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President: Mr. Adam MALIK (Indonesia).

AGENDA ITEM 22

The situation in the Middle East (*continued*)

1. The PRESIDENT: Before taking up the question referred from the Security Council, as provided for in General Assembly resolution 377 A (V) of 3 November 1950, I have agreed to give the floor to the Minister for Foreign Affairs of Senegal, who was unable to speak yesterday in the debate on agenda item 22 and, consequently, had to postpone his departure. Immediately after his statement, we shall consider the second item on today's agenda.

2. Mr. GAYE (Senegal) (*interpretation from French*): I thought it necessary to intervene in this debate for two reasons. First, on behalf of the delegation of Senegal, because we are dealing with a problem which for many years has been a matter of concern to the whole international community. I am also taking the floor because we have no objective other than to ensure the success of the mission which the Organization of African Unity has entrusted to a committee of 10 members,¹ which has become known to public opinion as the "committee of wise men", of which my country is a member together with Cameroon, Ethiopia, Ivory Coast, Kenya, Liberia, Mauritania, Nigeria, the United Republic of Tanzania and Zaire.

3. I shall be brief and at the same time I should also like to be concise. I shall deliberately abstain from analysing in any way the development of the Arab-Israeli crisis. I wish to take into account only one specific problem, the implementation of a Security Council decision which has been accepted by the parties to the conflict, and this is a fact of capital importance. I have in mind Security Council resolution 242 (1967), adopted by the Council on 22 November 1967, which, in our opinion, makes it possible to solve the crisis in the Middle East and to restore a just and lasting peace among the States of the area.

4. What are the fundamental bases of that resolution? First—and I think that this must be recalled—there are some

provisions which bear on the very existence and sovereignty of States: "respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area", the necessity for "guaranteeing the territorial inviolability and political independence of every State in the area", the need "to work for a just and lasting peace in which every State in the area can live in security", and in that spirit, "termination of all claims or states of belligerency". Such general principles in themselves cannot give rise to any objection.

5. One could say that other provisions are rooted in international law and reaffirm rules which in practice are enshrined in international conventions. That applies to "freedom of navigation through international waterways in the area" and, finally, to the necessity for "achieving a just settlement of the refugee problem", which has always been obvious to all.

6. On the other hand, the major difficulties which have thus far hampered the implementation of the resolution of 22 November 1967 are due to three provisions—and I am quoting the very words of the resolution: first, "the inadmissibility of the acquisition of territory by war"; secondly, the "withdrawal of Israeli armed forces from territories occupied in the recent conflict"; and thirdly, respect for the right of each State in the area "to live in peace within secure and recognized boundaries".

7. The mission which the Organization of African Unity entrusted to the "committee of wise men" was designed to unblock the Jarring mission. The Organization of African Unity aims only at the implementation of resolution 242 (1967). It is in that spirit that it wanted to make its contribution to the efforts of the Special Representative of the Secretary-General to achieve the implementation of that resolution. There is no question of its substituting for Mr. Jarring in the role entrusted to him, and even less of substituting for the Security Council; once again, it is a question of helping the Special Representative of the Secretary-General to achieve implementation of the resolution of 22 November 1967.

8. The action of the sub-committee appointed by the committee of 10 was, therefore, essentially guided by the need to find common ground to overcome the obstacles which have beset the settlement of the crisis in the Middle East. The nature of such action is not, of course, to look for new provisions to replace those in resolution 242 (1967). Its purpose, object and goal is the resumption of negotiations leading to a stable peace. It appears from the contacts established in this way with the parties concerned that elements have appeared which deserve to be pondered.

¹ Committee of African Heads of State.

9. Egypt accepts the resumption of negotiations under the auspices of Mr. Jarring, within the framework of resolution 242 (1967). It confirms the terms of its reply of 15 January 1971 [A/8541, annex II] to Mr. Jarring's aide-mémoire of 8 February 1971 [A/8541, annex I]. Egypt maintains its proposal for an interim agreement on the reopening of the Suez Canal, to enable the Special Representative of the Secretary-General to draw up the time-table for implementation of the Security Council resolution.

10. For its part, Israel confirms its adherence to the provisions of resolution 242 (1967). Despite the fact that its preference is for direct negotiations, it is prepared to undertake indirect negotiations under the aegis of Mr. Jarring. Israel agrees to the conclusion of an interim agreement for the reopening of the Suez Canal, while stipulating that such an arrangement is not linked to resolution 242 (1967).

