



C O N T E N T S

	<i>Page</i>
Agenda item 8:	
Adoption of the agenda (<i>continued</i>).....	43
First report of the General Committee	

President: Mr. Eelco N. VAN KLEFFENS
(Netherlands).

AGENDA ITEM 8

Adoption of the agenda (*continued*)

FIRST REPORT OF THE GENERAL COMMITTEE (A/2733)

1. The PRESIDENT (*translated from French*): Are there any comments on items 24 to 60?
Items 24 to 60 inclusive were placed on the agenda without discussion.
2. The PRESIDENT (*translated from French*): Are there any objections to the inclusion of item 61?
3. Mr. LUNS (Netherlands): In view of the fact that my Government's objections to the inclusion of the item entitled "The question of West Irian (West New Guinea)" in the agenda of the Assembly have already been submitted to the General Committee [*92nd meeting*], I will, with the President's permission, limit myself to a few brief remarks on the principal reasons why the Netherlands delegation is of the opinion that this item should not be placed on the agenda.
4. In the explanatory memorandum which accompanied the Indonesian request, A/2694, three principal arguments why the General Assembly should deal with this matter are advanced. These arguments are: (a) a claim that sovereignty over West New Guinea rightfully belongs to Indonesia, (b) a complaint that the Netherlands Government has been unwilling to settle the dispute by negotiation, and (c) a contention that this state of affairs might bring about a threat to the peace and security of South-East Asia.
5. First of all, the Netherlands Government most emphatically denies that the Netherlands administration of Netherlands New Guinea can be considered as having given rise to a dispute or situation likely to endanger international peace and security within the meaning of Articles 34 and 35 of the Charter of the United Nations. The primitive population of Netherlands New Guinea, roughly half of which has never had any contact whatsoever with the outside world, has never made any complaint against the maintenance of Dutch rule; far less has it ever expressed any desire to exchange this rule for one exercised by Indonesia.
6. That the Indonesian Government itself does not seriously consider the Netherlands administration of

the territory as a threat to its security is proved by the fact that the Indonesian Government has never availed itself of the repeated offers made by the Netherlands Government to give to the Indonesian Government such formal guarantees of its peaceful intentions as could dispel any doubt in the matter.

7. The obligations towards the Papuan population of Netherlands New Guinea, which the Netherlands Government has assured in conformity with the principles of Chapter XI of the Charter of the United Nations, form a safeguard for their pacific advancement, just treatment and protection. Should this population be incorporated into the alien Republic of Indonesia, their chances of developing self-government and achieving self-determination would be curtailed once and for all, and the information relating to conditions in the territory now regularly transmitted by the administering Power, in conformity with Article 73 e, would no longer be provided. The very primitive territory of New Guinea would *de facto*, though perhaps not *de jure*, become a colony of Indonesia and lose the benefit of Chapter XI of the Charter.

8. With regard to the sovereignty exercised by the Netherlands over Netherlands New Guinea, suffice it to say that this sovereignty has never been questioned since the Netherlands Government established its rule over the territory at the beginning of the last century, and that when the Round Table Conference agreements were concluded in December 1949, sovereignty over Netherlands New Guinea was specifically excluded from the transfer, with the stipulation that the *status quo* of the residency of New Guinea would be maintained though continuing under the Government of the Netherlands.

9. As to the Indonesian complaint that the Netherlands Government has refused to give effect to the clause contained in article 2 of the Charter of Transfer of Sovereignty that the question of the political status of New Guinea should be determined by negotiations between the partners of the Netherlands-Indonesian Union, I would point out that the negotiations did in fact take place within a year of the appointed date. These negotiations failed to produce agreement, not because the Netherlands Government was unwilling to strive for a just solution, but because the Indonesian Government made the unreasonable demand that the Netherlands Government should *a priori* consent to transfer sovereignty over Netherlands New Guinea to Indonesia.

10. The Netherlands Government even went so far as to agree to a second conference on the determination of the status of New Guinea. But at that conference, which was held during the months of January and February 1952, the Indonesian delegation took an even more unconciliatory attitude and demanded that the Netherlands Government should recognize the fact that sovereignty over Western New Guinea had already been vested in Indonesia in 1949.

11. This demand obviously left no room for further negotiations, which could only be based on the continuing sovereignty of the Netherlands, anchored in the past and explicitly confirmed in the Round Table Conference agreements. Furthermore, the Netherlands Government, at the request of the Indonesian Government, agreed to the dissolution of the Netherlands-Indonesian Union, and attempts at solutions, which might formerly have been fruitful in the context of that Union, have now obviously lost their *raison d'être*. No intervention on the part of the United Nations can change these facts.

12. In this connexion, my Government reserves all its rights under the Charter, including those under Article 2, paragraph 7. In order that there may be no possibility of doubt on this point, let me repeat here once again my Government's unalterable decision to maintain and to uphold its lawful sovereignty over the territory of Netherlands New Guinea. So much for the arguments in the Indonesian memorandum.

