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MEETING: 18 SEPTEMBER 1973

NEW YORK

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#### NOTE

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Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

## SEVENTEEN HUNDRED AND FORTY-SECOND MEETING

Held in New York on Tuesday, 18 September 1973, at 10.30 a.m.

*President:* Mr. Lazar MOJSOV (Yugoslavia).

*Present:* The representatives of the following States: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

### Provisional agenda (S/Agenda/1742)

1. Adoption of the agenda.
2. Complaint by Cuba:
  - (a) Letter dated 13 September 1973 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the President of the Security Council (S/10995);
  - (b) Letter dated 12 September 1973 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the President of the Security Council (S/10993).

*The meeting was called to order at 11.10 a.m.*

### Adoption of the agenda

*The agenda was adopted.*

### Complaint by Cuba:

- (a) Letter dated 13 September 1973 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the President of the Security Council (S/10995);
- (b) Letter dated 12 September 1973 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the President of the Security Council (S/10993)

1. The PRESIDENT: In accordance with the decision taken by the Security Council at its 1741st meeting yesterday afternoon I propose now, with the consent of the Council, to invite the representatives of Cuba, Chile and the People's Democratic Republic of Yemen to participate in the discussion, without the right to vote.

*At the invitation of the President, Mr. R. Alarcón (Cuba) and Mr. R. Bazán (Chile) took places at the Security Council table, and Mr. A. S. Ashtal (Democratic Yemen) took the place reserved for him at the side of the Council chamber.*

2. The PRESIDENT: In addition, I should like to inform members of the Security Council that I have received a letter, dated 18 September 1973, from the representative of Senegal, and a letter also dated 18 September 1973, from the representative of Madagascar, asking to be invited to participate in the discussion of the question before the Council. If I hear no objections, therefore, I shall take it that the Council agrees to invite the representatives of Senegal and Madagascar to participate in the discussion of the item on our agenda today, without the right to vote. In view of the limited number of places around the Council table, I shall invite the representatives mentioned to take places at the side of the Council chamber, it being understood that they will be called upon to take a place at the Council table when it is their turn to address the Council.

*At the invitation of the President, Mr. M. Fall (Senegal) and Mr. B. Rabetafika (Madagascar) took the places reserved for them at the side of the Council chamber.*

3. The PRESIDENT: Before I call on the first speaker I wish to inform members of the Council that, in my capacity as President of the Security Council, I have received a number of communications from private groups and organizations concerning the item on our agenda. Members of the Council who wish to see those communications are kindly requested to get in touch with my office.

4. I want to take this opportunity also to issue a warning to the visitors in the public gallery. In the light of the disturbances which occurred yesterday, I must indicate to the visitors that the proceedings of the Security Council must take place in an orderly manner. Visitors are requested not to give any indications of approval or disapproval. Should any visitor disregard this warning the security guards will be obliged to escort him out of the chamber. Furthermore, if disorders should be repeated, it may be necessary to clear the gallery. I must point out to everybody here that this chamber is not a battlefield. This chamber is here, and the whole Organization of the United Nations was founded to serve mankind in the search for peace, security and international co-operation, even in the cases when in other places of the world real battlefields exist.

5. Mr. ANWAR SANI (Indonesia): Mr. President, on behalf of my delegation, allow me to join previous speakers in congratulating you upon your accession to the presidency of the Council for this month. It gives my delegation great pleasure indeed to see the chair occupied by a distinguished colleague and good friend as well as an

experienced diplomat in whose competent hands the success of our deliberations is assured.

6. My delegation also wishes to express its thanks to the outgoing President, the representative of the United States, for guiding our work during the month of August and to assure Ambassador Scali of our highest appreciation for the excellent manner in which he has acquitted himself as President of the Council.

7. My delegation has listened with great interest to the statement of the representative of Cuba; we have listened with equally great interest to the statement of the representative of Chile.

8. Let me state at the outset that my delegation is of the view that acts constituting harassment of embassies and endangering the life and safety of embassy personnel cannot be condoned. As a matter of principle we are against any action which may endanger the life and safety of innocent people. Having said this, it is also the position of my delegation that we must respect and uphold the principle of non-interference in the internal affairs of a country. Indonesia will not interfere in the internal affairs of other countries, and it will absolutely reject any interference by others in its internal affairs.

9. The contentions made in his statement by the representative of Cuba have been contradicted by the representative of Chile. My delegation is not in a position to give a judgement on what has happened and is happening in Chile. We have no means of verifying the contradictory contentions made by the representative of Cuba and the representative of Chile. Indonesia has no representative in Santiago who can report on the developments on which our judgement can be based.

10. My delegation would like to express its sincere condolences on the passing away of President Allende. We sincerely hope that the situation in Chile will soon return to normal, when the Chilean people can continue, in peace and harmony, with their endeavour to achieve progress, prosperity and social justice for themselves and their country, thereby contributing to world peace and security.

11. Sir Laurence McINTYRE (Australia): Mr. President, let me first of all join with previous speakers in welcoming and congratulating you on your accession to the presidency of this Council and in expressing my delegation's high regard for the ability and energy displayed by your predecessor, Ambassador Scali, during his term of office last month.

12. My remarks will be very brief. First of all, I feel bound, even at the risk of departing from the substance of our agenda, to place on record the profound sense of shock felt by the Government and people of Australia at the violent overthrow of the constitutionally elected Government of Chile and the tragic death of President Allende. My Prime Minister, Mr. Whitlam, said in Canberra last Thursday that, as a democrat and a socialist, he had been greatly saddened by the grievous blow that had befallen Chile's long and noble democratic tradition, of which Salvador Allende had been the authentic representative.

13. Turning now to our agenda, we are here at the request of the Government of Cuba to examine certain specific charges made by that Government against the armed forces of Chile, which are accused of having on 11 September attacked the Cuban Embassy in Santiago and a Cuban merchant vessel in international waters, in violation of the purposes and principles of the Charter of the United Nations, the Vienna Convention on Diplomatic Relations, of 1961,<sup>1</sup> and the recognized international rules of navigation. These are grave charges of a kind that must give rise to serious concern on the part of all our Governments, sharing as we do the obligation to respect the inviolability of diplomatic personnel and property and to permit the free and unmolested passage of merchant ships going about their business on the high seas. It is of course true, unhappily, that in situations of revolutionary violence like that in Chile innocent bystanders, including diplomats, have often found themselves in the direct line of fire. This is serious enough but it becomes doubly serious when diplomats and their families and property are alleged to have been singled out for harassment and violence. In the case that is before us we can, first of all, regret the serious injury reported to have been suffered by a member of the Cuban Embassy staff in Santiago and any damage to the Embassy premises and to the merchant vessel—and we can be thankful that the Ambassador and his staff and their families were safely evacuated from Chile—but it seems to my delegation to be altogether another thing, on the evidence that the Council has heard, for us to find the Chilean armed forces guilty of grave violations of Chile's international obligations.

14. We listened carefully to the statements made yesterday by the representatives of Cuba and Chile and we find them diametrically opposite and completely contrary to each other in their versions of the events that form the subject of the Cuban complaint. Some other members of the Council may have independent information from other sources that might enable them to form a judgement as between these two different versions. My delegation is in no position to make such a judgement.

15. The PRESIDENT: Before I call on the next speaker, should like to inform the members of the Security Council that I have just received a letter dated 18 September 1973 from the representative of Algeria, in which he asks to be invited to participate in the discussion of the question before the Council. If I hear no objection, therefore, I shall take it that the Council agrees to invite the representative of Algeria to participate in the discussion of the item on our agenda without the right to vote. In view of the limited number of places around the Council table, I invite the representative of Algeria to take a place at the side of the Council chamber, it being understood that he will be called on to take a place at the Council table when it is his turn to address the Council.

*At the invitation of the President, Mr. A. Rahal (Algeria) took the place reserved for him at the side of the Council chamber.*

16. Mr. ODERO-JOWI (Kenya): Mr. President, I take this opportunity to congratulate you on your accession to the

<sup>1</sup> United Nations, *Treaty Series*, vol. 500, p. 95.

high office of President of the Security Council for the month of September 1973. I also congratulate your predecessor, Mr. Scali of the United States, who so wisely guided our work during the month of August 1973. In congratulating you on your accession to your high office and assuring you of my delegation's full support and co-operation in the discharge of your duties, I am but reflecting the very warm and cordial relations between the Governments and peoples of our two countries. I recall with profound pleasure the visit of President Tito to Kenya and can assure you of the very high regard and love my people have for him, not only as the leader of Yugoslavia and a pillar of the non-aligned movement but also as a world statesman. Personally, I have no doubt, knowing you as I do, that you will steer the Council during this month with your well-known devotion to duty, diplomatic skill and understanding, to your own credit and that of your great country. I wish you well in this service to humanity and again assure you of my delegation's support and co-operation.

17. Turning to the subject before the Council today, my delegation would like to state at the outset that it does not intend to bend its principle of non-interference in the internal affairs of any State Member of this Organization, a principle it has held dear and respected since acceding to independence. The Charter of the United Nations is very specific on the question of non-intervention in the internal affairs of States Members of the United Nations. The bloody coup d'état in Chile is, therefore, not a subject that can or should be discussed in this forum. It is strictly a matter within the domestic jurisdiction of the people of Chile themselves. We in Kenya, as just we value and treasure our sovereignty, with no less enthusiasm value and respect the sovereignty and independence of other States.

18. Therefore, I shall deal only with the permissible legal and political issues in the circumstances of this case. In doing so, I shall not repeat the facts adduced before the Council by the various previous speakers, notably the representatives of Cuba and Chile.

19. In the conduct of international relations, States are obliged to act in accordance with the Charter of the United Nations and other instruments to which they are parties and, in general, in accordance with international law. Acting in the manner just stated, States have the duty to fulfil their obligations in good faith. Acts or omissions contrary to the foregoing stipulation may, unless extenuating circumstances arise, entail liability.

20. The law of nations which generally regulates diplomatic relations between States is the 1961 Vienna Convention on Diplomatic Relations. The choice whether to establish or maintain diplomatic relations depends on the Governments concern. But once established the relations have to be conducted having regard to the provisions of diplomatic law and the practice of nations. For example, inviolability of the diplomatic mission and its agents remains an important factor in the conduct of international relations and friendly relations among nations. Thus, article 22 of the Vienna Convention<sup>1</sup> states unambiguously that:

“1. The premises of the mission shall be inviolable . . .

“2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity . . .”.

21. The International Law Commission, in considering the question of the protection and inviolability of diplomatic agents and other persons entitled to special protection under international law, reaffirmed the principles of inviolability in its report on the work of its twenty-fourth session, in which it said:

“By making the person of diplomatic agents inviolable, international law has long since acknowledged the fact that certain immunities and privileges for such agents are essential to the conduct of relations among sovereign and independent States. Inviolability includes imposing on the States to which diplomatic agents are accredited a duty of special protection, that is, a protection higher than that which they are obliged to accord to a private person. Under international law, inviolability is attached also to the premises of the diplomatic mission. These principles have been codified in articles 29 and 22 of the Vienna Convention . . .”<sup>2</sup>

22. I should also like to draw the attention of the Council to articles 44 and 45 (a) of the Vienna Convention which regulate relations between States in the event of breach of diplomatic relations.

