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President: Mr. Emilio ARENALES (Guatemala).

In the absence of the President, Sir John Carter (Guyana), Vice-President, took the Chair.

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*)*

**APPOINTMENT OF A MEMBER OF THE
SPECIAL COMMITTEE**

1. The PRESIDENT: As a result of Chile's withdrawal from the Special Committee of Twenty-Four, the President has nominated Ecuador as a member of the Special Committee to fill that vacancy. If there is no objection I shall take it that the General Assembly decides to appoint Ecuador a member of the Special Committee, with immediate effect.

It was so decided.

2. Mr. BERRO (Uruguay) (*translated from Spanish*): I have not asked to speak in order to raise a merely academic point concerning the form in which the motion just carried, namely the appointment of Ecuador as a member of the Committee of Twenty-Four, was put to the Assembly. Item

* Resumed from the 1692nd meeting.

23 of the agenda includes the appointment of a member of the Committee and was presented to this meeting as if that appointment could be debated.

3. I have asked to speak in order to make it clear that we must respect the particular competence of every organ of the United Nations and ensure that each of its principal organs does not encroach upon the competence of any other, and in order to point out that this matter has been put to us in a manner which is not legally in conformity with our positive law.

4. Resolution 1810 (XVII) of 17 December 1962, in which it was decided to enlarge the Committee of seventeen members established by resolution 1654 (XVI) of 27 December 1961, reiterated the principle embodied in paragraph 3 of the latter resolution, which states:

"3. *Decides* to establish a Special Committee of seventeen members to be nominated by the President of the General Assembly at the present session",

and paragraph 7 of the resolution, increasing the number of members of the Committee to twenty-four, states:

"7. *Decides* to enlarge the membership of the Special Committee established by resolution 1654 (XVI) by the addition of seven new members to be nominated by the President of the General Assembly".

5. In accordance with the texts which I have read out, the President of the General Assembly is vested with exclusive competence respecting the composition of the Committee of Seventeen, later the Committee of Twenty-Four.

6. The General Assembly has no powers with respect to this nomination. It can only take cognizance of the nomination, which, I repeat, is a discretionary, specific and exclusive power vested in the President of the General Assembly. This does not mean, however, that he may exercise that power arbitrarily. No, he must exercise it in due conformity with the customary law established by practice; he must conduct appropriate consultations within the competent geographical group. He must conduct these consultations to the best of his ability and in good faith. He exercises his discretion as to precisely how he does this; but for the Assembly to hold that the nomination is open to debate and should be discussed would certainly be to undermine this Presidential faculty.

7. To prevent any precedent being set in this manner, the delegation of Uruguay is therefore placing on record its view of how the members of the Committee of Twenty-Four should be appointed, and wishes to emphasize that this is a special prerogative of the President of the General Assembly.

8. Mr. LOPEZ VILLAMIL (Honduras) (*translated from Spanish*): Mr. President, after listening to what the representative of Uruguay has said to the Assembly, and to you in particular, my delegation wishes fully to associate itself with his statement, because, in accordance with the procedures and precedents relating to the nomination of members of the Committee of Twenty-Four, this is, as Mr. Berro has rightly pointed out, a presidential prerogative, and the exercise of this prerogative should not be put to us as a proposal, but simply as the announcement of a Presidential decision to the Assembly.

9. The President—I am now referring to Mr. Arenales, the President of the Assembly—was undoubtedly aware that three members represent Latin America on the Committee of Twenty-Four—until now Chile, Venezuela and Honduras—and when the Republic of Chile resigned its seat on the Committee he first ascertained the consensus of the Latin American group. A majority made it perfectly clear that its choice was Ecuador, so that there was the necessary consensus on which to base his decision; that decision is not open to debate, and the way in which it was put to us should not set a precedent for the future.

10. Having said this in support of what my friend and colleague from Uruguay has stated so clearly to this Assembly, I wish at the same time to tell the delegation of Chile in what high esteem it is held by my delegation, as by those of Venezuela and of the other Latin American countries, how gratified we have been by the work done by Chile, by its ability, its devotion and the contribution it has made, which has reflected the totally anti-colonialist feelings of Latin America, and how deeply appreciated is Chile's achievement in constantly keeping that position firmly on record in all the relevant proceedings of the United Nations.

11. At the same time, I wish to congratulate the new representative of Ecuador who is now taking up his functions as a member of the Committee of Twenty-Four, for Mr. Benites, by his long experience, his polemic skill in the General Assembly, and by the mark he has left on the various committees of this Assembly, has shown himself a worthy representative of the part played by our sister country of Ecuador, which mirrors so clearly the feelings of all Latin America.

12. Mr. MESTIRI (Tunisia) (*translated from French*): As Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I do not wish to let this opportunity pass without saying how sorry we are to see Chile leave the Special Committee. The Chilean delegation, led by our eminent colleague Ambassador Piñera, has made a valuable contribution to the work of the Special Committee. We are convinced, moreover, that the delegation of Chile will continue to further the cause of those peoples who are still under foreign domination.

13. We also wish to take this opportunity to welcome Ecuador, which joins the Special Committee heralded by an outstanding reputation in the struggle against colonialism, a struggle which is shared by the continents of Africa, Asia and Latin America.

14. Mr. PIÑERA (Chile) (*translated from Spanish*): I have asked to speak simply to discharge a duty incumbent upon me. After what has been said by Mr. Mestiri, the Chairman of the Committee of Twenty-Four, and by Mr. Lopez Villamil, the representative of Honduras, I should like on behalf of Chile, not so much to express my gratitude for what my friends and colleagues have said, as to explain that we resigned from the Committee of Twenty-Four simply because we believe that for many years we have served modestly, but, I believe, conscientiously and responsibly, in a post which as well as being an honour is also an arduous duty. To be present and active in the Committee of Twenty-Four is perhaps one of the most important duties within the United Nations; in terms of the political life of countries which have not yet achieved their independence it is the expression of the human rights constantly referred to here, since one way of ensuring their application is in fact to accelerate the process of decolonization.

15. For Chile it has been a privilege to serve on this Committee for so many years, and, as Mr. Mestiri, the Chairman of the Committee of Twenty-Four, has so rightly implied, Chile's concern with the problems of decolonization has not weakened, but is deeper than ever.

16. Our modest participation in the Special Committee for Namibia and our participation in the Fourth Committee, which we always wish to be as active as possible consistently with propriety and justice—and you must forgive me if I say this myself—testify to the fact that whenever the process of decolonization is at issue Chile is to the fore, in an active and militant form. This is a problem to which we are committed, in the broadest and finest sense of that word. It is a matter in which we have deliberately engaged our honour, and my country and my people will not be found wanting.

17. Mr. President, I should like to express my thanks, though I have said that I would not do so, because Mr. Mestiri had been very generous to Chile. It is a generosity that we appreciate because it comes from a country which we hold in high esteem, and because it comes from an Ambassador who has earned a great reputation in this Assembly for his zeal, for his consistency, for his dignity and for his energy in the struggle against colonialism.

18. I should also like to thank Mr. Lopez Villamil, the representative of Honduras, for his kind words.

19. Lastly, I come to my most pleasant duty, which is to say how pleased we are to see that Ecuador, represented by Mr. Leopoldo Benites, will be occupying Chile's seat. Ecuador is a country which is also fully able to honour the obligations it has assumed respecting human rights and the struggle against colonialism. Mr. Leopoldo Benites has never refrained from speaking up, in this Assembly and in many other forums, in defence of the cause of the liberation of the countries which are not yet free. He had defended them not only with energy and vigour, but with talent and a noble eloquence.

20. I wish not so much to pay a tribute to Ecuador, a country so close to Chile, and to Mr. Leopoldo Benites' as to pledge ourselves to collaborate with them in the Fourth

Committee and in other organs in the great responsibilities they are assuming at this time, fully aware as we are that Ecuador and Mr. Leopoldo Benites will perform them with dignity and nobility.

21. Mr. BENITES (Ecuador) (*translated from Spanish*): I have asked to speak in order to comply with my duty to thank most sincerely Mr. Emilio Arenales, the President of the General Assembly and Minister of Foreign Affairs of Guatemala—to whom I must express my most sincere wishes to a speedy recovery—for nominating my country, in the exercise of the legal competence vested in him under resolution 1810 (XVII) of the General Assembly, to occupy the seat on the Committee of Twenty-Four vacated by Chile. My country did not seek this honour, but accepts it with a sincere sense of responsibility.

22. A background of several years of constant and tenacious opposition to colonialism and the colonial Powers warrant the assumption that my small country, and my humble person so long as I represent my country, will perform honourably and faithfully the duties required by the struggle against the remaining vestiges of colonialism and the emergence of neo-colonialism.

23. I personally had the honour in 1953 to take up my duties in the Fourth Committee when the colonial Powers were still relying on the specious argument that Chapter XI of the Charter was simply a declaration devoid of legal force. At that time I had the honour to represent my country in support of the thesis that the Charter is one and indivisible. It was still argued at that time that under Article 2 (7) the colonial Powers might settle everything relating to colonial affairs as a matter essentially within their domestic jurisdiction. My country contested that. I have recalled this merely to conclude by promising—both on behalf of Ecuador and personally, so long as I represent that country—to continue this struggle and to continue it without stint until all the peoples still groaning under the colonial yoke obtain their full independence, and to see to it that new and shameful forms of colonialism shall not arise.

24. Lastly, I should like to thank Mr. Berro, the representative of Uruguay, and Mr. Lopez Villamil, the representative of Honduras, for the kind words they have said about my country. I should also especially like to thank Mr. Mestiri, the Chairman of the Committee of Twenty-Four, and my good friend Mr. Piñera of Chile. On behalf of my country and myself, I express my thanks.

25. The PRESIDENT: The last speaker on this item is the Under-Secretary-General for General Assembly Affairs, and I now call on him.

26. Mr. NARASIMHAN (Under-Secretary-General for General Assembly Affairs): I have asked to speak, with the kind permission of the President and the Assembly, just to explain the procedure followed by the Secretariat.

27. In the unavoidable and unfortunate absence of our President, the Secretariat has no option but to follow precedent. At the 1500th meeting of the General Assembly, at its twenty-first session, when Denmark resigned from the Committee of Twenty-Four and was replaced by Finland,

the procedure that was followed was the identical procedure that was followed earlier today. At the 1642nd meeting of the General Assembly on 19 December 1967, when Honduras was designated to replace Uruguay, the procedure that was followed was the identical procedure that was followed today.

SOUTHERN RHODESIA

REPORT OF THE FOURTH COMMITTEE (PART I) (A/7290)

28. Mr. AGGREY-ORLEANS (Ghana) (Rapporteur of the Fourth Committee): I have the honour to submit to the General Assembly a first report on the deliberations of the Fourth Committee on the question of Southern Rhodesia. The report [A/7290] has just been submitted to the Assembly. This report, submitted as a matter of urgency, reflects a growing concern in the Fourth Committee, and particularly among the Afro-Asian delegations, over recent developments in Southern Rhodesia.

29. In view of these developments it was generally felt that the international community should show foresight and reaffirm its basic position with regard to any settlement of the Rhodesian problem. This sense of urgency was reflected in the speed with which the Committee proceeded to adopt the draft resolution [see A/7290, para. 12]. In commending this draft resolution to the General Assembly the Fourth Committee hopes that its feelings will be shared by the generality of the membership of the General Assembly.

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

30. The PRESIDENT: I shall now call upon those representatives who wish to explain their vote before the vote.

31. Lord CARADON (United Kingdom): The position of my delegation in regard to this draft resolution was made plain this morning in the Fourth Committee, and it is well that the position should be repeated here.

32. My delegation is unable to support this draft resolution and will abstain on the vote. These are the reasons for that decision.

33. First, we have never denied British responsibility for Southern Rhodesia; on the contrary we have repeatedly reaffirmed it. And that responsibility has been recognized in the resolutions of the Assembly and the Security Council. The draft resolution now put forward seeks to take away from the responsibility which has been so recognized and to infringe the responsibilities of the British Parliament. That we cannot accept.

34. Second, with regard to the discussions which have recently taken place in the search for a settlement, no agreement or conclusion has yet been reached. It would in any event be precipitate to adopt a resolution before the outcome of the current discussions is known.

35. Third, the draft resolution moreover seeks to bind not only the British Parliament but other Governments as well.

It seeks to require them to give an advance commitment for action in circumstances which they cannot now foresee. No Government should be expected to bind itself in that way.

36. Fourth, we continue to accept and to fulfil the requirements of Security Council resolution 253 (1968), which was adopted unanimously, and action in pursuance of that resolution goes forward. As my Foreign Secretary made clear in his speech to this Assembly on 14 October 1968 [1693rd meeting], our aim in the absence of a settlement on the basis of the six principles is to continue resolutely with our policy and with the mandatory sanctions on which we all agreed.

37. Fifth and finally, my Government has repeatedly made it clear, and laid it down in its publicly stated terms for a settlement, that it would need to be satisfied that any basis for proposed independence would be acceptable to the people of Rhodesia as a whole. The British Government has throughout insisted on that principle, and the Prime Minister speaking this week in the House of Commons confirmed that this principle is "transcendent and overriding".

38. Mr. MBEKEANI (Malawi): My delegation stated this morning in the Fourth Committee that in abstaining in the vote on the draft resolution [A/C.4/L.908/Rev.1] now before the Assembly [see A/7290, para. 12], Malawi does not abandon its support of General Assembly resolution 1514 (XV) of 14 December 1960. Although Malawi strongly opposes any form of colonialism wherever it shows its ugly head and favours the self-determination of any country and is in favour of majority rule in the case of Southern Rhodesia, it feels that the Rhodesian question is primarily Britain's responsibility as the administering Power which should find a solution to that thorny problem.

39. Once again a draft resolution on Southern Rhodesia may be adopted by this Assembly by an overwhelming majority—but when one is considering such a resolution one is bound to doubt its realistic nature and possible implementation. Neither paragraph 1 nor paragraph 2 of the draft resolution appears to my delegation to bring about any solution to the Rhodesian problem. All that those two paragraphs will achieve is to make the extreme Rhodesian white elements harden their stand and even encourage those who would favour majority rule in Rhodesia to side with the extremists.

