by the representative of Tunisia [A/L.412/Rev.2]. We think that the content of the amendment will help the Secretariat in studying further this question which gives rise to so much controversy. The text which we will adopt today may be altered somewhat again, but we hope that the fact that we will be voting for an amendment presented by the Tunisian representative will provide further study, so that in the future we can come to a much more worthy text, which I hope can then be evolved in this world community as a declaration of sovereign rights of States over their natural resources.

91. Mr. BRILLANTES (Philippines): In explaining the position of my delegation on the amendment [A/L.414] to the draft resolution [A/5344/Add.1 and Add.1/Corr.1] I deem it necessary to recall that, in the Commission on Permanent Sovereignty over Natural

Resources, a Commission which took three long years to draft the text submitted to the Assembly, it was the consensus of opinion among the members that, in the text to be presented to the Assembly, the greatest of care should be taken in order to effect a balance between the sovereignty of the States which have already reached a high development, and those States which are still in the process of development.

92. My delegation approached the question then in that Commission—just as it did in the Second Committee and as it does now in the Assembly—on the basis that every attempt to impair the sovereignty of any State should be resisted, and any attempt to impose, in whatever degree, the sovereignty of one State over another should be resisted also.

93. From these preliminary remarks it is obvious that the Philippine delegation will cast a negative vote on the amendment [A/L.414]. We did so in the Second Committee and we will do so now in this Assembly.

94. The representative of the United Kingdom has asked for a separate vote on operative paragraph 5, which was incorporated into the text pursuant to an amendment presented by the Soviet Union. I should like to take these two amendments together, the amendment contained in document A/L.414 and the amendment now incorporated in operative paragraph 5 of the draft resolution we are now considering. In doing this, I should like to invite the attention of the Assembly to operative paragraphs 4, 6 and 7. All these paragraphs taken together precisely maintain a co-ordination of sovereignty among all Members of the Assembly, the sovereignty of the developed States and the sovereignty of the developing States.

95. It is the position of the Philippine delegation that the amendments, in document A/L.414, and incorporated in operative paragraph 5 both distort and disturb this scheme of international co-operation, which, I venture to suggest, was carefully and painstakingly worked upon by the members of the Commission on Permanent Sovereignty over Natural Resources.

96. Co-operation of course requires a bilateral relation, a sort of give and take. If we were to distort and disturb the balance, which now obtains in the fabric of the document now under consideration minus operative paragraph 5, then that international co-operation, which we seek to achieve for the economic development of developing countries will, I am afraid, be beyond our reach.

97. I shall not dwell on document A/L.412/Rev.2 because the representative of Tunisia has ably presented it and commended it to the consideration of the Assembly. However, in connexion with that amendment it is the position of the Philippine delegation that, upon receipt of the appropriate report from the Secretariat, the item should be placed on the agenda of the General Assembly.

98. Mrs. PANGALOS (Greece): We believe this draft resolution [A/5344/Add.1 and Add.1/Corr.1] on permanent sovereignty over natural resources to be of paramount importance. It must be voted unanimously. We, the Greek delegation, have voted for this draft resolution. We think as do the representatives of the United States and the United Kingdom, who have already stated that if operative paragraph 5 of the draft resolution is excluded, then they are going to vote for this draft resolution. We think we must try to arrive at a unanimous vote; that is why we support the pro-

posal that operative paragraph 5 be voted on separately. Then we may have a unanimous vote for this draft resolution.

99. The PRESIDENT: I wish to point out that two representatives have already spoken in support of a separate vote. No further speeches in support of a request for a separate vote are permissible under rule 91 of the rules of procedure.

100. Mr. PATINO (Colombia) (translated from Spanish): My delegation wishes to support the request for a separate vote on paragraph 5.

101. The PRESIDENT: Two representatives have already spoken in support of the request—as a matter of fact, three, including the representative of Greece. No further speeches in support of this request are permissible under rule 91.

102. U MAUNG MAUNG (Burma): We all admit that this is a very important issue we are discussing today. We used quite a lot of our time and energy in having it worked out in the Second Committee. I think we have arrived at a fairly consistent decision by this time. Therefore, we do not think we should again go over in detail our deliberations in the Second Committee on the merits or demerits of the draft resolution [A/5344/Add.1 and Add.1/Corr.1] or the various amendments.