23. It is clear, in international relations therefore, that in the event of an insurrection in a given country the highest standards of protecting foreign missions remain paramount. In no case should any governmental authorities launch an attack on a specific mission or its diplomatic agents on a discriminatory basis.

24. In trying to apply these international norms to the Cuban complaint that its Embassy had been fired upon, and diplomatic personnel, including the Ambassador, wounded, we have the counter charge by Chile that the Cuban Embassy had been interfering in Chilean internal affairs and that the first shots were actually fired from the Cuban Embassy. My delegation has no independent sources to verify these obviously contradicting versions. What is obvious and what is conceded by both sides is that the Embassy was a target of shots by the Chilean army.

25. Considering that the Cuban Embassy, however large its staff, could not possibly have posed a threat to the Chilean army, and that the international community should not idly sit by in silence lest this incident were to provide a precedent for future shooting at embassies elsewhere, my delegation cannot but express concern.

26. The representative of Cuba alleges that a Cuban merchant ship was attacked by the Chilean forces and seriously damaged while on the high seas. Freedom of navigation on the high seas is recognized in article 2 of the High Seas Convention of 1958.<sup>3</sup> Indeed, in the negotiations

<sup>2</sup> See *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 10*, para. 66.

<sup>3</sup> United Nations, *Treaty Series*, vol. 450, p. 83.

on the law of the sea, the one principle that has not been seriously challenged is the freedom of navigation, which is a vital factor of commercial intercourse and international trade.

27. The Chilean representative, on the other hand, has alleged that the Cuban ship was in Chilean waters and that it was absconding while still carrying 8,000 tons of sugar belonging to Chile. Again, my delegation, lacking independent sources of information, cannot give a sincere judgment. We do, however, consider that the action of the Chilean navy and air force was extreme, for it had the potential of locking the two countries in conflict. The Cuban ship was, after all, by all accounts we have so far heard, unarmed and it was a normal merchant vessel.

28. There has already been wide speculation in the mass media and also charges in the current debate that the coup in Chile was foreign-instigated. No proof is, however, available to support these charges.

29. It was only three years ago that the General Assembly adopted the now famous Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations. In paragraph 3 of that Declaration, contained in resolution 2627 (XXV), it is stated:

“In pursuance of the purposes of the Charter, we reaffirm our determination to respect the principles of international law concerning friendly relations and cooperation among States. We will exert our utmost efforts to develop such relations among all States, irrespective of their political, economic and social systems, on the basis of strict observance of the principles of the Charter”.

30. It is therefore outside the purview of international law for any State, organization or transnational corporation to have been involved in the Chilean coup. It is strictly up to the Chileans themselves to organize or disorganize their affairs.

31. It is no secret that the Latin American region has been and continues to be an area where outsiders entertain more than a wish to have normal relations with the States and the peoples of the area. Like Africa and Asia, Latin America is regarded by some elements as an area in which they can intrigue and intervene at will without let or hindrance. Happily, our Latin American friends and colleagues have been vigilant, and it was in recognition of this situation that two international forums have recently commented on the Latin American situation.

32. The Security Council, meeting in Panama City on 21 March 1973, adopted resolution 330 (1973), the operative paragraphs of which read as follows:

“1. Urges States to adopt appropriate measures to impede the activities of those enterprises which deliberately attempt to coerce Latin American countries;

“2. Requests States, with a view to maintaining and strengthening peace and security in Latin America, to refrain from using or encouraging the use of any type of coercive measures against States of the region.”

33. The Fourth Conference of Heads of State or Government of Non-Aligned Countries, meeting in Algiers on 9 September 1973—that is, barely a week ago—adopted a well-conceived and well-thought-out Declaration which *inter alia* focused on Latin America. It stated:

“The Conference hails the Government and people of Chile, who in their struggle to consolidate their independence and build a new society are facing the combined aggression of reaction and imperialism. It expresses its solidarity with Chile in its efforts to achieve the economic and social transformations already started, to avoid civil war and preserve its national unity.”<sup>4</sup>

34. The world political spotlight will continue to be focused on Latin America. The international community will be watching even more closely than ever before developments in that part of the world. And if the interventionist elements did indeed intervene, the truth will come out, and, to their surprise and astonishment, soon the truth will be known. It is at that point that this Council should again be seized of the question in the quest to outlaw interventionism and to vindicate the Council's mandate to safeguard international peace and security.

35. Mr. SCALI (United States of America): Before proceeding to the issue now before the Council, I should again like to state that the United States deplores and is saddened by the loss of life in Chile and the death of President Allende. The situation now seems to have calmed, and we hope there will not be further violence.

36. The United States regrets departures from constitutional processes wherever they occur. We regret the progressive breakdown of constitutional processes in Chile in recent months, which culminated in the tragic events of 11 September; and, committed as we are by 200 years of constitutional government, we hope that all concerned will bend all efforts to their early restoration in Chile.

37. The Cuban representative raised two matters in requesting this meeting of the Security Council: that the Cuban Embassy in Santiago had been fired upon, and that a Cuban merchant vessel had been attacked, allegedly in international waters.

38. My Government is uncompromisingly opposed to violent action against diplomatic establishments and merchant shipping in international waters. The question is whether the assertions by the Cuban delegation are founded in fact. In this Council we have heard contrary reports that the firing commenced from within the Cuban chancellery in Santiago and that the Cuban merchantman *Playa Larga* acted in defiance of local laws while within the port of Valparaíso and thus within Chilean territorial waters.

39. During the consultations called by the President of the Security Council on 14 September, the United States representative, while interposing no objection to the holding of a meeting, did express doubt as to its propriety. My delegation agreed with several other Council members that the actions referred to in the complaint by Cuba were part

<sup>4</sup> A/9330 and Corr.1, para. 56.

of a violent internal upheaval within the territory of a Member State. Accordingly, any redress would be more appropriately sought through bilateral channels. We have no indication that such channels were even tried when this meeting was requested.

40. It is common knowledge that all the Cuban diplomatic representatives in Chile had safely left Santiago before the President of the Council was requested to convene this meeting, and we can all take satisfaction in their safe departure. As to the merchant vessel, if, as we have been told, the ship committed actions in violation of Chilean law, then it is not, in the absence of special circumstances, the business of this Council. It seems to me legitimate to ask why that Cuban ship sought to leave the port without the clearance which the maritime authorities of any nation are entitled to require.

41. As a general principle, my Government believes that obstacles should not be placed in the way of access to the Security Council when it is desired by any State. We would point out, however, that there are other ways, short of a formal Security Council meeting, of gaining the attention of the international community which have been used before, and with greater result, by the parties to a bilateral dispute. Thus there are the normal diplomatic methods, and I would note that a third Government is now representing Cuban interests in Santiago. And Governments have often brought bilateral or regional matters to the attention of the Security Council by circulating letters setting forth their positions.

42. During the consultations last week, my delegation also noted that if the United States and other Member States were to seek to convoke the Security Council on every occasion when injuries were inflicted on our diplomats and our overseas missions were damaged, the Council would be in almost continuous session. Our own Chancellery in Santiago was hit by small arms fire on 12 September, and, I regret to say, on 27 other occasions in the last eight years our diplomatic establishments abroad have been bombed, burned or shot at and our foreign service officers and official personnel have been killed, kidnapped or wounded in literally hundreds of incidents of violence during the same period.

43. We did not ask the Security Council to meet on those instances, despite the seriousness with which we view such crimes, because we—unlike the Cuban delegation—did not believe that they constituted a threat to international peace and security, within the meaning of the relevant portions of the Charter. We have instead sought redress and remedial action through two avenues. Almost on every occasion, we have energetically sought contact with the authorities directly concerned, and without regard to questions of recognition. We have also sought on a much broader plane, and have worked with many other Governments for, international action that might bring more permanent relief to the very increasing problem of harassment and violence directed at diplomatic representatives. But the steps that I have outlined are those any responsible Government would follow. I wonder why the Cuban Government does not do the same.

44. Mr. SEN (India): Mr. President, you and I have known each other for such a long time and have affectionately co-operated in so many fields that there is a hint of ceremony in my paying a tribute to you on your assumption of the presidency of the Council for this month. However, I gladly do so, if only to mark the classic co-operation that exists between our two countries. I should also like to record our appreciation of the competent manner in which Ambassador Scali conducted the business of this Council last month.

45. We have listened with great care to the statements made by the Ambassador of Cuba and the Chargé d'affaires of Chile. Although we much regret the recent developments in Chile, we in this Council are neither competent nor obliged to pronounce on them. What has profoundly disturbed the public and Governments all over the world is the timing and the method of the coup d'état in a country where the armed forces have traditionally been under the control of a civil government. This coup d'état, which took place only a year before the general elections were due, and which has already claimed the lives of so many people, must continue to cause grave concern all over the world.

46. We must particularly regret and deplore the death of that great patriot and distinguished elected leader of Chile, President Allende. All the developments in Chile will, given their history and background, be the subject of much controversy, speculation and suspicion for many months and years to come; and while all this might be going on, all of us who are financially poor or militarily weak will have to be on our guard. This need to be on our guard was repeatedly emphasized in Algiers and was referred to again, three days ago, by the Indian Prime Minister at a meeting of the Congress Party.

47. But after I have said all that, the fact remains that what has happened in Chile—and we have, not unnaturally and in the conditions now prevailing in that country, most incomplete information—is essentially an internal matter of that country. We have heard assertions but have not been given any evidence of any immediate threat to international peace and security because of the happenings there, and the specific complaints before us relate to the treatment of the Cuban Embassy and the Cuban diplomatic personnel in Santiago and the bombardment and attack on a Cuban ship.

48. Whatever might be the real or imagined provocation, in our view, the Vienna Convention on Diplomatic Relations, as also the accepted usage and norm of diplomatic conduct between nations, does not entitle armed forces of any régime to take violent action against a diplomatic mission. The Chilean representative asserted that the attack first came from the Cuban Mission, which, he said, had been turned into an arsenal or a fortress. Yet the swiftness of military action on the morning of 11 September and all the circumstantial evidence available now would show that, irrespective of who fired the first shot, the Cuban Mission was put in a state of siege and that buildings bear marks of shooting, and two men were hurt. Besides, there is no evidence that great stores of arms and armaments were found when the Embassy buildings were vacated or when the Mission personnel left.

49. We are gratified in this context that the initiative taken by the Secretary-General and the diplomatic corps in Santiago allowed the Cuban officials to leave Chile safely and speedily. With the departure of the officials, the immediate problem of the safety of their lives has been solved. Only two elements remain: the question of compensation and the question of assessment of guilt, if any, of the army having used force against a foreign mission.