13. I should now like to add some considerations of fundamental importance to the effective functioning of our Organization, considerations which have a direct bearing in this case. The first of these is that the provisions of Article 12 of the Charter bar the General Assembly from making recommendations with regard to disputes or situations in respect of which the Security Council is exercising the functions assigned to it under the Charter. The Members of the United Nations will not be unmindful of the fact that, as stated in the document (A/2732) submitted this very day by the Secretary-General of our Organization, the Indonesian question is among those questions which are being dealt with by the Security Council. Now the so-called West Irian issue forms a part of this Indonesian question, as is made abundantly clear by the numerous pages devoted to the New Guinea issue in the various reports and records of this Organization relating to the Indonesian question.

14. There can, therefore, not be the slightest doubt that Article 12 of the Charter fully applies in this case and that the General Assembly is not entitled to make any recommendations as requested by Indonesia. If the Indonesian Government felt that it had a case for consideration by an organ of the United Nations, which we emphatically deny, then the Indonesian Government should have addressed itself to the Security Council or to the United Nations Commission for Indonesia, instituted by the Council.

15. The second consideration which I would earnestly recommend to my fellow-representatives is that it would be most unwise for this Organization to deal with a matter which contains no possible danger to the maintenance of international peace and security, especially when the discussion of such a matter by the Assembly is likely to stir up emotions and thereby create unrest, disturbances and ill-feeling, which it is the aim of the United Nations to avoid and to allay, and certainly not to foster.

16. The population of Netherlands New Guinea is completely at peace and untroubled by any political conflicts. The stirring-up of artificial conflicts and emotions can only be detrimental to the interests of the population, which interests, according to Chapter XI of the Charter, are of paramount importance. A debate on the status of Netherlands New Guinea is equally bound to create new tensions between the Netherlands and Indonesia, which just recently came to a new settlement of

their relationship which was intended to provide a new basis for peaceful co-operation.

17. Nothing but harm is to be expected from a discussion of a question which cannot be solved by the United Nations and in relation to which the General Assembly has no right to make any recommendation. Such an ill-advised procedure can only result in irritation between the parties concerned, disadvantage to the population of Netherlands New Guinea and, finally, loss of prestige to the United Nations as a whole.

18. It is for these reasons that my delegation will vote against the inclusion of this item in the agenda and that I earnestly appeal to my fellow-representatives to do likewise.

19. Mr. SUDJARWO (Indonesia): The General Committee decided two days ago [92nd meeting] to recommend the inclusion of item 61, that is, the question of West New Guinea, in the agenda of the present session of the General Assembly. It was our hope that this well-considered recommendation would not necessitate further debate in the General Assembly. But since the Netherlands representative has challenged the recommendation of the General Committee, it is necessary for me to draw the Assembly's attention to a few relevant points. I shall try to be as brief as possible.

20. The reasons which have prompted the Indonesian Government to bring this dispute between my Government and the Netherlands before the General Assembly are in fact very simple, despite the attempts made to complicate the issue.

21. As clearly stated in the explanatory memorandum, document A/2694, a serious political dispute has existed between the Governments of Indonesia and the Netherlands since the signing of the Round Table Conference agreements in The Hague in late 1949. The Round Table Conference, under the auspices of the United Nations Commission for Indonesia, marked the end of the four years of Dutch-Indonesian armed conflict. In fact, the Chairman of the Commission for Indonesia called the Round Table Conference agreements the solution of what was then called "the Indonesian question". Thus, while one serious problem, the question of the independence and sovereignty of Indonesia, was solved, a new and no less serious one of a territorial character arose.

22. According to article 2 of the Charter of the Transfer of Sovereignty, this new political dispute over West Irian should be settled by negotiations between Indonesia and the Netherlands. Unfortunately, all negotiations before and after the stipulated one-year period failed. Although at the recent Indonesian-Dutch Conference in The Hague the Indonesian Government endeavoured to carry out the provisions of article 2 of the Charter of the Transfer of Sovereignty, to which both parties are still committed—I repeat, to which both parties are still committed—the Netherlands Government now refused to enter into bilateral negotiations on West Irian. It is true that we have been able to abolish the Dutch-Indonesian Union—called by Mr. Luns a "still-born child"—amicably, as friends, and we thought that common sense and understanding would also prevail with regard to the Irian question. But the Dutch Government refused definitely to enter into negotiations with regard to West Irian.

23. This provoked the greatest concern in Indonesia, since the Dutch have now slammed shut the door to further peaceful negotiations. Voices were raised in favour of settling this dispute by other and more dras-

tic measures. My Government, however, holds to the belief that a peaceful settlement of the West Irian dispute can and must still be sought. We naturally, therefore, turn to the General Assembly as the proper instrument for settling this dispute peacefully, or at least assisting in settling the dispute peacefully by negotiations. Under Article 35 of the Charter, we had the choice of going either to the Security Council or to the General Assembly. We chose to go to the General Assembly, and the General Committee has now recommended the inclusion of item 61, the question of West Irian, in the agenda of the General Assembly.