11. From those replies one can extract a number of positive elements. The first is the affirmation by both parties of their desire for peace. The second is their renewed adherence to the provisions of Security Council resolution 242 (1967). The third is the acceptance by both parties of the resumption of negotiations under the aegis of Mr. Jarring and, therefore, the implicit acceptance of indirect negotiations.

12. The idea of concluding an interim agreement for the reopening of the Canal is accepted in itself, even though it is accompanied by certain reservations.

13. What is it that hinders the continuation of the Jarring mission? In our view there are two factors: the first is the "withdrawal of Israel armed forces from territories occupied in the recent conflict—in the words of the resolution—and the second is the concept of "secure and recognized boundaries", a reference which has been linked to considerations of security.

14. It is natural for the leaders of a country to place national defence in the forefront of their concern. But one must admit that States ordinarily resort, without territorial annexation, to a machinery offering sufficient guarantees to ensure their security. I think that neither side can arrogate to itself the right, for defence purposes, to seize territories of another sovereign State. I believe that, and I believe that is the feeling of our Assembly. However it would be a good thing for this principle to be reaffirmed, to allay the apprehensions which have paralysed Mr. Jarring's mission. It seems to us that it would be possible to obtain such reassurance, since in the replies received—with, of course, all the developments that this implies—Israel declares that it does not seek to annex territories. Our feeling is that it would suffice for the Secretary-General to be notified of that statement in order to enable Mr. Jarring to resume his mission.

15. Today, more than ever, the United Nations has an excellent opportunity to find an honourable, lasting and just solution to the problem of the conflict in the Middle East.

16. The PRESIDENT: Before we turn to the next item I should like to propose that the list of speakers on agenda

item 22 be closed this afternoon at 5 o'clock. May I take it that the General Assembly agrees to that proposal?

It was so decided.

17. The PRESIDENT: At a meeting to be announced later the Assembly will hear further speakers on item 22 as well as the representative of Egypt in exercise of his right of reply.

AGENDA ITEM 102

Question considered by the Security Council at its 1606th, 1607th and 1608th meetings, on 4, 5 and 6 December 1971

18. The PRESIDENT: We turn now to the second item on today's agenda, which concerns the letter dated 6 December 1971 addressed to me by the President of the Security Council [A/8555]. It contains the text of Security Council resolution 303 (1971), adopted on 6 December 1971, which reads as follows:

"The Security Council,

"Having considered the item on the agenda of its 1606th meeting, as contained in document S/Agenda/1606,

"Taking into account that the lack of unanimity of its permanent members at the 1606th and 1607th meetings of the Security Council has prevented it from exercising its primary responsibility for the maintenance of international peace and security,

"Decides to refer the question contained in document S/Agenda/1606 to the General Assembly at its twenty-sixth session, as provided for in Assembly resolution 377 A (V) of 3 November 1950."

19. General Assembly resolution 377 A (V) provides that when a matter of this nature is placed before the Assembly by the Security Council the Assembly shall consider it immediately. I suggest, therefore, that we now proceed to consider the item.

20. I call on the representative of India on a point of order.

21. Mr. BAHADUR SINGH (India): Mr. President, I should like to submit the following point for consideration by yourself and the members of the Assembly.

22. Paragraph 1 of resolution 377 A (V) speaks of the convening of a special session of the General Assembly if a session is not under way at the time the Security Council invokes this resolution. As we are well aware, a session is already under way. That being so, the rules of procedure should apply but there may be an apparent conflict between the resolution and the rules of procedure, the latter not having been revised after precedents. Paragraph 1 of resolution 377 A (V) says that the General Assembly shall consider the matter immediately. The same resolution explicitly added a new rule of procedure—the present rule 65—which says that an item before a special session shall be considered without reference to the General Committee.

Neither in the body of the resolution nor in the annex to it is it said that any such request for the consideration of items by the regular session of the General Assembly in pursuance of resolution 377 A (V) should bypass the General Committee. Accordingly, the word "immediately" in paragraph 1 of resolution 377 A (V) can only be interpreted as follows: first, it is subject to the rules of procedure; secondly, the consideration of an item not on the agenda is subject to rule 15 of the rules of procedure.