40. I think it is time that the Assembly began to re-examine its strategy on the Rhodesian issue. The two operative paragraphs of the draft resolution do not, as far as my delegation is concerned, alleviate the Rhodesian problem or give anything tangible to the people of Zimbabwe. I will repeat what I said in the Fourth Committee this morning. We should encourage rather than discourage negotiations taking place between the British Government and the Rhodesian Europeans. True solutions of this problem will not be achieved by strong resolutions of the Assembly, but by negotiations which will lead to an understanding not only between the British Government and the Smith régime but also between the Smith régime and the African leaders in Southern Rhodesia itself.

41. The Rhodesian problem is not only a political problem—it is also a human problem which must be looked

at not only with political eyes but with human eyes, which should penetrate all its aspects.

42. Many of us, I know, speak with emotion when we talk of colonialist issues and I must say that I quite understand such emotion because it is difficult not to show it when one feels one's own brothers are being oppressed. But, emotion or no emotion, I would appeal to this Assembly to be realistic and even patient in dealing with this thorny problem, which has been before this Assembly for the past two years.

43. Lastly, let me emphasize very strongly that a strong United Nations resolution will not solve the Rhodesian problem overnight. We believe that a solution can only be achieved by concerted diplomatic negotiations with the Smith régime. These could be lengthy, but my delegation believes that as long as the dialogue is kept open and encouraged by this Assembly a solution to this political and human problem can be found at some time.

44. My delegation does not think that operative paragraphs 1 and 2 of the present draft resolution help in any way to solve the Rhodesian problem. Therefore my delegation will be unable to support this draft resolution and will abstain when it is put to the vote.

45. The PRESIDENT: The Assembly will now vote on the draft resolution recommended by the Fourth Committee in paragraph 12 of its report [A/7290].

The draft resolution was adopted by 92 votes to 2, with 17 abstentions.

AGENDA ITEM 9

General debate (concluded)

46. Mr. BALANCY (Mauritius) (*translated from French*): The delegation of Mauritius is happy to welcome the unanimous election of His Excellency Mr. Emilio Arenales, the distinguished Minister for Foreign Affairs of Guatemala, as President of the twenty-third session of the General Assembly. The strong personality and great ability of Mr. Arenales, together with the active part played by Guatemala and the countries of Latin America in the work of the United Nations, are more than sufficient guarantees of the excellence of our choice. Untoward circumstances have for the moment deprived us of the presence of Mr. Arenales, whom we wish a swift and complete recovery; while awaiting the pleasure of seeing him direct our work again, I wish to assure him of the full co-operation of the delegation of Mauritius.

47. I also have the pleasant duty of expressing our gratitude to His Excellency Mr. Corneliu Manescu, the Minister for Foreign Affairs of Romania, for the great skill and practical devotion he showed in presiding over the twenty-second session of the General Assembly.

48. Before taking up the grave problems we have before us, I wish to pay a tribute to our esteemed Secretary-General, U Thant, for his tireless efforts in the cause of world peace. To him and to his fellow members of the Secretariat, who spare no effort in spreading the shining

ideals of the United Nations, we convey our deepest respect and our profound satisfaction.

49. My delegation is also pleased to welcome the admission of Swaziland into the international community. On behalf of the Government and people of Mauritius, we again wish the Government and people of Swaziland progress and prosperity. Also, we are happy to greet Equatorial Guinea, which has just achieved independence, and to which we extend our best wishes.

50. This session opens at a particularly difficult time in international relations. It is an ironical twist of fate that this year, which marks the twentieth anniversary of the Declaration of Human Rights and which has been solemnly proclaimed the International Year for Human Rights, the world should be witness to activities conflicting with the high principles that are the very substance of this act of faith, which seemed at first so full of promise for suffering mankind. Doubt and anxiety are more firmly established than ever as masters of man's destiny. We believe, therefore, that at the very outset of our statement we cannot do better than to appeal from this rostrum to the enlightened conscience of all the nations gathered together in this august Assembly that they combine their efforts, with deeper understanding and a sincere desire for co-operation, in seeking a just and equitable solution to each of the distressing problems that demand our undivided attention.

51. It is truly sad to have to admit that, despite the obligations accepted by the States Members of our Organization, millions of human beings throughout the world are still groaning under the weight of oppression, racial discrimination, injustice and poverty. I am authorized by my Government to state that we unreservedly reaffirm our support for resolution 2372 (XXII), of which we were a sponsor, which was adopted by this Assembly on 12 June 1968, and whose aim was to end the illegal occupation of Namibia by the Pretoria regime. Recognizing the Namibian people's right to independence, the Government of Mauritius accords its full approval and moral support to the just cause of Namibia. In the same way, we sympathize with our other African brothers in Zimbabwe, Angola, Mozambique and so-called Portuguese Guinea, in the heroic struggle they have taken up for recognition of their right to emancipation and freedom.

52. The Government of Mauritius pledges itself to work within the Organization of African Unity, and in the international organizations, for the complete liberation of the peoples of Africa who are still under the imperialist yoke.

53. As a nation newly liberated after years of struggle against the forces of imperialism and reaction, the people of Mauritius attach an inestimable value to freedom and national sovereignty. Consequently, recent events violating the concepts of sovereignty and national independence have naturally shocked and horrified us, just as they have naturally shocked and horrified the conscience of all those who cherish peace and freedom.

54. Mauritius, known throughout its history as the star and key of the Indian Ocean, was both the witness and the innocent victim of the merciless struggles between the two

great Powers of the time, during the century of imperialist intrigues, for control of that part of the Indian Ocean. It emerged with a belief in peaceful co-existence on which the nation has been built, and which is today the very essence of its foreign policy. This means that the Government of Mauritius cannot accept the use of force or the threat of violence in any circumstances as a means of settling territorial disputes or ideological conflicts. It also means that we subscribe whole-heartedly to the principles of non-intervention in the internal affairs of States and respect for the territorial integrity of all sovereign States.

55. In this context, we cannot remain indifferent to the sufferings of the people of Korea, Viet-Nam and Germany. There is no need for us to dwell on the complex and well-known causes of the dismemberment of these territories. Suffice it to say that this dismemberment is an act of folly which divides peoples who, like other nations, aspire to unity and prosperity.

56. We are convinced that with a little more realism and understanding on each side and—one can but add—with a little more wisdom on the part of the great Powers engaging in the dangerous game of manipulating the equilibrium in these spheres of influence, it would not be impossible to arrive at a solution to the problems of reconciliation and reunification in accordance with the democratic rules whose application is urgently needed for international stability and peace.

57. Without attempting to relate cause and effect, but bearing in mind the possibility that the same virus may be transplanted closer to us in Africa, we must note that the world is now forced to stand by helpless, through its own fault, watching the tragic fate of thousands of human beings, particularly women and children, who are daily exposed to the horrors of hunger, sickness and death. Here too, an immediate return to reason and common sense by the parties involved would put an end to the cruel suspense of the innocent victims in this futile strife.

58. Another painful spectacle is that presented by the interminable conflict in the Middle East. The Government of Mauritius has faith in the United Nations peace mission, under the expert leadership of Ambassador Jarring, and we earnestly hope that the words of peace and conciliation that have run forth from both sides on this rostrum will be the prelude to a final and honourable settlement of this conflict.

59. The Government of Mauritius had no reservations in associating itself with the Treaty on the Non-Proliferation of Nuclear Weapons. My delegation is proud to have been one of the sponsors of the resolution introducing this treaty (resolution 2373 (XXII)), which, as you know, was approved by a very large majority of members of the Assembly. Subsequently, Mauritius was represented at the Conference of Non-Nuclear-Weapon States held at Geneva. We should like to express again here our hope that during this session what I would regard as the logical consequence of this measure, a proposal for complete and total disarmament, will be given the attention it deserves.

60. There is no doubt that an overwhelming majority of peoples of all countries, virtually all of them perhaps, are

ceaselessly demanding an end to armed conflict and the final banishment of all threats of war from the face of the earth. It is the responsibility of Governments to take heed of this, and not to dash the great hopes of mankind in its yearning for peace and justice. In this connexion, it is appropriate to mention the excellent proposal submitted by Cambodia, Gabon and Madagascar for "One day of war for peace" (A/7183 and Add.1). My delegation enthusiastically welcomes this idea, which is bound to provide further support for the profound desire of all nations for peace.

61. My delegation will fully support the draft resolution brought before the Assembly by the delegation of Malta (A/C.1/L.433) for international control and co-operation in the exploitation, use and distribution of the resources of the sea-bed and the ocean floor. We attach special importance to this question, which could be of vital interest for our economic development.

62. This leads us to another aspect of international relations. It has been recognized that one of the deep-seated reasons for discord, friction and hostility among nations is economic disparity. A veritable gulf lies between what are now termed the developed countries, and the under-developed or developing countries. For years now international bodies have discussed the remedies needed to close the gap, or at least narrow it, but each year the figures speak as loudly as ever. The programmes of co-operation, aid and assistance have not yet lived up to the promise they seemed to hold. Nor has the First Development Decade proclaimed by the United Nations produced the results expected. The Second Development Decade is already running into difficulties, but we cling to our belief that the mistakes of the first Decade will show how the second can be better planned. The Government of Mauritius had had great hopes of the second session of the United Nations Conference on Trade and Development, held at New Delhi, and had also attached special importance to the related United Nations Sugar Conference, held at Geneva. The outcome of both these conferences was disappointing. Nevertheless we still hope that it will not be too long before the zeal and tenacity of Dr. Raúl Prebisch finally triumphs over the intransigence of some and the indifference of others.

63. The Government of Mauritius hopes, moreover, that the various agencies of the United Nations will give continuing attention to the painful problem of overpopulation in the world. Mauritius, with a population density of over 1,000 per square mile, is in a good position to know about the depressing effects of demographic pressure. Despite my Government's herculean efforts to diversify and expand the national economy, and although our liberal policy of family planning has given results that promise well for the future, overpopulation remains the implacable foe of our social and economic progress. Underemployment and unemployment have reached alarming levels, and my Government cannot afford to relax for a moment its efforts to control the situation by all possible means. Faced with this sombre outlook, we place a high value on aid and co-operation from international organizations and friendly nations. I take this opportunity to express publicly our gratitude to the various branches of the United Nations, particularly the United Nations Special Fund, for the help and encouragement they have given us in the recent past. In

that context, I must single out two special friends of ours among the Commonwealth countries, Australia and Canada, and express our appreciation and gratitude for the immigration facilities and the warm welcome they have given to Mauritian citizens who wish to settle in other climes; by so doing these two countries are helping to reduce the magnitude of our population problem. We hope that the other friendly countries who can do so will show us the same generous understanding and back up our efforts to deal with the difficult conditions we have to face.

64. I should also like to draw the attention of the United Nations to the urgent need for a thorough study at the international level on the problems of young people. In this difficult world, liable at any moment to be shaken up through the advances of science and technology, the post-war generation, which accounts for 54.4 per cent of the world's population, cannot be content to stand idly by and watch events that affect the future of mankind; these young people expect an education which is more in tune with the changed conditions of life today, that will enable them to play their full part in building the world of tomorrow. The serious signs of frustration represented by their demonstrations of impatience with the present state of affairs require earnest reflection and positive action on our part.

65. In a world which numbers far more sovereign nations today than it did twenty years ago international treaties and agreements are becoming more and more important. There are now 125 States assembled in the United Nations and bound by a common Charter. If all the Members of the Organization took pains to see that all the principles of this Charter were respected, we should certainly be on the way towards a better world. Respect for these obligations, whether they derive from international law as such or from treaties, cannot but enhance the prestige and authority of the United Nations.

66. In conclusion, therefore, I should like to reiterate strongly my Government's pledge to abide by the Charter, and the United Nations lofty ideals of peace and human brotherhood, always and in all circumstances. We intend to honour and respect our obligations as a Member nation, convinced that the bonds of brotherhood must unite mankind, and that the United Nations must play its part as an instrument of conciliation and harmony, to safeguard the changeless values of our civilizations and ensure the survival of the human race.

67. Mr. BOUTEFLIKA (Algeria) (*translated from French*): While the keynote of the debates on world problems at the twenty-second session of the Assembly was paradox and misunderstanding, this session will no doubt bear the seal of neglect and tension: firstly, neglect of the Charter; secondly, neglect by a great Power; and lastly, neglect of the trend of events.

68. The recriminations and complaints voiced on this rostrum leave us more than ever convinced that the Charter is increasingly becoming a weapon in a questionable contest instead of the instrument—and the only one, after all—for the building of a better world.

69. The absence of the People's Republic of China is a distressing fact, but the attempt to ignore and ostracize that

country reflects a dangerous lack of clear thinking and presages the gravest consequences for world peace.

70. I have referred to neglect of the trend of events, and people still prefer to repeat old slogans instead of facing the problems of the day. In the existing atmosphere tensions naturally become part of what must be termed international relations. These tensions have led to an imbalance that has become the sole basis of a disordered pattern of international activity. It can only be hoped that the present disorders are not a foretaste of what is to come; for we live in constant fear that justice and peace, which are still the best hope for the world, may at any moment be put in jeopardy for a long time to come. This fear is all the more justified today when the United Nations seems unable either to control the international situation or to contain the rash extravagances of powerful nations.

71. The characteristic features of the last session, like those we have seen briefly in the course of this debate, reveal a certain continuity. When my colleague and friend, Mr. Manescu, was President of the General Assembly, there was a conjunction between his outstanding qualities and the nature of the problems at that time, and it is fitting to find today a conjunction between a world of far-reaching change and the noble features of the Mayan civilization.

72. We are convinced that as soon as he has recovered the President of the Assembly will perform the duties of his high office with the authority, skill and dedication that marked his predecessor's term of office. We take this occasion to offer him our sincere congratulations and best wishes, and to express our deep gratitude to the retiring President for his tireless efforts in the service of peace, international co-operation and friendship among nations.

