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**President: Mr. Edvard HAMBRO (Norway).**

AGENDA ITEM 9

General debate (*continued*)

1. Mr. GUERRERO (El Salvador) (*interpretation from Spanish*): Twenty-five years have elapsed since the signing of the United Nations Charter in San Francisco, and during that short span of time the scientific and technological revolution has acquired greater momentum, colonized peoples have achieved their independence, trade and communications have increased and international organizations have been successively embracing all the possible fields of co-operation among States. International policy has changed in character, and new diplomatic techniques have emerged in international organization. By looking back to the League of Nations, wherein the major part of United Nations activities finds some antecedent, we can gauge the distance covered by the international community in fifty years.

2. There can be no accurate evaluation of the United Nations by comparing it with an ideal world in which its problems would invariably be solved rapidly and wisely; but it can be assessed in realistic terms by comparing it with its predecessor. Viewed from this perspective, the United Nations stands up well against the most critical analysis, in both its political and its technical aspects.

3. Now that the United Nations has reached its twenty-fifth year it is appropriate to take stock of the situation. Hence it is to be hoped that at the current session, apart from thoughtful speeches, measures will be adopted for the administrative review of the Organization. The United Nations has reached a stage where, instead of proliferating by addition, there is need for it to look into itself, to its structures, machinery and operative practices, so that it may grow in depth and density.

4. In this year in which the United Nations celebrated its first twenty-fifth anniversary, it is particularly gratifying to my Government to have you, Mr. Presi-

dent, occupying the highest post in the General Assembly. It is with much feeling that I recall your association, Ambassador Hambro, with Dr. José Gustavo Guerrero, at the time when Dr. Guerrero was President of the International Court of Justice. You, Ambassador Hambro, are for ever linked by strong ties to El Salvador, and it was for this reason that my Government was among the first to sponsor your candidacy for the Presidency of the General Assembly. As a learned commentator of the Charter, as a veteran diplomat at innumerable conferences, you represent the ideals and the experience of the diplomatic community of the international organizations

5. The matters that are before the United Nations, some old and others more recent, are so numerous that without minimizing the importance of any and subject to their discussion in the different committees, I shall confine my remarks to the following major issues: peace and security, maritime law, the Second Development Decade, the principle of universality and the review of the Charter.

6. In the current year the major tension spots and even those of open warfare have been somewhat on the decrease. Hence, it is to be hoped that intelligent and realistic efforts may lead towards negotiation which will replace confrontations from positions of strength.

7. In the Near East, where until a few days ago the horizon looked bleak and forbidding, there has been a promising opening which must be preserved and, as far as possible, extended. My Government conveys its best wishes to the friendly Governments of the United Arab Republic, Jordan and Israel for their determination to initiate and to keep the dialogue open. Long and thorny is the path that these countries will have to tread. But it is precisely because of the difficulties that those Governments will have to overcome, that they deserve the commendation of the international community and should be given encouragement to persevere in the stand they have taken. The appeal addressed by the Secretary-General to all the Members of the Security Council in July 1969<sup>1</sup> to exert all their influence in the United Nations in order to make the cease-fire effective was especially timely and has yielded, through a patient exercise of persuasion by friendly Governments, the initiation of a dialogue within the framework of the United Nations. For our Organization it is decisive that those efforts be conceived and developed within the framework of its action machinery and under its aegis.

<sup>1</sup> Official Records of the Security Council, Twenty-fourth Year, Supplement for July, August and September 1969, document S/9316.

8. In other regions as well, the violent antagonisms of the year 1969 have gone into a period of recession and dialogue has yielded its first fruits. For instance, we hope that in Central America reason will prevail over passion and that the geography, the history and the principles of coexistence and the peaceful settlement of disputes will again become the guiding beacons of the sub-regional policy. In this connexion, my Government maintains a clearly defined and unalterable position to which it has remained faithful in the most tragic moments of its history and to which it is prepared to adjust its international conduct, that is to say, the line of reasonable and rational co-operation, of the defence of fundamental human rights, of the observance of the principles of international law construed as a system the components of which condition and interact among each other, and of compliance with formally contracted obligations.

9. Among the numerous and complex disarmament problems, the prohibition of the use of chemical and bacteriological weapons has become a topical subject. To this end it is appropriate to recall the existence of a convention that enjoys great authority: the Geneva Protocol of 17 June 1925. The scope and meaning of that Protocol were discussed in the First Committee at the twenty-fourth session of the General Assembly. On that occasion my Government, through its Permanent Representative, established its position concerning the scope and meaning of the aforementioned Protocol. The report of the fourteen experts<sup>2</sup> mentioned by the Secretary-General, on the scientific evaluation of the effects of chemical and bacteriological weapons and their effects on the physical and biological environment is a valuable element for the orientation of United Nations action in his field.

10. As for the manner in which the prohibition of the use of defoliants and other gases which are clearly banned in the Protocol can be made effective, my Government believes that General Assembly declarations which lack binding force are not the appropriate means to achieve that end. It is precisely because my Government wishes to have these ultra-modern means of warfare banned that it considers that simple declarations of the Assembly are far too weak to achieve the aims pursued and believes that the United Nations should embark upon the slower but only sure and effective course of modifying the Geneva Protocol or of negotiating a new convention.

11. Furthermore, my Government expressly stated in the First Committee and reiterates in this Assembly that it considers that the General Assembly of the United Nations lacks competence to interpret treaties and that for such purposes the United Nations has a competent body, the International Court of Justice; moreover, in accordance with Article 96, paragraph 1, of the United Nations Charter, the General Assembly may request an advisory opinion from the Court.

<sup>2</sup> *Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use* (United Nations publication, Sales No.: E.69.I.24).

12. As it has already stated, my Government seeks to ensure respect for the competence of the various bodies of the system as well as to ensure that the precedents have the necessary consistency to enable them to constitute a body of jurisprudence that interprets and develops the Charter.

13. Of course, my Government is consistent with the doctrine it has upheld at other international conferences, that is, in drawing a very clear distinction between the two sources of international law, the law of treaties and customary law, and in denying that the contractual source, through the mere passage of time, may be regarded as the originator of custom. Acts of compliance with treaties cannot be regarded as generating custom. Therefore, my Government does not share in the thesis that treaties of European origin, conceived for European conditions, are a source of international custom, valid *ergo omnes* and hence binding on those who have not subscribed to such treaties. My Government has had occasion to expound in detail in the appropriate forums its position on this subject, and, if I now invoke the authority of the said Geneva Protocol and of other international conventions which my Government has not ratified, I do so by virtue of the value we attach to the contents of their provisions, independently of the binding force involved therein.

14. Within the generally accepted principle that the sea-bed and ocean floor should be reserved exclusively for peaceful purposes, a first step is being taken with the draft treaty<sup>3</sup> which would prohibit the emplacement of nuclear weapons on the sea-bed. That draft, the co-authors of which are the United States and the Soviet Union, was the object of study by the General Assembly in 1969 and was referred back to the Conference of the Committee on Disarmament. The General Assembly will consider a new version of that draft treaty at the present session.

15. My Government established its position concerning that draft treaty during the debate in the First Committee. That position is that, while we fully support the principle of the reservation of the sea-bed and ocean floor exclusively for peaceful purposes and while we are in favour of the prohibition of the emplacement on the sea-bed or ocean floor of nuclear weapons and other weapons of mass destruction, my Government considers it undesirable and inadvisable to prejudge the solution of other problems of maritime law and to violate the interests and rights of coastal States as a result of an international agreement on the subject. El Salvador is not a party to the Convention on the territorial sea and the contiguous zone, signed in Geneva in April 1958. That Convention has received thirty-six ratifications in its twelve years of existence; hence it does not enjoy general acceptance. Therefore to embody its concepts in the draft treaty on the denuclearization of the sea-bed and ocean floor would be tantamount to presupposing that norms that reflect the agreement of only a fraction of the international community have binding force.

<sup>3</sup> *Official Records of the Disarmament Commission, Supplement for 1970, document DC/233, annex A.*

16. While my Government supports the substance and objectives of the Treaty it objects to the implication that it solves other matters which should be the object of direct negotiation through a conference on the sea. Prohibition of the emplacement of nuclear weapons on the sea-bed and ocean floor should be the object of formal international agreement, but it is not necessary—rather it is prejudicial to the interests of many States—for it to imply the acceptance of certain clauses in the Convention on the territorial sea and the contiguous zone. That prohibition can be agreed on through direct demarcation of the zone, independently of the fact that it encompasses a belt subject to national jurisdiction. It is irrelevant, for the purposes of the treaty, to distinguish between national and international zones. In this connexion, and omitting the implication of other conventions, the treaty could state purely and simply that the zone begins twelve miles from the coast.