50. In our view, the problem of compensation should be subject to negotiations between the two Governments by whatever means and in whatever forum both consider appropriate; and the question of assessment of culpability of the armed forces, if it can be firmly established, will require consultation and further information, not only from the parties but from the members of the Council, or from any other source. We shall therefore need time to consider these aspects of the problem.

51. As regards the Cuban ship *Playa Larga* against which force was also used, the broad facts are clear, but the details cannot be known, particularly in the circumstances now prevailing in Chile, which make travel by independent authorities difficult. However, the Chilean representative, in justifying the action the military authorities in Chile took against that ship, has cited the doctrine of "hot pursuit". We do not think that this doctrine applies to a case of this kind, but are prepared to examine with legal experts the precise position. This, again, will require time; so, given the nature of the complaint and the paucity of facts, we consider that the Council would be best advised to adjourn for a short time and return again to this problem when we have had time to sift the facts and consider in detail the legal implications. That also would be the stage when the Council might consider some suitable action. We suggest this course because we feel that there is no immediate urgency but grave concern for a suitable decision by the Security Council on this matter.

52. Before I conclude, I should like to invite the attention of the Security Council to several newspaper reports this morning which have caused further concern to many of us. Of course, we cannot and should not act on the uncorroborated newspaper reports, but we should like to be assured that much of what has appeared in the newspapers this morning is without foundation. We would hope that the internal affairs in Chile would be conducted in such a way as not to conflict with the principles of international peace and friendly relations among States—principles to which we attach the greatest importance.

53. Mr. JANKOWITSCH (Austria): First of all, it is my pleasant duty to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of September, and I wish to assure you of the full and loyal co-operation of my delegation in the discharge of your difficult duties. To see the able, talented and experienced representative of Yugoslavia occupying the highest office in the Security Council is a source of particular satisfaction to the representative of a country which is linked by old and profound bonds of friendship and co-operation with yours.

54. I should also like to express my delegation's appreciation of the competent manner in which your prede-

cessor, Ambassador John Scali of the United States of America, conducted the work of the Council during the month of August.

55. My delegation has studied with great care the letters of the representative of Cuba of 12 and 13 September [S/10993 and S/10995], as well as the letter of the representative of Chile of 15 September [S/10997].

56. We have listened with equal attention to the statements made yesterday by the representatives of Cuba and Chile in this Council.

57. The principle of non-interference in matters which are essentially within the domestic jurisdiction of a State is one of the principles upon which our Charter is based and it should be respected and complied with. The tragic and violent events which shook Chile last week fall thus, by definition of the Charter, outside the competence of this Organization and, therefore, of the Security Council.

58. The people and Government of Austria have, however, followed with a sense of deep concern and preoccupation the events in Chile and mourn the death of a great Latin American statesman, President Salvador Allende, who was freely elected by his people. The highest Austrian authorities have given expression to this feeling of shock and grief, and the Federal President of Austria, Franz Jonas, has expressed the warm and sincere condolences of the Austrian people to Mrs. Hortencia Busside Allende, widow of the deceased President. The same feelings have been expressed by the head of the Austrian Government, Federal Chancellor Bruno Kreisky.

59. Turning now to the subject of the complaint before this Council, I should like to state the following. Violent attacks against diplomatic agents—wherever they may occur—gravely disrupt the mechanism designed to effectuate international co-operation for the safeguarding of peace and the strengthening of international security. The existing legal obligations, especially the relevant provisions of the 1961 Vienna Convention on Diplomatic Relations, are intended to contribute effectively to the inviolability and protection of the persons in question as well as of the premises of diplomatic missions.

60. The observance of the principle of freedom of navigation in international waters is essential for the uninterrupted conduct of relations among sovereign and independent States.

61. We have all noticed with great satisfaction that the Cuban officials and Embassy staff have departed from Chile in compliance with the relevant provisions of international law and that the Cuban merchant vessel *Playa Larga* has been able to pursue its way.

62. We have listened to a number of statements in this Council yesterday and today and it is the feeling of my delegation that we have not yet been provided with all the elements to enable us to pronounce safe judgement. My delegation hopes, however, that this debate will help to clarify the particular questions with which the Council is seized at present, and will, above all, contribute to a

lessening of tension and thus permit the Council to fulfil its primary functions—the strengthening and maintenance of international peace and security.

63. Mrs. Jeanne Martin CISSE (Guinea) (*interpretation from French*): Mr. President, before I address myself to the substance of the item on the agenda may I extend to you the congratulations of my delegation on your assumption of the presidency of the Security Council for this month, pay a tribute to your qualities as an informed and skilful diplomat and say how happy we are to see this special debate being presided over by a son of the great family of the non-aligned, the scion of a country recognized for its faith and determination to fight shoulder to shoulder with the peoples of Africa, Asia and Latin America for the cause of peace, justice and freedom.

64. Scarcely eight days after the glass doors of the conference halls of the Club des Pins at Algiers closed behind the last echoes of the mighty fourth summit of the non-aligned—which has now gone down in history—the people of the third world learned with shock, indignation and with feelings of general censure of the ignoble assassination of distinguished President Salvador Allende. The Fourth Conference of Heads of State or Government of Non-Aligned Countries, that conference of unity, hope and solidarity, had unanimously adopted a motion of support for that worthy son of the people Salvador Allende, who devoted his life to the economic and social progress of his country, who died on the field of honour because, refusing to bow to the hydra-headed monster of domination and exploitation of man by man, he was determined that the natural resources of Chile should benefit its nationals and no longer the multinational corporations alone.

65. The delegation of the Republic of Guinea, deeply moved, sympathizes with the gallant militants that have remained true to the Allende ideal and are continuing to resist the military junta. My delegation bows before the memory of the great martyr whose noble ideals will live on in the spirit of peace-loving peoples and more particularly those that belong to the great family of the non-aligned.

66. It was with great interest that we listened to the statement by the representative of Cuba and noted the reply of the spokesman of Chile. It goes without saying that my delegation deplores the facts which are the subject of the complaint of the Revolutionary Government of Cuba and which are contained in documents S/10993 and S/10995.

67. The attack on the Cuban Embassy in Santiago and on a vessel of the Cuban Merchant Marine, the *Playa Larga*, by Chilean armed forces, the arrest and detention of innocent persons by the Chilean police constitute grave violations of the principles of the Charter and of international law.

68. My delegation is also concerned about the fate of the political refugees in Chile. It expresses the hope that the numerous messages addressed to the military junta will meet with a favourable response, thus saving the lives of innocent persons who had placed their hopes in the socialist régime of President Allende.

69. Out of concern to safeguard the principles of the Charter and of international law, my delegation thinks that the Security Council is in duty bound to condemn the military junta for violating the premises of the Cuban Embassy and for the acts of provocation likely to trouble international peace and security and to jeopardize the fundamental principle of international peaceful coexistence.

70. Mr. ABDULLA (Sudan): Mr. President, I should like to begin by expressing to you the extreme pleasure and satisfaction of my delegation at seeing you preside over the Security Council for the month of September. This is not only an expression of admiration of your outstanding qualities of skill, experience and wisdom, but also a manifestation of the cordial and close relations between our two countries and peoples, which have continued to grow since our participation in the Bandung Conference in 1955.

71. At this juncture, I should also like to express thanks to Ambassador Scali, the outgoing President of the Security Council, for the impartial manner in which he conducted the affairs of the Council during last month.

72. Recent tragic events in Chile have aroused world-wide concern. My Government, for its part, has followed those developments with agonizing concern, particularly their international and humanitarian implications.

73. It was against this background that my delegation supported the request submitted by Cuba that the Security Council meet to consider the substance of Cuba's complaint. It is our view that a complaint by a Member State which is firmly grounded on the constitutional requirements of the Charter is one to which members of the Security Council must respond with serious attention. This is all the more so when the complaining State views the situation as one which is likely to endanger the maintenance of international peace and security.

74. Having listened very attentively to the statements made yesterday by the representative of Cuba and the representative of Chile, my delegation would like to make some observations in regard to the issues that have been raised.

75. In the first place, my delegation is of the view that the principle of non-interference in the internal affairs of other States constitutes one of the basic foundations on which international relations are built, and is, therefore, enshrined in the Charter of the United Nations. Respect of that principle cannot by itself guarantee international order unless it is respected correspondingly with other rules of international law.

76. With respect to the issues before us, the complexity of international law is such that when one of its rules is violated it is simple to take shelter behind another. My delegation has no intention of engaging in such legal juggling. Our main interest today is to pronounce ourselves on the issues before us, on the basic understanding that all of us around this table have greater interest in ensuring that tomorrow's world will not be plunged into flames against which no one's house is fire-proof.

77. It is for this reason that my delegation deeply regrets the firing on Cuba's Embassy and also the attack on Cuba's vessel on the high seas by the Chilean armed forces. Those acts are certainly a violation of both the Vienna Convention on Diplomatic Relations and the Conventions on the Law of the Sea. We support Cuba in its complaint before the Security Council.

78. As a delegation that represents a country that recently emerged from a civil strife, none can value more than we the importance of peace and stability on any part of this globe. We therefore regret the loss of life and property that has resulted from the violent coup d'état that took place in Chile last week. We share the concern of many over the conditions of the thousands of foreign refugees and hope that their safety will be ensured in accordance with civilized norms.

79. Finally, my delegation was profoundly grieved upon learning of the death of President Allende. It was a tragic loss, for he was a great believer in the ideals of human liberty and dignity and in his country's sovereignty over its natural resources. Those beliefs made him one of the standard bearers of the principles of non-alignment. For that he will be missed.

80. The PRESIDENT: The next name on the list of speakers is that of the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

81. Mr. RAHAL (Algeria) (*interpretation from French*): Mr. President, it is not necessary for me to tell you how happy the Algerian delegation is to see you presiding over this debate and how glad we are that it should be precisely the representative of Yugoslavia who is assuming at such a moment the heavy and important responsibility of directing the proceedings of the Security Council. Your qualities which are well known to us, since we have had many opportunities in the past to experience them, offer us the guarantee that under your presidency the Council will succeed in facing up to its obligations and in responding to our concerns. I must also address myself to all members of the Council and thank them for having been so kind as to allow me to take part in the Council's discussions on the complaint submitted by Cuba.

82. Our statement in this debate is motivated by the solidarity that we wish to express to the Government and people of Cuba, which have always enjoyed our sympathy and friendship and with which we share the same concerns and the same hopes. But our statement is also motivated by the concern felt in Algeria following the grave events that have recently taken place in Chile, and particularly the hostile acts that the new Chilean authorities have directed against the Cuban Embassy in Santiago and against a vessel of the Cuban merchant marine.

83. The facts on which the Cuban complaint is based are sufficiently clear and serious to prompt the Council to take as a matter of urgency the necessary measures against the military authorities of Chile. The denials by the representative of Chile and the confused and laborious explanations to which he had recourse in the attempt to justify an

attitude based first and foremost on an obvious hostility vis-à-vis Cuba in no way lessen the reality of the acts directed against a sovereign State and against its nationals or diminish the responsibility of the Chilean authorities for those events.