73. For some years now, the deterioration in the international situation has become the main theme of all the statements in the General Assembly. This session is no exception to a rule which, by its dismaying persistence, illustrates the terrible gulf between man's hopes for peace and a better life and the fact that he is powerless to avert the dangers looming over him. But although all nations feel equally concerned about preserving peace, and are aware of their close solidarity in facing the dangers besetting the world, they are not all equally responsible for the worsening of the international situation, nor have they all the same scope for action to improve it.

74. The countries that have become independent during the past twenty years found themselves part of a world already containing the seeds of the imbalances and confrontations that imperil their freedom and their future. Scarcely have the chains of colonial domination been broken, when the efforts and sacrifices they must make to organize and develop their countries and to heal the wounds left by their long period of subjection, are brought up against the conflicts of a world in which they are still the helpless victims of events.

75. It would be unrealistic not to admit that the principle now governing international relations is that might is right. The future of humanity still depends solely on the great Powers, and it is still they alone which determine and influence the development of the international situation. It

is clear that a very heavy responsibility lies mainly with them.

76. Nevertheless, this state of affairs must not tempt us to abdicate our own responsibilities in seeking to solve the problems facing us. What is at stake is our common future, while our peoples are prey to the rule of force. In recent years the watchword has been the establishment of peaceful co-existence among the great Powers. Great hopes were founded on such an equilibrium, and, pending its gradual conversion into a condition of stable peace, many saw it as a shield, fragile but real, against world catastrophe.

77. This situation has not prevented the outbreak of various conflicts in the countries of the third world where the imperialist great Powers have openly intravened. The freedom of small countries has continued to be seriously threatened and in Africa, Asia and Latin America the struggle against foreign domination became an imperative duty for many nations. As peaceful co-existence evidently applied only to relations among the powerful States, the little countries were still subjected to outside pressure and to unlawful encroachments on their freedom and independence. Although these conflicts have not led to the use of nuclear weapons, they are nonetheless the most serious threats to world peace, since the truth is that the only guarantee of even the best international equilibrium is the freedom of all peoples.

78. Fears are now being expressed that the cold war atmosphere may be returning. Some believe that since their idea of peaceful co-existence has not been achieved, the world is threatened with a return to the era of the arms race and the risk of nuclear war. Although such fears may be due to recent events in Czechoslovakia, yet the continual interventions in the countries of the third world can hardly be regarded as other than a real danger to international peace and security. True a return to the cold war would be a step backwards in the quest for peace; but it is also true that the freedom of small countries has not been safeguarded during the period of peaceful co-existence and that the world situation still depends largely on the will of the great Powers.

79. For convincing proof of this we have only to weigh up the difficulties that block the way to disarmament. No one could deny that the first step towards the establishment of real peace lies in genuine disarmament, applied to both nuclear and conventional weapons. Yet the merits attributed to the Treaty on the Non-Proliferation of Nuclear Weapons are purely theoretical as long as it does not embrace all the nuclear Powers, and as long as it leaves these Powers in sole possession of a weapon that is capable of enslaving mankind. I do not wish to minimize the undeniable progress that this instrument represents, and I would pay tribute to the untiring efforts that made it possible, but the small countries all see clearly that the treaty consolidates the existing situation, and gives them no reliable safeguards against the risks to which they remain exposed. Although we have continually pointed out the dangers involved in the stockpiling of nuclear arms by the great Powers, we cannot give our endorsement to a treaty that ratifies this situation and makes us completely dependent on the nuclear Powers.

80. Thus the past year had led to increased international tension, new threats to the security of nations and new

inroads on freedom. Nor has there been any progress in solving the problems inherited from earlier years. The present system of alliances has a strange resemblance to a system of war. Each bloc has its part to play, its function to perform; yet in the third world is something very different from the antagonism that freezes those blocs in their respective positions, a fund of healthy energy that could usefully be employed in the service of justice and peace. One tragedy follows another in the world, further increasing the existing tension—in Viet-Nam, southern Africa and the Middle East.

81. The war continues to rage in Viet-Nam; clearly, of all the ambitions of a State, the deadliest for world peace today is that which ultimately reflects only an undue desire for vain glory and a false greatness. For what real greatness could the power of the United States of America win from undertaking to subdue by force of arms the invincible resistance of the people of Viet-Nam? What glory would crown this tragic enterprise if the Viet-Nameese people became the victims of a real act of genocide and were wiped out? No, there is no self-interest, no cause or political philosophy that can account for aggression. Yet while brute force certainly confers neither right nor reason, it is to be feared that the justifications for the war have been carried to the point where it is no longer possible to stop the consequences. But peace cannot be decided by armed conflict, any more in this terrible affair than in any other. The desire to win and impose one's will on an opponent solely through the rule of force can never guarantee military success.

82. The Viet-Nam problem seems to be bogged down in the interminable negotiations in Paris, which we had all welcomed with relief, hoping that they would soon lead to the satisfactory peace so long awaited by the whole world. The war goes on with renewed vigour, and the briefly glimpsed prospects of a solution have once again been relegated to an uncertain future. It is now clear that nothing positive can be achieved in the quest for peace as long as the acts of aggression against the Democratic Republic of Viet-Nam continue and the United States maintains its bombing of that country. No parallel can be drawn between the responsibilities of a small State defending itself against foreign aggression and those of a great Power mounting a military intervention in a territory that does not belong to it, against a people who wish freely to decide their own destiny.

83. For the African continent the age of colonial domination is still a living reality. Yet this vast region of the world which, throughout the nineteenth century was the cockpit for the rivalries of Europe, and was subjected to systematic exploitation by colonialists from all sides, believed that its hour of freedom had come. As most of the African countries had regained their independence, a new African world should have emerged, developing on the basis of its own values, so long unrecognized, and its natural wealth, until then plundered by foreign monopolies. These hopes were short-lived, because the evidence soon showed that colonialism was still using force to maintain its position in Africa. The most blatant challenge, not only to Africa but to the entire international community, is the policy pursued by Portugal. It might well be asked how Portugal, a small country with few resources, can sustain a war effort

that seems out of all proportion to its capacity. Although the condemnations of the Security Council have been of scant effect, the resistance of the peoples of Mozambique, Angola and Guinea (Bissau) will prevail in the end over Portuguese domination. Until then the world community can derive no credit from the continuance of this out-dated colonialism, which holds cheap all the principles on which that community hoped to found a new international society.

84. Although the General Assembly has already had occasion to reaffirm that it is legitimate for colonial peoples to exercise freely their right to self-determination and independence, the United Nations is still being defied in Southern Rhodesia. The main responsibility undoubtedly lies with the United Kingdom, and it was at the prompting of that country that the Security Council refused to consider armed intervention, and decided to apply only economic sanctions. Perhaps it is now time to recognize, as all the countries of Africa have done, that these sanctions are ineffective, and adopt a vigorous policy against the Ian Smith regime, more in keeping with the condemnation voiced by the Security Council. The fact that this demand has been repeated year after year in no way detracts from its validity, and the ineffectiveness of the threats of economic pressure makes it even more justified.

85. The same verdict applies to the attitude of South Africa, both for its maintenance of the policy of *apartheid* and as regards South West Africa. We are forced to admit that the unanimous condemnations of South Africa by the United Nations have been useless. One thing is certain; insurrection will always provide a good way out for oppressed peoples.

86. To turn to another part of Africa, the attempted secession in Nigeria has aroused a wide variety of reactions in the world. While we share the humanitarian concern for the sufferings endured by the population, we cannot forget that the original cause was the attempted secession, which unleashed civil war in Nigeria. This humanitarian aspect of the problem, which we as Africans feel most deeply, must not obscure the political aspect, which is essentially that there was a serious attack on the unity of an African country, and on its territorial integrity. That is why the Organization of African Unity took a clear stand against this secession movement. Having an essential interest in this African problem, the Organization of African Unity is trying to find a satisfactory political solution, and to spare the population as much as possible of the suffering and misery that inevitably accompany civil war anywhere in the world. Our attitude is in accord with the principle of the unity and territorial integrity of States, which is one of the cornerstones of the Charter of Addis Ababa. Foreign intervention under the guise of humanitarian aid is intended only to aggravate the crisis and stir up trouble in the African continent. We must be on our guard against such intervention, whose motives and aims we fully appreciate, and we condemn it most strongly. The blameworthy sentimentality of certain purportedly humanitarian agencies, which can be said at best to be confusing disaffection with martyrdom, has almost certainly done Nigeria and Africa more harm than this hateful war.

87. If any proof were needed that aggression has become an accepted and profitable tool in international dealings, we

only have to look at events in the Middle East. There we are confronted with a case of clear-cut, premeditated aggression; the aggressor continues to occupy territories which it has placed under its own administration in defiance of all the United Nations decisions, it has annexed the city of Jerusalem, and in the strength of its new position it wants to impose its will on the countries that are the victims of its aggression and impose its conditions on the international community.

88. In an attempt to arouse sympathy, Israel was at first depicted as a peaceful country, weak and surrounded by enemies, forced to make war to preserve its own existence. Its aggression was then supposed to be of a preventive nature, as if that were any justification. And because nazism made the Jews victims of a planned extermination—which we condemn—clever propaganda succeeded in turning to the account of a new fascist venture in Palestine the genocide that also exterminated tens of millions of innocents in the Soviet Union, Poland, and elsewhere.

89. Stripped of its cloak of sentimentality, the real situation can be seen complete. Israel's colonialist nature is evident from its territorial annexations and its behaviour towards the international institutions. When the Arab countries call for condemnation of the aggression and withdrawal from the occupied territories, their attitude is founded on justice and international law. The international community cannot allow the present situation to continue without creating a precedent that may have incalculable consequences.

90. The fundamental problem, however, lies in the creation of Israel itself. While I do not wish to go into the history of this affair now, there is no doubt that the establishment of Israel in Palestine, a decision against the will of its inhabitants and of the Arab countries, led to a whole people being dispossessed of their homeland. Thus arose the serious problem of the Palestinian refugees and although the United Nations has tried to provide some relief from the humanitarian standpoint, it remains first and foremost a political issue. After all, is it at all conceivable that the Palestinian people can ever renounce the claim to their lawful rights and yield before the *fait accompli*? Will they agree to abandon their country to strangers of various nationalities, and thus lose their own nationality? Israel was not founded on territories that were unruled, or unowned. Hence it is not surprising that there should be a patriotic campaign led by the Palestinian organizations, which can be classified as a genuine struggle for the liberation of their country. World opinion is not informed about the atrocities committed by the Israelis in their suppression of the Palestinian resistance, long before the aggression of June 1967. Only now that the resistance is hardening are those atrocities becoming known. But there as elsewhere, colonial repression, no matter how barbaric, can never halt a struggle supported by a broad popular movement and based on legitimate claims. Thus the problem of Israel will remain as long as the rights of the Palestinian people are flouted. That is why Israel will continue to pose a very serious threat to all the peoples of the Middle East, because this internal insecurity will encourage its aggressiveness towards its neighbours and nourish its expansionist designs.

91. We, ourselves shall continue to believe that, whatever the sacrifices to be made and the atrocities to be borne,

there can be no greater source of pride for any people than to fight aggression and die for freedom. And there can no longer be any doubt that the Palestinian people, who for over twenty years have been the living personification of human suffering, will one day be recognized as having epitomized the noblest virtues of human civilization, in their liberation struggle against Israel and against the perverseness of a certain sector of world opinion. Their inevitable victory will once again establish the invincibility of peoples who have resolved to live in dignity and will overthrow the rule of violence and oppression.

92. It is now unanimously agreed that one of the basic causes of tension in the world is the disparity between levels of economic development in different countries. It has already been pointed out that the gap between the rich and poor countries is widening dramatically, and that two thirds of mankind lives in poverty. Have the formerly colonized countries fully grasped the imperative need for them to strive against the under-development bequeathed by the colonial system, which was based on the exploitation of their wealth for the sole benefit of the occupying Power? Those countries were in a position of inferiority from the moment they attained independence, but they had to take their place at once in an international economic order designed to benefit the most favoured privileged nations. Thus one of the first demands of the young States has been for a revision of the international economic structure to bring it more into line with their interests. Moreover, the struggle against under-development, which they all had to undertake with ridiculously inadequate means, entailed aid from the most developed countries within the framework of international co-operation, and the United Nations Development Decade was proclaimed by our Organization to assist that activity.

93. Without wishing to belittle the efforts made by the United Nations in this area, it is no exaggeration to say that the industrial countries will refuse to make any real contribution to the war against under-development. Without such a commitment, every resolution and recommendation of all the bodies established for that purpose will remain a dead letter. Hence, the first step must be to remove certain constraints of a political nature. For example, it is absolutely pointless to discuss the item entitled "Permanent sovereignty over natural resources" unless there is general agreement on the need to safeguard and respect the sovereignty of States over all their resources. To state and reaffirm the principles of natural law is useful in so far as the will exists to apply them in practice. Consequently the time has now come for our Organization to concern itself with the application of the decisions it has adopted, for that, we believe, is one of the primary conditions for the success of the next Decade.

94. In that connexion, it is a great pity that the international solidarity which should have been displayed to make the United Nations Capital Development Fund operational has vanished into a limbo of destructive scepticism. The small countries must still rely on their own resources and their own determination in pursuing their development efforts. The developing countries must further strengthen their solidarity and, in the absence of any international effort associating the "haves" and the "have-nots", increase their mutual aid by pooling their

resources. The concept of international co-operation must be given a new meaning in every respect, especially as it is today in serious jeopardy. It is the economic and political imbalance in the world that must be regarded as the chief cause of the difficulties we are now encountering.

95. The movement towards economic integration in Eastern and Western Europe, as well as in North America, shows that it is in the interests of the advanced countries to help raise the purchasing power of the poorest regions. Even though this consideration is sufficient in itself, self-interest at least should induce the wealthy countries to undertake as a matter of reason and necessity the commitments they might refuse to make as a matter of international solidarity. The sound co-operation required can be based only on the notion of an international contract that excludes any bargaining on this or that aspect of the exchange, thus avoiding any risk of imbalance in the whole. To be effective, however, the application of such a sound and equitable notion of co-operation must not be hindered by the interplay of international financial mechanisms which, in our view, involve additional responsibilities for the principal trading States. The least advanced countries should be on their guard against the manoeuvres of which they are always the first victims.