17. My Government follows with keen interest the work of the Special Committee on the Question of Defining Aggression and notes with satisfaction that some progress has been achieved, despite the antagonistic schools of thought that obey conflicting political interests. Two theories are in conflict: on the one hand, that of a general definition based on essential elements and, on the other, that of a definition through an enumerative indication of conceivable cases at the present time. The first, a more technical thesis from the academic standpoint, offers wide margins of interpretation and application; hence the reluctance of some countries to accept it. The second thesis, which meets a criterion of certainty and security, implies the risk of not going far enough as regards the enumeration of foreseeable cases. If to define is to indicate the limits, and hence the scope and meaning, of a concept, both theses correspond to what might be regarded in international law as an essentially political definition, yet in the light of the rules of logic it is the former that would carry the vote.

18. The definition of aggression is not an isolated subject; rather it is linked to legitimate self-defence, which changes the juridical qualification of an act of force. The same act of force considered in its material elements may in given circumstances constitute aggression and in other circumstances constitute an act of legitimate self-defence. On the other hand, aggression must be envisaged not only from the point of view of the use of violence across frontiers but also from the point of view of the use of violence in violation of fundamental rights of another State, contrary to international law and the fundamental norms of friendship and co-operation among States. Moreover, the principles and norms the violation of which constitute aggression should be regarded as part of a system, and in this sense such a definition cannot be taken to mean the indication of limits for isolated cases; rather the definition must recognize the multilateral conditioning of the major international principles. For instance, the very lofty principle of sovereignty could not be invoked to flout and trample under foot the fundamental rights of another State.

19. It is most regrettable that economic aggression should be absent from the immediate programme of the aforesaid Special Committee, for in the contemporary world economic aggression in some cases has replaced armed aggression. Economic aggression, for as long as it continues with the tolerant acquiescence of the international organizations, will constitute a breach in the organized system of world coexistence and will also continue to play its nefarious role of poisoning international relations. When economic aggression shows characteristics of persistence and intensity, it acquires a new nature, for then the economic weapon is brandished with intentions that are as destructive as war weapons, and, its purposes and results being similar, they deserve the same legal qualifications.

20. This type of problem should be studied by the Special Committee in order to properly comply with its mandate. The longer we take to arrive at conclusions, the greater the risks that this great task of coexistence symbolized by the United Nations will founder in abysmal depths, confusion and abuses.

21. Since El Salvador is not a member of the Special Committee, we shall have an opportunity to submit to the Sixth Committee our remarks on this important subject when the report of the Special Committee is considered.

22. Few subjects arouse so much interest as the strengthening of international security because beneficial consequences of every kind are derived from security, including the still remote possibility that the amounts invested in armaments may be transferred to development.

23. International security is closely linked with the abolition of atomic weapons and the effective and just operation of the international bodies dealing with political co-operation and economic and social development. The United Nations has achieved some successes such as the treaties on the denuclearization of the Antarctic,<sup>4</sup> of outer space [*resolution 2222 (XXI)*] and of Latin America.<sup>5</sup> My Government is especially satisfied with the Treaty of Tlatelolco which eliminates atomic weapons from Latin American territories. The Treaty that is in the process of negotiation on the prohibition of the emplacement of atomic weapons on the sea-bed and ocean floor would considerably increase the important areas of the world in which such weapons are prohibited. But in other areas, and especially in the territories of the Great Powers and their military allies, atomic weapons are being accumulated in ever-growing quantities, and submarines loaded with hydrogen bombs sail the high seas all over the world. Those weapons would suffice to annihilate the human species and to convert the earth into the most deserted of planets. Therefore the elimination of such weapons from certain areas is a limited relief, and viewed in

<sup>4</sup> Antarctic Treaty signed in Washington D.C. on 1 December 1959.

<sup>5</sup> Treaty for the Prohibition of Nuclear Weapons in Latin America, signed at Tlatelolco on 14 February 1967.

a more general context does little to help man out of the dilemma or snare in which he has fallen through his increased mastery over nature. The same can be said of the Treaty on the Non-Proliferation of Nuclear Weapons [*resolution 2373 (XXII)*] which limits the number of States possessing the bomb and certainly the risk of a catastrophe, but which allows States members of the atomic club to retain their capacity to decide whether man will survive or whether he will join the fossilized species which paleontologists from other galaxies may discover thousands of years hence.

24. The item on international security should be maintained on the agenda of the General Assembly, but calls for more detailed treatment than it was given in 1969, when the General Assembly was faced with several draft declarations that were finally merged in resolution 2606 (XXIV), which confined itself to declaring good intentions. Among those intentions, at least one contains a challenge to this Assembly inasmuch as it expresses the hope that at the current session, in which the United Nations celebrates its first twenty-five years, some appropriate recommendations may be made to strengthen international security. In keeping with this purpose of the General Assembly, my Government hopes to submit to the appropriate body and at the appropriate time concrete proposals which will carry this item on to a more practical plane than declarations of good intentions whose immediate fate is to clutter up the archives of the Organization.

25. Concerning maritime law and the sea-bed and ocean floor, El Salvador has been participating in the forty-two member Committee on the sea-bed.<sup>6</sup> Our contribution in that Committee was welcomed with goodwill by its members who entrusted the Permanent Representative of El Salvador with the post of Chairman of the Legal Sub-Committee. My Government expresses its thanks for this show of confidence and friendship.

26. The General Assembly requested of the Committee on the sea-bed through resolution 2574 B (XXIV) that it speed up its study of a comprehensive and balanced declaration of principles which may be accepted by the international community. The Committee has worked untiringly to meet that request of the General Assembly, and although it has made considerable progress in the current year—as a comparison between the synthesis included at the end of the second part of the report of the Legal Sub-Committee in 1969<sup>7</sup> and the informal documents which were circulated in the latter part of the summer session held in Geneva will bear out—there are still at least five major issues which while not insoluble, call for greater effort and more ingenuity to turn them into the common denominator that may be the object of a consensus. The Committee has accumulated a considerable wealth of experience in its two years of work and is better prepared than in the past to comply with its mandate. However, the subject it has to deal with is especially complex and

is the object of varying and frequently of antagonistic interests requiring not a search for perfect solutions based on reason, but political solutions based on compromise.

27. The task of the sea-bed Committee is among the most complex and important work now under way in the United Nations. If this were an academic exercise, the Committee would have long since produced a declaration of principles, but what is at stake are great political decisions and the interests of the maritime Powers and of countries having extensive coastlines and scant means to exploit the resources of the sea, of countries with advanced technology and developing countries, of regions having inland seas and regions facing wide expanses of the sea—all extreme points in a broad spectrum of intermediate conditions and interests.

28. There should be a single declaration of principles. It should be a guideline for the régime to be established and should be conceived in simple and abstract terms, but the régime should bear in mind the normative plurality in order that its norms may also take into account special facts and achieve international justice.

29. My Government considers that details and qualifications create obstacles that stand in the way of agreement on principles because they introduce contents that some States are not in a position to accept. The road to agreement lies in simple, direct and abstract formulas. As soon as attempts are made to introduce specific elements we fall into discussions and disagreements. For the formulation of principles, abstraction and simplicity are the appropriate techniques. Of course if it were a question of agreeing on the régime of the sea-bed and the ocean floor, qualifications and specific formulas could not be avoided.

30. The formulas to be embodied in the declaration should not prejudice, imply or presuppose controversial theses on the law of the sea. If through the declaration of principles attempts were made to draw advantages for the solution of other questions, we would come to a dead-end street and implicitly we would be renouncing our wish to comply with the mandate given to the Committee. For instance, such formulas should not prejudice either in favour of or against the General Assembly moratorium or in favour or against either limitation of the zone or of the rights of the coastal States or of a provisional régime.

31. But the declaration of principles must spell out certain fundamental questions relating exclusively to the use of the sea-bed and the ocean floor as for example, the principles which recognize that the sea-bed and ocean floor are the common heritage of mankind, that resources shall be exploited for the benefit of all peoples, and that an international organization shall administer the joint and common interests of peoples and, especially, will seek to ensure compliance with the régime to be established under the treaty.

32. The determination of the nature of the principles of the declaration is of the highest importance. For the present it would appear that a common denominator

<sup>6</sup> Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

<sup>7</sup> *Official Records of General Assembly, Twenty-fourth Session, Supplement No. 22.*



could be found if the declaration were to be regarded as a guideline for the régime which would exclude the interpretation, unacceptable to many States, that it could be construed as being a provisional régime.

33. The Secretary-General undertook the consultations requested of him by the General Assembly [*resolution 2574 A (XXIV)*] on a possible conference on the sea. My Government responded to that consultation and stressed that a new conference on the sea should not be restrictive in character but rather that its objectives should be broad so as to allow for the study of the various pending matters relating to the law of the sea while updating others which, although there has been general agreement thereon, call for normative reforms.