23. The PRESIDENT: The representative of India has raised a question regarding the procedure I have suggested. It is true that General Assembly resolution 377 A (V) is not detailed regarding procedures to be followed when the Assembly is in session and a matter is referred to it in accordance with that resolution. The resolution does, however, provide that the matter shall be considered immediately. General Assembly resolution 377 A (V) is specific regarding procedures when the Assembly is not in session in providing for the convening within 24 hours of an emergency special session and dispensing with the need for referral of the item to the General Committee or to any other Committee. It would seem to me to be little short of ridiculous for different and much less expeditious procedures to be followed just because the Assembly's regular session is under way. It is therefore my view that the item is already properly before us and it is our responsibility to consider it immediately.

24. Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (*translated from Russian*): We feel that the question of the consideration by the General Assembly of an item which until yesterday was being considered in the Security Council, must, from a formal and procedural point of view, first be considered by the General Committee before being included in the Assembly's agenda.

25. Indeed, paragraph 1 of resolution 377 A (V) does not imply that the General Assembly may immediately begin the discussion of the question before the General Committee has taken a formal decision to include it in the agenda of the current session of the Assembly. We therefore support the point of order raised here by the representative of India and suggest that the question be considered first by the General Committee and formally included in the agenda.

26. The PRESIDENT: Am I correct in my understanding that the representative of India has challenged my ruling? If so, I shall immediately put my ruling to the vote, as required by rule 73 of the rules of procedure.

27. Mr. BAHADUR SINGH (India): I want to make it clear that we have not challenged your ruling on this question, Mr. President. We thought it necessary to bring the point to your attention before the debate proceeded, but there is no question of our challenging your ruling.

28. Mr. PAZHWAQ (Afghanistan): All of us are aware of the importance of the question before the Assembly and all of us are very much concerned about the situation on the Indian subcontinent. My country is particularly concerned. What is more important is the urgency of the matter so that the Assembly can recommend measures to bring peace to the subcontinent as quickly as possible.

29. Therefore, I formally propose that a time-limit should be put on the speeches on this question, a time-limit which would apply to all members of the Assembly except the two opposing parties. I personally would suggest that 10 minutes should be quite sufficient for an expression of views because the matter has been discussed extensively in the Security Council and also the most important issues are quite clear to the members of the Assembly.

30. But this limit of 10 minutes is not a part of my formal proposal. I leave that to you, Mr. President. If you extend it beyond 10 minutes, my delegation will support your decision.

31. I should also like to make the same suggestion about rights of reply. On that point I would propose that when a speaker replies to another he should do so only once and, if there are representatives who want to exercise their right of reply more than once, I would suggest that they give their texts to the Secretariat for inclusion in the verbatim record.

32. This is not a suggestion without precedent. It was adopted, and it helped a lot, during the fifth emergency special session on the situation in the Middle East.

33. Also in connexion with the right of reply, I would make it clear that my proposal does not apply to the two opposing parties.

34. I have made this suggestion for the sole purpose of saving time; I am not bringing up a procedural question to be discussed here. If you, Mr. President, accept this suggestion I shall be grateful to you and I am sure that in that case the Assembly will support you. If it is not acceptable to you as our President, I should like you to consider it immediately withdrawn. But if there is objection to it by any other member from the floor, in that case I would request you to put the matter immediately to a vote without a debate.

35. The PRESIDENT: I should like to thank the representative of Afghanistan. I consider his suggestion is very wise. I should also like to appeal to the Assembly to accept it. Of course, the time-limit we give is not very short, 10 minutes for each speaker except for the opposing parties, India and Pakistan. That also applies to the rights of reply.

36. Mr. LEWANDOWSKI (Poland): This is not really to object to the suggestion of the representative of Afghanistan; it is just a suggestion addressed to him. He is very experienced in United Nations affairs and I am sure that he knows perfectly well that his suggestion, if accepted, might exacerbate the atmosphere in this General Assembly unnecessarily. So I would appeal to him to withdraw it and then when, in his opinion—or at a later stage—we might find ourselves, or he might find himself, in the position of having to make his suggestion to the General Assembly, he might do so at that time. But to do so in advance, before anybody has started to speak on the merits of the case, would seem, in the opinion of my delegation, to contribute in an unnecessary way to increasing controversies, tensions and a feeling of limitation on the right of many countries to address themselves to the question which we are about to debate.

37. And of course although everybody is equal in this General Assembly, some countries might have a more direct

interest and wish to contribute more extensively than others. We should therefore try at least to start this debate in a most constructive way without unnecessary limitations which would create an unnecessary atmosphere of tension and limitation on the expressions and statements at the beginning of this very important and difficult debate.