84. I shall not spend much time in demonstrating how the acts of the Chilean authorities constitute an unpardonable infringement of all the international rules concerning the treatment of foreign diplomatic missions and the protection of foreign nationals and property. Preceding speakers have already done so, and have emphasized the importance and gravity of such breaches. But what is still more serious and what bears out our concern and should retain the Council's attention is the dangerous situation which may be seen behind the brutal acts directed against Cuba and which is illustrated by the number of arbitrary detentions, the uncertain fate of the prisoners, the summary executions and the threats to aliens that characterize the present behaviour of the Santiago authorities.

85. This unleashing of passions and hatreds in a country whose courageous efforts to consolidate its independence and to recover its natural resources we have followed with much sympathy has aroused our concern and places the region as a whole in considerable uncertainty.

86. It is one of the constant principles of my country's policy to avoid any interference in the domestic affairs of other countries and to denounce all acts of foreign interference, whatever their source, in our own affairs. This principle is also one of the fundamental principles of the Charter of the Organization of African Unity and it inspires all the attitudes of the non-aligned countries. We shall therefore refrain from interfering in the internal politics of Chile, irrespective of the sympathy we have always felt for the Government of President Allende and of our concern at the events that led to his brutal overthrow.

87. But it is my duty to recall here that it is scarcely two weeks since the Fourth Conference of Heads of State or Government of Non-Aligned Countries meeting in Algiers sent its greetings to President Allende and to the Government and the people of Chile, expressing its solidarity in the difficult trials then facing them. Addressing himself to the President of the Conference, President Allende explained in a message the difficulties he had to face. He said:

"No one knows better than you yourself, Mr. President, in the light of the experience of your own heroic people, how difficult it is to transform societies founded on injustice, exploitation and discrimination into States which guarantee respect for human dignity and national liberation from any political or economic yoke and which can struggle against the connivance of the privileged sectors in our countries with the major foreign interests—in a word, how difficult it is to defend oneself against imperialism, which manifests itself daily in ever-new and more dangerous forms."

88. That clearly explains the development of events which culminated in the present situation. Those few words are in themselves the most energetic denunciation of these foreign interventions which continue to threaten our countries and

whose intent is to make our freedom and dignity dependent upon foreign economic or strategic interests, to which our peoples are henceforward determined not to submit themselves.

89. The representative of the United States told us yesterday that the world has entered upon a new phase of understanding and co-operation which necessitates a change of language. Just like everybody else, we have been very happy, perhaps prematurely, at the changes which seem to be emerging in the international atmosphere. These changes certainly entail a change of style but, in our thinking and in our conviction, this must not be simply a question of a change in language; it must be a far-deeper change which goes to the reality underneath the words. I refer to the behaviour of each and every State vis-à-vis the others; I refer to respect for the sovereignty and the dignity of every nation, to the freedom of each people to choose the path of its development and to secure its prosperity by recovering first of all its own wealth. What is now going on in Chile unfortunately shows that the changes have not yet reached what are usually called the countries of the third world, whose security and independence remain unhappily subject to threats, which have not yet been eliminated by the improvement that may be discerned in international relations.

90. My delegation would like to avail itself of this opportunity to express to the Chilean people the solidarity and the friendship of the Algerian people. The trials through which they are passing are felt and shared by us, as indeed by all the non-aligned countries.

91. In his message of condolences addressed to President Allende's widow, President Houari Boumédiène said:

"All free men are mourning. The tragic death of President Allende plunges us in a grief based on our great friendship with the peoples of Chile, Latin America and the third world and on the thoughts that only the great turning-points in the history of mankind can evoke. An indomitable fighter for peaceful revolution in a continent in full change, Allende gave us the sense of what State and revolutionary commitment are, throughout all the imperialist machinations hatched by reaction and the multinational corporations."

92. The Council is today seized of a complaint by the Revolutionary Government of Cuba. That complaint concerns specific facts that must lead to a condemnation of the military authorities in Santiago. But we believe that it would indeed be a mistake to divorce the acts denounced by Cuba from the whole context of the present situation in Chile, or to assess them without taking full account of their implications for both the immediate and the more distant future, and of their inherent danger to peace and harmony in that part of the world.

93. The PRESIDENT: Having for the time being no more names on my list of speakers, I now take the opportunity to make a statement in my capacity as the representative of YUGOSLAVIA.

94. In accepting the Cuban request for the convening of the Security Council, my delegation was guided by two substantive considerations.

95. The first consideration is that every State Member of the United Nations has the right to demand the convening of the Security Council whenever it considers that a dispute or situation is likely to endanger international peace and security. The Security Council, being the United Nations political organ with the primary responsibility for the maintenance of international peace and security, not a mere court for passing judgement on a complaint, is entitled to examine the causes, the surrounding circumstances, the possible developments and the pattern of events in a region relating to any situation brought before it, if it is to determine, under Article 34 of the Charter, whether the continuance of that situation is likely to endanger the maintenance of international peace and security.

96. Our second consideration is the feeling of my delegation that the Cuban complaint is founded on facts that actually constitute a grave infringement of the principles of the Charter and of international law in general and that are therefore fraught with danger for international peace and security.

97. At the same time, the context in which those violations took place, together with their local and international environment and implications, clearly proves the justified nature of this meeting of the Security Council.

98. Let me now very briefly refer to the grave acts committed by the Chilean armed forces to which the Cuban complaint refers.

99. As we are all aware, the inviolability of diplomatic missions and of the persons of diplomats is one of the most ancient and most widely accepted rules of the international code of behaviour and written international law. It is a well-known fact that this norm of international behaviour is adhered to and respected by the vast majority of countries of the world, even in cases of outbreak of hostilities between States and in a state of belligerency. This principle of international behaviour has recently found concrete expression in the 1961 Vienna Convention on Diplomatic Relations.

100. Consequently, the existing rules of international law leave no doubt about the fact that the attack against the Cuban Embassy in Santiago de Chile by armed forces and the wounding of one of the Embassy's officers constitute a grave infringement of the Vienna Convention on Diplomatic Relations and of elementary norms of behaviour in relations among States.

101. The violations of the norms of international law and of the Vienna Convention that occurred in the course of 12 and 13 September were not isolated acts and were not limited to the Cuban Embassy. Other foreign diplomatic missions as well—but, significantly, not all of them—were subjected to unjustified measures of intimidation and chicanery. Thus, on 13 September, members of the armed forces cordoned off the Yugoslav Embassy in Santiago de Chile, preventing the staff of the Embassy from entering or

leaving the building. On 14 September, in addition to strict control of identity, the attaché cases of all Embassy personnel, including that of the Ambassador, were subjected to search.

102. Further, there is no doubt that the attack against the merchant ship *Playa Larga* not only amounts to an infringement of the rules of international law regulating freedom of navigation—bearing particularly in mind in this regard the Geneva Conventions of 1958—but could also constitute an act of aggression liable to lead to a further deterioration of the existing situation.

103. My delegation subscribes to the assessment of these acts of violence as constituting a serious threat to international peace and security within the meaning of Articles 34, 35 and 39 of the Charter.

104. On the other hand, my delegation is very much disturbed by, and seriously concerned over, several negative aspects of the situation relating to its causes and consequences, its specific colouration and its dangerous international ramifications. Indeed, it should not be expected of us that we calmly remain blind and deaf, not seeing the real roots and causes and consequences of the tragic events now taking place in Chile.

105. Of course, we firmly adhere to the view that whatever political and social system a country has or wants, and with whatever country a State or Government wishes to have or not have diplomatic relations, are matters for its sovereign decision. However, the new authorities in Chile have themselves given an international character to all these violations by basing their first international acts on something that was superseded a long time ago, on something that reminds us of the Second World War and the most intense period of the cold war, and they have done so by attacking relations with other countries on political and ideological grounds. When they talk about liberating their country from the "Marxist yoke" and then on that ground proceed to select countries, on the basis of differing social systems, with which to sever relations; when they attack or harass those countries' diplomatic missions and attack their ships, and, according to irreproachable sources, subject large numbers of foreign nationals to arrest, terror and violence; and when they state that the presence of those foreign nationals in Chile was the major cause of, and justification for, what the junta did, then we are faced with a crisis having an international content endangering international peace and security.

106. There is a great outcry in international public opinion demanding that these repressive measures be stopped immediately. And all this is actually happening in a country having deep-rooted and long-standing democratic traditions and on a continent where the most authoritative statesmen of all Latin American countries have been emphasizing during past years the necessity to promote co-operation and coexistence in that very important region of the world on the basis of what they call ideological pluralism.

107. Another important and broader aspect of the situation before us is the fact that we are now considering a

dispute having its roots predominantly in foreign interference against the Government of Chile during the past three years and more. There is no need to enumerate here the universally known facts of economic coercion. President Allende himself, for example, gave us an account of this in his dramatic speech at the twenty-seventh session of the General Assembly.<sup>5</sup>

108. It was precisely in the larger context of peace and security in Latin America that the Security Council, at its important series of meetings in Panama, adopted resolution 330 (1973), which, after recognizing that the use or encouragement of the use, of coercive measures may create a situation likely to endanger peace and security in Latin America, urged States to adopt measures to impede the activities of those enterprises which deliberately attempt to coerce Latin American countries and requested States to refrain from using, or encouraging the use of, any type of coercive measure in the region.

109. It is in the light and context of interaction of different forms of coercion and interference in internal affairs, it is in the combined efforts of international imperialism and internal retrograde forces which caused the dispute and situation with which we are confronted that we see a continuous threat to international peace and security within the meaning of Article 34.

110. As a socialist and non-aligned country engaged, together with all peace-loving, democratic and progressive forces, in a persistent effort to base international relations universally on the principles of the Charter, of active peaceful coexistence, we categorically oppose neo-colonial, imperialistic policies directed against all current positive trends in international relations, policies which endanger the very foundations of international peace, stability and security in our increasingly interdependent world.

111. We cannot close our eyes to the fact that this combined action of internal and foreign forces against the legal Government of Chile—whose contribution to the positive development of international relations is well known, and which was engaged in the carrying out of significant social and economic transformations in Chile—took place immediately after the Fourth Conference of Non-Aligned Countries in Algiers, which marked a turning-point in the active involvement of the largest number of States in the building of democratic international relations based on equality, non-interference and the free development of all countries. It was the Conference's assessment that attempts to prevent necessary changes and perpetuate various *status quo* conditions of injustice, inequality, exploitation, interference and aggression are among the chief causes of crises, instability and tensions in the world of today.