34. My Government is opposed to the convening of a conference with a restricted agenda, limited in advance, which would probably contain items that are of interest to the maritime Powers and the developed countries, while leaving aside those problems and subjects that are of interest to the developing countries. Thus the possibility of world understanding, of a systematic and joint treatment of the different subjects and of the sense of harmony and balance which should preside over those chapters of the international law of the sea, would be lost.

35. Of course, a conference conceived in the terms advocated by my Government does not run the risk of foundering by reason of the imprecision and overabundance of items. Were it to be convened as a broad, comprehensive conference covering all matters relating to pending questions on the law of the sea and were it to be entrusted to a preparatory commission which would be in constant consultation with the States concerned, it would illicit proposals for items over a given period of time, but in the last analysis it would be a conference with a defined and limited agenda. In other words, the divergency with those who want a limited conference lies in the fact that they want the items to be defined in the letter convening the conference while my Government considers that the convening should be broad and that the items on the agenda should be determined in the course of the preparatory work. The conference would have to be carefully prepared and well thought out, there should be no improvisations and an opportunity should be given for a unified, balanced and harmonious treatment of all pending matters, whether they be new or old, with a view to completing or amending the most sensitive parts of contemporary maritime law.

36. International law was conceived by Europeans for European conditions. As new circumstances arose, it was enriched by several Latin American doctrines; but the resistance opposed by European authors to the adoption of such doctrines, and the difficulties they encounter in some international courts are well known. Language is a barrier to the study of these old Latin American juridical doctrines by the recently emerged nations of Asia and Africa. My Government believes that countries in the process of development have a real interest in contributing to the progress of interna-

tional law and that, just as they have opposed political colonialism, they would be prepared to close the way to intellectual colonialism. Of course, if this purpose is to become a reality it must find concrete expression in a clearly defined and consistent policy in all international forums.

37. With reference to the Second United Nations Development Decade, the highly important role played by the United Nations since its establishment in regard to a world policy for development, so far as its strategy is concerned, is focused to a large degree on the Second Development Decade.

38. The General Assembly will consider a draft declaration [*A/7982, para. 16*] on what could become a global strategy for development. The treatment of the problem in world dimensions implies, in itself, considerable progress, and, as such, is deserving of our commendation.

39. The draft represents a compromise between the divergent interests of the developed and the developing countries and takes account of the policy that has been applied since the establishment of the United Nations and which experience has shown to be inadequate. There looms over the Second Decade, as there will loom over decades to come, a basic failing: we have been unable to persuade the developed countries that the economic progress of the developing world means their own progress and that, rather than in terms of political influence, development should be viewed in terms of mutual economic advantages, since developed countries make better customers than poor countries.

40. It might be appropriate to point to a striking phenomenon in the world policy of recent years: the political unity and growing solidarity of interests of the developing countries in broad spheres and outside any ideological context.

41. Development as a world plan should promote in the relatively less developed countries the formation of their own stocks of capital; it follows therefore that their best recourse lies in broad trade arrangements. The transfer of capital through loans and investments should be a supplementary element. So long as no satisfactory solutions to world trade are found there will be lacking an important generating nucleus for development, and some countries will get increasingly in debt and will end up re-exporting—in terms of amortization, interest and profits—more capital than they receive.

42. None of the United Nations services deals in a comprehensive manner with the transfer of science and technology and, therefore, this very important aspect of development is being serviced in a fragmentary and dispersed manner. In this connexion, Economic and Social Council resolution 1454 (XLVII), which contemplates the strengthening and co-ordination of current activities, has embarked upon the right course. Services connected with this subject could be co-ordinated, and work in this field could be carried out under a clearly defined and unified co-ordination policy; such co-ordination could lead to a merging of

administrative activities. This is one of the decisive chapters for the Second Decade and calls for an emphatic, direct, over-all approach.

43. The Second Decade, as conceived, will not reverse the implacable trend resulting in the formation of two galaxies of developed and developing peoples respectively, which continue slowly to drift apart. In fifteen years, even if the greater part of the policy recommended in the proposed strategy is adopted, the gap between the two galaxies will have doubled.

44. The 6 per cent yearly rate of growth, which it is to be hoped the developing countries will achieve in the first part of the Decade and of which it is said vaguely as though expressing a faint hope that there is a "possibility that a higher rate of growth may be achieved in the second half of the Decade", is perhaps realistic. But there is no reference in the draft to the ratio between the growth rate of that galaxy as compared to that of the galaxy of developed peoples.

45. In the report of the Preparatory Committee, it is stated timorously that if an average rate of growth of 3.5 per cent in *per capita* income were maintained during the Decade it would be possible to achieve "at least a modest beginning towards narrowing the gap in living standards between developed and developing countries" [A/7982, para. 16(13)]. It might be questioned whether this modest growth in *per capita* income would truly begin to close that gap. Let us quote some figures. Let us suppose that certain countries have an annual *per capita* income of 300 and others 1,200. The 3.5 per cent for the 300 would result in a *per capita* income of 310.5 the first year. But if those who have 1,200 realize a 2 per cent growth in income—let us not say 3.5 per cent as in the case of the former—this would yield an increase 24 for the first year. From the first year the relative growth would not represent a modest reduction in the relative gap, but rather an increase. Let us assume an increase of 1 per cent in the *per capita* income of countries starting with 1,200, because even this insignificant sum—which is negligible for the developed countries and, therefore, inadequate as a hypothesis, unless we choose to be absurd—would give them an increase of 12, and it is obvious that 12 is higher than 10.5.

46. In the second year, the country having 310.5—and a 3.5 per cent increase—would increase by 10.86; but the one having 1,224—with a 2 per cent increase—would increase its income by 24.48. If in the case of the latter we assume an increase of 1 per cent, which would be a ridiculous figure given the growth rate of the developed countries, and on the assumption that in the first year there was also a 1 per cent growth, the *per capita* income would rise by 12.12—and this figure is higher than 10.86.

47. The purpose of the examples figures I have quoted is to show that we fail to understand how with the current strategy the Second Decade can constitute "a modest beginning towards narrowing the gap in living standards between developed and developing countries", as asserted in the aforementioned document on development strategy.

48. Among the complex arrangements for world trade under discussion, we find that of preferences scheme. As regards this question European preferences in favour of the African countries have brought to mind intracontinental preferences. But we should not add one distortion to another; and, before finally deciding on a scheme for world trade, we should work for the elimination of existing regional preferences and their replacement by general preferences accessible to countries from all areas of the world. Fortunately, the draft strategy favours generalized non-reciprocal non-discriminatory preferences.

49. I now come to the question of the universality of the United Nations. We find in the Charter the principle of universality, because the United Nations, by vocation and if it is to be effective, must be universal. The many stumbling blocks it had come across in its twenty-five years are due to the fact that this principle could not be made a reality. But this shortcoming cannot be imputed to the General Assembly, the Security Council or to certain Governments, since it stems from the very origins of the Organization itself. In fact, the United Nations was born when passions still raged at the end of the Second World War, which explains the content of Article 107, which speaks of enemy States.

50. Universality is a principle, not a norm, and it follows that it inspires a policy but not an immediate and executive mandate implying the solution of specific political problems. There are serious political problems, especially as regards the division of national States as a result of civil strife or international wars, which cannot be solved by merely invoking the principle of universality. In such cases it is necessary to confront those problems and attempt to solve them in order to make universality a reality. The United Nations is not lagging behind in regard to the principle of universality because in twenty-five years it has not made that principle effective, but, rather, because of the lack of interest, imagination or realism with which it has dealt with certain problems and, what is ever more delicate, because of the practice that has been established of living in a *status quo* which, while being the case was out for the present, incubates greater problems for the near future. Universality must be lived, but without doing violence to the feelings and sentiments of peoples and without violating other principles, such as self-determination and the right to national independence—understood not in isolation but as a system whose parts are interdependent and condition each other.

51. Universality, apart from the chronically well-known problems, has for some time been touching on the case of the so-called micro-States. It is not easy to define a micro-State, although it might be a result of a concurrence of factors, such as territory, population, national product, capacity to contribute to the regular budget of the United Nations. If such restrictive criteria for admission to the United Nations were to be introduced, a precedent which could be easily invoked in the future would be created, and once such restrictions are introduced they would follow the

trend of the taxation of national and international organizations' budgets—in other words, they would only move upwards. Once the income is regulated, there is nothing to prevent its permanency being questioned. This is a delicate matter because the United Nations could well end up by becoming an exclusive club with access to membership conditioned by material and financial considerations having some precedent in the contemporary international community, namely the atomic club.

52. Any definition of micro-State, however restrictive, could be applied to some of the present Members of the United Nations. Since no one is proposing, indeed, no one conceives, that a State Member of the United Nations may be deprived of its acquired rights, it could happen that one micro-State might be a full Member of the United Nations while other States whose conditions are similar would not be full Members, for reasons that could not be imputed to them, but merely because independence has come late to them in the process of decolonization.