38. So, again, to sum up, my appeal to the representative of Afghanistan is to withdraw his suggestion.

39. The PRESIDENT: Let us therefore express at this stage the wish that no intervention should last more than 10 minutes except those of India and Pakistan. That is the wish.

40. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): I consider to be most appropriate and wise the proposal that was made to us by the representative of Afghanistan and which you yourself, Sir, in your wisdom have supported. Precisely because of this, I shall try to be as brief as I possibly can because I feel that the best service that the General Assembly can render to the cause of peace on the subcontinent of Asia is to take a decision with the urgency that the case requires, and we can do this only if we hasten our procedures and limit to the maximum the length of our speeches.

41. Last Saturday, 4 December, the Argentine delegation joined with Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, the United Kingdom and the United States² to ask for a meeting of the Security Council with a view to taking up as a matter of urgency the deterioration in the situation which caused the outbreak of hostilities between India and Pakistan. Our intention, as was that of all of the other sponsors, was to ensure that the highest executive body of the United Nations assumed the responsibilities assigned to it under the Charter by adopting measures which would lead immediately to an end of the warlike confrontation so as to prevent it from worsening and spreading.

42. The way the debates in the Security Council have proceeded is known to all. The unremitting consultations between its members and the representatives of the two parties directly concerned, which were designed to find a mutually acceptable solution, were doomed to failure.

43. The draft resolutions submitted by the United States,³ on the one hand, and by the delegations of Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone and Somalia,⁴ on the other, were also defeated, since one of the permanent members of the Council cast a veto. Both draft resolutions, nonetheless, received the support of 11 out of the 15 members of the Council, demonstrating that there was a clear majority in favour of the courses of action outlined in those documents. Other initiatives met with no better fate.

44. In view of the standstill in the Security Council after three long days of exhausting negotiations and discussions

² See *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971*, document S/10411.

³ *Ibid.*, document S/10416.

⁴ *Ibid.*, document S/10423.

and the obvious need for our Organization to intervene in this serious and disturbing crisis, my delegation, together with the delegations of Burundi, Japan, Nicaragua, Sierra Leone and Somalia asked that the question be referred to the General Assembly in pursuance of its resolution 377 A (V). That was the only proposal that was adopted by the Security Council—as resolution 303 (1971)—and, thanks to this, the General Assembly will have to take a decision.

45. Here we find 131 countries represented, where the veto cannot be cast. For that reason, the General Assembly will be able to adopt a resolution that will reflect the real feelings of the international community, and we have confidence in its judgement.

46. I do not think it would be appropriate or desirable to pass judgement on the merits of the case or to assign blame to either of the parties to this conflict. I think that in the present circumstances that would serve no useful or constructive purpose. What is really important, and even more so absolutely essential, is to restore peace in that region as a matter of utmost urgency.

47. My delegation considers that this objective can be attained on the basis of a solution that would cover the following points.

48. First, a cease-fire should be put into effect immediately, with the withdrawal of Indian and Pakistan forces to their respective frontiers. I should like to believe that no one would oppose the implementation of a cessation of hostilities. It is something that is so necessary that it does not even call for discussion. With respect to the withdrawal of the troops of both parties to their territories, we think that this is a logical and essential element which cannot and should not be divorced from the cease-fire—especially after the enlightening experience we have had in the Middle East.

49. Secondly, we should speedily and in accordance with the United Nations Charter set up the conditions necessary for the voluntary return of the refugees from East Pakistan to their homes. The problem of the refugees is a truly frightful one. More than 9 million people have been displaced and uprooted from their homes, their places of work and their land, and are in India. India, which has offered them shelter, is beset by all sorts of economic, health and even political ills, as is demonstrated by the issue before us. That country, which already has an enormous population and pressing economic needs, is shouldering this heavy burden. It is therefore necessary to create conditions which will enable the refugees voluntarily to return as soon as possible. Of course, this point is directed to Pakistan for consideration.

50. Thirdly, efforts should be continued by the Security Council or the General Assembly to work out a final political solution to the problem confronting these two Asian countries.

51. These three points would constitute purely preliminary matters. For our part, my delegation believes that it would be not only appropriate but highly advisable to accept the offer of good offices made by the Secretary-General, with the authority and neutrality which he would bring to bear not only because of the high post that he holds, but also because of his own personality.

52. My delegation also believes that, since one of the parties to the dispute has offered to allow observers on its side of the boundary, we should consider this possibility as well, because it would be a further safeguard and guarantee of peace.