24. The seriousness and even the explosive character of this unsettled dispute is clearly shown in our explanatory memorandum. Indeed, we heard with amazement the statement by the representative of the Netherlands in the General Committee, who spoke as if there was nothing in the air. The Dutch representative even spoke of peace and tranquillity in the troubled area of West Irian. I do not know whether he meant that seriously, but, believe me, there is no peace and tranquillity in West Irian, either for the people or even for the Dutch colonizers. The political and social uncertainty, the tensions which have been created by colonial imposition, by the unsettled dispute, and so on, are only too apparent. Even the report of the visiting Dutch Parliamentary Mission, published in 1954, admitted this fact. Colonial forces, with, unfortunately, anti-Indonesian records, have been sent continuously to strengthen the so-called defences of this area. This naturally threatens the peace of the Indonesian people. No, there is no peace and tranquillity in West Irian; indeed, if it were true that the so-called happy state of affairs described by the Netherlands representative existed in territories under colonial control, like West Irian, where the Administration can only be sustained by colonial forces, there would have been no Indo-China problem, no Mau Mau problem in Kenya, no Tunisian and Moroccan questions, and, in the eighteenth and nineteenth centuries, no colonial wars in the countries of Latin America and, indeed, no revolution for independence in this great country, the United States.

25. It is equally amazing that the Dutch representative has spoken of a "peaceful mission"—a *mission sacrée*—in West Irian [*General Committee, 92nd meeting*]. Frankly, we are rather tired of hearing this excuse again and again for colonial rule. We heard it for hundreds of years from the Dutch. As a matter of fact, this so-called *mission sacrée* and the so-called peaceful and tranquil atmosphere ended in my country only in a revolutionary war for freedom, to get rid of all kinds of *missions sacrées*.

26. It has also been asserted that no racial links exist between the people of West Irian and those of the rest of Indonesia. This is not true. Moreover, this question is not relevant at all to our discussions today. A country can have several racial groups within its territorial boundaries. The Dutch themselves have acknowledged that the population of Indonesia consists of about seventeen main ethnic and linguistic groups, and a still greater number of subgroups. But what does that matter? It may, in fact, be asked what kind of racial links the Dutch have with the West Irians. Certainly I look much more like a West Irian or a Papuan than do my Dutch friends.

27. In the General Committee [*92nd meeting*], the representative of the Netherlands also stated that at the 1949 Round Table Conference between Indonesia

and the Netherlands—and this was repeated today by the representative of the Netherlands—"it was formally agreed that the *status quo* of West New Guinea under the sovereignty of the Netherlands would be maintained". That statement is without any foundation. Article 2 of the Charter of the Transfer of Sovereignty contains nothing about Dutch sovereignty over West New Guinea. The article provides:

"That the *status quo* of the residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia"—that is the present Republic of Indonesia—"the question of the political status of New Guinea be determined through negotiations between the Republic of the United States of Indonesia and the Kingdom of the Netherlands."

Nothing in this article can be construed as maintaining West New Guinea under Dutch sovereignty, either before or after the expiration of the stipulated one-year period of negotiations.

28. Equally, the assertion that the Netherlands Government never considered the possibility of transferring sovereignty over West New Guinea to Indonesia does not hold water. The Netherlands Government stands committed both to Indonesia and to the United Nations to transfer sovereignty over all Indonesia, without any exception whatever. Mr. van Royen told the United Nations Security Council in December 1948 [*388th meeting*]: "All parties agree that what used to be the Netherlands East Indies should become an independent State as soon as possible."

29. The argument has also been made that an Assembly debate on this item would only embitter the parties and serve no political purpose. My delegation certainly cannot subscribe to such an argument. Disputes, whether we like it or not, have to be solved. Naturally, different views exist as to the ways and means of arriving at a peaceful settlement. The dispute is there, a serious political dispute which should and must be solved, and the General Assembly is the most appropriate place in which an attempt should be made to solve it peacefully. If the dispute is left unsolved, it would not only embitter the parties, but it would also aggravate the situation, and that is certainly not what the General Assembly wants.

30. Finally, I wish to turn to the objections raised under Article 12, paragraph 1, of the Charter. In our view, that paragraph is not relevant to the matter under discussion, since we are here concerned only with the inclusion of an item in the agenda. Moreover, the question of West Irian and the Indonesian question are not the same. They arose at different times from different sources and under vastly different conditions. The Indonesian armed conflict, resulting from the challenge by the Netherlands of the Indonesian people's proclamation of independence, ended in 1949 when the Netherlands Government recognized and accepted the complete sovereignty and independence of Indonesia. The question of West Irian—which, prior to the Round Table Conference, had not been a matter of conflict and was never a point of discussion in the Security Council—emerged from the Round Table Conference agreements as a new dispute between Indonesia and the Netherlands.

31. In other words, at the time that the problem arising from the armed conflict between the people of Indonesia and the Netherlands Government was ended,

a new dispute emerged between the two sovereign Governments of Indonesia and the Netherlands; that is quite different indeed.