103. We consider that while the original draft resolution presented by the Commission on Permanent Sovereignty over Natural Resources was a balanced one, the inclusion of the amendments proposed by the United States and the United Kingdom, in operative paragraph 4 and 9 especially, to some extent upset that balance; and that finally with the inclusion of operative paragraph 5, proposed by the delegation of the Soviet Union, the balance has been restored in favour of the rights of States. That is the position of our delegation.

104. Therefore, our delegation considers if we were again to discuss the various aspects of the amendments now tabled here, and also the matter of requiring a separate vote and even the matter of a two-thirds majority, in that case we would be reopening the discussion.

105. As for our delegation, we have throughout consistently appealed to the Second Committee, and to the General Assembly, to have the consideration of permanent sovereignty and economic co-operation prolonged somewhat, if necessary even into next year, and to have the Commission on Permanent Sovereignty over Natural Resources reorganized, with a broadened membership, in order to engage in a wider consideration of the whole question. We have consistently taken that position because we feel it is an important question requiring more than the time of the Second Committee in this session only. That was our position, but we were voted down; we proved to be in disagreement with the majority of the members of the Committee. We did not dispute their decision. We accepted it, believing that once it was decided to bring it up to the plenary, we were bound by the decision of the Committee.

106. Therefore we think that there should not be a reopening of the issues. If they are to be reopened, then we should certainly like to have them reopened in the proper manner, as we have already suggested in the Second Committee, with the re-establishment of the Commission on Permanent Sovereignty over Natural Resources, but on a broader basis; with further consideration over a number of years; with further

consultation with various Governments and experts; and with consultation with the new Governments that are to join the United Nations in future years.

107. I shall certainly propose that we consider the question in this way. In that case, if we are to get the draft resolution through at this session, as we all consider that the draft resolution is fairly balanced by inclusion of both the United States and the Soviet Union's amendments, we should not, I feel, reopen the issue by separate voting or by requiring a certain majority. In fact, the vote in the Second Committee, as the representative of Bulgaria said, was sixty nations in favour and only five against.

108. Mr. YAKER (Algeria) (translated from French): As has been pointed out by the preceding speakers and as is clear from the lengthy debate that took place in committee, we have before us today an extremely important draft resolution. This important principle of the right of peoples and nations to sovereignty over their natural resources is to economics what the universally recognized principle of the right of peoples to self-determination is to politics. Indeed, these two questions are linked; one is the corollary of the other and this fact has important implications for the countries which have been liberated or are in the process of being liberated from colonial domination. We consider that the draft resolution submitted for the approval of the General Assembly [see A/5344/Add.1 and Add.1/Corr.1] may be a decisive instrument of principle for the improvement of international economic relations and should result in a stricter application of the principles of the United Nations Charter.

109. What is the problem facing us? The text before us has of course been approved by the Second Committee. Now we have to discuss the advisability of deleting paragraph 5, as requested by the United Kingdom and United States delegations.

110. We, for our part, consider that if the importance of the principle of the sovereignty of peoples and nations over their natural resources is really acknowledged, there is absolutely nothing in paragraph 5 which runs counter to the acceptance of this principle. In view of this fact we shall not agree to the deletion of this paragraph from the draft resolution.

111. In addition, several paragraphs of the draft resolution underline the need for international economic co-operation. I think they do so in sufficient detail, at the same time stressing, as is done in paragraph 3, the idea of guarantees to protect capital and earnings, in accordance with international law. In addition, it is stated that in any case where the question of compensation gives rise to a controversy, the dispute should be submitted to arbitration or international adjudication. Paragraph 9 emphasizes the observance of foreign investment agreements.

112. Since the draft resolution constitutes a whole, it is impossible to delete from it an important paragraph which is the very affirmation of the principle of the sovereignty of peoples and nations over their natural resources.

113. In addition, as the representative of Tunisia has already said on behalf of the sponsors, we have submitted an amendment [see A/L.412/Rev.2, para. 3] designed to take into account the position of several delegations which, in the Second Committee, considered that this important question deserved further study. The Algerian delegation was of this opinion and in committee it submitted an amendment [see A/5344/

Add.1 and Add.1/Corr.1, para. 75], which gave rise to much controversy, asking for a fairer evaluation of the alleged rights acquired by the ex-colonizers during the colonial period. We have reason to be dissatisfied with the way in which this important question is covered in the draft resolution and we therefore recommend that the Secretary-General and the United Nations should make a more detailed study of this problem.