53. My delegation not only on this occasion but on every opportunity has emphasized two principles which constitute the basis of our foreign policy and, at the same time, underlie the fundamental rules which govern relations among sovereign and independent States and which are enshrined in international law. The first is respect for the territorial integrity of States, and the second is the absolute necessity to refrain from interfering in the domestic affairs of other States.

54. My delegation, my Government and my country, like those of so many others represented here, are witnessing with sorrow and concern the tragedy confronting India and Pakistan. If there is any need to demonstrate the gravity of this conflict, suffice it to mention the size of the two countries involved and the fact that between them they have one quarter of the world's population.

55. Argentina, like so many other countries represented here, would also like to see a solid relationship of peace established between India and Pakistan. We should like to see these two countries, members of the third world, the world that is under-developed, collaborate together in order to rise above their economic stagnation and enjoy the benefits of progress.

56. For our part, we trust in the wisdom of this Assembly, but more than that, we rely on the intelligence of those two countries, which are friends of Argentina, to overcome their differences, which can only be temporary, and contribute finally and decisively to the establishment of peace and security in the world.

57. Mr. FARAH (Somalia): I shall be brief in my remarks since the views of my delegation have been adequately expressed in the Security Council on this matter.

58. When moving the draft resolution in the Security Council yesterday, that this question be transferred to the General Assembly, our main purpose was to ensure that this Organization should have an opportunity to express itself on the issues involved. It will be recalled that, during the course of the Security Council debate, a draft resolution was put forward by eight States—including Somalia—but that draft resolution was rejected because of the negative vote of one of the permanent members of the Council. In this Assembly my delegation will associate itself with another move to reintroduce that same draft resolution, because it is one that does not assign blame to either of the parties involved in the conflict. It is a draft resolution which does not prejudice the issues involved in the situation. It is a draft resolution which is in accord with the principles of international law and the principles enshrined in the Charter. It is a draft resolution which offers hope for a settlement of what is a most critical, dangerous and unhappy situation.

59. It is the hope of my delegation that members here will confine themselves purely to the principles involved in the

issue and that they will waste no time in letting the world know how this Organization stands on the question.

60. Mr. DRISS (Tunisia) (*interpretation from French*): Despite all the appeals made to it and the gravity of the situation, the Security Council once again has demonstrated its impotence, that is, the powerlessness of the United Nations.

61. I should like to remind you of two Articles of the Charter. Article 24 says:

“In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.”

I should like to declare—and I am aware that this statement is supported by the whole of the United Nations—that, in not adopting any decision, the Security Council has not acted on behalf of the United Nations, has not acted on behalf of all its Members, has not acted on behalf of a world public opinion which is troubled and dismayed at the turn of events.

62. The second Article which I should like to quote is Article 40:

“In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable.”

Under this Article we made a suggestion. We suggested that an appeal be made for a cease-fire, whilst at the same meeting more specific measures would be worked out. This has not proved possible. Even a decision concerning a mere cease-fire met with a veto. This is a heavy international responsibility, a heavy responsibility to the world.

63. Today, when war is raging, when the situation is fluid, the United Nations, the General Assembly, must take an immediate decision. It is a crime to talk while war is threatening mankind. We must act. We must make known the will of the United Nations.

64. My delegation will be associated in the submission of any draft resolution requesting an immediate cease-fire and an immediate withdrawal of the occupation forces. It is time to act. I should like to appeal to the Members of the United Nations and ask them to remain seated here until a decision is taken.

65. Mr. AKWEI (Ghana): No one who watched over the week-end the proceedings of the Security Council on the Indo-Pakistan dispute could have left the Security Council chamber without a feeling of sadness, deep disappointment and frustration. I am sure we all recognize that we have before us a human tragedy of very great proportions and therefore the performance of the Security Council in the face of such human tragedy—a performance which we all

saw—was nothing short of irresponsibility. This is no time for speech-making; this is a time for action, for speedy action, to arrest the tragedy before it becomes uncontrollable.

66. For us in the Ghana delegation this was a moment of more than normal pain and sadness because of the very friendly relations which we have with both India and Pakistan and also because of our very friendly personal relations with the ambassadors of those two countries. But there are occasions when friendship cannot be allowed to interfere with the exercise of judgement and the taking of a decision on questions of right and wrong.

67. This problem arose from what has been magnanimously accepted by the Pakistani delegation itself as a domestic problem, a domestic tragedy. We have seen many gestures of recognition on the part of Pakistan of some mistake which it may have made at some moment, but, at the same time, of a willingness on its part to make amends for that mistake and to take steps to correct it.