32. In the General Committee [92nd meeting] I pointed out that, whereas the so-called Indonesian question on the agenda of the Security Council concerned the total relationship between the Indonesian and the Dutch peoples and the Dutch colonial war in Indonesia, the West Irian question is a specific matter between the now two sovereign States Members of the United Nations. There is no valid reason, therefore, to restrict the Assembly's consideration of the specific issue concerning West Irian. In fact, even if the question of West Irian were considered a facet of the "Indonesian question", it has long been the precedent of the General Assembly to deal with a particular facet of a question with which the Security Council is seized, as was the case, for example, in the Palestine and Korean questions. But it is also a fact that the Security Council is not now dealing with the Indonesian question. Therefore, aside from the other reasons mentioned, Article 12, paragraph 1, cannot be invoked to limit the competence of the General Assembly concerning item 61. To do so would certainly create a most dangerous precedent as regards both the competence and the authority of the General Assembly of the United Nations—and, indeed, of the United Nations itself.

33. Under Article 35 of the Charter we could have submitted the item to the Security Council. But why should anyone oppose the inclusion of item 61 in the agenda of the General Assembly? From the statement of the Dutch representative it is clear that the Dutch do not want this item submitted to either the Security Council or the General Assembly. If others really see an obstacle in Article 12 of the Charter—one which we do not see at all—why is not the suggestion made simply to remove this technical obstacle by appropriate means, which, in fact, is only a technical procedure? It seems to me that Article 12 of the Charter is actually being invoked to prevent any discussion or action on the question of West Irian in any organ of the United Nations.

34. But should this dispute be allowed to fester and grow worse? Is it not our right—even our obligation—to bring this question to the General Assembly before it becomes more acute or more explosive? Is it not our duty to continue to seek every means of achieving a peaceful settlement of this international dispute after bilateral negotiations between Indonesia and the Netherlands have failed and the door to further negotiations has been slammed shut by the Dutch at the recent negotiations at The Hague?

35. In his annual report the Secretary-General of the United Nations, Mr. Hammarskjöld, pointed out that: "To fail to use the United Nations machinery on those matters for which Governments have given the Organization a special or primary responsibility under the Charter . . . may tend to weaken the position of the Organization and to reduce its influence and effectiveness . . ." [A/2663, p. xi]. And this, I regret to say, is in effect what the Dutch Government is trying to do.

36. The words of the Secretary-General certainly deserve a better response. I urge representatives carefully to consider this matter of principle. The Dutch proposal to reject the inclusion of item 61 in the agenda would have serious and damaging consequences. It would damage not only the faith in the United Nations

of 80 million Indonesians, but also that of those others in the world who seek freedom, justice and peace through the United Nations. Let us not weaken the authority and the competence of the General Assembly. The Dutch motion should be rejected, and the well-considered recommendation of the General Committee adopted. The efforts for freedom and peace through the United Nations must not be stopped.

37. Mr. CASEY (Australia): The Assembly has before it the recommendation of the General Committee that the item on West New Guinea, submitted by the Government of Indonesia to this session of the United Nations General Assembly, be included in the Assembly's agenda. I have asked to speak at this time because I want to suggest that this matter should be very carefully considered before a decision is reached. I want to explain as briefly as I can, but with all the force at my command, what is involved in putting the item on West New Guinea on the agenda.

38. Most representatives will be aware of the seriousness with which the Australian Government regards this matter. For us, the vote on the inclusion of this item on West New Guinea is not merely a question of one more, or one less, item for the Assembly to deal with at this session. The question of putting West New Guinea up for discussion here entails, as I shall try to explain, far more than that. It means that if the Assembly, having considered all the consequences, should decide to debate the problem of West New Guinea, we should be doing something entirely opposed to the spirit, if not the letter, of the United Nations Charter; because all of us here, if we are frank with ourselves about it, know that we are not going to do any good by discussing West New Guinea. On the contrary, I believe that by so doing we may very well do a great deal of harm.

39. The Government of Indonesia has asked to have the question of West New Guinea put on the agenda. Why has Indonesia done this? I think I am not doing my Indonesian friends an injury when I say that it is because they wish to gain possession of the territory of West New Guinea, a territory which is under the administration and authority, and under the sovereignty, of the Netherlands. The sovereignty of the Netherlands Government over its territory in New Guinea is recognized by the Government of Australia. I should be interested to know whether any of the Governments represented here do not likewise recognize the sovereignty of the Netherlands Government over its territory in New Guinea. The Netherlands Government—and in fact its representative here has already so reminded us this afternoon—has repeatedly declared that it has no intention of abandoning its sovereignty over its territory in New Guinea, and that it has no obligation to do so in law or by reason of any earlier event.

40. These, then, are the bare facts of the situation in West New Guinea. The Dutch have it and have no intention of abandoning their responsibilities; the Indonesians want it—and we in Australia, who are neighbours of the Dutch in New Guinea, do not recognize any real claim on the part of the Republic of Indonesia. We support the Netherlands in its continued administration of West New Guinea. I believe it is right to say that whatever claim is put forward by Indonesia rests on some alleged legal ground which it is sought to pursue in the political field—that is, here—and does not rest on any principle on which the Charter of the United Nations is founded.