114. Other amendments have been submitted, in particular by the Soviet Union delegation. I think that the Soviet amendment [A/L.414] merely confirms a principle which is recognized in the draft resolution and that, if the draft resolution is unanimously adopted as it stands, it will satisfy everybody.

115. The Algerian delegation therefore recommends the adoption of the draft resolution submitted by the Second Committee, while requesting that a more detailed study should be made of these problems, which should also be given priority consideration by the International Law Commission, since they have given rise to differences of opinion in the General Assembly.

116. Mr. ARKADYEV (Union of Soviet Socialist Republics) (translated from Russian): During the Second Committee's discussion of the question of the sovereignty of States over their natural resources, my delegation made every effort to improve [A/5344/Add.1, para. 70] the original draft resolution [*ibid.*, para. 64] by adding provisions embodying the strongest possible safeguards for the sovereignty of States over their natural resources.

117. The Second Committee took a very serious approach to this problem, correctly assessed the importance of many of these provisions and included them in the resolution which it finally adopted.

118. In the Committee we expressed regret that one of the most important Soviet proposals [A/L.414] was not adopted: the proposal to include in operative paragraph 4—which is also paragraph 4 of the resolution adopted by the Committee [A/5344/Add.1 and Add.1/Corr.1, para. 93, annex]—the following text:

"Confirms the inalienable rights of peoples and nations to the unobstructed execution of nationalization, expropriation and other essential measures aimed at protecting and strengthening their sovereignty over their natural wealth and resources."

119. We are now submitting this proposal as an amendment to the draft resolution adopted by the Committee [A/C.2/L.705]. We are firmly convinced of the need to include this extremely important provision in the General Assembly resolution on the question of sovereignty over natural resources, for we feel that the resolution should contain a clear and precise formulation of this question.

120. The inclusion of this provision in the General Assembly resolution would be of great importance to many countries, since it would provide a basic statement of principle to govern cases where a country wished to take legitimate measures to ensure that its natural resources were used in the interests of its people. This would be important in cases where a country had both the desire and the ability to free itself from unequal treaties that had been forced upon it and from ruthless exploitation by foreign companies which were abusing their privileges and operating in the country to the detriment of the people's interests.

121. We have heard the statements by the United Kingdom and United States representatives expressing

opposition to paragraph 5 of the resolution adopted by the Second Committee [A/C.2/L.705]. This paragraph, it will be recalled, reads as follows:

"It unreservedly supports measures taken by peoples and States to re-establish or strengthen their sovereignty over natural wealth and resources, and considers inadmissible acts aimed at obstructing the creation, defence and strengthening of that sovereignty."

122. This completely unexceptionable proposal has, however, for some reason evoked fierce opposition from the United Kingdom and United States representatives.

123. In actual fact, of course, I am well aware of the real reasons for this opposition; I shall not dwell on them, for they are perfectly clear to all of us seated in this hall. It is not a question of "Hitlerite Germany" —to which an entirely superfluous and irrelevant reference was made—but of the interests of the developing countries, a question of safeguarding their sovereignty and protecting their interests and their sovereign right to dispose of their natural resources. That is what is involved here, and there is no need to muddle the question by dragging in arguments and illustrations which are entirely pointless, useless, extraneous and, what is more, ineffective.

124. A further attempt has been made here to convince us that the Committee took its decisions, as it were, while half asleep and barely aware of what it was doing. We have already heard this theory several times.

125. The Committee gave convincing proof in its reaction to the statement by the Greek representative that it had acted soberly and deliberately. The very fact that it took a thoroughly correct decision shows that it acted with complete clarity of mind.

126. It is, of course, taken for granted that independent States possess not only national and political sovereignty but also sovereignty over their natural resources. However, it has happened all too often in history and in our own day that a State's sovereign rights over its natural resources have been violated as a result of the imposition upon it of certain conditions. That is why it is important for the General Assembly to take a special decision on this question which would help countries to safeguard their sovereign rights and would provide a legal standard.

127. The United Kingdom representative has attempted to frighten the developing countries by saying that investors and foreign companies would not be attracted to the developing countries if paragraph 5 was adopted. The point is, however, that foreign companies should operate under equitable conditions and should not violate the rights of the country concerned; that is the point of all of our decisions. And as for the question of whether investors and foreign companies will be attracted to the developing countries, we need have no fear on that score; they will come, we may be sure, for they have too great a thirst for gain and for the enormous profits which they can wring out of the developing countries by exploiting their natural resources.