68. It is not for us to dictate to Pakistan what it should or should not do. We can offer advice; we can offer friendly intimations and hints, but we have to respect the sovereignty and the territorial integrity of every State Member of this Organization. This is one of the most fundamental principles which have been accepted by the Organization of African Unity. The Organization of African Unity knows that once intervention in the domestic affairs of a member State is permitted, once one permits oneself the higher wisdom of telling another member State what it should do with regard to arranging its own political affairs, one opens a Pandora's box. And no continent can suffer more than Africa when the principle of non-intervention is flouted.

69. It is not legitimate to claim that, in order to solve the problem and the tragedy of the 10 million or so refugees who have gone to India, we should create more suffering in another country in order to remedy the tragic situation which we are already faced with in India. That is precisely what is going to happen if we allow the war between India and Pakistan to continue.

70. Our responsibility, therefore, is to work towards an immediate cessation of hostilities between those two friendly countries; and not just an immediate cessation of hostilities, but a withdrawal of all forces, both from the Indian side and from the Pakistan side, so that a state of normalcy may be permitted to exist, and conditions established which would allow the necessary steps to be taken by Pakistan to solve what was basically a political tragedy.

71. Some of us who watched the performance of the Security Council were amazed to find that some delegations were perhaps not so much interested in seeking a solution of the problem as they were in filibustering, in talking out a solution. It was only last year, when we were celebrating the twenty-fifth anniversary of the United Nations, that we were told over and over again how inactive and incapable the Organization had become. The performance of the Security Council was one more example of the Organization's loss of prestige and of its incapacity to act.

72. But we have the power to act; we have the power to show to the outside world that we cannot sit by and allow a tragedy to continue which would have the effect of ruining the lives and causing the deaths of so many men, women and children. And we see this happening on the television programmes. We can take a decision here and now in this Assembly. We can show that where the Security Council failed, we can succeed; where the Security Council was immobilized by the veto, we can mobilize our collective conscience to seek a just decision on this problem.

73. It is with these thoughts in mind that I supported the draft resolution which was vetoed in the Security Council and which was introduced in the Assembly a few moments ago by the representative of Argentina. We need, first, a cease-fire, and second, the withdrawal of armed forces. And here we must not forget the legacy of the Middle East problem, where we had a cease-fire without withdrawal. And goodness knows what problems we have not created for ourselves by that decision. We must add to the cease-fire a withdrawal of forces. But that should not be the end. A climate must be created in East Pakistan to enable the refugees to return. Lastly, renewed efforts must be made by everyone to increase their contributions to help those refugees who have already fled East Pakistan and are in India. And here we recognize that the Government of India needs the help of all. Those who have given should give more, and those who have not given should give something to enable the refugees to be properly cared for.

74. But first and foremost, we must stop the fighting, and we must seek the withdrawal of all armed forces to their respective territories. Otherwise, a cease-fire without withdrawal would not lead to early or immediate favourable conditions such as should exist if a political solution to the problem is to be found by the Government of Pakistan.

75. I do not have to say any more on the subject. I come to pledge the support of the delegation of Ghana for the draft resolution which was introduced in the Security Council but was vetoed. We believe that this draft resolution contains all the principles upon which a just settlement of the problem can be made.

76. Mr. KAMIL (Indonesia): It is with a feeling of sadness that my delegation addresses this august Assembly. Once again there is a conflagration in the Asian continent, in a region not far from my homeland. This sadness is more acute because open hostilities are now raging between two countries with which Indonesia has close and friendly relations: India and Pakistan, which have contributed greatly to the good and fair name of our region and the enhancement of the aims and purposes of the Charter. It is within this framework that we view with great regret the situation in South Asia, where troops of India have forcibly entered Pakistan territory, and Pakistan forces are intruding in Indian territory.

77. After three days of serious discussion, the Security Council has proved unable to reach a decision which could bring peace in the open conflict. The General Assembly is now faced with a serious situation involving the fate of the Charter and the noble aims for which the United Nations was established.

78. The position of my delegation and my Government is as follows. First, as in the past we are consistently against any hostilities that disturb or threaten the peace and security of any part of the world. Secondly, much has been said regarding the will of the people of East Pakistan, which seemingly is now expressed in a secessionist movement. My delegation strongly believes that no external Power, no external Government, can be justified in interfering in the internal affairs of other countries, and especially in aiding any movement that tries to disrupt the national and territorial integrity of Member States. My delegation will therefore support any draft resolution that calls for an end to the hostilities between India and Pakistan and that calls, further, for the withdrawal of the troops of each from the other's territory.