53. Article 4 of the Charter of the United Nations makes no distinction between large, medium, small or minute States, but, rather, inspired by the principle of universality, it speaks of "peace-loving States" which, in the opinion of the Organization, are able to comply with the obligations they undertake. We mean all obligations, including financial obligations, provided they are willing to do so.

54. When so much is being said of universality on the occasion of the twenty-fifth anniversary, it would be inconsistent to reform the Charter in order to reduce the population scope of the Organization. I come now to the question of the review of the Charter of the United Nations. On the occasion of the twenty-fifth anniversary, the desirability of reviewing the Charter has been considered. The opinion is bruited about that the United Nations has only partially met the objectives which inspired its foundation twenty-five years ago. In the face of this judgement, the question arises whether the reason is some constitutional flaw that could be remedied by negotiating amendments to the Charter, or whether it is something deeper that touches the very core of international policy and expresses the will of states, who are less inclined than they were twenty-five years ago to rely on multilateral diplomacy.

55. My Government considers that we cannot postpone consideration of the review of the Charter. This means that an opportunity should be given to assess the ideas and proposals of Member States through a kind of evaluation of the Charter, which regardless of the results may prove to be a healthy exercise.

56. The ineffectiveness we have seen in the United Nations in its first twenty-five years probably cannot be overcome with a few mere amendments to the Charter, since the causes underlying its shortcomings run much deeper. As in the case of States, we find in international life that problems are solved not only through improved legislation but through a process of determination of the causes and the conditioning of

social, political and economic factors. This, however, does not prevent its being desirable to have better laws, provided they are the best suited to the circumstances and not those suited to a Utopian world.

57. Moreover, if the review of the Charter were to be considered, we would have a reference point and a nucleus around which we could study the major problems of the international community. Governments would bring their views and would benefit from the views of others. However, my Government is not unaware of the obstacles that stand in the way not only of a possible amendment to the Charter, but also of the possibility of beginning the consideration of such a topic. This shows the frail balance in which the international community has been placed by the Charter, a balance that has become crystallized and immobile in these twenty-five years, and which, if compared with those pioneer years of faith and confidence of the first Decade, has become even more precarious.

58. My Government does not share the view that the General Assembly must annually produce an impressive number of resolutions on the most varied subjects, but, rather advocates the focusing of debate and resolutions on those subjects, measures and provisions that imply a constructive and profitable discussion of matters within its competence. Even in regard to those questions that are within its competence, my Government believes the time has come to adopt a criterion of restraint based on timeliness and priorities. The Organization's prestige and effectiveness so demand it, especially at this time when the Canadian delegation has most appropriately raised the question of the rationalization of procedures and organization of the General Assembly. But the need for rationalization goes beyond procedures and allocation of items and readjustment of the competence of committees, and must be extended to the very substance of items and subjects and the spirit presiding over our deliberations and recommendations.

59. And yet, if there were no United Nations, we would immediately have to create some other international organization. While much criticism, I would go so far as to say, deserved criticism may be levelled against the United Nations, no one would think seriously of destroying it. Such criticism, after all, is no more than criticism of the States themselves, of the Members of the Organization, and reflects the ups and downs of the international community. Successes and failures in the United Nations increase the assets and liabilities of the Members, and criticism of the United Nations is to some extent criticism of the Member States, and hence to some extent self-criticism. When we ask something of the United Nations, we must stop to ponder on what we ourselves are prepared to give in order that our requests may be met.

60. The Charter of the United Nations does not reflect the true balance between the achievement of peace and the realization of justice. Peace, both national and international, examined in terms of its conditions and content and viewed on the basis of a whole set of factors, is invariably linked to justice. However, only

when it reflects a superficial *status quo*, can it be regarded as a separate phenomenon divorced from the conditions and causes that engender it. It is dealt with as such in the Charter, since in the Charter justice holds a collateral, not to say marginal, position. "Justice" was included after a veritable fray lasting many hours at the twenty-fourth session about the slogan of the twenty-fifth anniversary but it invariably occupies a choice place in statements. When attempts are made in political forums to resolve certain conflicts, as soon as justice is invoked a sibylline climate cloaks the whole question that no one dares to openly avow, and a sceptical, comfortable, relaxed attitude is struck, much like that of a character depicting several situations, only instead of the question "what is truth?" being asked, "what is justice?" is what we hear.

61. Were the Charter to be amended, then that would be the time to reorient the United Nations towards two equally valid and correlative goals: international peace and security.

62. Mr. FACIO (Costa Rica) (*interpretation from Spanish*): Mr. President, your election to the Presidency of this Assembly constitutes just recognition of your qualities as a skilful diplomat with a deep and profound knowledge of this Organization. Your election is also a well-earned tribute to your country, Norway, and exemplary democracy which faithfully complies with the Charter of the United Nations. For all those reasons my delegation is happy to join in the words of congratulation that have been spoken at the outset of the statements of all the speakers who preceded me at the rostrum.

63. It is my honour to represent in this Assembly a nation which has turned the principles of the Charter of the United Nations into the fundamental rules of its international conduct. That is why I am able to affirm today, without any reservations whatsoever, that Costa Rica adheres to the principles of the sovereign equality of States, the free self-determination of peoples, the peaceful solution of disputes, respect for human rights, non-intervention, international co-operation in the solution of economic, social, cultural, scientific and humanitarian problems—all of which have as their purpose the achievement of international peace and security.

64. My delegation does not share the pessimistic view held by some concerning the achievements of the United Nations during the quarter of a century that has elapsed since its foundation. Despite its limitations and failures, the Organization has managed to avoid the outbreak of generalized armed warfare, thus preserving the major part of mankind from the scourge of war which, as is said in the Preamble to the Charter of the United Nations, "twice in our lifetime has brought untold sorrow to mankind". This achievement in itself justifies the existence of the United Nations, but the precarious manner in which it has been attained demands increased efforts to enable our Organization to carry out its peace-keeping work more effectively.

65. The United Nations has furnished a proper forum for the airing of problems among nations. Without this,

they would have passed unperceived until armed conflict gave them notoriety. It has thus created an international opinion which is vigilant and which in many cases has been strong enough to dissuade those who wish to maintain an unjust attitude.

66. In the twenty-five years that have elapsed since its foundation the United Nations has accelerated the process of decolonization and has strengthened in a form that has never been equalled before the right of peoples to self-determination.

67. It has also implemented excellent programmes of technical and educational assistance. It has promoted international co-operation in the economic field, although in this respect it has met with only very relative success. The studies carried out by the United Nations on problems of development, although they have not been utilized efficiently to close the growing gap between the poor and rich countries, have nevertheless highlighted the international causes of the poverty which afflicts two thirds of mankind. They have further stressed the need for the industrialized countries to co-operate in the development of the poor countries as the sole means of preserving their own prosperity.

68. As is evident, although in these twenty-five years the scourge of generalized warfare has been avoided, there has never once been general, world-wide peace. Our Organization has been unable to solve the acute problems confronting certain nations in armed conflicts and even groups of nations among themselves. Violence continues to afflict large portions of mankind, for which justice does not prevail. Despite the United Nations, many peoples live deprived of their freedom.

69. We must frankly admit that this impotence of the Organization to solve armed conflicts and avoid situations of injustice arises from the fact that many Member States—mainly the most powerful ones—have refused to restrict their sovereignty to the extent necessary to turn the United Nations into an efficient instrument for the maintenance of peace. Our Organization has, with respect to such conflicts, been reduced to serving as a mere centre for the expression of theories and the forming of international opinion. This is not a negligible result but is, however, far from the fundamental goal of those who created the Organization and those who subsequently adhered to its principles.

70. The hope to end the cruel war in Viet-Nam is no more likely to be fulfilled this year than it was last year. This costly experience has shown that the conflict cannot be resolved by military means. Nevertheless not an iota of improvement has been achieved in the field of negotiations. The Paris talks have been resumed in an atmosphere that bodes no prospects of improvement.

71. We must recognize that the United States Government has made positive attempts to create a climate more appropriate to negotiation. Not only was the bombing of North Viet-Nam halted more than a year ago, but large contingents of troops have already been



withdrawn from South Viet-Nam. But these gestures were not reciprocated by the other side, which has shown not the least will to negotiate. Those who set down prior conditions cannot negotiate because the acceptance of those prior conditions would signify the unilateral imposition of their views, which is a denial to negotiate.

72. Viable peace proposals submitted by South Viet-Nam and the United States have two main purposes: the withdrawal of all forces which are not South Viet-Nameese and the holding of free elections, internationally controlled, in which all the citizens of South Viet-Nam would participate, to choose the Government which would assume power at the end of hostilities. These are reasonable and fair proposals worthy of being favourably viewed by those who allege that they are defending the self-determination of the South Viet-Nameese people. But they will accept only the withdrawal of the allied forces from South Viet-Nam and the overthrow of the duly-elected present Government of that country. The terrible result of this unyielding attitude of those who wish arbitrarily to impose their will at all costs is the prolongation of a cruel war destructive to both life and property.