128. That is why I think that these attempts to frighten us will come to nought. That is why we hope that the General Assembly will adopt the Soviet proposal [A/L.414]—which I have just read out to you—as an addition to or, rather, as the initial part of operative paragraph 4 of the joint draft resolution.

129. We had hoped that the Committee would adopt the amendment submitted by Burma and the Sudan [A/5344/Add.1 and Add.1/Corr.1, para. 77], under which the United Nations would reconstitute the Commission for Permanent Sovereignty over Natural Resources and the Commission would continue its work in that field and subsequently report to the main organs of the United Nations on the results of its work.

130. We had intended to support this proposal by Burma and Sudan to renew the mandate of a reconstituted and expanded Commission for at least another year. Unfortunately, however, it was not adopted by the Committee.

131. We now have before us a proposal by Afghanistan, Algeria, Burma and other delegations [A/L.412/Rev.2], in which it is proposed that the Secretary-General should continue the study of these problems.

132. This is, of course, much weaker than the original proposal by Burma and Sudan, because in the final analysis this is a matter to be dealt with by sovereign States and not one to be approached in a rather bureaucratic manner. Nevertheless, we shall support this new proposal contained in document A/L.412/Rev.2.

133. The PRESIDENT: We will now proceed to the vote. The first matter to be voted upon is the proposal formally made by the United States of America that the question under discussion is an important question that requires a two-thirds majority under Article 18 of the Charter and rule 87 of the rules of procedure.

134. I recognize the representative of Bulgaria on a point of order.

135. Mr. TODOROV (Bulgaria): I would like to have some clarification on the matter we are voting upon because the proposal of the representative of the United States is apparently in accordance with Article 18, paragraph 3 of the Charter, which reads:

"Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting."

That means, in this case, we must determine additional categories of questions other than those which are among the questions mentioned in Article 18, paragraph 2. What are the questions other than those which appear in paragraph 2? Paragraph 2 refers to important questions, therefore we are saying that this case is not an important question. This comes under the heading of other questions and we cannot decide here whether this is an important question or not. We must decide first of all what type of additional category we will add to the other categories, only for the purpose of voting by a two-thirds majority. I would like to have some clarification on this point.

136. The PRESIDENT: This is a question other than the question specified as important in Article 18, paragraph 2. It has been formally proposed that, on this question, the votes required is two-thirds. It is for the Assembly to decide by a simple majority vote whether this question requires a two-thirds vote or a simple majority.

137. Mr. TODOROV (Bulgaria): The situation now is a little bit different from the previous situation. According to Article 18, paragraph 3, I understood the motion of the United States was under Article 18, paragraph 3. If it is as you just said, a decision according to Article 18, paragraph 2, it means the

decision of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. Then the other questions shall arise. Is it possible for the General Assembly to add additional questions, separate questions, to the questions enumerated in paragraph 2? Paragraph 2 states that these questions, important questions, shall be decided upon by two-thirds majority and these questions shall include recommendations. They are enumerated. Then the question becomes whether the enumeration of important questions in Article 18, paragraph 2 is intended to be exhaustive, or merely illustrative. We think that the questions in paragraph 2 are absolutely restrictive and since the legislators thought it necessary to enumerate the matters considered important, the Assembly may not, without misinterpreting the law, distort the limitations which the Article has established. The theme of Article 18 shows that, if the Article stopped at paragraph 2, the definition of important questions would appear to be illustrative but not exhaustive. The addition of paragraph 3, however, made the categories covered in paragraph 2 exhaustive and those categories can be added to only by a majority of the members present and voting.

138. In connexion with the interpretation of Article 18, paragraphs 2 and 3, it is obvious that the important questions referred to in paragraph 2 are exceptional and, as such, must be interpreted very strictly, whereas paragraph 3 mentions decisions on other questions, meaning individual questions, as distinct from the category of questions to be decided by a two-thirds majority. Then any additional category of questions which the Assembly may establish should be established in accordance with the provision of paragraph 3. If, therefore, the Assembly wishes to consider a question important, the decision must be preceded by another decision to add a new category into which the particular question would enter.