112. In the part dealing with developments in Latin America, the Declaration of Algiers states, *inter alia*:

"The Conference hails the Government and people of Chile, who in their struggle to consolidate their

<sup>5</sup> See *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings*, vol. III, 2096th meeting.

independence and build a new society are facing the combined aggression of reaction and imperialism. It expresses its solidarity with Chile in its efforts to achieve the economic and social transformations already started, to avoid civil war and preserve its national unity.”<sup>6</sup>

113. May I, in keeping with the traditionally good relations that Yugoslavia and Chile enjoyed for such a long time, avail myself of this opportunity to refer to the tremendous loss felt by all of us as a result of the tragic death of President Salvador Allende of Chile. President Tito, the Head of State of Yugoslavia, expressed our feelings best when, in a recent speech, he paid the highest tribute to the late President Allende and said that his work and life will be an inspiration in the struggle of the peoples of Latin America to win the place that rightly belongs to them.

114. In conclusion, may I underline the readiness of the Yugoslav delegation to support any decision of the Council that would cope adequately with the specific aspects of the dispute before us.

115. Speaking again as PRESIDENT, I invite the next speaker, the representative of Senegal, to take a place at the Council table and to make his statement.

116. Mr. FALL (Senegal) (*interpretation from French*): I should like to thank all members of the Council for being good enough to permit me to participate without the right to vote in the debate which the Council is holding today on Cuba's complaint against Chile.

117. I should also like to avail myself of this opportunity to congratulate you, Mr. President, on your accession to the presidency of this important organ of the United Nations. I am sure that under your presidency the Security Council will be able to draw the most felicitous conclusions from these debates.

118. My Government endorses the apprehensions expressed by the Cuban delegation concerning the incidents which occurred in the Cuban Embassy in Santiago de Chile in the course of the painful events which took the life of President Salvador Allende and plunged his country into a bloodbath which all here deplore.

119. Several delegations who have preceded me in the discussions have laid stress on the scrupulous desire of their countries and Governments to abide always by the strictest respect of the principles of non-intervention in the domestic affairs of other States. My Government, too, is guided by that concern, but in this connexion we must define the limits of what we call non-intervention in the domestic affairs of a country.

120. I should point out that the demonstrations, whether they were orchestrated or not, by the public in this Council's meeting yesterday afternoon did not fail to perturb those who would have hoped that the developments in Chile would remain exclusively an internal Chilean affair.

121. In any event, my Government considers that the international community could not remain indifferent to the action undertaken under the orders of the military junta which has seized power in Chile against the local citizenry and persons of the Cuban Mission in Santiago de Chile. That action constitutes the most flagrant violation of the most elementary rules of present-day international law. Several speakers have already reminded us of the provisions of articles 22 and 29 of the Vienna Convention on Diplomatic Relations, of 1961,<sup>7</sup> which provides unequivocally for the inviolability of diplomatic missions and personnel and, in particular, that “all appropriate steps [must be taken] to protect [the members and] the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.” That is the wording of article 22 of the Vienna Convention of 1961. The Cuban delegation is therefore quite right in complaining to the Council about the attacks to which its diplomatic mission in Santiago de Chile was subjected.

122. We would add that it is clearly a question of an action which might endanger peace and security, at least in that part of the American continent for, indeed, history has taught us that acts of a less violent and less unlawful nature have been at the origin of death-dealing disputes between States.

123. I shall not go back over the facts which have been set forth here by the representative of Cuba. At the present stage of affairs it is not possible to express a value judgement on the accusations levelled against Chile. My delegation considers that this state of affairs can by no means be attributed to the Cuban Government and that it is for the Chilean Government to provide specific evidence rejecting the accusations against its country.

124. Unfortunately, not only have the new masters in Chile failed to provide any convincing proof of their good faith but, on the contrary, they have prohibited those whose profession it is to keep world public opinion informed from entering the country. Indeed, in a press release of Agence France Presse of yesterday I find the following statement:

“Argentina and foreign journalists blocked at the frontier between Argentina and Chile since 11 September have issued an energetic press statement in protest against the military authorities of Chile, who do not allow them to cross the frontier in order to inform the world about the events that are occurring in that country. What is happening then, in Chile, that cannot be disclosed to the world? , ask the signatories to this protest.”

125. We therefore consider that if the present masters in Chile have nothing to hide there is no reason why they should refuse to admit any impartial persons who could validly keep world public opinion informed.

126. It is in consideration of all these factors that my delegation is of the view that your Council should condemn the act which is a flagrant violation of the rights,

<sup>6</sup> A/9330 and Corr.1, para. 56.

<sup>7</sup> United Nations, *Treaty Series*, vol. 500, p. 95.

immunities and privileges of diplomatic missions, and clearly and unequivocally condemn the attack on the Cuban Embassy in Santiago de Chile as a violation of the rules of the Vienna Convention.

127. Before concluding my brief statement, allow me on behalf of my Government to pay a solemn tribute to the memory of President Allende. Salvador Allende died, as he had lived, fighting for freedom in honour and dignity. He died a hero's death, and I am convinced that his sacrifice will not prove to be in vain and that his example will be an inspiration to the millions of men and women who are fighting to deliver the world from oppression, poverty and exploitation. The socialist experiment for which Salvador Allende sacrificed his life had aroused the greatest hopes in the hearts of all democrats throughout the world. Salvador Allende was already a man in history, and now he has become a legendary hero; and I would not be in the least surprised if in the very near future those who were responsible for this tragic event did not come to feel the greatest pride in the fact that they are citizens of a country which saw the birth and death of this noble man. We extend our thoughts and condolences to his widow and family, friends and companions in the struggle of Salvador Allende. On behalf of my delegation and on behalf of the Government and people of Senegal I also convey to them our sympathy and sorrow in their suffering.

128. The PRESIDENT: The next name on the list of speakers is that of the representative of Madagascar. I invite him to take a place at the Council table and to make his statement.

129. Mr. RABETAFIKA: (Madagascar) (*interpretation from French*): First of all, Mr. President, I should like, through you, to address my delegation's thanks to the members of the Security Council for allowing me to take part in the Council's debate on the Cuban complaint in document S/10995.

130. It is my intention to emphasize that the Government and people of Madagascar intend at all times to remain true to a principle in the Charter of the United Nations and which is also one of the cornerstones of the policy of non-alignment which we follow, namely, non-interference in the domestic affairs of States. The fact remains, however, that in the face of a series of events which have deeply shaken the conscience of the countries and peoples of the third world—and particularly those that have committed themselves to a struggle to free themselves completely both economically and socially in their national life—my Government can remain neither silent nor indifferent, the more so as the most elementary democratic rules have been violated in the overthrow of a Government which grew out of the popular will, a Government of national unity, a Government devoted to freedom, progress and justice.

131. We very deeply regret the tragic death of Mr. Salvador Allende, a statesman who was able to break the hard shell of dependency in which his people had lived, despite plots hatched from outside either by foreign Powers or by transnational interests in the service of an alleged ideology which is archaic and tinged with the basest sort of imperialism. We are, however, sure that all peoples who

followed the Chilean experience under the courageous leadership of Mr. Allende will now be forewarned of the dangers inherent in the aftermath of a backward imperialism and of what can happen to the wishes of a people determined to take charge of their own future, no matter how disagreeable to some may be the revolutionary process initiated by such peoples in full awareness of what they are doing. We pay a tribute to Mr. Allende and we hope that his sacrifice of his life will not be in vain.

132. The revolutionary Government of Cuba has seen fit to bring to the Security Council the matter which is now before it because it has confidence in the triumph of law over blind force or pressures which are no less intolerable for being concealed. It has been said repeatedly that there could be misgivings as to the desirability of bringing this matter before the Security Council. My delegation believes that in bringing the complaint before the Security Council it was the intention of Cuba to have examined and settled, if possible, its dispute with the Chilean authorities in the context of strict respect for international law which, to us, is a proof of its good faith.

133. Without wishing to teach anyone a lesson—least of all this august assembly—my delegation thinks that the Security Council should not simply be a recording chamber, but should see to it that a grave situation does not degenerate beyond remedy to the detriment of the safeguard of international peace and security.

134. Moreover, we do not believe that the Security Council should confine itself to merely noting that there is a situation threatening international peace and security; it is the Council's duty, before all else, to prevent any developments which may jeopardize peace and normal and even friendly relations between nations and peoples.

135. The incidents related by the Chargé d'affaires *ad interim* of Cuba in his letter of 13 September 1973 to the President of the Security Council, and further developed before the Council yesterday by the representative of Cuba, represent very serious breaches of those standards of conduct imposed by international law. The Vienna Convention of 1961, which has been repeatedly quoted here, is quite clear on the inviolability of the person and property of diplomats. That inviolability has quite obviously been ignored by the military authorities in Santiago and we cannot but be deeply concerned and shocked at that state of affairs.

136. Let us suppose for a moment that the state of insurrection prevailing in Chile on 11 and 12 September last, did justify taking exceptional measures. My delegation nevertheless thinks that the attack—and perhaps the word "attack" is not strong enough—perpetrated by the so-called regular armed forces, or militia, against diplomatic premises and members of a mission cannot conceivably be regarded as part of any such exceptional measures. Furthermore, the Vienna Convention provides that in case of insurrection, the host State has the duty to protect the property and person of diplomats. We find it hard to see how harassment such as that practised on the Cuban Embassy in Santiago can be justified except in terms of the most cynical black humour. We can only denounce such humour since this is

indicative of an irresponsible attitude which flouts the norms of international law.

137. No matter what justifications may be adduced by the Chilean authorities—justifications which seem to us excessively punctilious in detail—cannot prevent us from ignoring the fact that the Cuban Ambassador in Santiago and members of the diplomatic staff in the Embassy were quite simply the victims of an intolerable attack. It is only just that Cuba, which does not have the means of a great Power, should have recourse to the Security Council to be advised of its rights and to determine the responsibility that should rest squarely with the Chilean authorities.

138. As regards the bombardment of the merchant vessel *Playa Larga* by the Chilean Air Force, we see no conceivable justification for it. That bombardment took place on the high seas, and the Geneva Convention on the High Seas<sup>8</sup> provides that such vessels should be free from all impediment. Even if this merchant vessel was still carrying its cargo of sugar, would not the Chilean authorities have done better to have recourse to a trade tribunal or to some other adequate procedure, rather than bombarding the vessel without prior warning, a merchant vessel which had no other mission but a peaceful one?

139. Even the right of pursuit, which has been mentioned here, is subject to certain conditions under the Geneva Convention, and we for our part do not think that the Cuban vessel *Playa Larga* was engaging in any kind of piracy. This is why we condemn this unjustified attack, which seems indeed to have been premeditated, and the victim of which was the Cuban merchant vessel *Playa Larga*.

140. In conclusion, we hope that the members of the Security Council, who now have before them the information they require, will shoulder their responsibilities and will accede to the request of the representative of Cuba in the Council, namely, that the safety and security of diplomatic missions all over the world may be ensured and that shipping on the high seas may be protected and that unjustified attacks may be castigated by the judgement which the Council will pass.

141. Finally, although it is not the custom, I should like on behalf of my delegation and on my personal behalf, Mr. President, to extend to you our warmest congratulations on your assumption of the presidency of the Security Council for September.