73. It is strange to note that those who urge South Viet-Nam and its allies to make more concessions with a view to achieving progress in the Paris talks have never thought of requesting the Government of North Viet-Nam or the Vietcong to do likewise. My Government hopes that the inflexible attitude of those who refuse to negotiate will change in the interest of world peace. Only thus will the South Viet-Nameese people be enabled to decide its own fate, free from any foreign intervention and any domestic violence. This solution can be durable only if it has the support of international public opinion. And it is here that the United Nations can and must make its contribution to peace in that area of South-East Asia.

74. The Middle East conflict continues to represent a very serious threat to world peace. No other local dispute or conflict is so heavily loaded with the danger of being converted into a world war. That is why the United Nations cannot overlook this problem; nor can it leave the solution in the hands of the big Powers. By every means possible our Organization must seek a way to solve the crisis which, during the last twenty-two years, has provoked three wars between Israel and the Arab States.

75. The Government of Costa Rica shared the satisfaction expressed by the majority of Governments here when informed that the parties concerned accepted the United States proposal for a temporary cease-fire and the initiation of negotiations through the mediation of Mr. Ambassador Jarring; and, like most of the Governments represented here, that of Costa Rica regrets that it has not been possible to start these negotiations owing to the partial lack of compliance of one of the parties concerned with the terms of the cease-fire agreement. Nevertheless, my delegation entertains the hope that the violations will be rectified in order that negotiations may begin. These negotia-

tions, led by Ambassador Jarring, must create a favourable climate so that the Arabs and Israelis could meet again as in 1949—at that time in order to negotiate an armistice, and now to negotiate a peace treaty.

76. Direct negotiation has no substitute as a means of putting a final end to the hostilities between States and promoting a durable peace. But in order for these negotiations to be true negotiations, they cannot be subjected to prior conditions which imply definite concessions by one of the parties. Negotiations must be open and clear with a view to seeking a solution of all the causes of a conflict.

77. The Arab Governments declared in 1949 that the armistice lines could not be interpreted as being political or territorial frontiers and that such frontiers should be settled by means of agreements in the transition towards peace. Since these agreements were never achieved, the conversations through Mr. Jarring cannot be subjected to the prior condition that Israel should withdraw its troops behind frontiers which have never truly existed.

78. In order for Israel to be able to comply fully with Security Council resolution 242 (1967), which calls for the withdrawal of its occupation forces, it is necessary first of all for these frontiers to be fixed by means of a peace treaty. Israel has never refused to withdraw its troops to the 1967 cease-fire line, but on the basis of the painful experience of three wars and twenty-two years of constant warfare, logically, it is necessary for the withdrawal to take place to secure and stable frontiers which should be fully recognized by the belligerent parties in peace treaties. Costa Rica considers this position of Israel to be a fair one and thus openly supports it.

79. I repeat that best way of fostering harmony in the Near East is, in the view of my Government, to achieve direct negotiations between Arabs and Israelis without any prior conditions, for the termination of a conflict which for more than two decades has soaked the biblical lands in blood. My Government believes that the United Nations should use the full weight of its influence, should dedicate itself fully, should sharpen its wits in order to achieve, as soon as possible the initiation of these direct negotiations.

80. To this end it is necessary for the big Powers to abstain from participating in the conflict for the purpose of fostering their own political or strategic interests. The Near East is too explosive a field in which to play the game of spheres of influence. If the Arab-Israeli conflict is isolated from the machinations of the great Powers to tip the balance of world peace in their favour it will be easier to get the parties to the conflict to sit at the conference table and put an end to mutual hostilities, and to attain a peace which will be the beginning of great co-operation, and even of certain forms of economic integration, among the peoples who live in the Near East.

81. In this analysis of present armed conflicts I am able to announce with satisfaction that Central America

has continued to take firm steps toward the consolidation of peace. Bilateral negotiations between Honduras and Salvador for the purpose of finding a definite solution to the painful armed conflict which took place had been interrupted by border incidents. It is difficult to negotiate when there are clashes between the parties negotiating. The Organization of American States, which had so successfully achieved a cease-fire last year, had not managed to get the parties to reach an agreement on the demilitarization of the border line which was necessary in order to avoid new incidents.

82. Upon the initiative of the President of Costa Rica, Mr. José Figueres, taken on the very day on which he assumed the presidency of the State, the Central American foreign Ministers met in San José at the end of last May. From this meeting emerged an agreement between Salvador and Honduras, guaranteed by Guatemala, Nicaragua and Costa Rica, for the establishment of a zone of peace and security all along the border line. Supervision of this zone is in the hands of Latin American military observers appointed by the OAS. Thanks to this San José Agreement, border incidents have ceased and bilateral negotiations have been resumed in order to seek solutions for a final peace.

83. The solution of this conflict has enabled the five Ministers of Economic Affairs, and the five Foreign Ministers afterward, to hold meetings in Managua and Guatemala, where special procedures were approved in order to get under way once again the supervisory bodies of Central American integration. In informing this General Assembly of the success of peace-keeping tasks achieved in Central America, my delegation expresses the wish for a satisfactory and positive conclusion of the bilateral negotiations under way between Honduras and Salvador because my delegation is convinced that only these negotiations can lead to a definite peace. Our work in this case has been to create the conditions and give the necessary guarantees in order for the parties to be able to negotiate freely; but these, and only these parties can truly solve their own problems. Direct negotiations are a means of achieving the transformation of rhetoric and polemic forms of debate into a concrete, specific and detailed formulation of controversial questions.

84. Our faith in direct negotiations is fostered by our experience in Central America, and it is this which has prompted us to urge the United Nations to dedicate itself fully to the purpose of having the parties to conflicts which have not been solved sit down together in direct negotiations without prior conditions. Any refusal to negotiate directly creates tension and suspicion while direct negotiation often creates a leeway for new ideas and new imaginative efforts which often provoke conciliatory formulas which did not exist at the outset of the conversations.

85. Hijacking, which is increasing at an alarming rate, is a serious and disturbing factor as far as peace is concerned because these acts, which constitute offences of piracy and which are morally, politically and legally unjustifiable, also constitute acts of aggres-

sion by the Governments which give asylum to the hijackers, and which are contrary to the interest of the nations affected by the hijacking. In a recent resolution [286 (1970)] the Security Council recommended to the Member States that they should take all relevant steps to avoid a repetition of acts of air piracy. My delegation is happy to support that resolution. Prior to this resolution Costa Rica had already taken the necessary steps in order to turn air hijacking to a new specific offence which is severely sanctioned in the Penal Code that has been recently promulgated.

86. Nevertheless, my delegation feels that the best way of putting an end to acts of hijacking is to get the Governments that have given asylum to the hijackers to correct their behaviour and to agree to hand them over to the legal authorities of the States having jurisdiction over the hijacking case concerned. Without the aggressive complicity of the Governments giving asylum, acts of hijacking could not be so easily perpetrated because what encourages the hijackers to commit their crimes is the secure knowledge that they will go scot-free,—and even be treated like heroes of violence, instead of being treated like delinquents guilty of crimes against mankind.

87. Unfortunately, it was a Government of a country of the American continent, that of Cuba, which began the criminal practice of giving asylum to hijackers. This Cuban policy, a consequence of that continent of its subversive activity against other Governments, was promptly emulated by other Governments with manifestations of violence against the airlines and the passengers of States with which they are in conflict. Thus, the prophets of violence found other means of protesting against the state of affairs which they did not like. If the Cuban Government had apprehended the first hijackers and as International Law requires, had placed them at the disposal of the tribunals of the countries which are empowered to deal with them, we would not today be witnessing with great surprise and horror the increasing number of assaults on planes in flight.

88. Giving asylum to hijackers, as I have already said, constitutes an act of aggression against the State which has jurisdiction over the hijacked plane. When asylum is given by a Government, as happened in the majority of cases, the State giving asylum should be subjected to the sanctions which the Security Council must impose on those who commit acts of aggression liable to threaten peace among nations. As long as this truth is not recognized with courage, as long as transgressing Governments are not required to abstain from granting asylum, hijacking will continue to endanger the security of all air travellers and the integrity of the order on which the international community depends.

89. We are happy to point out here that Costa Rica, along with many other delegations, supported, the resolution which designated 1971 as the International Year for Action to Combat Racism and Racial Discrimination [2544 (XXIV)]. We are thus reiterating our efforts of many years to try to eliminate one of the most flagrant violations of human rights. It is well known that Costa Rica has participated ever since its

inception in the work of the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa. We have collaborated there with the other members of that Committee in order to arrive at means which will lead to the successful achievement of the purposes for which it was created.