139. The term, "important questions", in paragraph 2 should be understood as a category of questions which should be decided by a two-thirds majority, and I would like to illustrate this. As an illustration of this point, it could be noted that several of the questions enumerated in paragraph 2 would not be regarded as individual questions but as a category of questions which include a multitude of different matters. Any vote to consider whether a question is important or not would be contrary to the Charter, because the Charter gives a technical term—important questions and offers a definition and an enumeration of these categories.

140. Under Article 18, paragraph 3, the Assembly can determine—as an exceptional measure—to vote on other categories by a two-thirds majority without pronouncing on their importance; but if it will be considered that the enumeration of the important questions in Article 18, paragraph 2, are illustrative, then we have to admit that there are three types of cases in which a two-thirds majority would apply: First, the questions enumerated in paragraph 2; second, the other important questions, according to the first sentence in paragraph 2; and third, the other questions which are not important but which, for the purpose of voting, could be determined as additional categories of questions which have to be decided by a two-thirds majority, and these are envisaged in paragraph 3.

141. It is absolutely clear, in the last case, that a determination of additional categories of questions to be decided by a two-thirds majority shall be made by

a simple majority. But there are other questions. For instance, what kind of a majority will be necessary to determine in a particular case with a concrete draft resolution, as in this case, that there is an important question, according to paragraph 2. I would like to submit that this decision also should be made by a two-thirds majority because the decision as to whether one question is important is also an important question. This is how absurd the situation is if we admit that the important questions enumerated under Article 18, paragraph 2 are illustrative. If they are illustrative, we shall admit that to decide whether this question is important is also an important question and for this, also, we will have to have a two-thirds majority.

142. However, I think that the correct way would be to add additional categories, and I think the representative of the United States was correct in that he would like to have additional categories but on this question, in accordance with Article 18, paragraph 3, we would like to know what kind of categories and how we will be entitled to these additional categories.

143. But, Mr. President, I would like to suggest to you that perhaps it will be useful, before deciding this question, first to decide whether we will have a separate vote or not, and if the decision will be not to have a separate vote, perhaps this problem will be eliminated and further discussion will not be necessary.

144. The PRESIDENT: I agree with the representative of Bulgaria that it would be absurd to hold that additional categories of questions may be added, as important questions, to those mentioned in Article 18, paragraph 2, by a simple majority vote, and that the question as to whether a simple question is important or not should be determined by a two-thirds majority. It is obvious that that also will be determined by a simple majority.

145. I will therefore put to the vote the proposal of the representative of the United States, that the matter under discussion is an important question, within the meaning of Article 18, paragraph 2 of the Charter.

The proposal was adopted by 51 votes to 32, with 10 abstentions.

146. The PRESIDENT: On all substantive questions and amendments to substantive questions, the vote needed will be a two-thirds majority. On any procedural questions that may be raised, a simple majority will be required.

147. We shall now proceed to vote on the amendments [A/L.412/Rev.2] submitted by thirteen Powers. The first amendment is that, in the second, seventh and tenth preambular paragraphs, and in operative paragraph 7 of the draft resolution, the words "underdeveloped" be substituted by "developing". I now put this amendment to the vote.

The amendment was adopted by 98 votes to none, with 1 abstention.

148. The PRESIDENT: The second amendment is that, in the last paragraph of the draft resolution, the words "Requests the International Law Commission" be replaced by "Welcomes the decision of the International Law Commission". I put this amendment to the vote.

The amendment was adopted by 98 votes to none, with 1 abstention.

149. The PRESIDENT: The third amendment seeks to add a new paragraph at the end of the draft resolution. I put this amendment to the vote.

The amendment was adopted by 92 votes to none, with 6 abstentions.

150. The PRESIDENT: A roll-call vote has been requested on the amendment submitted by the Union of Soviet Socialist Republics [A/L.414]. This amendment seeks to add the following words at the beginning of operative paragraph 4: "Confirms the inalienable right of peoples and nations to the unobstructed execution of nationalization, expropriation and other essential measures aimed at protecting and strengthening their sovereignty over their natural wealth and resources."

A vote was taken by roll-call.

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

In favour: Jordan, Laos, Libya, Mali, Mauritania, Mongolia, Morocco, Poland, Romania, Saudi Arabia, Sudan, Syria, Tanganyika, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Cuba, Czechoslovakia, Ethiopia, Guinea, Hungary, Indonesia, Iraq.