41. In the circumstances, what would be the result of inscribing this item on the agenda? I submit, most earnestly, that there could be only one result: the United Nations would saddle itself with a problem that is not going to be solved in the only way that Indonesia, the sponsor of this item, wants it to be solved—that is, by getting the Netherlands, under Assembly pressure, to hand its New Guinea territory over to Indonesia. And at the same time, if this matter were to be pursued, things would be said here which could only aggravate friction between the Netherlands and the Indonesian Governments, and cause ill-will between Australia and its neighbours. These things can be very unpleasant, very provocative of trouble and dissension. By voting in favour of putting this matter on the agenda, the Assembly would in fact be voting for the creation of friction and tension. The Assembly might see fit to face this unpleasant prospect if some positive result were likely to emerge—but this is not the prospect, because we know that the Dutch do not intend to abandon their responsibilities or their sovereignty.

42. It seems to me particularly unfortunate that Indonesia should have chosen this particular time to throw this dispute into the ring. Over recent years, and perhaps even particularly over recent months, a number of countries—perhaps not the least of them Australia, I might say—have worked very hard to improve economic and social conditions, diplomatic relations and security arrangements, in fact to assist in every way in the improvement of relations with and between both the old and the new countries of South-East Asia.

43. I may say that this has been the policy followed by Australia ever since we began to have direct relations with neighbouring countries in our part of the world. But, although we have worked hard—and I feel that a good deal has been done—no one would say that the present conditions are perfect in this area. There is unfortunately a good deal of tension in South-East Asia, a good deal of potential danger. In the view of my Government, consideration of the question of West New Guinea by the United Nations General Assembly at this time would only serve to exacerbate this situation, to increase the tensions and even to aggravate the dangers that we face. The Assembly would be sowing discord in a part of the world where discord is dangerous.

44. I have tried to make clear, as briefly as I can, the importance which my delegation attaches to the rejection of this item. Without arguing the merits of the case, which would not be proper for me to do at this stage, I have given some indication of the reasons why we most earnestly appeal to all delegations here to vote against its inscription. And, further, I would ask any of my fellow representatives who might have it in mind to vote in favour of the inclusion of this item: What do they believe would be the result which would flow from the inclusion of this item?

45. If any of my friends are voting for its inclusion because they hope that, as a result of United Nations intervention, the Netherlands Government will be forced to hand its territory in New Guinea over to Indonesia, then it would be frank—I say this with all respect—for them to say so. They may have overlooked the fact that we have the formal declaration of the Netherlands Government that it has no intention of doing any such thing, for many reasons which it has given and which, I have no doubt, it would give again if necessary.

46. If, however, there are those who would propose to vote for a transfer of sovereignty over West New Guinea from the Netherlands to Indonesia, even with the knowledge that there is no prospect of this being brought about, then I submit that we should face up to the facts of the situation: that all that the inscription of this item on our agenda could do would be to increase the difficulties of those of us who have interests in New Guinea and who are vitally concerned in maintaining good relations with other countries in that part of the world. We would not relish the addition of a further source of tension and friction in an area that already has at least its share of potential trouble.

47. There is now something like equilibrium in the area immediately to the north of Australia—and, when I say “equilibrium”, I mean equilibrium in men’s minds. In a world in which stability is not a notable characteristic, equilibrium with regard to an area is not something to be lightly disturbed. It is not only the Government of Australia which holds the views that I have endeavoured to express today. The matter is one of conviction—I might even say passionate conviction—on the part of the whole Australian people, without distinction of party or anything else.

48. I have spoken on this matter with feeling and in a forthright way that does not admit of any misunderstanding of our views and attitude of mind. However, I speak without heat, since heat could have no place in deliberations between friendly States. We can differ on these matters of high policy without impairing our relations generally. It is in this spirit that I have sought to speak on this item.

49. Against the background of what I have said, I request that the vote on whether item 61 should be included in or excluded from the agenda be taken by roll-call.

50. Mr. HOPPENOT (France) (*translated from French*): The French delegation fully shares the point of view just expressed by the representatives of the Netherlands and Australia. For reasons both of law and of international morality, whether we refer to the letter or the spirit of the Charter, we can only regard the inclusion of item 61 on our agenda as a grave violation of the fundamental principles of our Organization.

51. France and the Netherlands are linked by many old ties of friendship and spiritual affinity. France also feels deep sympathy with the Republic of Indonesia and has followed with admiration the efforts it has made to establish its new independence on the democratic bases which guarantee social justice through political liberty to all peace-loving peoples. If we were to be guided only by these feelings, we should be tempted to adopt a neutral attitude to the problem now dividing the two countries. But this problem, as it arises now at this stage of procedure, is a problem of law and not of substance. The very principles of the Charter are at stake and I do not think that those who are attached to the maintenance and defence of these principles can take refuge in silence or abstention.