79. Even at this late hour the Indonesian delegation, in the spirit of Bandung, appeals to India and Pakistan to give up war and to take the road of peace and conciliation.

80. Mr. BAYÜLKEN (Turkey): We are facing a very grave situation. At this moment there is a war going on between two neighbouring countries of the subcontinent with both of which my country entertains friendly relations. The present tragic situation undoubtedly threatens international peace and security. Whatever the outcome may be, this war, like all other wars, will have no victors, only losers. It will bring no solution, only more suffering. A solution imposed by weapons will not restore peace and security in the region but will only sow the seeds of further hostilities. This is why the United Nations bears the most urgent responsibility to restore peace in the subcontinent. It is regrettable that the Security Council has failed to achieve this. This Assembly should now spare no effort to achieve a just peace that will preserve the independence and territorial integrity of all the States in the subcontinent.

81. It is true that the plight of the millions of refugees in India constitutes a gigantic burden for the Government of India. This has created a complex humanitarian problem which necessitated urgent relief measures and the promotion of voluntary repatriation. The extreme urgency of the relief operation for the refugees was understood at once by the international community. The appeals of our Secretary-General received world-wide support. In these months of anguish and tragedy the international assistance forthcoming was unparalleled in any past experience. The Turkish Government was also able to give its share and has contributed within its limitations. In this connexion, one cannot fail to mention the co-operation and restraint shown by the Government of Pakistan in exploring every possible measure to bring about a peaceful solution to the problem. This is one of the aspects of the question. The present and most urgent aspect of the question requires efforts also from the international community to find a peaceful solution within the framework of the Charter.

82. As my Prime Minister stated on 26 November of this year in connexion with the crisis brewing in the subcontinent:

"My country sincerely believes that respect for sovereignty and territorial integrity should constitute the corner-stone of international relations. In the international field we have tried, and will continue to try, to

bring a negotiated and peaceful settlement to restore peace and security in the subcontinent."

83. We still hope that common sense will prevail and that all the Governments concerned will do their best to assist this Organization's endeavours to halt the tragic bloodshed.

84. My Government's position on this question is very clear. We want to see a peaceful solution in accordance with the principles of the Charter. We have always rejected faits accomplis and the use of force to gain political advantage. With this view, we believe that, in order to bring about a peaceful solution, it is essential that every kind of interference in the internal affairs of Pakistan should be removed and that Pakistan's territorial integrity should be respected and preserved.

85. At this critical moment of history we appeal to all Governments concerned to withdraw from each other's territory and to agree to a cease-fire. We shall support every effort in this Assembly to achieve a cease-fire and a withdrawal of forces. As my colleague and esteemed friend from Ghana said a moment ago, this is the time for action, the time to stop the suffering, the time to stop the fighting; it is not the time for speech-making.

86. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): In my last statement, Mr. President, I spoke for precisely the 10 minutes that you had set as the limit. In this statement I shall be even more brief.

87. On behalf of Belgium, Burundi, Ghana, Indonesia, Italy, Japan, Nicaragua, Sierra Leone, Somalia, Spain, Tunisia and my own country, I have the privilege of submitting for the consideration of this General Assembly a draft resolution dealing with the question now before us. The draft resolution reproduces practically *in toto*, with slight drafting changes to bring it into accord with the requirements of decisions taken by the Assembly, the text of the draft resolution in document S/10423, which had been submitted to the Security Council by eight countries. With your permission, I shall now read out the text quite quickly. It is as follows:

[The speaker then read out the text of a draft resolution which was subsequently circulated as document A/L.647. For the text see: Official Records of the General Assembly, Twenty-sixth Session, Annexes, agenda item 102.]

88. There is a paragraph which appeared in the draft resolution submitted to the Council which in order to respect drafting norms was not included, but will be included once the circumstance that it deals with has occurred. It states:

"Having heard the statements of the representatives of India and Pakistan".

We trust that these statements will be made and at that time therefore the draft resolution will also include that paragraph.

89. Lastly, in the last few minutes many delegations have expressed their interest and desire to become sponsors of this draft resolution. Since it was introduced at the end of

the list of speakers it has not been possible to gather the names of all those delegations, but of course the sponsors of the draft resolution are very happy to welcome the support of other delegations and would ask them to tell either us or the Secretariat the names of those delegations which are prepared to support this text.