90. However, we have already repeated here many times in many meetings that the flagrant violations of human rights do not occur only in the sphere of racial discrimination. That is why we wish to express our particular interest in an acceleration of the process necessary to render effective the postulates of the Universal Declaration of Human Rights, which have been so beautifully embodied in the international agreements on human rights. We regret that hitherto there has not been a sufficient number of ratifications of these optional instruments for the protection and the strengthening of human rights throughout the world. Nevertheless, we hope that soon a sufficient number of ratifications will be forthcoming. For this reason Costa Rica decided in 1965 to re-open a subject which had been discussed in the General Assembly many years before upon the request of Uruguay and France, concerning the creation of a body by means of a resolution of the Assembly which would be called upon to give impetus to the protection of human rights, a body which hitherto has not moved from the field of good intentions to that of achievements. Our interest in creating the office of a United Nations High Commissioner for Human Rights has been evident ever since the subject was introduced in 1965. During the twenty-fourth session of the General Assembly the subject was at last studied in substance. In resolution 2595 (XXIV) seventy-three delegations voted in favour of giving the highest priority to the continuation of the study of this question, which now appears as item 46 on the agenda of this session. My delegation would view it with the greatest of satisfaction if we were able to reach a solution of that question and if an office were to be created as a manifestation of the interest of the United Nations in the protection of all human rights. That is why we hope that resolution 2595 (XXIV) will not be just one more resolution, but that its decisions will be taken with all due seriousness and that it will be given priority so that the question may be duly examined in the Committee concerned.

91. Nothing runs more counter to the fundamental goal of the United Nations, which is the maintenance of peace and international security, than the absurd arms race which, year after year, consumes more than \$200,000 million. Thus, general and complete disarmament under international control is becoming an ever-more urgent task although the "realists" of politics consider it merely Utopian.

92. Costa Rica is proud to have unilaterally practised complete and general disarmament since 1948. Since then we have not spent one cent on the maintenance of armed forces and we have entrusted our national defence against foreign aggression to existing international pacts and to the effectiveness of the regional and world organizations of which Costa Rica is a member. Our Constitution since 1949 proscribed the

army as a permanent institution in our country. It is therefore not strange that my delegation should warmly support any measure tending towards a restriction in one way or another of the mad arms race.

93. We understand the political reasons which prevent more efficient action in the field of disarmament. The Minister for Foreign Affairs of Venezuela quite rightly described this state of affairs in the very excellent statement he made a few days ago. May I be allowed to quote some paragraphs of this admirable statement.

"We have already spoken of an international order based on the balance of power between the various blocs. The maintenance of this balance, precarious at best, requires the investment of gigantic sums of money for the acquisition of attack and defence systems which are increasingly complex and costly. The possession of the atomic bomb has been the point of departure in a constant arms race designed to end the balance of terror by some decisive discovery or by establishing the kind of material superiority which would have an unquestionable effect.

"With a very small percentage of the investments that are made for destruction, the fact of the earth could indeed be changed. However, the struggle for control of the world makes it impossible for the competitors to act in everyone's best interests" [1841st meeting, paras. 102 and 103].

94. Despite serious obstacles the Committee on Disarmament has worked untiringly in order to achieve at least collateral measures to decrease armaments. Very important measures have been achieved and are represented by treaties such as the Treaty on the partial prohibition of nuclear tests signed in 1963,<sup>8</sup> that which regulates the activities of States on the exploration and utilization of outer space signed in 1967 [resolution 2222 (XXI)], that which regulates the banning of nuclear weapons in Latin America (Tlatelolco Treaty), also signed in 1967, and the Treaty on the Non-Proliferation of Nuclear Weapons signed in 1968 [resolution 2373 (XXII)].

95. We have subscribed fully to document A/7993 in which the inclusion of an item is requested in the provisional agenda of this twenty-fifth session, entitled "Status of the implementation of General Assembly resolution 2456 B (XXIII) concerning the signature and ratification of additional protocol II of the treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)". The purpose of this protocol is to commit the countries of Latin America to abstain from utilizing nuclear weapons on Latin American territory. Unfortunately, hitherto only the United Kingdom has adhered to the additional protocol II, thus showing its respect for the wish of our peoples to do away with nuclear weapons in this part of the globe. We are making an appeal to the other world Powers to follow the British example.

<sup>8</sup> Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963.

96. As the representative of a poor country, I must perforce regret the failure of the efforts of the United Nations to achieve the goals set by the First United Nations Development Decade. At the very time when we are about to discuss the strategy for the Second Decade, my delegation wishes to repeat the view that only a substantial reduction of military expenditure can enable the great Powers to free sufficient resources for them to collaborate in the raising of the standard of living of the nations which are still underdeveloped. Although we realize that various industrialized countries have repeated their intention to dedicate 1 per cent of their gross national product to the development of the less favoured areas, since wealth and natural resources are so very much concentrated in the hands of those States that are also foremost in the arms race, it would be Utopian to believe in an improvement of general conditions, relying only on the goodwill of those who are less powerful.

97. Efforts towards achieving the objectives of the Second Development Decade must be closely linked with an effort to accelerate disarmament. Only thus will energies be able to be channeled—energies which are today dedicated to the preparation of war—towards general prosperity which, in reducing tension, would also reduce armed conflicts and render the arms race less necessary.

98. Thanks, to a great extent, to the studies of the United Nations, we know today that two thirds of mankind lives without proper food, without decent housing conditions, without land, without property, without health, and we know that the only solution to this tragedy consists in increasing the national income of the poor countries. But in order to increase that national income it is necessary to raise the level of production, and that can be achieved only by perfecting the methods of producing wealth, which are, in other words, education of the population in order to improve its technical and administrative knowledge, and the improvement of the means of production, which implies the acquiring of modern agricultural and industrial machinery and equipment.

99. But the education of populations and the creation of modern agricultural and industrial equipment requires enormous capital investments. And that is why our underdeveloped countries are caught in this vicious circle. Investments are insufficient because the national income is scarce. National savings are scarce because income is so slight. And thus it is not possible to invest in productive equipment and trained staff. Therefore this vicious circle can be broken only by means of considerable contribution of additional resources coming from the outside. Thus, it is evident that it is necessary to obtain the co-operation of the more developed countries, whose accumulation of wealth is due, to a large extent, to the exploitation of the poor countries.

100. Although there are many ways and means in which the rich countries may co-operate in the development of the poor countries, my Government jointly believes that the most efficient manner to strengthen

the economy of the underdeveloped countries is by paying a good price for their export products and by removing restrictions which are obstacles to their trade. In the economy of nations just as in the economy of individuals, the best means of raising the standard of living is by increasing their income by means of a fair payment for the work of each and every one.

101. For thousands of years man lived only in a world of scarcity because he had no other energy for the process of production than the force of muscle of man or beast. Thus, for thousands of years the human mind was modelled on the assumption of scarcity, on the need to save to the extent of being avaricious, on the need for man to exploit his fellow citizens.

102. But the tremendous development of modern technology has put an end to that situation of scarcity. Machines are working today untiringly and unerringly creating abundance. Nevertheless, man is still attached to the old routine of the voracious appropriation of the belongings of others.

103. The big economic crisis in 1929 had as its main cause, the constant increase in industrial production, which did not run par with an increase in salaries nor an increase in the prices of agricultural commodities. The Keynesian formula with which the crisis of the capitalist world was solved raised and stabilized the prices of agricultural products and increased industrial salaries. The measures thus adopted enabled the developed countries to overcome their crisis and to enrich the whole nation, far from ruining the urban and industrial populations.

104. Therefore, internally, the industrialized nations have been obliged to adopt a system of distribution of wealth which is adapted to the new system of mass production. Thus, modern industry could not subsist unless it constantly increased the level of consumption of its own peoples. However, it has not been able to rid itself of this prejudice in the international field.

105. The rich countries have thus stabilized the prices of their products at levels which represent a decent standard of living for their workers. Agricultural products are not exempt from this production. Wheat and sugar, for example, produced by the industrialized countries have good systems of stabilization of prices at a level of development. Only the poor peoples are obliged to sell the product of their work at a price which they can obtain on the "free market". And that, to a great extent, is why they are poor.

106. At the beginning of the Second Development Decade we feel that the time has now come for the industrialized nations, which have already broken down the barrier of greed within their own domestic economy, to decide to break down that barrier within the world economy.

107. The underdeveloped nations constitute the proletariat of today's world, and agricultural and mineral exports constitute their salary. Only by raising that salary will the poor nations be able to acquire the sur-



plus of the industrial products which the rich nations need to sell in ever greater quantities on our markets. If the contrary occurs, once again due to a lack of equity in international trade, there will be serious economic crises such as those which occurred in the past because of a lack of a proper and fair distribution of national income.

108. In concluding his statement in the general debate [1841st meeting] the representative of Brazil made a very simple proposal, which nevertheless, implies an entire programme of action. Minister Gibson suggested, no more and no less, that we should utilize our Organization and that we should implement the Charter. Costa Rica, which is a founding Member of the United Nations, supports the Brazilian proposal with the greatest of faith and confidence.