52. The sovereignty exercised by the Government of the Netherlands over the territory of West New Guinea is, if I am not mistaken, being challenged in this Assembly only by the Power which is claiming this sovereignty for itself and which is asking us in effect to make a decision and sanction its claim.

53. By virtue of the exercise of sovereignty, everything connected with relations between the Netherlands Government and West New Guinea lies within the na-

tional jurisdiction of the Netherlands Government; and under Article 2, paragraph 7, of the Charter, nothing contained in the Charter shall authorize the United Nations to intervene in such matters.

54. I ask myself and I ask all the Members of the General Assembly what kind of intervention could be clearer and more flagrant than to consider here, and thereby to cast doubt upon, the bonds of allegiance which link the population of West New Guinea to the Netherlands Crown and which derive from the *de jure* and *de facto* exercise of that sovereignty? If such a claim were countenanced, if one of the clearest and most categorical provisions of the Charter were thus violated, which of the countries represented here could be assured that its unity and independence would not be questioned on the initiative of a third party, in conditions that might well threaten its own national and international security?

55. I ask you all to ponder this question. For each of us, the precedent which the inclusion of item 61 on our agenda might create by violating the fundamental principles of the Charter is a threat to our vital rights and interests, which this provision of the Charter was specifically framed to safeguard. Our vote should be dictated, we feel, not only by respect for the imperative provisions I have mentioned, but by the need to prevent the consequences which its violation would bring to all of us.

56. There is another, subsidiary argument which, to our mind, militates against the inclusion of item 61. This is the argument of those among us who think that, because of the part played by the United Nations in the settlement of the Indonesian question, the United Nations has a vested interest in the New Guinea problem and is therefore entitled to take up a question which, it feels, can be regarded merely as an extension of the Indonesian question.

57. This point of view may be borne out to some extent by the fact that the Indonesian question is still on the Security Council agenda. At regular intervals we have received—as we have been receiving during the last few days—a list of the items included on the Security Council's agenda and which are consequently still before the Security Council. The Indonesian question is on that list. Need I add that the fact that the Security Council has not been called upon to deal with it for several years can have no influence on the actual existence of the question? In this connexion the Charter lays down no time-limit. But if we adopt this item, the Article of the Charter to be applied is Article 12. You all know this Article, but perhaps I should read out its exact terms:

“1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.”

58. However, although it may be argued that Article 12 does not preclude the General Assembly from discussing a dispute or a situation which is before the Security Council, it does not authorize the Assembly to make any recommendation on that subject. On 22 September in the General Committee [92nd meeting] Mr. Vyshinsky defended this point of view with great force and I must confess that for once he more or less convinced me. But I ask you, gentlemen, what would be the use or the scope of a debate which we could not

conclude constructively by adopting a resolution? All the objections to such a debate which the Australian Minister of State for External Affairs so clearly underlined a few moments ago—the feelings which it would arouse, the anxiety felt by the peoples whose fate would be in the balance and the damage to international relations—all the damage and all the dangers which it is our duty to avoid and not to create will not even be offset by the hope that the discussion may lead to some conclusion.

59. Since the said provision in the Charter would prevent any outcome to the debate, it would be nothing more than a sterile and dangerous propaganda discussion. This alone should prevent us from opening up such a prospect of our own free will.

60. Let me repeat once more that in this matter France is not swayed by any considerations of policy or feeling. We stand entirely on law and on the application of the Charter. France, conscious of the mission which the United Nations has laid upon each one of us and of its responsibilities to the Organization, will vote against the inclusion of item 61 on the agenda of this Assembly.

61. Mr. RIZK (Lebanon): The question now before the General Assembly relates to the request made by the Government of the Republic of Indonesia, under Articles 10, 14 and 35 of the United Nations Charter, that the item entitled “The question of West Irian (West New Guinea)” should be included in the agenda of the ninth session of the General Assembly, for its consideration and appropriate recommendations.

62. At this juncture, the General Assembly is not called upon to enter into the substance of the matter with a view to the adoption of recommendations aimed at finding a solution to the problem of West Irian. All that is required of us today is to decide whether or not the question of West Irian, which is listed as item 61 of the provisional agenda, should be included in the agenda of the ninth session.

63. The General Committee, which two days ago [92nd meeting] debated this matter at some length, has seen fit—and by an overwhelming majority—to recommend that the General Assembly should include this item in the agenda of its ninth session. In the view of my delegation, the General Committee's recommendation is sound and justified; it commands our full support, for the reasons which I shall now briefly set forth.

64. In the first place, the delegation of Lebanon, as a matter of principle—a principle on which we are not prepared to compromise—has supported in United Nations organs, and will continue to support, the inclusion of an item in the agenda of one of those organs if the party presenting the item can show a *prima facie* case for consideration of the item. Far be it from me to imply that my delegation will vote in favour of the inclusion in the agenda of any item, even extravagant claims or wild complaints. If, however, the plaintiff can show reasonable grounds for his case, my delegation believes that he is fully entitled to a hearing.