96. While the theme that clearly runs through all the problems we have just mentioned is the cleavage that divides the world into great and small Powers, rich countries and poor countries, at least every country has its full and equal place in the General Assembly, whose founding principle is the equality of States. It is not one of the lesser merits of the United Nations that it corrects, however slightly, the unequal distribution of responsibilities in international affairs. We take this opportunity of recording our attachment to this institution, which despite its imperfections, and the inadequacy of its resources is still the last line of defence against war and the supreme hope of mankind for the preservation of peace and the strengthening of international solidarity. Once again, however, it must be stated that the Organization will not be able to perform its functions properly until it takes on its true universal character.

97. The chances of peace will remain in the balance until the problem of the organization of the world has been correctly settled. The future of the United Nations still depends directly on the lasting structural reforms needed, which could ensure for the morrow a stable equilibrium for a new international order. The world has undergone far-reaching changes since the Charter was signed at San Francisco; the United Nations must adapt itself to this new order if it is not to be condemned to ineffectiveness. While its essential task is to make right triumph over might, or rather to put might at the service of right, it must not perpetuate the inequality that is based on material power.

98. The situation we have just described does not invite optimism. Though so many threats loom over him, man has never yearned more for peace. At a time when our civilization is reaching hitherto unimaginable heights, and we have so many means of ensuring human happiness, how can we allow the thirst for power and domination to condemn nations to poverty and ignorance, and deprive them of the vital sustenance of freedom? Would not

solidarity among men then be but an empty word? Yet there is no denying that unless we rise above our narrow national interests and commit ourselves to complete and loyal co-operation, we shall all remain exposed to the threats of an uncertain future in which all our destinies are involved.

99. Each country represented here has formed an idea of its own contribution to the history of mankind. Before recognizing Algeria, you knew it as a country subscribing to the widely held belief that the law of nations should be upheld by all, for the benefit of all. For my country this belief has become an unalterable commitment, and thus it continues to hold that wisdom will prevail over violence and hatred, and that the will to live will induce the nations and their leaders to bar the road to war and to join together to improve their lot and that of future generations.

100. The combination of the lessons of experience and the imperatives of morality can lead to an objective hope; in so great and arduous a task there will be many difficulties, and inevitable shortcomings, but we shall have the faith of all who strive for a great future. That, in any case, is the fervent wish we express on behalf of the Algerian people and which is shared by all peace-loving peoples.

101. Mr. MONDJO (Congo, Brazzaville) (*translated from French*): At the beginning of this statement my delegation has the very pleasant duty of offering hearty congratulations to Mr. Arenales, as several previous speakers have done, on his brilliant achievement in being elected to preside over the Assembly at its present session. As the outstanding intellectual, professional and human qualities of the President have, with reason, been sufficiently lauded, there is no need for me to dwell on them again now. We sincerely hope that after a speedy recovery Mr. Arenales will again be able to take his place on this rostrum as soon as possible, as we are convinced that his impartial guidance will allow our discussions to proceed in the necessary atmosphere of calm, and perhaps even lead to enlightened solutions that are in line with our hopes.

102. We should like to take this opportunity to express our gratitude to Mr. Manescu, the Minister for Foreign Affairs of the Socialist Republic of Romania, who presided so impartially and efficiently throughout the difficult work of the twenty-second session, and displayed masterly control over our proceedings.

103. The admission of a new African State to the United Nations is, as it always must be, a source of satisfaction to the Government and people of the Congo (Brazzaville). We are therefore particularly happy to offer our warmest congratulations to the Government of Swaziland, and to its valiant and industrious people. We hope and firmly believe that despite the difficulties of all kinds that Swaziland will face in the difficult process of consolidating its independence, it will make a worthy contribution to the struggle for liberation being waged by the other peoples of Africa against the last shameful citadels of a degenerate and retrograde imperialism which gives our continent daily cause for mourning.

104. We are also very happy to offer our warm congratulations to the people and Government of Equatorial Guinea.

By achieving independence this sister country swells our ranks in our fight to the death against all forms of subjugation of our beloved Africa, old or new.

105. The General Assembly, sad to say, is once again opening in an aura of the most justifiable pessimism, of the most understandable disillusion, and of fear prompted by the threat which is imposed on the world by the repeated acts of certain Member States, carried out with unparalleled cynicism and a supreme contempt for law and morality. Our discussions are opening in conditions that are particularly difficult for the Organization, in a world where storm clouds are continually gathering, in a world where there is mounting alarm at the repeated violation of the provisions of the Charter and of fundamental human and civic rights. There are no doubt some who are in the habit of expecting miracles who will say that we are being unduly pessimistic. While such people may create artificial diversions so as to try and obscure the truth, we personally consider that the examples of this grave threat to peace are so numerous throughout the world that they cannot be hidden behind any smoke-screen. In Africa, Asia, the Middle East—everywhere the fires of aggression are being kindled, and unless an effort is made to settle these conflicts by peaceful means—despite the difficulties and delays involved in negotiation—these fires could become uncontrollable and lead to war.

106. The Government of the Congo (Brazzaville) is determined, despite its limited resources, to shoulder the dual burden of its national and international obligations. At home our authorities are absorbed in the task of setting the nation's house in order and carrying out a revision of our revolutionary institutions on democratic lines. Abroad, as you know, our aim is now as it always has been, to maintain relations of friendship and co-operation with all freedom-loving and peace-loving peoples, on the basis of the most scrupulous respect for our independence. It is with this admirable aim that the Government of my country is working to promote a climate of trusting and brotherly friendship, tolerance, fruitful co-operation and peace with the other States of Africa, notably in our region of Central Africa with our sister States in the Equatorial Customs Union. Colonialism is the festering sore of this century, fostering poverty and perpetuating ignorance, and Congo (Brazzaville) is therefore determined to wage war relentlessly, at the side of other progressive countries against this scourge, and against the new forms of it that are appearing here and there in our countries in what is known as the third world.

107. It is because of its African character, which forms the corner-stone of its international policy, that the Government of the Congo (Brazzaville) has never missed any opportunity of stressing the gravity of the problems involved in the liberation and development of Africa. We count on your forbearance, as it is difficult for us to depart from this tradition—I might almost say this tendency—to look first at the situation in our own geographical area, before turning our attention—with equal seriousness, believe me—to the major issues in the world of today. The situation in our continent is fraught with drama: Africa has become one of the last bastions to which the forces of evil are desperately clinging, unfortunately still unaware that the pages of history cannot be turned back, and that they are irrevocably damned.

108. In their blind obstinacy these sorcerer's apprentices still cherish illusions, particularly in southern Africa, where entire regions are for the moment held down by the power of guns, the spectre of napalm, and the terror spread by police who use the most criminal and barbaric methods—in short, by every means that tramples underfoot the fundamental rights of the individual, on the strength of an ideology that is as wrong as it is obsolete, and which is certainly contrary in every way to the fundamental aims laid down in the Charter signed at San Francisco. The trio formed by the diabolical alliance of Smith, Vorster and Salazar thus intends to continue in unalloyed satisfaction with their unpunished crimes, defying all logic, all reason, all morality, and supported in their activities by certain Western Powers which still dare to proclaim themselves as friends of our Africa.

109. One of these bastions of colonialism still active in the oppression of Africa is Portugal, which would have little chance of survival if it did not reap fat profits from its colonies, Angola, Mozambique and Guinea (Bissau). It remains obdurate, and flouts all the various resolutions adopted by the United Nations. This attitude of insolent indifference is hardly surprising, since Portugal is assured of the military and financial support of its allies in the North Atlantic Treaty Organization. That organization no doubt approves of the mission conferred upon Portugal, on behalf of civilization and Christianity, which was defined on 12 March 1968 by Mr. Nogueira, the Portuguese Minister for Foreign Affairs, in the following words:

“Portugal is in Africa to protect the interests
of the West”.

110. Thus the Portuguese occupation of African territories can be regarded as a bulwark against any emancipation of the African people. What is more, Portugal is further strengthening its ties with the racists of South Africa and Rhodesia, to the point where its interests are intimately linked with those of its two associates. My delegation views the ungodly alliance of Pretoria, Lisbon and Salisbury as a threat to international peace and security, and at the same time a negation of fundamental human rights and freedoms. My country, which has a common border with one of the so-called Portuguese territories, knows of the physical cruelty and the unspeakable humiliation inflicted upon the freedom-fighters by the Lisbon regime. The determination of these valiant sons of Africa, and their constant victories, sound a serious warning which the Lisbon Government should heed without delay.

111. One of the most anachronistic situations to appear in the middle of the twentieth century, in an age when the watchwords are democracy, freedom and peace, could be looked for only in Southern Rhodesia. The disastrous policy of the United Kingdom Government has been confined to pretended negotiations on supposed sanctions, doomed in advance to fail, for any sanction against Rhodesia, be it selective, compulsory or general, can only be a blunted weapon as long as courage is lacking to apply it also to South Africa and Portugal, its two best known trading partners.

112. That is why my delegation feels that it would be naive to expect the Western Powers, who after all still have

a decisive influence in the Security Council to tie their hands with any draft resolution that would harm their trading interests. All we are offered in a series of pleasure trips on ships with such spectacular names as the "*Tiger*" and the "*Intrepid*"; my delegation considers that the chief responsibility lies with the administering Power, which failed in its historic task the moment it refused, with pious and fallacious excuses, to use force, the only means of putting down the rebellion.

113. The question of Namibia seems to my delegation to be a problem that people persist in making insoluble. Indeed, in the light of the many resolutions adopted here, the manifest powerlessness of the Organization is becoming clearer day by day. The latest resolution (resolution 2372 (XXII)) adopted just recently by the General Assembly has simply been shelved. Numerous setbacks have been recorded, the most recent being the attempt by the Council for South West Africa to go to Windhoek, the administrative capital of Namibia, during the month of April 1968.

114. The independence of Namibia, a territory that has theoretically been under United Nations administration since the decision taken by the General Assembly on 27 October 1966 (resolution 2145 (XXI)), ought to have been celebrated at the end of the first half of 1968. If such a ceremony had taken place, it would have lightened the agenda for the present session, to our great satisfaction. But alas, here we are today still absorbed in this problem which the Machiavellian will of certain Powers renders difficult and interminable.

115. My Government, like so many others, remains convinced that in our time colonial adventure has become simply a matter for renegades and irresponsible persons. More than ever before, history is providing many concrete examples showing that colonial conquest must inevitably lead to failure, to a defeat whose consequences are often difficult to surmount. More than ever before, our century demands respect for the human person and the co-existence of peoples, based upon co-operation that is free of any complex and is hence a guarantee of true and lasting peace.

116. In Nigeria, a country which inspired Africa with such hopes by reason of its human potentialities and the wealth of its natural resources, a country which was the pride of our continent for its balance, its enthusiasm, its dynamism, an unjust and bloody war has set the sons of one and the same country against each other, causing innumerable victims unnecessarily and bringing grief to every home under the fallacious pretext of an obsolete tribalism which serves as a cover for the unbridled appetites of the merchants of politics, the foes of our continuing trend towards maturity and of the prospects for a happy Africa, who give utterance everywhere to the siren voices of discord and division. While we condemn the war, with its train of horrors and injustices, we no less strongly condemn the secession cunningly instigated and encouraged from abroad, whose purpose can only be to weaken the Federation of Nigeria, the better to organize the plunder of the rich mineral resources of its eastern portion. My delegation therefore whole-heartedly supports the resolution adopted on 15 September 1968 by the historic Conference of Heads of States and Governments at Algiers, which has made it possible to safeguard the unity and to

respect the territorial integrity of the Federal Republic of Nigeria.

117. African problems should not divert our attention from the grave questions of concern to other parts of the world, Asia and the Middle East in particular. The question of Viet-Nam, though not on the agenda, continues to have serious repercussions throughout the world, and particularly in this Assembly. The aggression perpetrated by the United States of America in defiance of the Charter and of morality—of those Christian ethics to which the so-called civilized States appeal so often—constitutes, as my delegation sees it, one of the gravest threats to the maintenance of world peace.

118. My Government has said in the past, and it continues to say today, that only the immediate and unconditional cessation of bombardments of the Democratic Republic of Viet-Nam can constitute a first step towards the restoration of peace in that region. My delegation takes this opportunity to pay tribute to the heroic resistance of the valiant Viet-Nameese people in its righteous struggle against the American aggressor.

119. Another centre of tension in Asia is Korea. Our Government has made it clear on many occasions, and we must repeat it here, that this question, the restoration of the unity of a territory that is temporarily divided, is a domestic matter for the Korean people, which should be settled by it alone and that no interference, even of the United Nations, can be admitted. Our delegation therefore shares the view that the United Nations Commission for the Unification and Rehabilitation of Korea, which is the main obstacle to unification, should be dissolved. At the same time, the American troops and the mercenaries of the satellite countries occupying the southern part of the country should withdraw without delay in order to enable the Korean people freely to choose its destiny.

120. The Congo remains deeply attached to the idea of disarmament, but general and complete disarmament, without mental reservations. It is therefore prepared to support any effort to that end. My delegation, like many others, believes, however, that, despite the important stage in the progress of disarmament which the Treaty on the Non-Proliferation of Nuclear Weapons represents, earnest efforts should be continued to reconvert atoms for war into a force genuinely designed for the exclusive service of peace.

121. But this disarmament will be genuine and effective only if the People's Republic of China emerges from the banishment into which certain States have driven it. China must therefore be restored to its legitimate rights and must once again take the place to which it is rightfully entitled. One of the causes of the weakness of our Organization—and undoubtedly the greatest cause—is that it has kept up a fiction. For the issue here is not, in our opinion, that of whether China shall be admitted to the United Nations or not; what we must do is to give an objective and clear answer to the question: Who represents China and 700 million Chinese? Is it the régime of Chiang Kai-shek, which, repudiated and spurned, was hurled into the sea by the Chinese people, and is now artificially maintained by American troops? Is it not, as we are firmly convinced, the Government at Peking, the indisputable emanation of the

will of the great Chinese people? No screen of slanderous charges and imputation of motives can conceal the fact that the People's Republic of China, by its decisive, active and inestimable contribution in the very important fields of science, technology and economic progress, is now one of the great Powers of our century.