90. Mr. BUSH (United States of America): There is no need for me at this time to restate or to summarize the agony which is tearing asunder the Indian subcontinent. While we recoil in horror as this tragedy unfolds before us, none of us can profess to be surprised. As long ago as 2 August, the Secretary-General called the attention of the world at large to the growing crisis in South Asia. He offered his good offices but that offer was unfortunately not welcomed by the Indian Government. In the previous months, in addition to his efforts to seek a political solution, the Secretary-General organized relief and assistance for the swelling number of refugees. Individual Member States, my own included, made efforts to avert war.

91. Let me just say a few words here about the policy of the United States Government. The thrust of our policy has contained four principal elements.

92. First, before the outbreak of broader hostilities we counselled restraint on both sides in every conceivable way that we could.

93. Second, we recognized that the flow of refugees created a tremendous problem for India, and the United States has therefore contributed its material resources not grudgingly but far more than any other country in the world. But we accept it as our responsibility to care for the refugees.

94. Third, in seeking to prevent the outbreak of hostilities the United States made a valiant but unfortunately unsuccessful effort to achieve withdrawal of the forces from both sides of the borders. Pakistan agreed to our proposals, regrettably India did not.

95. Fourth, we recognized that counsels of restraint, material support for the care of refugees that I mentioned earlier and proposals to withdraw the forces and thereby to defuse the situation—that all of these were not enough. We felt that a political dialogue to achieve a political accommodation was indeed essential. To this end we did suggest directly to President Yahya Khan of Pakistan that he meet with opposition representatives. Pakistan was willing; India was not receptive to this approach.

96. We attach great value to friendly relations with both countries just as the speakers that have preceded me to this podium also do. We have said before, and we repeat, that the beginning of the crisis goes back to the use of force by Pakistan in March of this year, but since the beginning of the crisis it should also be clear that India bears the major responsibility for broadening the crisis by spurning the efforts of the United Nations to become involved, even in a humanitarian way, in relation to the refugees, spurning proposals such as the Secretary-General's offer of good offices, which could have helped in defusing the crisis, spurning proposals that could have begun the process of dialogue leading towards a political accommodation.

97. Having said that, we are not here, no nation is here, to assess blame. We cannot approach this problem in a spirit of rancour or on the basis of punitive measures. Our task is at this point in history to bring the influence of the United Nations to bear in order to restore conditions of peace which are essential for progress towards a political settlement. It is upon the civilian populations in the areas of conflict that the devastation of war falls most cruelly. The peaceful farmers of yesterday are indeed the refugees of today and the emotions of war can be magnified manifold when they are mixed with long-standing communal and religious differences. We in this body must be particularly mindful of the need to protect the lives and the well-being of all civilian populations in the areas where the fighting is going on, and we must remind the parties engaged in the conflict of their duty to observe the basic human rights of those involved.

98. I am hopeful, and I know that others are, that this Assembly can act very soon—perhaps early this afternoon we would hope—to vote on and adopt overwhelmingly the draft resolution presented so ably by Argentina and its many sponsors. Let us act, not with recrimination, not out of any desire to assign blame and not out of an effort to make one country look good or another one look bad; let us act simply to save lives, to restore peace and to get on with the important business that is, and must be, the United Nations itself.

99. Mr. BISHARA (Kuwait): The time has come to take action and not to utter words. I want to point out that the policy of my Government in this respect rests on three principles: first, the inadmissibility of the acquisition of territory by force; second, complete respect for the unity and political and territorial integrity of Member States; and, third, complete adherence to the United Nations Charter and its principles.

100. We believe all States should settle their differences peacefully. We are against the dismemberment of any independent State and we are opposed to the dismantling of the political entity of any Member or even any non-member of this Organization.

101. Our Government's position calls for an immediate cease-fire and the withdrawal of all forces. It is a principle on which we cannot falter. We fully support the draft resolution that was just introduced by the Ambassador of Argentina. The time, as I mentioned earlier, calls for action, and we should act immediately in accordance with the principles of this Organization. If for any reason we should falter, posterity will record the dismay and the shock of the future at the ineptitude of the present. We cannot but adhere to the principles which my country has always upheld. My country maintains cordial and historical relations with both India and Pakistan. Prompted by the friendship which Kuwait maintains with both countries, my Government today appeals to the two Governments to solve their differences in accordance with the United Nations Charter.

102. We hope that this Assembly will act soon, for if delay, for any reason, is tolerated, time will not be on the side of peace.

The meeting rose at 12.45 p.m.