Against: Ireland, Israel, Italy, Japan, Luxembourg, Madagascar, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Paraguay, Peru, Philippines, Rwanda, South Africa, Spain, Sweden, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, El Salvador, Federation of Malaya, Finland, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, India.

Abstaining: Ivory Coast, Lebanon, Liberia, Nepal, Niger, Nigeria, Panama, Senegal, Sierra Leone, Thailand, Togo, Uganda, Upper Volta, Uruguay, Cameroon, Central African Republic, Chad, Congo (Leopoldville), Dahomey, Ghana, Iran.

The amendment was rejected by 48 votes to 34, with 21 abstentions.

151. The PRESIDENT: The next point is the oral amendment proposed by Mauritania that in the eighth line of operative paragraph 4 of the draft resolution the words "shall be exhausted" be replaced by the words "should be resorted to". I put this amendment to the vote.

The result of the vote was 25 votes in favour, 25 against with 33 abstentions.

The amendment was not adopted.

152. The PRESIDENT: The next point is the question whether there shall be a separate vote on operative paragraph 5. A separate vote was requested by the United Kingdom and was opposed by Bulgaria; therefore, the question must be put to the vote.

153. I have just had two more requests for a separate vote. I shall, therefore, take them in their order. A separate vote has been requested on operative paragraph 3, and part of operative paragraph 4.

154. I recognize the representative of the Union of Soviet Socialist Republics on a point of order.

155. Mr. ARKADYEV (Union of Soviet Socialist Republics) (translated from Russian): A mere request

for a separate vote, previously rejected in the Committee, is not sufficient basis for taking a separate vote on this paragraph. I think you will agree, Mr. President, that we must first have a decision by this plenary Assembly adopting or rejecting the proposal for a separate vote.

156. You yourself presided over the discussion of this question and permitted two speakers to speak in favour of a separate vote and two to speak against it. It is logical and practical, then, for us to take a vote on whether or not the General Assembly agrees that a separate vote should be taken. I think that such a vote will determine whether or not the Assembly wishes to take a separate vote on paragraph 5 or any other paragraph.

157. The PRESIDENT: That is exactly the question I was going to put to the Assembly. It is true that on operative paragraph 5 a separate vote has been asked for and has been opposed. Therefore, the Assembly will have to decide whether a separate vote will be taken on that paragraph. What I had said was that separate votes have also been asked for with respect to operative paragraph 3 and part of operative paragraph 4. I was proposing to put to the Assembly whether separate votes shall be taken on those parts with respect to which separate votes had been requested.

158. Technically, if the representative of the Soviet Union thinks that the question whether a separate vote shall or shall not be taken on operative paragraph 5 should be decided first, before it is decided with respect to paragraph 3 and a part of paragraph 4, I am quite willing to do that. However, I think he misunderstood me when he thought I was trying to put operative paragraph 3 to the vote separately. I was not. I was just going to take the Assembly's view on the question whether there shall be or shall not be a separate vote on paragraph 3, and subsequently on the last sentence of paragraph 4.

159. I recognize the representative of Bulgaria on a point of order.

160. Mr. TODOROV (Bulgaria): When I objected to the proposal of the representative of the United Kingdom, it was a general objection to all requests for a separate vote. I think it would be proper to decide whether or not we shall have separate votes. The request for a separate vote on operative paragraphs 3 and 4 is from the Bulgarian delegation. I would like first of all to have the question decided whether we shall have separate votes. In case the Assembly decides we shall have separate votes, then we shall introduce plenty of separate votes. But first of all, let us decide this question. If the President first has a separate vote paragraph by paragraph, I think this would not be proper. In this case we withdraw the request for a separate vote on operative paragraphs 3 and 4. But first I think it is proper to decide whether the proposal of the representative of the United Kingdom will be adopted.

161. The PRESIDENT: May I point out, with great respect, that that is exactly what I was going to do, if the representative had taken the care to listen to me while he was preparing to come to the rostrum. Anyway, I shall first put to the vote the matter that was first raised.

162. The Assembly will now vote on the proposal to have a separate vote on operative paragraph 5.

The proposal was adopted by 49 votes to 36, with 7 abstentions.

163. The PRESIDENT: There is now a request for a separate vote on operative paragraph 3. I recognize the representative of Bulgaria on a point of order.