142. The PRESIDENT: I call on the representative of Cuba, who wishes to speak in exercise of the right of reply.

143. Mr. ALARCON (Cuba) (*interpretation from Spanish*): Out of respect for the members of the Security Council, my delegation would like to offer some points of clarification on the allegations, which are completely fraudulent, that were made yesterday by the representative of the military junta of Chile. Strictly speaking, his statement, which was a mockery of the capacity for rationalization and evaluation that members of the Council possess, would not call for any further comments, were it

not for the respect we feel for the members of the Council, which compels us to make a few points clear.

144. If we were to accept the imaginative interpretation of the representative of the military junta, this Council would not only not condemn this military régime but rather congratulate it and thank it for its exemplary compliance with the rules of international law. The Cuban Embassy, as he said, was besieged by Chilean troops in order to protect it. The shots fired were not fired from the streets where these troops were to be found but rather from the Embassy. According to him, there was no protest made nor were any steps taken about this brutal attack by Chilean armed forces.

145. This line of argument would have some merit if it were perhaps offered in an elementary school and there were not impartial, direct eye-witnesses to these facts.

146. The facts are that a person who was seriously wounded, called Luis Farias, a Cuban diplomat who was within the premises of the Cuban Mission, exists, and there is another person who was wounded also, though not so seriously, Mr. Inchaustegui, who was former Ambassador of Cuba to this Organization and is known to many of the members of the Council and who was serving as Cuban Ambassador to Chile at the time these events occurred.

147. The facts are that the building which was attacked shows signs of the impact of the Chilean artillery fire, and of course it would be interesting to know why the inclination for photography of the representative of the Fascist leaders of Chile which prompted him to bring a series of photographs here yesterday which could convince no one, did not prompt him to bring a simple photograph showing how the facade of our building in Santiago has been left.

148. The facts are, what is more, that distinguished members of the diplomatic corps accredited to Santiago de Chile had the opportunity to participate in all these events. Adopting a conduct to which my Government and delegation would like to pay a tribute, a number of the foreign ambassadors and other diplomatic mission personnel accredited to Chile had to interpose themselves between these forces and the Cuban diplomats, and they had to accompany our staff from the building of our Embassy that was besieged and under attack to the aircraft which returned them to safety outside Chile. They are exceptional witnesses as to how the events occurred and what the facts actually were.

149. The facts stand for themselves. The representative of the military junta did not mention a single casualty among the Chilean troops nor any damage suffered by the attackers. Yet he would convince the Council members, who are adults, persons experienced in dealing with international disputes, that it was the wounded persons who fired the shots, that it was the besieged who attacked, and it was the victims of aggression who did not protest. I really do not think this deserves any further comment on my part to demonstrate that the Chilean allegation merely deserves to be described as a lack of respect towards all the members of the Council.

<sup>8</sup> United Nations, *Treaty Series*, vol. 450, p. 83.

150. Let us turn now to the question of the vessel. The same thing happened. The fact is that there is a vessel that has been subjected to cannon and machine gun fire and bombardment, and I do not think that they would go so far as to claim that it was attacked by its own crew. Moreover, there exists proof that the cannon shots came from outside the vessel. But the vessel exists and is now in the port of El Callao where it is being repaired by engineers and technicians who are not Cubans, but Peruvians. It finally reached a site where the brutality that obtains in Valparaiso and Santiago does not exist but where there is respect for international law.

151. Some representatives have mentioned the difficulties of finding objective and impartial accounts about these incidents. I have already mentioned the sources that can provide a factual version of what happened in Santiago.

152. I wonder whether the representative of the United States or his Chilean spokesmen consider that a Yankee journalist and a Yankee press agency, present at the place where the Cuban vessel arrived, would be sufficiently objective to satisfy them. According to the statement made yesterday by the representative of the military junta, the vessel was not attacked. Now I shall read what he said:

“But since it would have had to be shelled in order to make it obey, the commander of the destroyer that was following it consulted the naval authorities, who decided to give up the chase.” [1741st meeting, para. 51.]

153. The correspondent of the United Press International made the following report from Lima on 15 September last, and I shall read out what this Yankee journalist has written and sent to the United States press agencies:

“The merchant vessel from Cuba, *Playa Larga*, entered this afternoon the bay of the neighbouring port of Callao with visible holes and marks of the attack to which it was subjected last Tuesday by aircraft and a destroyer of the Chilean navy outside of Valparaiso. The Cuban craft was about three miles from land and, as it was possible to see from a launch, it shows three distinct holes at the water line and the prow. One of these holes, approximately 40 centimetres in diameter, shows entry and exit from port to starboard.”

Then the Yankee correspondent's cable, issued by a Yankee news agency, continues:

“Shortly thereafter a group of naval engineers went aboard in order to carry out a detailed inspection of the craft, which has a displacement of about 11,000 tons. One of the engineers said, on returning to land, that the merchant vessel, in addition to the visible signs in the bow, had four other points of damage, apparently inflicted by the impact of cannon balls. Three of these marks are on the bow and the others are in the stern.”

Then the UPI goes on:

“The craft did not go into the maritime port, as had been supposed, as a measure of security, because it might possibly sink and cause problems for the entry and exit

of vessels in the Port of Callao. It is assumed that on Monday or Tuesday of next week it will be brought into the dry dock of the State enterprise, which is the Industrial Naval Enterprise Service (SIMA), in order to be repaired.”

154. With respect to the other lie offered by the representative of the military junta, namely that the craft was carrying sugar, let us see what the three last lines of this message from the Yankee journalist, transmitted by the Yankee news agency, says:

“The vessel apparently has no cargo aboard because it was well known that the water-line, which is green, is fairly high.”

Now, if a vessel with a capacity of 10,000 tons was carrying 8,000 tons—that is, 80 per cent of capacity—and in addition the Chilean equipment, which in his imagination the representative here assumed it had aboard, it is very difficult to believe that this Yankee correspondent, of this Yankee agency, would not have noticed that this line was below the water and would have reported that it was above the water.

155. It appears clear that the Cuban ship carried no cargo. The Cuban sailors had unloaded the whole of the cargo of sugar in the port of Valparaiso. In fact, they had left the port of Valparaiso at a certain speed, as the representative of the military junta has said, but they did not leave from the port in normal conditions. They left the port where, of course, there are a number of Yankee war units present, which did not cause any concern to the representatives of the military junta of Chile. It would appear that these Yankee war units were there engaged in activities completely consonant with their plans, that is, to participate in the planning and carrying out of the coup d'état.

156. They left the port where our seamen had been subjected to attacks, threats by the authorities, and confronted with a state of brutal violence and a campaign of hate against Cuba. But I ask myself whether the absence of a prior permit from the authorities who were threatening the security and the life of a number of seamen would justify an attack on a vessel on the high seas and leave it in a state which, according to the naval engineers of Peru, would make it dangerous for that vessel to remain in the entrance of the Callao port because it might sink at any moment.

157. In addition, it is just as well to note how, with absolute impudence, the military junta said that since they would have had to bombard the vessel and did not want to do it, they gave orders not to pursue it. The fact is, actually, that upon arriving in Callao it was subject to bombardment, and most intensive bombardment. What is more, we think there can be nothing more cynical than the allegation made to the effect that the authorities of the coup d'état were so interested in some tons of sugar in Valparaiso that were allegedly on the boat, but which the vessel did not take with it, some of the sugar which our country had given and handed over to the Popular Government of Chile for the benefit and use of its people completely free: 40,000 tons of sugar.

158. It is the height of cynicism to come now and accuse us of an alleged failure to comply with a promise to hand over some sugar which, in fact, not only was handed over but in addition was handed over in a quantity much greater than that cited, and was given free to the Chilean people by our Government. Of course, those who participated in the coup will have to sweeten their tea with salt because they will not be able to expect any solidarity from our people or the sugar producers. But for the Chilean people, our people already gave an example of solidarity, handing over a higher amount of sugar than had been mentioned, and charging nothing for it.

159. It is interesting to note how, after all this elementary analysis, the representative of the military junta—frightened because he is well aware that he is not going to convince anybody, and the debate has proved this—is very careful to state for the record that both the Embassy incident and the incident of the vessel, in his opinion, are not competent subject matters for this body. In other words, he is telling the Council that he is offering it a primitive explanation, which is a mockery for the Council, and then he is telling the Council that it should not discuss this, or even listen to him—if we are going to be consistent with what he has said—that it lies outside the Council's purview. This all reflects the absolute impossibility for the military junta of Chile to convince anyone or to justify its gross violation of the norms and practices of international law.

160. In another part of his statement the representative of the military junta referred in his fanciful statement to the alleged presence of almost a thousand Cubans in Chile. I said in my statement that there were still some Cubans in Chile. I stated, and I repeat now, the concern of the Revolutionary Government of Cuba about the security of these persons, all of whom went to Chile on the basis of agreements and conventions subscribed to by the legitimate authorities of that country, or to participate in the activities of international organizations.

161. I shall now read out the names of those Cubans still in Chile. If the representative of the military junta can find the names of the 990-odd others needed to complete the list, I invite him to give us those also. In Chile at the present time are the following Cuban citizens: Felino Quesada, economist; Miguel Avalos, engineer; Héctor Ayala, economist. Those three are there in pursuance of an agreement on cultural collaboration between the University of Havana and the University of Northern Chile. Also in Chile are Héctor Argüelles and Orlando Torrado, sports coaches who were giving technical assistance under agreements established between sports organizations of both countries. Also to be found in Chile are Dr. Celestino Alvarez Lajoncherie, a specialist in gynecology and obstetrics fulfilling a programme of the World Health Organization and the Pan American Bureau for Family Planning as a short-term adviser. He has a laissez-passer of the United Nations. Finally, also to be found in Chile is Comrade Miguel Enriquez González, a staff member on an official mission bearing a diplomatic passport.

162. For obvious reasons our Government is not fully informed about the present status of those persons, and we have more than sufficient reason to express and reiterate

our deep concern, since they are at the mercy of a régime which has exhausted all the possibilities imaginable in exerting repression, in committing all kinds of crimes and outrageous acts, and even today is shamelessly lying to the Security Council.

163. I should also like to indicate that—as you, Mr. President clearly stated in your capacity as representative of Yugoslavia—not only was the Cuban Mission the subject of attacks in Santiago de Chile; other embassies were besieged by armed elements of the military junta and according to our information some are still in the same position. A few minutes before I came to this chamber, for example, we were reading in a Mexican newspaper published yesterday that the Mexican Embassy continued to be surrounded by members of the military group.

164. I should now like to make a few brief comments on the statement made yesterday and repeated today by the representative of the United States. First, I should like to emphasize the fact that only one representative—only one—has come to this Council to support and validate the versions of the military junta of Chile. It could be none other than Ambassador Scali. It is important that the Council note that fact, because it constitutes the best and closest support for the claims we have advanced here as to who was the father of the coup initiated in Chile on 11 September.