65. It is our firm conviction that the representative of Indonesia, both in the explanatory memorandum [A/2694] which accompanied his request for the inclusion of the item in the agenda and in the brilliant statement that he made in the General Committee, has more than proved that the question of West Irian is worthy of a full debate during the current session of the General Assembly. None of the arguments which have been

adduced against his case has convinced us that the contrary is true. My delegation cannot subscribe to the thesis, just put forward in support of the position that the question of West Irian should not be inscribed on the agenda, that West Irian is a matter falling within the domestic jurisdiction of the Netherlands. Article 2, paragraph 7, of the Charter, incidentally, along with a few slogans, threadbare and unconvincing by now—like the so-called “sacred mission” of the colonial Powers, the “interest and welfare” of the colonized peoples, and the alleged “necessity of maintaining peace in the area”—all these have become common and convenient excuses for perpetuating colonial domination in the world.

66. In this connexion my delegation wishes to make the following observations. In the first place, West Irian forms an integral part of Indonesia which, according to a report¹ the Netherlands itself submitted to the United Nations in 1949, consists of a series of island groups in the region of the Equator extending from the mainland of Asia to Australia. The principal groups are the Greater Sunda Islands, the Lesser Sunda Islands, the Moluccas and New Guinea. In the second place, the Netherlands Government pledged itself by article 1 of the Charter of the Transfer of Sovereignty to transfer “unconditionally and irrevocably . . . complete sovereignty over Indonesia to the Republic of the United States of Indonesia”. I repeat, complete and undiminished sovereignty over Indonesia—which the Dutch themselves have defined as including West Irian.

67. It is true that article 2 of that Charter stipulated that the political status of New Guinea remains in dispute, and that its political status was to be determined through negotiations between the two parties within a year from the date of the transfer of sovereignty. These negotiations have broken down. In fact, during the conference at The Hague in the summer of 1954, the Dutch representatives, we are told, refused even to discuss the question.

68. The third point I should like to bring out is this: having admitted in clear and unambiguous terms that the political status of West Irian is in dispute, how can the Netherlands Government claim that Indonesian territory whose status is in dispute is under the undisputed sovereignty of the Netherlands? This argument does not hold water.

69. We have heard another contention that the Indonesian question is still on the agenda of the Security Council, and that, therefore, the question of West Irian cannot be the object of recommendations by the General Assembly by virtue of the provisions of Article 12 of the United Nations Charter. Here again my delegation cannot subscribe to this point of view. The representative of Indonesia, in his very able statement before the General Committee, found no difficulty in refuting it by showing that the question of West Irian and the question of Indonesia were not the same. The question of West Irian was never the subject of discussion by the Security Council. It arose not from actual hostilities between the two nations but from a new set of circumstances, that is, the failure of the Dutch and the Indonesian Governments to reach agreement at the Round Table Conference. But even if there was still doubt in the minds of representatives as to the competence of the General Assembly to deal with the question of West Irian, that doubt should have been dispelled by the

opinion of Professor Kelsen² which the representative of Indonesia quoted at length in the General Committee on the true interpretation of Article 12 which, in the words of that great authority on the Charter, means that:

“restriction of the competence of the General Assembly is valid only during the time the Security Council is dealing with the dispute or situation; that means that the Assembly has the power to make recommendations with respect to disputes or other situations with which the Council has not yet dealt or with which it has ceased to deal”.

These are the words of Professor Kelsen.

70. This interpretation of Article 12, paragraph 1, is borne out by Goodrich and Hambro, two other authorities on the Charter of the United Nations, in their treatise the “Charter of the United Nations”.³ On page 172 of that book we read:

“It was felt at Dumbarton Oaks and San Francisco that this speed and efficiency”—that is to say, the speed and efficiency of the Security Council in exercising its functions of maintaining international peace and security—“would be endangered if the General Assembly were permitted to make recommendations with respect to questions under treatment by the Council. For that reason, it was deemed wise to introduce a special provision to prevent interference and overlapping of action.”

71. Is the question of West Irian—or the question of Indonesia, for that matter—under treatment by the Security Council? How can there be interference and overlapping of action by the General Assembly when the Security Council has not dealt with the Indonesian question for more than four years? Once again I submit that this argument against the inscription of the question of West Irian on our agenda does not rest on solid ground.

72. As I said before, my delegation is firmly convinced that the question of West Irian is as worthy of inscription on the agenda as any other item we find on the provisional agenda. This conviction is based on the following facts.

73. First, it is an undeniable fact that there is a dispute between the Governments of the Netherlands and of the Republic of Indonesia over West Irian.

74. Secondly, it is equally undeniable that efforts have been made by the two parties to resolve this dispute in accordance with the terms of article 2 of the Charter of the Transfer of Sovereignty by peaceful and reasonable means. The last attempt at a peaceful solution of this dispute, as is well known, was made in July 1954, but this and other numerous efforts in the past have been of no avail.