122. Another crisis point in the world is the Middle East, which remains a subject of great concern to the international community. Grave incidents continue to occur and may at any time cause war to break out again. The occupation of Arab territories by Israel can only lead to an exacerbation of the nationalism of Arab patriots and is consequently driving us further and further away from the prospect of a lasting peace. The position of the Government of the Congo (Brazzaville) in this matter is well known. While we recognize that the State of Israel has a right to exist, we do not intend to accept the *fait accompli* of the acquisition of territories by force. Resolution 242 (1967) of the Security Council, adopted on 22 November 1967, is, in our view, the only real basis for a settlement calculated to achieve a just and lasting peace in that part of the world. It conditions the ability of the parties in dispute to contribute to the success of the mission of the representative of the Secretary-General, U Thant.

123. Lastly, may I be allowed to make a few brief comments on the world economic situation. Everything has been said on this subject, as a matter of fact, and I need not revert to it. In the light of the statements we have heard, the value of international co-operation is now universally acknowledged. So we shall confine ourselves to drawing up a balance-sheet of the situation two years before the expiry of the first United Nations Development Decade and after the meeting of the second session of the United Nations Conference on Trade and Development at New Delhi. The least we can say is that the debit side is still heavy with the many disappointments which we have unfortunately experienced. On the credit side the results have only been slight, if we bear in mind the undertaking, nominal and problematical as it is, by the highly industrialized countries to transfer 1 per cent of their gross national product to the developing countries. At the same time, we note with some regret a downward trend in the economic assistance to the countries of the third world and the continuous deterioration in the terms of trade. In view of this situation and of the failure to devise any remedy, we are bound to admit that the first Decade has not achieved its targets and that the New Delhi Conference, which some have rightly called a "vanity fair", did not seriously consider the problems set out in the Charter of Algiers.¹ We are therefore entitled to assume that the third world is destined to cherish only distant hopes for a long time to come.

124. While we are bound today to see the international outlook as very sombre—a view which unfortunately emerges from any objective analysis of the political, economic and psychological state of the world—we must not abandon our hopes in the United Nations, but must with all our strength help to eradicate all factors of dissension, incoherence, inertia, barren egoism and arbitrariness and try to stimulate a flow of generous and constructive ideas.

¹ See *United Nations Conference on Trade and Development, Second Session*, vol. I: *Report and Annexes* (United Nations publication, Sales No.: E.68.II.D.14), annex IX, p. 431.

125. Wherever it is invited to take part in a dialogue calculated to hold out any hope of a lasting solution to the problems of concern to the whole world, Congo (Brazzaville) will answer the call, not in order to seek the triumph of its own views but, in full awareness of its responsibilities and duties, to fulfil its essential pledge to work towards promoting every factor likely to foster peace and co-operation in a broad spirit of understanding and fraternity among peoples.

126. Mr. GALLIN-DOUATHE (Central African Republic) (*translated from French*): I should like, Mr. President, at the outset of my statement to transmit through you the best wishes of the delegation of the Central African Republic for the speedy and complete recovery of Mr. Arenales, the President of the Assembly at its twenty-third session, who is confined to bed with an unexpected illness at the very moment when, anxious as we are that our work should be carried to a successful conclusion, we have such need of his wealth of experience of international problems and of the wisdom with which he habitually approaches them. The Central African delegation fully realizes that it was the outstanding personal qualities of Mr. Arenales which led the members of the Organization unanimously to elect that statesman to the highest office of the General Assembly, thereby paying a special tribute, through him personally, to Guatemala, his beautiful and dynamic country.

127. The Central African delegation in welcoming his election and that of our eminent colleagues elected as the other officers of our Assembly, wishes most wholeheartedly to congratulate them and to assure them of its full co-operation.

128. It is with real pleasure, too, that my delegation associates itself with the warm tribute paid to Mr. Arenales' predecessor on his retirement from the Presidency; I refer to Mr. Manescu, the Romanian statesman who impressed us so much by his tact and outstanding competence, which enabled us to work in a quiet and friendly atmosphere throughout a particularly arduous and difficult session.

129. Lastly, I take a very special pleasure in paying tribute to the lucid political courage with which U Thant, our Secretary-General, is performing his lofty and at the same time thankless tasks.

130. May I also be permitted to express to him my delegation's sincere gratitude for his perseverance in the specific matter of the use of the working languages. As we have said, it is not merely sentiment but rather a spirit of justice and fairness which leads us to follow with great interest the application of resolution 2359 B (XXII) of 19 December 1967 regarding this important problem. The language of Molière and the language of Shakespeare should, in our view, enjoy equal status as working tools essential for better mutual understanding; we therefore take great pleasure in the Secretariat's untiring and positive efforts to implement resolution 2359 B (XXII) fully and effectively.

131. I should now like to turn to the brother States which have come to join our great family in order to discharge my most pleasant duty—to welcome them on behalf of the

Central African Government and of my delegation. We wish to extend to their peoples our best wishes for their happiness and prosperity.

132. By means of creative work—the type of work whereby men raise themselves in a new-found dignity—my country, the Central African Republic, is daily consolidating its domestic policy ever more strongly by an orderly process—an earnest of peace and security for its people—and is thus making its modest contribution to the maintenance of world peace and security.

133. In the Central African Republic we believe that internal peace—the peace governing day-to-day relationships among citizens—should spread beyond the national frontiers and consolidate broad and indivisible peace among nations and peoples. We also believe that equality among our nationals on our territory should strengthen equality among all men everywhere, be they rich or poor. We also believe that fraternity, which grows stronger day by day among all Central Africans, will lead to a more human vision of widespread charity. In the last analysis, we thus hope that equality and fraternity in this sense will promote the spread of closer co-operation throughout the world, a co-operation growing ever more fruitful in all areas and making for that truth uttered by the philosopher who spoke of the need “to share the difficulties of others, to bear the cross of others for a moment on our own shoulder, to dry tears and to call forth a smile”.

134. This truth which symbolizes love for one's neighbour, with all that it entails in active solidarity, is not conceivable without fraternity, since fraternity cannot exist without mutual understanding and hence without peace, the prerequisite for which in every relationship and at every level is full and lasting equality designed to promote peaceful co-existence among neighbours and partners near or far. Peaceful co-existence, in our view, implies that every State shall abstain from intervening or interfering in the domestic affairs of every other State and shall display the necessary tolerance with respect to its partners, regardless of their political, economic or social structure.

135. Furthermore, we believe that when two countries divided by war are engaged in a dispute which can develop into a threat to the peace and security of the world community, the only parties which should appear before the United Nations to state their grievances should be those of the parties to the dispute which have expressly recognized its authority and jurisdiction to consider and settle that dispute.

136. The Government of the Central African Republic believes that the policy of true peaceful co-existence should not be sacrificed in certain cases to an unduly strict interpretation of the concept of universality, which should of course be a characteristic feature of our Organization. This means that my delegation will accord all requisite attention, first, to the important question of determining which of the two Republics—that which has established itself on Formosa or that which has its capital at Peking—should legally represent the Chinese people and, secondly, to the no less important question of the two Koreas.

137. In my Government's view, the universal character of our Organization should not be pressed at the expense of its

moral authority. As we see it, peace and equality, fraternity and international solidarity should be the foundation on which the United Nations rests. We have placed our full confidence in the Organization, we have acceded to its Charter and have undertaken to respect the principles embodied in it, hoping that with every day that passes the United Nations will be better able to translate into deeds the ideals which presided at its establishment and which should justify its continuing existence and its real utility: peaceful co-existence among all the peoples of the world in order to preserve international peace and security and make worldwide co-operation based upon human fraternity a living reality.

138. It was unquestionably in order to promote peace that, pending an agreement on the complete prohibition of nuclear weapons tests, some of us signed the Treaty on the Non-Proliferation of Nuclear Weapons [*resolution 2373 (XXII), annex*] which, we were assured, was in itself a decisive step towards disarmament.

139. It was unquestionably to promote peace, too, that one year later we saw fit to ratify the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the moon and other Celestial Bodies [*resolution 2222 (XXI), annex*], because of the beneficial results which we were told would flow from it.

140. It was unquestionably to promote the maintenance of peace that the Security Council has likewise adopted resolutions from time to time, notably resolution 242 (1967) of 22 November 1967, the full implementation of which we had hoped would reduce within a reasonable time the tensions prevailing in certain areas, more particularly in the Middle East, where a peace that is honourable to the parties concerned is essential.

141. It was unquestionably to promote peace, lastly, that the General Assembly with genuine enthusiasm proclaimed 1968 as the International Year for Human Rights [*resolution 2339 (XXII)*] as a logical corollary to the Universal Declaration of Human Rights.

142. We believed, therefore, that prospects would grow brighter, that the cold war would be eliminated for ever and that the international order would ultimately improve. Unfortunately when we read the report by U Thant, our Secretary-General [*A/7201 and Add.1*], who has outlined a not very encouraging picture of the international situation at present, we find that the position is quite different. For we still hear certain theoreticians declare and maintain that a distinction can be drawn between dynamic *apartheid* and static *apartheid*, whereas both of those conflicting theories lead in fact to a racial segregation which depersonalizes human beings. Even worse, we continue to accept with indifference the impertinence of a Member State which refuses to grant the United Nations an entry visa to Namibia, when the whole world can see that the great Powers hold the key to the problem.

143. Furthermore, we are complacently tolerating the obstinacy of another Member State which, misguided by hollow legal concepts, claims to regard African countries entrusted to its administration as parts of its national

territory, whereas in the name of self-determination we have solemnly and unequivocally decided that man shall be restored to his full dignity. Need we also refer in this context to the notorious rebellion of the Smith régime?

144. Lastly, whereas we used to be advised in the past to avoid fratricidal wars, even more inhuman wars are now being fostered in many areas, notably in Nigeria, which certain unconfessed interests wish to Balkanize and weaken to the detriment of its national unity, without which African unity would become merely a utopian idea.

145. In short, we perceive the persistence of rivalries and quarrels among peoples and nations, rivalries and quarrels which may well some day place before the eyes of men the horrifying vision of an atomized and lifeless earth, when it is the heartfelt wish of all humanity that the sum of the intelligence and efforts of all should be used to set aside the threat of war for all time and to promote civilization throughout the world. This concludes the first part of my statement.

146. I now come to the second part of my statement, and I should like to remind you that the Central African Republic is a continental area which is essentially agricultural. That means that my country cannot remain indifferent to the problem of under-development. That problem is not only economic; it is financial and technical; it is political, social and moral. It arises at both the national and the international levels. Appeals for joint international action, and, in particular, appeals for development assistance have come not only from the developing countries, but also from enlightened public opinion in the industrialized countries. Thus it was in this very forum that we were led to believe that it was in the interests of a reduction in the growing gap between rich and poor to convene a conference on trade and development within the framework of the first United Nations Development Decade.

147. Relying on the Geneva Final Act and the Charter of Algiers we went to New Delhi with the will not only to say forcefully to the industrialized countries: "We sell you less and cheaper; you sell us more and dearer", but also to condemn utterly the easy approach of appeasing the third world by stating a few basic principles; in short, to see those generous principles translated into a body of rules having binding force. Indeed, what we poor countries had to do when confronting the rich countries at New Delhi was to negotiate and finally implement the Charter of Algiers, that is to say to assert the third world's right to development.

148. Our exchanges of views enabled us to identify those of our friends who are sincere, or our "positive" friends, and those who are less so, or our "negative" friends. Among our "positive" friends it was very pleasing and encouraging to find France and other well-endowed countries who remain faithful to the undertakings subscribed at Geneva in 1964. On the other hand, some of these nations proved to be "negative" friends, who strive to explain their domestic financial difficulties by means of hollow academic arguments or who tend to consider financial and technical assistance to the under-privileged countries as normal compensation for colonial exploitation or reparation of past errors.

149. When we consider the merits of the signatories to the Geneva Final Act, we cannot help wondering how such splendid resolutions can have vanished in smoke. How indeed can we refrain from mentioning the importance of a meeting so revolutionary in its spirit and so generous in its principles as the first session of the United Nations Conference on Trade and Development held at Geneva in 1964? How can we refrain from noting that it might have inaugurated a new era of international co-operation?

150. The truth is that our "negative" friends did not know that we went to New Delhi convinced in our hearts that the New Delhi Conference could not be simply a pre-arranged meeting between willing beggars and conscience-salving charity, but rather a congress of the combined forces of the proletarian countries to demolish the Bastille of an iniquitous international economic system which is enriching the wealthy nations more and more every day by daily impoverishing even further the nations which are already poor, the former in most cases owing their privileged position less to their own national resources and their financial strength than to their technical progress and their advanced technology.

151. Speaking of the United Nations one observer notes that "endless speeches are made there . . .". Thus, one after another we come here and speak of disarmament, of outer space, of the maintenance of peace, of human rights, of *apartheid*, of decolonization and self-determination and of international co-operation in the economic and social development of all the peoples on earth. All of us have drawn attention to what we regarded as the basic political acts which we have performed on behalf of the common interest which is vital to us all. Reviewing the range of these recommendations or decisions, we have unfortunately found that not all of them have been applied in practice, and we have implicitly recognized, with some bitterness, that the United Nations is certainly the place where not only "endless speeches are made", but where there are also "votes which never lead to action . . ."; we have thus not completely disarmed our minds, much less our hearts.

152. So far as political developments are concerned, no matter whether it is general and complete disarmament, a better international order or self-determination, we are bound to recognize that delays here and there are still continuing to promote the creation, or the persistence, of centres of tension, the responsibility for which, we believe, rests primarily with those of the Member States which are the legal guardians of world peace and security. In the broad field of economic and social development, instead of helping to "feed, house, care for, clothe and educate the most proletarian of the twentieth century", there are many wealthy countries which saturate us with generous declarations that lead to nothing. How, therefore, can we contemplate the future with any excessive optimism when the first Decade which is now coming to an end has, on balance, produced only disappointment and bitterness? The sum of these contradictions in the area of both political and economic co-operation shows that La Bruyère was right in saying:

"It costs the great ones of this world so little to give you nothing but words, and their standing makes it so unnecessary for them to abide by their fine words that it is modesty on their part not to make even more lavish promises."