164. Mr. TODOROV (Bulgaria): When the President received a request for a separate vote on operative paragraphs 3 and 4, there was no objection to the request. Therefore, there is no need to vote on whether we shall have a separate vote.

165. The PRESIDENT: I recognize the representative of the Philippines. However, before the representative of the Philippines speaks, I would wish to remind the Assembly that when the representative of Bulgaria last came to the rostrum, he said that first, we must decide whether there will be a separate vote on operative paragraphs 3 and 4 before there is a separate vote. At least, that is how I understood him.

166. Mr. BRILLANTES (Philippines): I should like to speak against the proposal for a separate vote on operative paragraphs 3 and 4. When the proposal for a separate vote was first presented by the representative of Bulgaria, I did not ask to speak because the President made it known that we would first decide on the question of a separate vote on operative paragraph 5, which was the first request submitted to the Assembly. Inasmuch as the question is now raised whether there is objection to having a separate vote on paragraphs 3 and 4, I wish to submit that the Philippine delegation objects to having a separate vote on these paragraphs. Operative paragraphs 3 and 4, as I said before, are separate instances of co-ordinate and equal sovereignty. In these paragraphs both the interests of the developing States and of the developed States are intended to be preserved. That is why I object to having a separate vote taken on them.

167. Mr. ARKADYEV (Union of Soviet Socialist Republics) (translated from Russian): First of all, I must say that I gained an entirely different impression of what the distinguished representative of Bulgaria said when he spoke from this rostrum on the question of a separate vote; he requested you to decide whether it was agreed in principle that separate votes should be taken on the various paragraphs which he enumerated. Secondly, I think that this approach to the question of voting is completely unjust and improper: we would permit a separate vote to be taken on, let us say, paragraph 5—an important and substantive paragraph—only because certain countries object to this paragraph but would not permit a separate vote on another paragraph—for example, paragraph 3—to which other countries object. We proposed in the Committee [834th meeting] that paragraph 3 should be deleted [A/5344/Add.1, para. 70]. Hence, quite naturally, logically and legitimately, we are supporting the request that paragraph 3 should be put to the vote separately in addition to paragraph 4, our amendment to which was rejected.

168. I think that the General Assembly will take the proper decision on this matter. We cannot favour some delegations and attempt to silence others. The principle of justice must triumph. And in this case the decision should be the following: if we permitted a separate vote on paragraph 5, then we must permit a separate vote in all other cases where delegations legitimately request one. That is what I wanted to point out to the Assembly.

169. The PRESIDENT: I shall now put to the vote the request for a separate vote on operative paragraph 3.

The request was rejected by 45 votes to 20, with 23 abstentions.

170. The PRESIDENT: There has been a request for a separate vote on the last sentence of operative paragraph 4. I shall now put that request to the vote.

171. I recognize the representative of Poland on a point of order.

172. Mr. NATORF (Poland) (translated from Russian): It appears to me that we are proceeding in a rather strange manner. Rule 91 of our rules of procedure clearly says: "If objection is made to the request for division, the motion for division shall be voted upon." We have had only a request for a separate vote. I have not heard any speaker oppose it. Hence, I do not understand why you wish to take a vote on whether or not this request for a separate vote is proper.

173. The PRESIDENT: I thought that the representative of the Philippines did object to the request, but perhaps the representative of Poland did not pay any attention to what the representative of the Philippines was saying.

174. I shall now put to the vote the request for a separate vote on the last sentence of operative paragraph 4.

The request was rejected by 37 votes to 20, with 34 abstentions.

175. The PRESIDENT: I had intended, since hitherto this had been the last request for a separate vote, to go on to a vote on the draft resolution [A/5344/Add.1 and Add.1/Corr.1, annex] as amended. However, I have just received a request from one delegation for the floor, in order to explain its request for a separate vote on operative paragraph 9. In view of the fact that an evening meeting of the plenary is scheduled for 8.30, it would be unfair of me to prolong this meeting, and I shall therefore adjourn it at this point. When the plenary reconvenes, the first speaker will be the representative of Burma, to explain his request for a separate vote on operative paragraph 9. Subject to that being disposed of, the draft resolution will be put to the vote. Following that, we will have explanations of vote by those delegations which have asked to make such explanations after the voting.

The meeting rose at 6.10 p.m.