109. The PRESIDENT: Before calling on the last speaker in this afternoon's meeting, I should like to remind members that the Assembly decided at its meeting yesterday to close the list of speakers in the general debate tomorrow, 24 September, at 5 p.m. I may also take this opportunity to remind Members that it was and is the intention of the General Assembly to terminate the general debate not later than the afternoon of Friday, 2 October.

110. Mr. FORAY (Sierra Leone): Mr. President, on behalf of the Government and people of Sierra Leone, I take this opportunity to express to you our warm and hearty congratulations on your election to the high office of President of the twenty-fifth session of the General Assembly. Your election is as much a tribute to you as to your great country. It is a recognition of your long association with this world Organization and the active and constructive role you have played in it over the years since the days of San Francisco. It is equally indicative of our high regard for the liberal traditions of your motherland and the objectivity it has brought to bear on the burning international problems of our time. In this historic year of its twenty-fifth anniversary, the Organization is fortunate to have such wise and able leadership and we are confident that, with your background of experience and distinguished service, you will guide our deliberations with singular success and bring even greater honour to the country you have served and represented with such eminence.

111. We should like to pay tribute to your predecessor, Mrs. Angie Brooks-Randolph of Liberia, who during her tenure of office conducted the affairs of the General Assembly with skill, patience and determination and brought our work to a fruitful conclusion. It shows the significance of the status of women in the third world that the Afro-Asian group has produced the only two women Presidents of the General Assembly during the lifetime of the United Nations.

112. We congratulate our Secretary-General, U Thant, for his report on the achievements of the Organization during the past year [A/8001]. We have observed with interest the cautious optimism he has expressed with regard to the world situation as a whole.

In his diagnosis he has attempted to portray the truth with vividness and eloquence.

113. The strategic arms limitation talks have been described as the most important disarmament discussions since the Second World War. This and the breakthrough in the peace talks on the Middle East, the gradual reduction of the war in South-East Asia and the signing of the non-aggression treaty between the Union of Soviet Socialist Republics and the Federal Republic of Germany<sup>9</sup> have lessened international tensions considerably but have not completely eliminated them. The super-Powers, regardless of their already acquired capacity to achieve total physical destruction of each other at least ten to fifteen times over, continue to develop new and more sophisticated weapons of total annihilation. The balance of nuclear potentialities has brought about not an end to wars but rather a nuclear stalemate. The conventional arms race, with even more dangerous possibilities, continues to produce and disseminate more sophisticated and deadly weapons. It affects all nations, both nuclear and non-nuclear, developed and developing, and provides the means for limited wars which contain the seeds of the threat of nuclear war. Finance, which is badly needed to alleviate the misery and sufferings of man, is being spent on massive military budgets. Approximately \$200,000 million are spent annually on armaments while less than \$15,000 million are budgeted by industrialized countries for aid to developing nations. Virtually no progress has been made towards the achievement of a comprehensive nuclear test ban treaty, which would ensure the safety of posterity from a possible global holocaust. Seven full years have passed since the signing of the partial test ban Treaty; yet some States whose participation is essential, if the nuclear arms race is to be curbed and if mankind is to be saved from the hazards of further radioactive contamination, have not subscribed to the Treaty.

114. My delegation wholeheartedly welcomes the entry into force on 5 March this year of the Treaty on the Non-Proliferation of Nuclear Weapons [resolution 2373 (XXII)]—an occasion of historic importance which heralded what has been described as the United Nations Disarmament Decade. The considerable amount of interest manifested by Member States in this treaty increases the hope of its success. It can only succeed in its objectives, however, if it is accorded universal adherence and complete implementation. Member States must fully implement the Treaty in order to halt the horizontal proliferation of nuclear weapons. They must also impose a limitation on the production of offensive and defensive strategic nuclear armaments so as to check vertical proliferation of these weapons. In this connexion, complete agreement on disarmament is impossible so long as there is any major military Power and, in particular, any nuclear Power which does not subscribe to the Treaty.

115. The Middle East continues to present a grave threat to international peace. Great efforts have been

<sup>9</sup> Signed in Moscow on 12 August 1970.

made by the Security Council, the Secretary-General and his Special Representative, Ambassador Gunnar Jarring, as well as the four permanent members of the Council, but little has been achieved towards the goal of a peaceful settlement. With the worsening of the situation, a challenge has been presented to the effectiveness of the United Nations, and this has posed a serious threat to the Organization. The proposal of the United States of America for a ninety-day cease-fire, which was accepted by Israel, Jordan and the United Arab Republic, brought a glimmer of hope. This cessation of hostilities in the area, though temporary, offered an opportunity for the reactivation of the Jarring mission and the possibility of a break-through towards a peaceful settlement. My delegation warmly welcomes these and other measures aimed at providing a just solution to the Middle East crisis and deplores all actions calculated to undermine the genuine efforts made towards a peaceful solution. Peace cannot, however, be attained in that region as long as the question of the status of the Palestinian refugees remains undecided and their condition of living continues to be unameliorated.

116. My delegation condemns the hijacking of civilian aircraft and believes that, unless firm measures are taken by the community of nations, life and property will be continually endangered by extremists who choose this irresponsible and dangerous method to bring their personal or group grievances before the world. In this connexion, we reaffirm our support for Security Council resolution 286 (1970) and urge its speedy implementation.

117. On a brighter note, my delegation is relieved to see an end to the internecine struggle which engaged the attention of the Nigerian Government for nearly three years. It adds to the prestige of the Organization of African Unity that early this month, at its meeting of Heads of State and Government,<sup>10</sup> reconciliation was effected between Nigeria and some other African countries which had differences of opinion with the Federal Government over the issue.

118. In the view of my delegation, the quest for peace is matched in importance only by the problem of under-development. The First United Nations Development Decade may be remembered more for its failures than for its successes, and this gives a greater urgency to the need for a more positive approach and realistic planning for the Second Development Decade. We need an acceptable global strategy involving the active co-operation of rich and poor nations alike. We need to be freed from the strangulating effects of aid with political strings. We need to redress the injustice of existing trade patterns and commodity prices to the advantage of developing countries; but these needs can only be effectively met if they are recognized not only as the needs of the developing and deprived nations but as human needs which should be the concern of the entire international community. That would require co-operation not only between rich and poor nations

but among the developing countries themselves. The need for this latter type of co-operation, that is, among the developing countries, has already been recognized by our leaders at the Third Summit Conference of Non-Aligned States.<sup>11</sup> Indeed, as our Prime Minister, Dr. Siaka Stevens, said in his statement to the Assembly in Lusaka:

“We may not be able to lift ourselves by our own boot-strings but we may find that by joining all our boot-strings together we have woven a rope ladder for economic emancipation.”

119. The point to be emphasized now is that we require, as an indispensable catalyst, the willing and active co-operation of the industrialized world in order that the development drive may finally be launched on an irreversible upward thrust.

120. There is for instance a marked absence or shortage of capital in developing countries while the developed nations are sometimes choking with surplus capital, which eventually finds its way into the so-called defence budgets of countries whose greatest need may not be military hardware but agricultural improvement. It is a tragedy of our times that this should be so or that millions of valuable dollars, francs or rubles should be dissipated in prestigious space adventures when a minute fraction of this expenditure could relieve the miseries of millions by providing them with the barest necessities for survival.

121. Again, although in the First United Nations Development Decade the exports from developing countries rose by more than six per cent, the effect of this growth is neutralized by the great expansion in the trade of the developed countries and the increased price of their manufactured products. These factors, coupled with the controlled decline in the prices of the products of developing countries, have resulted in a disappointing decrease in the earning capacity of the poorer nations. There has thus been a decline in their over-all growth rate.

122. Furthermore, by building tariff barriers and knitting themselves into protective trading groups, the developed countries often prevent the products of developing countries from gaining access to their markets.

123. If these negative tactics continue to be employed by the economically advanced nations to thwart the legitimate aspirations and strenuous efforts of the third world, the Second Development Decade will soon share with the First Development Decade the inglorious title “The Decades of Disappointment”.

124. In the area of development aid, much emphasis has rightly been placed on its being channelled through international institutions to make it fully effective. In this exercise, institutions like the International Bank

<sup>10</sup> Seventh Session held at Addis Ababa from 1 to 3 September 1970.

<sup>11</sup> Third Conference of Heads of State or Government of Non-Aligned Countries held at Lusaka, Zambia, from 8 to 10 September 1970.

for Reconstruction and Development, the International Monetary Fund and even regional institutions like the African Development Bank have an invaluable part to play. It is our view, however, that for development planning to be truly international, objective and productive, the United Nations system itself, including its specialized agencies, should play a central and vital role. It should therefore be our duty, in proclaiming the Second Development Decade, to ensure that the United Nations continues to be the major organ for international development, with its role not only expanded but strengthened.