153. In any event, it is disturbing to note, as the Minister for Foreign Affairs of the Central African Republic has done, that "our Organization [*is*] transfixed in immobility". Speaking of the United Nations, he stated in May 1967 that the Organization:

"... must decide to do something ... otherwise the world will not understand why our Organization does not understand and does not do what should be understood and done. That which should be understood is the voice of reason. That which should be done is what reason decides to do. What is difficult but feasible is the reasoning of the heart in the quest for reason." [*1513th meeting, para. 132.*]

154. The United Nations is by definition not made up only of great Powers, even though some do suggest that it is a body directed by the great Powers and that it represents a mere semblance of communication which enables the great Powers to conceal their intentions. My delegation believes that the actions of the great and powerful combined with those of the small and weak remain decisive and enable us all to ensure both the survival and the permanence of the Organization, particularly since our disappointments show that the hope and faith cherished by the United Nations as it faces its future are still alive. In other words, the durability of the United Nations depends upon its daily conduct towards mankind and the international conscience.

155. The peoples have perhaps never had greater need than they have today of the hope brought them by the message: peace to men of goodwill. The United Nations has been in existence for twenty-three years. By reason of its universality it now has 125 Members, both great and small, powerful and weak, rich and poor, all determined to make it a living instrument for world peace and co-operation based upon strict respect for the sovereignty of each of its Members. Yesterday, celebrating its anniversary, 24 October, the United Nations came together—as it continues to come together—not only to rejoice in its supporters (which we are) but to give expression to the hope it cherishes to live long enough to accomplish the noble tasks entrusted to it by its founders.

156. As a human enterprise, every organization comes into being and grows. That is why it seems that the United Nations both dreads and blesses each day it exists. And it is undoubtedly in order to demonstrate its surprise and pleasure at its continued survival from one day to the next that the Organization likes to celebrate its anniversary. The flags which are flown by this huge skyscraper and thus decorate our vast premises on this special occasion not only add a note of gaiety, but also symbolize a hope that seems to be reborn, for in order to live, the Organization, like man, needs the hope brought to it by each new day. Thus, all the Member States yesterday felt their hearts beat as one, not at the martial sound of bellicose music, but at the tuneful strains of soothing melodies. Yes, yesterday we sang of an unattainable happiness, a joy which eludes our grasp; but yet we sang too of the happiness and joy of life for which we are desperately struggling and which we shall eventually attain.

157. I feel that yesterday, on the Organization's twenty-third anniversary, Tchaikowsky enabled us to commune together, not just in a world of weariness, torpor and lasting

apathy, but also in another world, a world of hope and faith in men of goodwill who so desperately need the peace which reconciles and reunites in order to live and in order to act in the spirit of human interdependence bred by worldwide fraternity. May the United Nations, which yesterday sang of hope and faith in its future, be able to disarm both minds and hearts so as to contribute to the building of a habitable world, which will grow better day by day because it will be a world of stable peace and equal happiness for all the peoples of the world.

158. The PRESIDENT: The general debate is now concluded. Two representatives have asked for the floor in exercise of right of reply. I call on the first, the representative of Portugal.

159. Mr. BONIFACIO DE MIRANDA (Portugal): I should like, first of all, to offer the felicitations of my delegation to our President on his election to the Presidency of the current session of the General Assembly and to wish him a speedy and complete recovery from his illness.

160. I should also like to take this opportunity of conveying the warmest congratulations of my delegation to the delegation of Swaziland, sitting for the first time in the General Assembly. Swaziland and Portugal have always lived as good neighbours and it is hardly necessary to assure the delegation of Swaziland of our friendliest feelings and our spirit of collaboration.

161. I come to this rostrum in exercise of our right of reply. My delegation has followed with close attention the statements made in the course of the general debate that is about to close. Various speakers made references to my country's policy in Africa, not always with a sense of fairness and with knowledge of facts. However, as there was nothing new in those references, I shall not take up the time of the Assembly in repeating what we have said so often in the past here in the plenary and in other organs of the United Nations. Our arguments are on record, and so are our refutations of the various accusations levelled against us. It is therefore not at all difficult to find clear statements of our position, if anybody wishes to study it honestly.

162. I shall only add that we continue to remain unimpressed by the allegations made against us because they do not correspond to any facts. On the other hand, the reality of Portuguese life is by no means unknown in the world. Serious independent observers of many nationalities are not wanting who have given and are giving their testimony and giving the lie to the false accusations invented to discredit our policy and action. That is why such accusations do not have the impact which their authors seek.

163. The truth about Portugal's life has emerged and is emerging from the fog created around it by deliberately false propaganda. The choice today is not between knowledge and ignorance of the truth. The choice is between facts which have been verified by impartial witnesses and sheer false propaganda.

164. Could anything be more false than to accuse Portugal of racism? Yet this accusation has been made from this rostrum by some delegations even in the course of this general debate.

165. Could anything be further removed from the truth than the allegation of oppression? Such an allegation is a complete travesty of the reality. If the protection of the lives and property of all our populations, which is the right and the elementary duty of any Government worth the name, and present efforts which the Portuguese Government is making for the rapid all-round betterment of all our populations are termed oppression, then it must be admitted that words have a special meaning for certain delegations in this Organization; or else it must be admitted that debates here take place in a vacuum.

166. In those circumstances to expect Portugal to accept such allegations and shape its attitude on conclusions based on such allegations—does that not amount to expecting Portugal to submit to myths? Myth does not become a reality because a group, even a majority group, has agreed to regard it as much.

167. Given the general nature of the allegations made against Portugal I give this general reply. But there have been one or two specific allegations to which I must give specific answers.

168. At the 1688th plenary meeting of this Assembly the representative of the Republic of Guinea stated that Portugal is detaining a Guinean plane and its crew. The Guinean delegation did not state all the facts of the case. In order to place the facts in their proper context I shall, with the President's permission, read out the text of the joint *communiqué* issued by the Portuguese Defence, Foreign Affairs and Overseas Ministries on 28 March 1968. The *communiqué* reads as follows:

"1. On the 26th instant [*that is, 26 March 1968*], at 1040 hours a Russian-made twin engine plane landed in the village of Formosa in the Portuguese Province of Guinea, possibly due to technical reasons. The plane carried registration marks of the Republic of Guinea and displayed the national colours of that country. It had on board six passengers and a crew of two persons. They were taken to Bissau for investigation. It was established that the six passengers, all nationals of Mali, were members of the delegation of the Republic of Mali to the Conference of States bordering on the River Senegal. It was also found that the two members of the crew were nationals of the Republic of Guinea.

"2. The delegation of the Republic of Mali has already been authorized to continue its journey to its destiny. It was given the necessary facilities for the purpose.

"3. On different occasions some groups of terrorists with their base in the Republic of Guinea seized, in the territory of the Portuguese Province of Guinea, five Portuguese military personnel, among them the Air Force sergeant, Antonio de Sousa Lobato, and took them away to the Republic of Guinea, where they are held in a régime which must be regarded as one of duress. The Government of Conakry has thus consented that in its territory foreign individuals arrogated to themselves and exercise functions of sovereignty and has even endorsed that crime, while on the other hand it has been insensitive to the repeated appeals of all the international humanitarian institutions for the liberation of the Portuguese military personnel. The Government of the Republic of Guinea is therefore fully responsible and a party to the situation thus created.

"4. In these circumstances, the Portuguese Government has ordered the internment of the above-mentioned plane and its crew and declares that these will be returned only when the five Portuguese military personnel are set free."

I sincerely apologize to the Assembly for the length of that quotation but it was necessary to read it out in order to keep the record straight.

169. Next I turn to another matter. At the 1692nd plenary meeting of this Assembly the Nigerian representative alleged that the Portuguese territory of Sao Tomé was being used for aid to Biafra. In that connexion my delegation would like to make the following comment. Portugal has always observed the principle of liberty of transit and keeps its routes open for transit in all its territories. Accordingly Portugal permits transit through the island of Sao Tomé of medical and other humanitarian supplies sent to Biafra by such respectable international organizations as Caritas, the Red Cross, the World Council of Churches and others, as well as by some American, Italian, French and German organizations and organizations from Scandinavian and other countries. Biafra has been recognized by some African countries, which will not fail to look with favour on the international aid being sent there. Be that as it may, Portugal does not bear any responsibility for such aid.

170. The PRESIDENT: I now call on the representative of the Philippines in exercise of the right of reply.

171. Mr. TOLENTINO (Philippines): At this late hour on the last day of our general debate, I crave the indulgence of the General Assembly to permit me to make a further statement on behalf of my Government in the exercise of our right of reply.

172. On 15 and 16 October last [*1696th and 1698th meetings*], the representative of Malaysia made two separate statements before this Assembly regarding the Philippine claim to Sabah which he described in predictable alliterative fashion as a composite of "fantasy, fallacy and fiction". The Philippines in the exercise of its right of reply desires to state, first, that the Philippine claim is based on historical facts and valid documents, the existence of which is certified to by the British Government, the Spanish Government and the United States Government; and secondly, that the representative of Malaysia made certain assertions which are not based on fact.

173. The representative of Malaysia said that the Philippines has refused "to look the facts in their face". But the statement in support of our claim is held together by a chain of closely related facts. What are these facts? First, Malaysia's claim to sovereignty over Sabah is based on the rights of the United Kingdom over the territory—rights which were not those of a sovereign but of a lessee. Secondly, the United Kingdom in turn based its alleged rights of sovereignty over the territory on the rights of the British North Borneo Company—rights which were not those of a sovereign but those of a lessee. Thirdly, the British North Borneo Company in turn based its rights upon the rights of Messrs. Overbeck and Dent—rights which were not those of a sovereign but those of a lessee.

174. We are in possession of massive documentary evidence to substantiate the above-mentioned facts. As an example, we have several volumes of documents compiled by the British Government way back in the year 1882.² The existence of these documents has been certified to by the British Museum in London.

175. We have documents made available to us by the Spanish Government—by the Archivo Nacional of Madrid and by the Archivo General de Indias of Seville—and we have certifications from the Spanish Government as regards the existence of these documents.

176. We have documents from the United States archives and from the archives of the Department of State, the existence of which has been certified to by the United States Government.

177. The following are some of the documents in the British compilation which substantiate the Philippine position that the agreement with Messrs. Overbeck and Dent which the Sultan of Sulu signed on 22 January 1878 was a lease agreement:

(1) A memorandum dated 5 November 1879³ submitted by the Spanish Government on the activities of Messrs. Overbeck and Dent in Sandakan. Near the beginning of this memorandum, we come across the phrase “contract for the lease of Sandakan”; then, we come across the statement that the “lands which belong to the dominion of the Sultan” have been granted to Overbeck and Alfred Dent “for their administration”; later on, we read the word “lease”; and the phrase “lease of Sandakan” also appears; then, “contract of lease”; and again the word “lease”; a little further on, the word “rent” appears and then the phrase “contract of lease” and then again the phrase “contract of lease”.

(2) A letter of the Sultan of Sulu to the Captain General of the Philippine Islands, dated 4 July 1878,⁴ in which the Sultan speaks of the 5,000 Malayan dollars as “rent”.

(3) Another letter of the Sultan of Sulu under date of 22 July 1878,⁵ addressed to the Governor of Sulu. In this letter the Sultan speaks of his desire “to cancel the contract for lease of Sandakan”. The words “contract of lease” are repeated in the same letter.

(4) Another letter written by the Sultan of Sulu to the Captain General of the Philippine Islands dated 22 July 1878.⁶ In this letter the Sultan speaks of his desire to “cancel the contract for lease of Sandakan”. The word “lease” is mentioned for the second time in the same letter.

(5) A letter which the Governor of Sulu wrote to Baron de Overbeck on 24 July 1878,⁷ which speaks of a “contract of lease”.

² *Papers relating to the Affairs of Sulu and Borneo and to the grant of a Charter of Incorporation to the “British North Borneo Company,” Part I—Correspondence respecting the Claims of Spain, C.3108 and Part II—Correspondence respecting the Claims of Holland, C.3109* (London, Harrison and Sons, 1882).

³ *Ibid.*, Part I—Correspondence respecting the Claims of Spain, C.3108, No. 174, pp. 170-175.

⁴ *Ibid.*, p. 176.

⁵ *Ibid.*, pp. 176 and 177.

⁶ *Ibid.*, p. 178.

⁷ *Ibid.*

178. Some baseless and erroneous assertions have been made here by the representative of Malaysia.

179. First, the representative of Malaysia has asserted that the British Government did not concede that the agreement of 22 January 1878 was a factor to be considered in the North Borneo dispute. However, during the Philippine-British talks in London in 1963, Mr. Peter Thomas of the British delegation made a long statement in support of the British position on the controversy. Among other things, he said:

“The Agreement of 1878 cannot properly be considered in isolation: it is one factor, but there are many others of great importance, including the long history of occupation and administration which followed it.”

180. Secondly, the Malaysian representative asserts:

“that even by January 1963, in spite of its own clear and precise attitude as to the nature of the claim, the Government of the Philippines appears never at that time to have thought then of taking the matter to the International Court of Justice, though it now insists this is the only recourse open to it; and that compulsory jurisdiction of the Court had been accepted both by itself and by the British Government” [1698th meeting, para. 228].

181. That is not true. During the eighth ministerial meeting of the London talks in 1963 the Philippine delegation proposed to the British delegation that the dispute over North Borneo be brought to the International Court of Justice for adjudication. The British delegation refused to agree to the Philippine proposal.

182. As regards the compulsory jurisdiction of the International Court of Justice, apart from the fact that the British acceptance of such jurisdiction is so full of qualifications and reservations as virtually to negate compulsory jurisdiction, the formation of the Federation of Malaysia, with Sabah included, was then already imminent, and to have taken the dispute to the International Court of Justice at that time would have left the Court with an academic case, since Sabah would no longer be under the control of the United Kingdom.