165. The representative of the United States, adopting paternalistic language, referred to styles used in other climates. He pointed out what should be the rules of behaviour of sovereign States Members of this Organization, and his arguments ranged from football to the Bible.

166. With respect to the lesson he tried to give the Council as to what should be the attitude of Member States when their embassies or diplomatic personnel are the victims of terrorist attacks of an official type—that is, attacks having behind them the support and responsibility of Governments, which have international responsibilities in this connexion—he said that if the United States were to call for the convening of the Security Council every time its interests or property or embassies abroad were attacked, this Council would be meeting continuously. Then he explained to us what should be the rules of behaviour of States in such cases. I would answer him as follows. If other States did not come to the Council to denounce acts of aggression or hostile actions against their diplomatic personnel or their interests abroad but instead followed the centuries-old practices of the United States, then of course the Council would not be in permanent session nor would it exist. There would be marines promenading through the Caribbean and Indo-China defending the interests and lives of North Americans. That has always been the argument—usually a fallacious one, of course—given by North American imperialism for not convening the Security Council but rather using their troops and their marines, bombing defenceless peoples to provoke international crises and to lead the world to the brink of war, as has happened many times.

167. Member States, of course, have not learned the North American lesson. On the contrary, they make every effort

to ensure that the world uses a different concept—the Charter concept, which justifies the existence of this organ. It is better for the Security Council to meet in permanent session rather than to disappear and then have prevail the criteria and policies of the aggressors of the imperialists and aggressive régimes in Viet-Nam and throughout the world who have demonstrated their concept of how to defend their interests abroad.

168. One final word—about the Bible. Yesterday, in his arguments criticizing our analysis of the situation I have denounced, the representative of the United States accused us of seeing the CIA [*Central Intelligence Agency*] and imperialism everywhere and accusing the CIA and imperialism of this, that and the other thing. He said that one day we would come to the point where we would accuse the CIA of provoking disturbances in football games, of creating the traffic problem in New York or of having secretly written the Bible.

169. In the first place, without being religious believers, we have the deepest respect for all those who are more concerned with the Bible than they are with a football match or a Manhattan traffic jam. But our Government never will accuse the CIA of having drafted the Bible, because that historical document, from Genesis to the Apocalypse, is a profound, clear and violent diatribe against hypocrisy, against evil, against Pharisaism, against those who commit evil deeds outside this chamber but come here to strike sanctimonious poses about support and respect of language, form, tone and types of oral expression while belying in practice day by day—shedding blood, burning and committing crimes—the ostensible honesty in which they approach this Council.

170. In other words, from Genesis itself, which begins by saying that in the beginning there was chaos and the first thing God did was to separate the light from the dark, until the Apocalypse which shows what will be the ultimate fate of liars, the Bible is a document which, though very old, was written against the CIA, it continues to be in effect against the CIA and never could the CIA have subscribed to a single one of its proverbs or precepts. I am a reader of the Bible. I usually have it with me whenever I have the honour of appearing in a room side by side with the United States representative. His statement of last night led me to reread some of its chapters.

171. In hearing him deplore the fate of our comrade Salvador Allende, claiming that his Government is not in any way involved in what has happened and is continuing to happen in Chile, we are reminded of Ecclesiastes, chapter 1, verse 8, which reads: “. . . the eye is not satisfied with seeing, nor the ear filled with hearing”.

172. When we hear him trying to justify the behaviour of his Government, attempting to present it as not being involved in the Fascist military coup in Chile or in the brutal repression unleashed against that country, we recall the words of Revelation, Chapter 21, Verse 8, which describes the final destiny of liars as follows: “. . . and all liars, shall have their part in the lake which burneth with fire and brimstone: which is the second death”. So the Bible has meted out to liars not only the common death of all mortals, but also death in a lake of fire and brimstone.

173. The PRESIDENT: I now call on the representative of Chile, who also wishes to exercise his right of reply.

174. Mr. BAZAN (Chile) (*interpretation from Spanish*): The debate which we have heard here has not been limited to two basic issues which were raised in order to convene the Council, but, in addition, various comments have been made about the situation in Chile, which compels me in this statement to offer a few words of clarification.

175. The representative of red fascism which prevails in Cuba prophesied yesterday the transitional nature of our new Government in Chile. It will indeed be transitory, but not because of the return to Chile of a régime which would again tolerate Cuban intervention and only pretend to govern for a fraction of the Chilean people. That is what he would wish. The new Chilean Government is going to be transitory, as that Government itself has declared from the very first moment, because its only aspiration is to hand over the mandate once we have restored normality to the country and rectified the Constitution so that only the majority of the country can govern. The Government will then be handed over to the legitimately elected authorities. As the President of the Junta, General Augusto Pinochet, said yesterday with respect to future elections, the sooner they are held, the better. Unfortunately, we cannot say that the tyrannical and bloody régime of Fidel Castro will also be transitory, because its intentions are to perpetuate itself in power.

176. There is a serious mistake in the assertion that a representative made here about the presence of foreign journalists in Chile. I do not know who could have made the false denunciation sent from Mendoza which was read out in this room. The truth is that recently many German, English and French journalists have entered Chile. In addition, I should add that foreign journalists and press attachés of foreign embassies have had free access to all sources of information. Those journalists have of course been able to verify personally the stores of arms found throughout the country, and have been able to circulate freely, having been transported in aircraft of the Air Force when they wanted to visit places far removed from the capital.

177. The Chilean Interior Minister gave an important press conference on 14 September attended by more than 50 Chilean and foreign journalists. Moreover, whoever reads the daily press will have no doubt not only as to the fact that there are foreign journalists in Chile, but also that they have full freedom to send out their reports abroad.

178. Fears have been expressed here for the safety of foreigners in Chile. In order to dispel those fears I should like to read out the relevant portions of an official statement of the Government of Chile which I have just received by Telex. It reads as follows:

“The contribution of foreigners to Chile ever since the days of our national independence has been most valuable. They have made a mighty contribution to the forging of our national identity, to the development of science, technology, industry, education, and even the armed forces of the country. In addition, there are many

foreigners who have studied in Chile and who have contributed, on return to their homelands, to the prestige in which our country is held abroad. Besides recognizing this important contribution, the Government would like to assure foreign residents in Chile that Chile expresses its gratitude to them and reaffirms its intention to give them the broadest possible protection and support. The enforcement action of the Government is directed only against those foreign nationals who have intervened in internal politics, who have illegally entered the country—particularly the extremists who in recent years have been the main cause of the growing violence in the country.”

179. Many speakers, particularly those from the non-aligned countries, have expressed regret at the recent developments in Chile, imagining that they are losing an ally in the defence of the right of all countries to ownership and control of their basic natural resources; but I must tell them that they are mistaken. The policy of recovering basic natural resources is not new in Chile, nor is it the patrimony of any political group. That policy was initiated during the Government of President Frei. President Allende took a great step forward in helping Chile regain control over its copper, but he would not have been able to carry out that action without the unanimous support which all members of the Congress lent him. When it comes to the question of developing countries regaining their natural resources, we in Chile have but one viewpoint: whatever government may exist in Chile, we in our country will always be in the forefront of the defence among those who support the idea that basic natural resources must be the exclusive property of the countries in which those resources are found.

180. The representative of the red fascism which prevails in Cuba, where for so many years human rights have been trampled under foot, vociferously protested the alleged violation of those rights in Chile. The representative of the régime which set up the *paredón*—that is, the execution wall, which deprived millions of his brothers of a homeland—appeared horrified when speaking of imaginary executions and persecutions in Chile. I think I have more moral authority than the representative of Cuba to talk about human rights. I belong to a country which in all international forums and in domestic policy has invariably made it a cult to respect human rights. Nor is this the patrimony of any group in Chile either, but is shared by all Chileans. Here in the United Nations, Ambassador Diaz Casanueva, until yesterday representative of Chile, had distinguished himself for his constant defence of human rights; and I would modestly mention that in the Third Committee in 1964 I fought tenaciously for the adoption of an international convention on human rights that would be operable—something I could not achieve because some countries managed to insert an article in it which would never allow that convention to come into force.

181. Moreover, Chile, through me at the Inter-American Conference held in Rio De Janeiro in 1965, introduced the draft of an inter-American convention on human rights which, duly amended at a specialized conference, led to the approval of the one adopted within the inter-American system.

182. I have explicit instructions to denounce the infamous campaign which the red Fascists of Cuba have undertaken against the Government of Chile alleging violations of human rights which they themselves commit day after day. In Chile, there have been victims during the struggle between military forces and terrorists and sharpshooters. But there have been no executions or arbitrary detentions or arrests; no one has been nor will be tortured, and all fundamental human rights have been and will continue to be respected.

183. The representative of red fascism in Cuba, using the most insolent epithets of his pestilent oratory, yesterday had the audacity to describe the members of the armed forces in Chile in terms which, out of respect for the Security Council, I am not going to repeat. The armed forces of Chile are beyond the reach of that sort of filthy diatribe. They are identified by the Chileans with the best days of our history; they are the living incarnation of the virtues of our people and they represent the most solid bulwark of our nationality.

184. The armed forces of Chile are not members of a coup. They always gave their loyal support to President Allende, who never missed any opportunity to give them his most enthusiastic praise and support. The armed forces of Chile made sacrifices to defend the Government of President Allende and they went along with him in the most difficult times. They even mobilized and came out against their own comrades in arms when, two months ago, an armoured unit rose in revolt. If they finally set their arms against President Allende it was because the extremist elements that had dominated him had placed the Government outside the law and were leading the country to a tragic downfall. Under the pressure of those extremist elements, with which the Cuban Embassy was closely collaborating in Santiago de Chile, the Government broke legality, overthrew the Congress, disregarded the judicial powers, began to administer the country by simple decrees, wiped out all rights, headed us into economic chaos, organized armed guerilla confrontations and, finally, began to develop a campaign to incite the troops to rebel against their officers, which would inevitably have led to a cruel and prolonged civil war.

185. The pronouncement of the Chilean armed forces bears no political sign. It constitutes a supreme effort to restore legality, which had been trampled underfoot to unite Chileans once again and to ensure that the country returns, through the efforts of all, to its traditional line of work and progress. This movement of the Chilean armed forces was not plotted by any little coterie or influenced by any kind of intervention from abroad. It is the outcome of a desperate effort to survive which began among the working classes in Chile, and which grew irrepressibly with the support of the two great Parties of the Congress. At the present time, therefore, the armed forces of Chile are more than ever identified with the will of the great majorities of our country.

186. It is a source of patriotic satisfaction for me to pay a tribute at this time to the armed forces of my country. I am proud to be representing the military junta of Chile. Today is Chile's independence day. The armed forces have saved

our independence; they have given us our second independence.

187. Some delegations have expressed fear that the new Government of Chile might deprive Chileans of social progress and the advances they have already made. I can assure the Council that that is not going to occur. The first manifesto of the military junta contains this guarantee—and yesterday the President of the junta, General Augusto Pinochet, reaffirmed it by saying that:

“The new Government means not a step backwards but only a step towards legality and order.”