125. My delegation further hopes that all nations will take appropriate action both at the national and international levels, as part of a global strategy, to help husband the world's human and physical resources. Population growth and its variety of concomitant problems such as living standards of poor countries and the aggravating problem of pollution of the environment, particularly in more advanced countries, should be given careful attention. The United Nations Conference on the Human Environment to be held in Stockholm in 1972 could provide very useful first steps towards finding ways and means of putting an end to the despoliation of our natural resources and the consequent danger to life.

126. At this stage, I can do no more than pledge the support of my Government in the pursuit of the two major goals which preoccupy our minds and we hope that all nations will join in the effort to make the seventies the Decade of Disarmament and Development or, in more human terms, the Decade of Peace and Plenty.

127. Among the many other problems which have engaged the attention of this Organization during the past two and a half decades, perhaps the most persistent has been and still is that of decolonization. It is a sad commentary on international relations that on the tenth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, forty-five territories with some 28 million inhabitants still remain under colonial rule. Southern Africa presents the United Nations with the most pernicious example of this phenomenon. The illegal racist minority régime of Ian Smith continues to defy both the administering Power and world public opinion. Earlier this year, it crystallized its defiance even further by proclaiming a so-called Republic on the basis of an illegal constitution. The Security Council, in response, has adopted further measures against Southern Rhodesia, including extension of economic sanctions, the interruption of any existing means of transportation to and from that territory and a ban on all representation there. At the same time, however, evasions of sanctions continue either as a result of insufficient vigilance by certain Powers, or lack of co-operation on the part of others. South Africa and Portugal continue to maintain relations with Southern Rhodesia and to allow transit of the latter's trade through the territories under their control. By failing to impose conditions which will ensure a speedy return to legality in that territory, the Government of the United Kingdom has betrayed the

trust of the non-white masses who are now caught in Ian Smith's web of oppression and racist domination. These disillusioned masses have now resorted to an armed liberation struggle only because they were driven to extremes by desperate frustration. Our only honourable course of action in the circumstance is to give them every moral and material support. We therefore urge that the United Nations, as a body, should not only express sympathy with the cause of freedom fighters but should contribute financially to their legitimate struggle for emancipation.

128. There can be no greater commemoration of the tenth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples than by the setting up of a colonial liberation fund by the United Nations. We expect the voice of Portugal in particular to be raised in vigorous protest against this suggestion, but surely it must see this as the inevitable consequence of its own blind intransigence in rejecting the principle of self-determination and in reaffirming its determination to dominate by force of arms a people struggling to be free. Repeated persuasion has gone unheeded. It has rejected the restrained proposal contained in the Lusaka Manifesto on Southern Africa<sup>12</sup> which called for a peaceful transfer of power to the peoples in the territories under its administration. It has instead continued with the escalation of military activities against the liberation movements. It has embarked on a policy of large-scale resettlement of the local population and in the process has violated the sovereignty of neighbouring African States in order to "punish" the African nationalists who have sometimes crossed their borders in search of safety. Portugal and its allies are advised in their own interests that after nine years of continuous struggle in the territories of Angola, Mozambique and Guinea (Bissau), with no hope of victory in sight, the only sensible solution to this tragedy lies in a change of policy. My Government, dedicated to the cause of human dignity and freedom, is committed to supporting the freedom fighters in every practicable way, for we remain firm in the conviction that as long as one of our brothers remains enslaved, we are not completely free.

129. In Namibia, notwithstanding the repeated actions of the United Nations in both the Security Council and the General Assembly, the Government of South Africa continues in its flagrant refusal to comply with the resolutions of the United Nations. It has not only refused to withdraw from the Territory, but has in fact also usurped the inalienable rights of the inhabitants and embarked on a policy of dismemberment of the territory carving it into separate "homelands" while at the same time extending across its borders the evil policy of *apartheid*.

130. My delegation welcomes the creation of the *Ad Hoc* Sub-Committee on Namibia<sup>13</sup> as well as the prompt action taken by the International Court of

<sup>12</sup> *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 106, document A/7754.

<sup>13</sup> *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970).

Justice in response to the Council's request [*resolution 284 (1970)*] for an advisory opinion on the "legal consequences for States of the continued presence of South Africa in Namibia". Without prejudging the issue, one can only hope that in this exercise the futility of 1966 will not be repeated.

131. There is a tendency to concentrate on these obvious examples of colonial domination in southern Africa and to ignore those in other parts of the world. I am compelled to say here that the emancipation of all colonized Territories is of equal importance and must be pursued with equal vigour.

132. Let me, at this point, extend an anticipatory hand of welcome and congratulations to the new State of Fiji, which will attain its independence on 10 October. We hope that in this regard history will continue to repeat itself.

133. Closely interwoven with the issue of decolonization is the problem of human rights, for it is a self-evident truth that freedom, either of the nation or of the individual, is indivisible. During the current year, the United Nations has made significant strides towards the realization of human rights. Regional seminars have been held, among which particular mention may be made of the human rights seminar on the realization of economic and social rights with particular reference to the developing countries.<sup>14</sup> That seminar, by combining two of the burning issues of our time—development and human rights—and by focusing the attention of developing countries on them, has been one of the landmarks of the year.

134. In spite of this, however, over-all progress in the field of human rights has been far from encouraging. Fewer than ten States have ratified the International Covenant on Civil and Political Rights [*resolution 2200 A (XXI)*], while other existing covenants have received only half-hearted implementation. For example, no State has as yet subscribed to the optional clause which empowers individuals to submit petitions under the International Convention on the Elimination of All Forms of Racial Discrimination [*resolution 2106 A (XX)*]. It is our fervent hope that this commemorative session will be made more memorable by universal support for the proposal to establish a United Nations High Commissioner for Human Rights.

135. It is of course, idle to expect that the efforts of such a High Commissioner would succeed in removing the greatest challenge to human rights in our time. I refer to the South African situation, which has defied all the efforts of the General Assembly, the Security Council, the Organization of African Unity and individual States. At the risk of painful repetition, I must reiterate my Government's deep concern over the racial policies of the South African Government.

136. Ignoring the provisions of the United Nations Charter and the Universal Declaration on Human Rights, while at the same time enjoying full membership

of the Organization, South Africa has continued to entrench its policy of racial segregation and suppression and no pains are spared to liquidate the opponents of *apartheid*. Again, as in the case of Rhodesia, the will of a determined people has now almost erupted into violent revolution, posing the threat of racial war over the entire African continent. It is in this context that we view with grave concern and uneasiness the reported intention of the British Government to resume the sale of arms to South Africa for any purpose whatsoever. For we are convinced that every item of armament made available to that régime drives another nail into the coffin of human dignity, individual freedom and the concept of human equality, and poses a real threat to international peace.

137. As we celebrate this twenty-fifth anniversary it would not be amiss if on this occasion we should engage our minds in the serious exercise of self-examination. In our view, the United Nations continues to be mankind's main hope for consultation and consensus, for international peace and universal prosperity; but these ideals will continue to elude us unless we are prepared to undertake an honest reappraisal of its structure and functions so as to increase its effectiveness.

138. In the years that have elapsed since its inception, the nature of its membership has changed beyond recognition and the problems with which it was designed to cope have increased both in volume and in complexity. Only a drastic restructuring can make the Organization sufficiently contemporary and universal to meet the vital needs of today. To make it truly contemporary, we believe that the younger generation should be prepared for leadership, since it is they who will ultimately assume responsibility for the affairs of the world. We therefore supported actively and fully the World Youth Assembly which took place at United Nations Headquarters in July. Youth should be exposed as early as possible to the complexity of international organizations and their problems, and should be encouraged to play a constructive role in formulating just solutions.

139. Nor can it be described as truly universal whilst a substantial proportion of the world's population is kept outside its pale. The People's Republic of China with its 750 million people cannot be ignored indefinitely, especially when that country is a nuclear Power. The divided States of Korea, Viet-Nam and Germany by their very absence also make our Organization so much less effective. We look forward, wherever possible, to a speedy and peaceful reunification of those countries.

140. For two and a half decades, this Organization has grappled with a number of human problems—political, economic, social and colonial, to name a few—that from time to time have tended to disrupt the ordered way of life which mankind would very much like to preserve. My delegation hopes that, in taking stock of the past, we can at the same time rededicate our countries and ourselves to the great tasks which lie ahead of this world Organization to fulfil the high ideals of the Charter.

<sup>14</sup> Held at Lusaka, Zambia, from 23 June to 4 July 1970.



141. Finally, we believe that it is necessary for all nations to uphold the ideals of the Charter as this is the only way we can ensure the continuance of the Organization and the survival of mankind. Only then can we pursue the goals of disarmament and development as truly universal ideals; only then can we hope

to become truly united, as one great family of man, motivated by a common humanity and inspired by the ultimate goal of *pacem in terris*.

*The meeting rose at 5.10 p.m.*