183. Thirdly, the Malaysian representative mentions that article 1 of the Philippine Constitution makes reference to “... the treaty concluded between the United States and Great Britain on the second day of January, nineteen hundred and thirty”, [1698th meeting, para. 260] because the Boundary Convention signed on that date in Washington by the United States and Great Britain refers to North Borneo as “the State of North Borneo, which is under British protection”. He suggests that, as successor to the United States, the Philippines is bound by that statement.

184. I suggest in turn that the representative of Malaysia has laboured under mistakes of fact and of law. The convention mentions North Borneo as a territory under “British protection”, not under “British sovereignty”. Those are two different concepts in international law on which I need not elaborate.

185. Moreover, a statement by the United States in a convention in which the Sultan of Sulu was not a party

signatory could not have bound the Sultan or the Philippines as successor to the Sultan. While it is true that the Philippines is successor to the United States in the territory of the Philippine archipelago, that relationship does not apply to Sabah or North Borneo, which passed to the Republic of the Philippines by cession from the Sultan of Sulu. As regards Sabah, therefore, we are bound by acts of the Sultan but not by acts of the United States.

186. We are committed to the principle of self-determination. The Malaysian representative has suggested that, whatever the merits of our claim to Sabah, that claim is barred by the ascertainment made by the Cobbold Commission in 1962 and by the United Nations Secretariat in 1963.

187. The Cobbold Commission, however, in its report stated that it was unable to reach every part of the large territory of North Borneo. The Commission said:

"In assessing the opinion of the peoples of North Borneo and Sarawak we have only been able to arrive at an approximation. We do not wish to make any guarantee that it may not change in one direction or the other in the future."⁸

The Cobbold report contains this observation:

"... it was not unusual for groups appearing before us to make exaggerated claims, sometimes bordering on the fantastic, of the number of their supporters."⁹

188. The misgivings of the Cobbold Commission were subsequently borne out by events. Brunei, in defiance of British wishes and Malayan hopes, decided on the eve of the establishment of the Federation of Malaysia in 1963 to stay out of it. In 1965 Singapore seceded from the Federation. Thus, in just over two years, two out of the original five proposed components of the Federation stayed out or broke away. In the face of these facts the representative of Malaysia would be well advised to have the modesty and candour of the Cobbold Commission and say, as regards the view of any of the remaining members of the Federation: "We do not wish to make any guarantee that it may not change in one direction or the other in the future."¹⁰

189. The Manila Accord, signed on 31 July 1963 by the President of the Philippines, the Prime Minister of Malaya and the President of the Republic of Indonesia, provided for an ascertainment to be conducted by the United Nations Secretariat. For the reasons that were expounded before the General Assembly, at its eighteenth session, on 8 October 1963 [1233rd meeting] by our then Secretary for Foreign Affairs, Mr. Salvador P. Lopez, now our Permanent Representative to the United Nations, the Philippines expressly reserved its position on the results of the so-called ascertainment.

190. Yes, we agreed to that ascertainment, and we even allowed for the possibility that the result might be favourable to the inclusion of Sabah in the Federation of Malaysia. But we never agreed that our claim would be barred or nullified by such an ascertainment. Let me repeat

what paragraph 12 of the Manila Accord provides in clear unequivocal terms:

"The Philippines made it clear that its position on the inclusion of North Borneo in the Federation of Malaysia is subject to the final outcome of the Philippine claim to North Borneo."¹¹

That was quite clear. And what was the attitude of Malaysia and Indonesia towards that position expressed by the Philippines? The Manila Accord continues:

"The Ministers took note of the Philippine claim and the right of the Philippines to continue to pursue it in accordance with international law and the principle of the pacific settlement of disputes".¹²

191. This understanding among the three Governments, the Philippines, Malaysia and Indonesia, was reiterated in a Joint Statement dated 5 August 1963, the pertinent part of which reads as follows:

"The three Heads of Government take cognizance of the position regarding the Philippine claim to Sabah (North Borneo) after the establishment of the Federation of Malaysia as provided under paragraph 12 of the Manila Accord, that is, that the inclusion of Sabah (North Borneo) in the Federation of Malaysia does not prejudice either the claim or any right thereunder".¹³

192. In other words, the Philippines never agreed that, in the event that the conclusions of the United Nations Secretary-General, following the so-called ascertainment, were favourable to the inclusion of Sabah in the Federation of Malaysia, it would abandon its claim to the territory. What the Philippines actually agreed to in the Manila Accord was that in the event of a favourable finding it would not obstruct the establishment of the Federation of Malaysia. However, the Philippines clearly stipulated that the inclusion of Sabah in the Federation was subject to the final outcome of the Philippine claim to North Borneo and did not prejudice its right to continue to pursue it. Those conditions were expressly noted and recognized by Malaysia.

193. The Malaysian representative has alleged that Mr. Salvador P. Lopez, on the eve of the announcement of the Secretary-General's conclusions on the results of the so-called United Nations ascertainment, stated that:

"Because of the consistent Philippine support of the principle of self-determination, the sovereignty claim would have to be abandoned should the United Nations survey reveal that the North Borneans wanted to join Malaysia" [see 1698th meeting, para. 239].

There is no official record of any such statement having been made by our then Secretary for Foreign Affairs, Mr. Salvador P. Lopez.

194. On the contrary, the following circumstances and events will prove conclusively that the Philippines never intended to abandon its claim after the proclamation of the Federation of Malaysia on 16 September 1963, and further that the Federation itself officially acknowledged the continued existence of the claim.

⁸ Report of the Commission of Enquiry, North Borneo and Sarawak, 1962, London, H.M. Stationery Office, Cmd. 1794, para. 143.

⁹ Ibid., para. 142.

¹⁰ Ibid., para. 143.

¹¹ United Nations, Treaty Series, vol. 550 (1965), No. 8029, p. 348.

¹² Ibid.

¹³ Ibid., p. 358.

195. First, on 12 February 1964, that is, five months after the birth of Malaysia, an understanding was reached in Phnom Penh between the President of the Philippines and the Prime Minister of Malaysia, an understanding which was reflected in a press *communiqué* that was issued by the Prime Minister, to discuss as soon as possible the best way of settling the dispute, not precluding reference to the International Court of Justice.

196. Second, in August 1964, that is, eleven months after the birth of Malaysia, the two Governments, through an exchange of *aides-mémoires*, agreed to have their representatives meet in Bangkok for the purpose of clarifying the Philippines claim and discussing modes of settlement.

197. Third, on 7 February 1966, that is, over two years after the birth of Malaysia, the Malaysian Government placed itself on record in a diplomatic note that: "It has never moved away from the Manila Accord of 31 July 1963 and the Joint Statement accompanying it and reiterates its assurance that it will abide by these agreements, particularly paragraph 12 of the said Manila Accord and paragraph 8 of the Joint Statement", both of which I have already quoted. At the same time, 7 February 1966, the Philippine Government proposed "that both Governments agree as soon as possible on a mode of settlement that is mutually acceptable to both parties".

198. Fourth, on 3 June 1966, that is, almost three years after the birth of Malaysia, the two Governments, in a joint *communiqué*, agreed to abide by the Manila Accord and by the Joint Statement accompanying it, and recognized the need of sitting down together for the purpose of clarifying the Philippine claim and discussing the best means of settling it.

199. Fifth, on 7 and 8 August 1967, that is, almost four years after the birth of Malaysia, the two Governments, through a verbal understanding reached in Bangkok, agreed to hold talks pursuant to the joint *communiqué* of 3 June 1966, first on the official level and later at a higher level.

200. Sixth, on 12 January 1968, that is, over four years after the birth of Malaysia, the two Governments, through a joint *communiqué*, agreed that the talks on the level of officials would be held as soon as feasible in accordance with previous understandings in regard to the Philippine claim to Sabah.

201. Seventh, in April and May 1968, that is, over four and a half years after the birth of Malaysia, the two Governments, through an exchange of diplomatic notes, agreed to hold talks on the official level to clarify the Philippine claim and to discuss the best means of settling it.

202. Finally, on 8 July 1968, in the course of the Bangkok talks, an agreement to discuss the modes of settlement was reached in the following manner. The Philippine delegation asked in writing the following question: "Will you discuss with us the modes of settlement of our claim at this Conference, here in Bangkok, irrespective of your own unilateral assessment of the sufficiency of the clarification given?" The Malaysian delegation gave its answer in writing. The answer was "Yes".

203. All these acts by which Malaysia acknowledged and recognized the existence of the Philippine claim and the

necessity of settling it took place subsequent to the so-called United Nations ascertainment and the proclamation of the Federation of Malaysia, including Sabah. They prove that in the view of the Philippines as well as of Malaysia the claim and the right to pursue it did not perish and was not abandoned as a result of the so-called ascertainment and the inclusion of Sabah in the Federation.

204. None of these acts was a unilateral act of the Philippines. They were acts executed jointly by both the Philippines and Malaysia, over a period of more than four years, between 12 February 1964 and 8 July 1968. What do these acts prove? They prove the falsity of the statement of the representative of Malaysia that it is only the pressure of politics that has kept the claim alive with "artificial respiration". No, that claim has survived the so-called ascertainment and the inclusion of Sabah in the Federation of Malaysia because Malaysia itself repeatedly gave its word to keep it alive.

205. Why has Malaysia suddenly decided to turn its back on a formal commitment which it dutifully reiterated from time to time from 1964 up to July this year? We will hazard an explanation. At the Bangkok talks last July, it became clear to Malaysia that the Philippines has a case, a strong case, and it therefore decided that it would be better to sacrifice national honour than to sacrifice Sabah. Malaysia is now blatantly reneging on its solemn word, and the principle of self-determination is being unscrupulously used as a convenient, deceptive cloak to cover the ugliness of betrayal. In his statement of 16 October the representative of Malaysia said:

"I conclude that both in fact and in law the Philippine claim to Sabah does not exist, is unsustainable and is, as I said yesterday, a composite of fantasy, fallacy and fiction." [1698th meeting, para. 262.]

By those words Malaysia has revealed its true colours as of today. With unabashed presumption and arrogance, Malaysia has set itself up as litigant and judge at the same time. Worse still, as judge, Malaysia not only has already decided the case in its own favour and against the Philippines; it has also decreed that our claim is not justiciable. Pride and self-conceit can go no further than that.

206. I would suggest, however, that the Malaysian display of arrogance springs not from self-confidence or certitude, but rather from doubt and fear. It stands to reason that Malaysia would more readily agree to go to the International Court of Justice with us in the degree that it considers our claim to be lacking in merit. The International Court, after all, has well-established procedures for screening disputes brought before it and would throw out without much ado or ceremony cases that were "a composite of fantasy, fallacy and fiction".

207. It is surely of some significance that Malaysia has so far refused to accept the compulsory jurisdiction of the International Court of Justice. The Philippines, on the other hand, accepted the compulsory jurisdiction of the Court on the same day that it ratified the Charter of the United Nations and the Statute of the Court. We are prepared to submit ourselves to the competence and authority of the Court. Because we know that we have law

and justice on our side, we have nothing to fear. An issue has arisen and we want a decision.

208. The Philippines has clarified its claim. The very statement made here by the representative of Malaysia shows that the claim of the Philippines is clear enough. But instead of now discussing the means of settlement of that claim, Malaysia has unilaterally set itself up as a court and has decided that the Philippine claim, both in fact and in law, does not exist and is unsustainable. It has arrogated unto itself the power to pass upon the Philippine claim, and has assumed the preposterous position of being judge and litigant at the same time.

209. The purpose of the clarification to be made of the Sabah claim is not to enable Malaysia to pass judgement on its merits, but simply to allow Malaysia to meet that claim when the dispute is submitted to any of the means of settlement that may be agreed upon.

210. It was never intended that Malaysia should first be satisfied that the Philippine claim was tenable, as a condition before modes of settlement were considered. This could not have been intended, for it would be an impossible condition; surely, nobody in his right mind can expect Malaysia voluntarily to admit that the Philippine claim is valid.

211. The statement of our Secretary for Foreign Affairs on 15 October last [*1696th meeting*] and the reply of the representative of Malaysia the following day [*1698th meeting*] show that the issue in the Sabah dispute is joined.

212. The Philippines asserts sovereignty by virtue of a deed of cession from the Sultan of Sulu and disputes the title of Malaysia on the grounds that the original right given by the Sultan of Sulu to Overbeck and Dent, which successively passed to the British North Borneo Company, the British Government, and now Malaysia, was not a cession but a lease.

213. On the other hand, Malaysia assails the sufficiency and legality of the basis of the Philippine claim. Having assumed all the rights and obligations of the United Kingdom in respect of the State of Sabah as from 16 September 1963, Malaysia justifies the title of its predecessor-in-interest, the United Kingdom, by the fact of continuous occupation, administration and exercise of sovereignty.

214. The issue thus joined is clearly a legal issue. The method of judicial settlement is one of the means provided in the Charter of the United Nations and contemplated in paragraph 12 of the Manila Accord, signed by both the Philippines and Malaysia and quoted repeatedly. That is why we have invited Malaysia to agree to the submission of this legal dispute to the International Court of Justice, which obviously is the most appropriate body to decide upon legal issues between States.

215. The representative of Malaysia referred to a new law recently approved by the Congress of the Philippines and signed by the President, which corrects certain typographical errors in the technical description of the baselines of our territorial sea. He refused to accept the assurance

made by our Secretary for Foreign Affairs that this law does not and did not intend to "annex" Sabah.

216. I happen to be the author of this law; I sponsored it on the floor of the Philippine Senate to approval and I was head of the Senate conference committee that put it into its final form. I may therefore presume to discuss it with a certain degree of authority.