188. The two meetings that have been held by the Security Council on this question and the intemperate action by the representative of Cuba in them reaffirm my conviction which I anticipated in my statement of yesterday: that in convening the Council on the pretext of facts that could not be investigated—nor indeed is there any need to investigate them—he was only pursuing political propaganda ends. It is an act of insolence to utilize the Security Council for such an ignominious objective; but the representative of red fascism in Cuba did not hesitate to do this. Indeed, he has set up here the greatest show on earth.

189. Apart from his foul diatribes he has not said anything about the substance of the questions that he has raised. He has tangentially referred to these points, adding at whim new imaginary facts, maliciously cutting out quotes from his own documents without providing any proof testifying to the truthfulness of his statements. Today he referred to the damages inflicted on the *Playa Larga*. That vessel might have arrived at El Callao with damages and, naturally, those damages could have been caused by its own crew. Because, if the Chilean Navy had actually fired on that vessel, it would never have reached El Callao in a normal amount of time; it would have had to go back to Valparaíso. The Navy would have overcome it and forced it to return and there would not have been any reason for firing on it effectively and then allowing it to escape.

190. What is important in this case—and I should like to emphasize it—is that now the representative of Cuba recognizes what he craftily concealed in his original statement: that the vessel came from Valparaíso and, therefore, that it was under Chilean jurisdiction. This is a proven fact about which there need be no discussion. If the vessel violated Chilean law there, the Government of Chile legitimately has the right to exercise its right of pursuit—which it actually did.

191. It is interesting to observe that the representative of red fascism in Cuba has not denied the facts I put forward yesterday to the Security Council from which it could be concluded that Cuban diplomats did intervene in the domestic affairs of Chile in such an unusual and barefaced manner that it is possible to accuse them—because of the smuggling and distribution of arms in which they engaged and the organization of guerrilla bands to which they were committed—of having been the prime fomenters of civil war which, inevitably, would have broken out in Chile.

192. The representative of another Member State has said here that the Government of Chile violated the Vienna

Convention on Diplomatic Relations because Chilean soldiers fired back when they were fired upon from the Embassy. He said that he thought it impossible that the shots could have come from an embassy. But that defence is based upon a complete ignorance of facts. The Cuban Embassy in Santiago was not a normal diplomatic mission. It was a place that was used in a manner incompatible with diplomatic functions, violating article 41, paragraph 3, of the Vienna Convention on Diplomatic Relations. That Embassy was a fortress, an arsenal, a repository and centre for the distribution of weapons, a general headquarters for operations. Its occupants, including Cubans and Chileans, normally amounted to about 100 people. And while those of Cuban nationality were supported by diplomatic protection and privilege, they were for the most part experts in guerilla tactics, subversion, terrorism and sabotage. They were entrenched in the Cuban Embassy on 11 September. They had taken a position and they had been involved in the events of that day. They were not impartial observers. They were active militants against the action that had been taken by the armed forces of Chile, and for that reason it is perfectly understandable that from the very first moment they wanted to make a contribution in order to overthrow the military authorities. The fact that they were the first to fire in attacking Chilean soldiers is, for that matter, sufficiently demonstrated by the telephone conversation between Admiral Carvajal and the Cuban ambassador, which I analysed in depth yesterday before the members of the Security Council. In order to ascertain the truth, the Council does not need any other elements of proof than that.

193. Therefore, there could not have been any violation of the Convention on Diplomatic Relations by the Government of Chile, whose forces were attacked from the Cuban Embassy and had to fire back in the exercise of the right of self-defence, which is recognized to all Member States under Article 51 of the Charter. The one that violated that Convention is the Cuban Embassy, with its inadmissible and insolent acts of intervention in our domestic affairs.

194. The facts already mentioned, which are conclusive and which will very shortly be exhibited to the whole world in documentary form, constitute the most monstrous violation of article 41 of the aforementioned Convention. This type of violation, which disguises an imperialistic intention since it pursues the idea of the control of one country by another, could indeed constitute a threat to international peace and security.

195. I think that the Security Council should consider the matter and take measures so that no apprentice in imperialism would try tomorrow to intervene unduly in the domestic affairs of other States.

196. What still stands from all that we have heard? A complaint, which is based on two claims: the incident of *Playa Larga* and the incident of the Cuban Embassy. To support those claims, the accusers have resorted to much verbiage without even having attempted to prove that they have spoken the truth. For our part, on behalf of Chile, we have rebutted those charges seriously. We have presented in support of our contentions, elements of proof, some of which were inadvertently provided in the accusations of

Cuba. We have described those two incidents as legally showing that the *Playa Larga* matter was a matter of the internal jurisdiction of Chile and as one that could not be heard by the Security Council, and that the matter of the Cuban Embassy in Santiago was a matter of the past which could be handed over for study to an academy for historical research, but which is completely outside the competence of the Security Council.

197. The PRESIDENT: I call on the representative of the United States; who wishes to speak in exercise of his right of reply.

198. Mr. SCALI (United States of America): "For every kind of beasts, and of birds, and of serpents, and of things in the sea, is tamed, and hath been tamed of mankind: But the tongue can no man tame; it is an unruly evil, full of deadly poison." (*James, iii. 7 and 8.*)

199. With his newest outpouring of bile, the Cuban representative has given fresh meaning to these words from the Bible, that great book from which he now, along with his Foreign Minister, has suddenly discovered a source of quotations they consider so inspiring.

200. The PRESIDENT: I call on the representative of Cuba, who wishes to speak in exercise of his right of reply.

201. Mr. ALARCON (Cuba) (*interpretation from Spanish*): I shall certainly not tax the patience of the Council, which has already spent much time in listening to this incredible exercise of the Government of the military junta of Chile trying to demonstrate something which no one in this room, except its sponsors, would venture to justify.

202. To be quite specific, I referred to the vessel, I spoke about the cannon fire, I talked about the attack on that vessel as it was described by a Yankee correspondent through a Yankee news agency. As I said, the vessel is to be found in the port of a third country—in this case, Peru. It is being seen and examined by Peruvian technicians.

203. My delegation formally asks of this Council that it investigate the facts. There are means to do that. It is not impossible. The vessel is not under our control at this time. The vessel has the holes in it described by UPI; it has the damage described by the press agency and it is being examined by technicians whom everyone should consider to be impartial. If the representative of the Chilean military really believes that he is going to convince anyone of his far-fetched theory that the vessel *Playa Larga*, a merchant vessel that was carrying sugar, was the first case of self-bombardment of a vessel on the high seas, then let him accede to and endorse my formal request of this Council that it should proceed to hold an objective investigation into the condition of the vessel—whether the cannon shots came from inside or outside the vessel, who attacked the vessel and, in fact, what actually happened.

204. Some members of the Council expressed doubts and misgivings about the feasibility of acquiring objective information. My delegation specifically invites this Council to proceed to an objective and impartial investigation of the

status of this vessel and of what happened, since all of this can be decided by persons who are experts in the field.

205. Moreover, reflecting the concern expressed at this same meeting by a number of members of the Council and by Ambassadors of countries which, without being members, have asked to intervene in the debate on the question of the situation existing in respect of political exiles who are now or were in Chile, I should like once again to refer to North American sources and quote a cable from a Yankee newspaper, by a correspondent of the Associated Press, a Yankee agency, which stated:

"According to official sources of the Chilean military junta, 315 Bolivians who were living in Santiago and other cities of the country have been taken into custody and placed in a frontier post to be sent back to the Bolivian régime."

Moreover, that agency continued:

"Four thousand one hundred and seventy-eight Bolivians"—I repeat, 4,178 Bolivians—"are to be found in Chile, but we do not know the status of their whereabouts or under what policies they will be sent back to the régimes from which they fled, and which is being applied in respect of Brazilian, Uruguayan and Paraguayan exiles."

I repeat that this information comes from a Yankee newspaper reporter, transmitted through the Yankee news agency Associated Press.

206. I shall not refer to the last statement of the representative of the Chilean régime. I should merely like to say that my delegation pays a tribute today to the people of Chile and the glorious fighters who are resisting fascism in that country on the National Independence Day of Chile. I should mention that it is really a matter of sorrow and grief that on a transitory basis this date, which commemorates the independence of that sister country, it should be directed, guided, controlled and placed in subjugation by a Fascist régime which has brought it down to the level of a State associated with the United States, as this debate has indeed proved.

207. The PRESIDENT: I call again on the representative of Chile, who wishes to speak in exercise of his right of reply. I would simply ask him please to take into account the late hour.

208. Mr. BAZAN (Chile) (*interpretation from Spanish*): Since the representative of Cuba is asking the Security Council to carry out an investigation and has asked whether I would agree, I must say that I cannot consent.

209. The existence and nature of the damage sustained by the vessel *Playa Larga* may be proven by Cuba any way she wishes; however, I do not think it is within the purview of the Security Council to carry out such an investigation. If the vessel is or is not damaged, or what the damage is, has no bearing on resolving the case that has been raised. The only point that is of interest in the matter is that the representative of Cuba has now recognized that the vessel

*Playa Larga* was coming from the port of Valparaiso, where it was under Chilean jurisdiction. Therefore, it violated Chilean legislation by leaving without the permit required by Chilean law and by leaving with Chilean goods aboard. He has also recognized the fact, at least, that it left Valparaiso without the required permit. It violated our laws and hence the right to pursue was exercised by Chile.

210. The PRESIDENT: I call again on the representative of Cuba in exercise of the right of reply, and I would ask him to take into account the lateness of the hour.

211. Mr. ALARCON (Cuba) (*interpretation from Spanish*): I merely want to ensure that the record is clear that I have not asked permission, nor would I ever ask permission, of the Chilean pirates. Now he has had the good taste to anticipate a point of what might become a decision of the Council—and to which my delegation had addressed itself before the Council—namely, that it should proceed to make an impartial and objective investigation of what happened in the case of the vessel *Playa Larga*.

212. It is worth noting that all the members of the Council without exception—or, I should say with the one exception we already know—either condemned what happened with the *Playa Larga* or expressed concern and regret

over it, and that if it could be verified that the facts stated are true they would also disapprove of the course of action followed by the Chilean forces.

213. That is why our proposal is the logical conclusion of the concern expressed by all the members of the Council. Our proposal is that the Council should investigate what happened with the vessel *Playa Larga*. The pirates do not want any investigation, but that is only logical. The Council must investigate.

214. The PRESIDENT: As there are no further names on the list of speakers and no further requests for the exercise of the right of reply, I intend to adjourn this meeting.

215. Since I have no indication at this stage as to when members of the Council would wish to speak again or to present any specific proposals on the item on the agenda, it would seem to me premature to fix a time for another meeting of the Council on this issue. Accordingly, I shall remain in contact with the members of the Council so that consultations may be held on when another meeting on this issue should be scheduled.

*The meeting rose at 2.15 p.m.*

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