217. Section 2 of the law was correctly quoted by the representative of Malaysia as follows:

"The definition of the baselines of the territorial sea of the Philippine Archipelago as provided in this Act is without prejudice to the delineation of the baselines of the territorial sea around the territory of Sabah, situated in North Borneo, over which the Republic of the Philippines has acquired dominion and sovereignty."
[*1696th meeting, para. 50.*]

Because the word "future", which appeared in the original Bill before the word "delineation", so that it read "future delineation", was eliminated from the text as finally approved, the representative of Malaysia refuses to accept our explanation that a future delineation is contemplated by that law. He affirms that the Bill made Sabah a "part of the Republic of the Philippines, even though on paper." This reaction of Malaysia reminds me of an intruder who has entered another's house and who jumps at every noise, thinking that the owner has returned. The word "future" was eliminated because it was considered unnecessary, a surplusage. After the passage of that law defining and correcting the technical descriptions of the baselines of the territorial sea of the Philippine Archipelago, any other delineation must necessarily be a future one, so it was not necessary to describe it as "future".

218. Let me emphasize that this new law does not incorporate "even on paper" the territory of Sabah within the national boundaries of the Philippines. Neither is it intended to serve as the legal basis for the Philippine claim; that legal basis was clearly set forth by our Foreign Secretary in his statement of 15 October last.

219. But in a sense, may I say in passing, this article referring to Sabah in our new law was provoked by Malaysia itself, when its representative during the recent Bangkok talks said to the Philippine representative:

"We draw your attention to the well-known Tolentino resolution as of late as 1961 which declared the territorial waters of the Philippine Republic and to the fact that the resolution did not include North Borneo as a territory of the Philippines."

220. That so-called Tolentino "resolution" referred to by Malaysia in Bangkok is Republic Act No. 3046, the law which originally delineated the baselines of the Philippine territorial sea. I presented it in the Philippine Senate in 1959, after the Geneva Conference on the Law of the Sea, and it was approved as law on 17 June 1961. Since the cession of Sabah to the Republic of the Philippines took place in 1962, subsequent to the approval of that law, it is clear that no reference to Sabah could possibly have been made in it.

221. But since the amendatory law, this new law which surprisingly alarms Malaysia, was approved after the cession

of Sabah to the Republic of the Philippines, the provision containing the delineation of the baselines of the territorial sea around Sabah was incorporated there in order to forestall any argument that the omission by us of any reference to Sabah in the new law constitutes a waiver of the claim by the Government of the Philippines.

222. This new law simply places the Congress of the Philippines solidly behind the President of the Philippines on the question of Sabah. It neither adds to nor detracts from the legal basis of our claim. Malaysia actually has no cause to be alarmed by it.

223. Let me assure this august Assembly that the Philippines does not and will not use underhand methods in the pursuit of its claim; neither will it turn its back on its commitments, under any pretext; nor will it seek any method of settlement outside the framework of the Charter of the United Nations and of the Manila Accord of 31 July 1963, as elaborated by the various subsequent official statements and commitments made by both the Philippines and Malaysia.

224. That is why we have invited and still invite Malaysia to agree to submit this legal issue to the International Court of Justice, and have it decided once and for all. If in Malaysia's view the Philippine claim is unsustainable in law and in fact, and it is convinced that its position would therefore be upheld by the Court, then it has nothing to lose, and the Philippines in turn will agree to accept an adverse verdict if that should come.

225. On the other hand, if the position of the Philippines is sustained by the Court, the world, and particularly Sabah, has our solemn commitment that at the appropriate time a plebiscite will be held to determine whether the people of Sabah want to remain under the sovereignty of the Philippines or to be free and independent. It will not be the kind of ascertainment that was made in 1963, when the choice was between remaining a colony of the United Kingdom and becoming a member of the Federation of Malaysia. It will be a real and genuine plebiscite, with every qualified voter expressing his will, and in which there will be a real choice to be completely and absolutely free and independent.

226. Both the Philippines and Malaysia are committed to maintain friendly relations and to co-operate to see and maintain the stability, peace and prosperity of the region of South-East Asia. An agreement by both Governments voluntarily to submit the Sabah question to the International Court of Justice would greatly contribute to the fulfilment of that undertaking.

227. But if Malaysia should persist in sitting as judge of this dispute to which it is a party, and in turning its back on its pledged word consecrated in the Manila Accord and related diplomatic documents, the tensions between our two Governments will, I regret, have no end.

228. Since the Philippines renounces war as an instrument of national policy, we shall never dream of using violence to enforce our claim. So Malaysia may continue with Sabah in the Federation; but even if this factual occupancy continues till eternity, it will not cure the original defect in

Malaysia's title to Sabah and it will not stop the Philippines from pursuing its just claim by peaceful means. The result will be an unfortunate continuing tension between two neighbours in South-East Asia for which the responsibility must rest squarely on the shoulders of Malaysia.

229. However, we have not lost hope that some day Malaysia may still abide by the Manila Accord and related diplomatic documents to which it has affixed its signature.

230. Before concluding, I should like to refer to the recent last-minute rejection by Malaysia of our proposal, which it had previously accepted, to hold ministerial talks to be followed by a summit meeting in Tokyo for the purpose of easing tensions between the two countries. The excuse given by Malaysia was the reservation contained in the Philippine statement here of 15 October [1696th meeting] regarding the sovereignty of Malaysia over the territory of Sabah.

231. The territorial dispute over Sabah is not the only one of its kind in the world. Nor is it the most important or the most serious that exists today. As regards what is undoubtedly one of the most important and most serious of all territorial disputes, namely, the dispute over Kashmir, I would recall that the two Member States directly involved therein, India and Pakistan, continue to maintain diplomatic relations. More than that, those two countries accepted two years ago the invitation of the Soviet Union to meet in the city of Tashkent. At the end of their meeting the two countries issued the now famous Tashkent Declaration,¹⁴ a landmark in the diplomatic history of Asia.

232. In Tashkent nobody imposed impossible conditions. Nobody walked out of the meeting. Nobody threatened anybody.

233. We submit that what two Asian countries have done, two other Asian countries can also do. All that is required is a little less arrogance and pride, greater readiness to behave with maturity and responsibility in international relations, and increased determination to observe the provision of the Charter of the United Nations which calls for the pacific settlement of disputes between Member States. The Philippines is prepared to do its part, and we invite Malaysia to do likewise.

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

235. Mr. RAMANI (Malaysia): I have listened long and laboriously to the repetitive statement indulged in by the speaker from the Philippines who preceded me at this rostrum. I do not wish to emulate the manner of his delivery or the content of his reply. I should only like to ask him this: if he prepared this statement and if he had it ready to be distributed, why in the name of common sense did he choose the last day of the general debate and put himself down as the last speaker to reply? Was it not merely to deny Malaysia the chance—which he thought he was going to dress down—of giving him an effective reply?

¹⁴ *Official Records of the Security Council, Twenty-first Year, Supplement for January, February and March 1966, document S/7221, annex.*

236. I shall certainly resist the temptation to wade through the arguments presented before tired representatives this evening, however irresistible to me that may be. I thought the representative of the Philippines said that there was an element of arrogance and a lack of maturity and responsibility in the presentation of the Malaysian case. I entirely reciprocate and return the compliment to him.

237. He has again repeated here what we have heard *ad nauseam* elsewhere, that “this was a lease” and “this gave us delegated powers; the British had nothing; we therefore could not get something from nothing” and so on.

238. I said on 16 October—and this reply was a carefully prepared text—that we do not rely on the Sultan of Sulu having had any authority or competence or sovereignty to deal in any manner whatsoever, either by lease or by cession, or by transfer or by conquest, with the territory which ultimately became Sabah. To that I have not heard a single word in reply.

239. I am sorry to have to correct certain misconceptions of law. From 1888 North Borneo was undoubtedly a State under British protection. Under British constitutional law one understands that to mean that internal sovereignty was with the State and external sovereignty was with the protecting Power. It is the external sovereign that can enter into treaties; and that is what happened in 1930.

240. The Philippines now comes here and unabashedly maintains that it never intended to have its claim barred by the Secretary-General’s ascertainment. If that is the case, then this is something which they should have told us openly and clearly in 1963 and not at the end of October 1968.

241. As I said, I shall not enter into the details of it, and if necessary we shall circulate a paper answering the so-called legal and factual principles stated by the representative of the Philippines. But I ask for his indulgence—whether he will listen to me is another matter—in listening to me repeat what his Foreign Secretary solemnly said from this very rostrum:

“In conclusion, I would say that until the Sabah claim is settled pursuant to the solemn undertakings of the two Governments, I hereby make the reservation and put it on record that the Philippine Government cannot and does not recognize the power, competence or authority of the Government”—I do not know where he got this—“of the Federal Republic¹⁵ of Malaysia”—which shows not only confusion of thought but confusion of language—“... to make any commitment for them before the United Nations . . .” [1696th meeting, para. 63.]

242. After this has been said, the Philippine representative—if I may use a colloquial expression—has the nerve to come here and complain that ministerial talks did not take place as he had hoped they would.

243. I do not wish to go over the ground once again, but I do wish to point out that the representative who spoke

today and who followed me the other day, on Wednesday before last, claimed that my long statement had not correctly reflected the facts of the dispute.

244. I have waited long and patiently to be told where I have been in error and in what manner the mirror I appear to have held against the facts distorted them. I fail to discover it even today, after a sixteen-page foolscap statement. But I have waited in vain. My description of the Philippine claim as a mixture compounded of fantasy, fallacy and fiction apparently has touched a raw nerve. I plead guilty. I had to find some way. Malaysia had to seek some process by which it could shock a State into an awareness of the truth. I suppose it is symptomatic of the claim that it shrivels against the light and cannot survive the breath of truth.

245. Had I unlimited time at my disposal I should have felt called upon to explain that my three-fold characterization, which was complained against again today, was not intended—as he said, “predictably”, and I do not know where he predicts it from—as an attractive or alliterative epithet. It is entirely accurate and justifiable taken singly or together. I should just say that the thin line between fantasy and fiction is easily discernible if one cares to remember that the former, that is, fantasy, refers to the subjective process of illusive experience, the faculty of representing to oneself things that are not actually present, while fiction invents their existence and presents them hopefully with objective form and substance. Of course the journey from one to the other is neatly if rather irrationally made by a process of false reasoning which is normally called fallacy.

246. Our principal, main, sole, only answer to the Philippine claim is this: that the claim creates for itself and assumes the existence of a sovereignty in a Sultan of Sulu in 1878 who never can be shown with any historic authenticity to have had it or to have exercised it, and then, by a singular thread of elusive but essentially erroneous reasoning, struggles to reach the result of having secured to itself, that is, the Philippines, a sovereignty that cannot be related to or derived from a non-existing sovereign. And yet it is ready to come here and parade it as a fact with the euphoria of self-congratulation. I am aware that the capacity for self-delusion, after one has gone through a series of unrelieved failures must be almost infinite. I should not like to deprive the representative of the rhetorical but empty satisfaction of turning my phrases back at me when he asked, in deprecating disbelief, “If Malaysia believes that our claim is fantastic, fallacious, fictional, why does the Malaysian Government refuse to have the matter brought to the International Court of Justice?”

247. I disregard the *non sequitur* of that question. He warned me, “Let it not be said that Malaysia is afraid of fantasy, fallacy and fiction.” Indeed, we are. I am not ashamed to confess that my Government has far too much respect for the International Court of Justice and regard for its time to make itself an instrument, however reluctant, of having the Court’s time taken up by a claim less persuasively than persistently presented. As a legal dispute it is incapable of precise description. It is incapable of proper formulation, not so much for the reason that fiction is futile, which perhaps is a description that fits most

¹⁵ Quoted from the provisional text of the 1696th meeting. On 18 October 1968, the representative of the Philippines sent a correction requesting that “Federal Republic” should be replaced by “Federation”.

litigation, domestic or international, but for the reason that fiction is formless, featureless, fathomless. Its nature renders your grip of its essentials ludicrously absurd. That is what the Philippine Government wants us to do.

248. The Foreign Secretary of the Philippines the other day, and the speaker who preceded me here today, reeled off a series of documentation and remarked, "What better case can you have than this to get the International Court to decide". Surely, as I said before, the essence of all that documentation is its relevance to the claim, and if the Sultan of Sulu had no sovereignty over the territory which I repeat once again any amount of parchment, either from the Sultan of the time or a Sultan of the present day, cannot but be regarded as even less than waste paper. That is the crux of the matter. If the jurisdiction of the International Court of Justice, even partially if not wholly, can be attracted to a situation in which a carefully contrived complexity can be rested on a self-induced confusion based on irrelevant documents, the Court would certainly have its work increased in quantitative terms, but it would lose alongside of it the qualitative content of its pronouncements. Relevant facts, cogent arguments thereon, we are ready to meet, and we were in Bangkok, and my characterization of the Philippine claim removes it at once from the realm of fact and the region of fair and intelligible argumentation. "Come into my parlour," said the spider to the fly. Presumably the fly need not have complied. It had the choice of flying away. Malaysia is in no such happy position. We are committed to our neighbours; we want to be friendly with them. Therefore, for all the reasons that I trust I have already adequately explained, today as well as the other day, Malaysia must politely but firmly decline that invitation.

249. The speaker at this rostrum this evening referred to a quotation I made attributed to Ambassador Lopez, and he said that he was unable to find the record of that statement. But this is only the tiresome refrain that we were used to in Bangkok whenever any question was asked, and we also had to produce a documentation for them. I should like to invite his attention to a doctoral thesis prepared by a young lady on this very claim to Sabah by the Philippines and submitted to an American University after elaborately and exhaustively examining the documentation relating to it, and after visiting Manila and meeting the Foreign Secretary and the Second Secretary, or whatever else he calls himself. That thesis concludes with these words:

"Thus the Filipinos made their claim without malicious intent. They did so on the basis of facts they had spotted, memoranda incorporating these spotted facts, more memoranda based on the memoranda and convictions picked up along the way".

No words of mine can better express the final summation of the claim and the convincing lack of conviction with which it is unconvincingly pursued.

250. I will conclude with one last word. If there is any claim at all to Sabah, if Sabah belongs in any technical, legal or even popular sense to anyone, it belongs to the 700,000 people inhabiting that State. Let me repeat—I hope for the last time—even though the Philippine representatives may not listen because they have denied me the authority to speak for Sabah, that the people of Sabah have chosen their destiny.

The meeting rose at 7.20 p.m.