75. Thirdly, it is also a fact that the continuation of this dispute is bound to envenom relations between the two parties thereto and will inevitably constitute a serious threat to the peace and security of an area rife with tensions and where peace is, alas, so precarious.

76. Fourthly, it is also a fact—a fact laid down in Article 35 of the United Nations Charter—that it is the undeniable right of any Member of the United Nations to

² Hans Kelsen, *The Law of the United Nations*, London, Stevens and Sons Ltd., 1950, p. 216.

³ Leland M. Goodrich and Eduard Hambro, *Charter of the United Nations*, 2nd ed., Boston, World Peace Foundation, 1949.

¹ See United Nations Publication, Sales No.: 1950.VI.B.1, Vol. II, p. 158.

"bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly".

77. Fifthly, it is no less a fact that, to quote the terms of Article 14 of the Charter,

"... the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations".

78. In view of these obvious and indubitable facts, which clearly indicate why this Assembly should include the question of West Irian in its agenda, it ill behoves us to shirk the heavy responsibility which has been placed upon us as representatives of sovereign and equal Member nations which have pledged themselves at San Francisco to maintain international peace and security and to develop friendly relations among nations. My delegation therefore makes a fervent appeal to the Members of this Assembly to lend their full and wholehearted support to the request of the representative of Indonesia.

79. Mr. TRIKUMDAS (India): The General Committee discussed at some length whether the question of West Irian should be put on the agenda of the ninth session of the General Assembly. After a full and detailed discussion, it decided [92nd meeting], by 7 votes to 3, with 5 abstentions, that the item should be included in the agenda. After that clear verdict, we should have thought that there was no need to debate that point all over again in a plenary meeting of the General Assembly. However, since it has been raised, we should like to put forward our view on the matter.

80. Historically, politically and legally, West Irian has always been a part of Indonesia. This fact has been recognized by the Netherlands Government on numerous occasions. For example, in a report⁴ to the United Nations in 1949, the Netherlands Government stated:

"Indonesia consists of a series of island groups in the region of the Equator, extending from the mainland of Asia to Australia. The principal groups are the Greater Sunda Islands . . . , the Lesser Sunda Islands . . . , the Moluccas and New Guinea west of 141 degrees E."

81. The Netherlands Government has always administered West Irian as a part of Indonesia. We do not see any reason why that Government should now consider it as a territory quite apart from the rest of Indonesia.

82. It has been said that the people of West Irian, or Papuans as they are called, are ethnically different from the rest of the Indonesians. "Indonesia" is not an ethnic term. It is a geographical and political term. In Indonesia, as in my country and others, for example in the United States, there are many different ethnic and religious groups. There are the Hindus of Bali and the Moslems of Java. There are the Bataks of Sumatra and the Dayaks of Borneo. All these various groups together form Indonesia. Indeed, there is hardly any State in the world that contains just one race or one people.

83. Now, we have had two speeches, one from the representative of the Netherlands and the other from the representative of Australia. The speech of the representative of the Netherlands had a very familiar ring

so far as we from India are concerned. He started by saying that the people of New Guinea are a primitive people; they are. He asserted that the Netherlands Government intended to discharge its obligations toward the people. I wish they had done so by now. We have heard this familiar argument over and over again. It used to be known as "the white man's burden" in the old days. Is it not time that the white man tried to relinquish his burden and pass it on to shoulders which are better able to carry that burden? Then he made a very amazing statement. He said that the chances of the people of New Guinea to attain self-government would cease to exist if New Guinea passed into the hands of Indonesia. I do not know where he gets this conclusion from, but the chances of the people of New Guinea to attain self-government at any time if they continue in the hands of the Netherlands would certainly not exist. That is a fact which those of us who live in Asia have learned to recognize. Colonialism gives strange arguments in support of its continued occupation of territories which it grabbed some years or some centuries ago.

84. The representative of The Netherlands also stated that the Netherlands Government had made the unalterable decision not to surrender its sovereignty over New Guinea. But it has surrendered sovereignty over Indonesia, of which New Guinea is a part. Why this unalterable decision now not to surrender sovereignty over some part of Indonesia which it was agreed upon to surrender when the agreements were concluded between the Netherlands Government and Indonesia?

85. But these unalterable decisions, as we have seen in the past few years particularly in Asia, have been altered. Sometimes they have been altered peacefully; sometimes, unfortunately, after a bloody war, as happened in Indonesia. Surely questions of this kind should not be left outstanding when bigger questions have been solved.

86. Then the argument was put forward that the Indonesian question was before the Security Council, and Article 12 of the Charter was invoked. As has been pointed out by more than one speaker, the question of Indonesia that was before the Security Council was a totally different one. That question is finished. The question that is now sought to be included in the agenda is something which may have arisen out of the settlements which were arrived at as a result of the matter going before the Security Council. But certainly this is nothing but stretching the language to the breaking-point to suggest that the question is still pending in the Security Council. I do not want to enlarge upon that part of the question because my predecessor from Lebanon has dwelt on it, and so has the representative of Indonesia.

87. Then, the representative of Australia, Mr. Casey, told us that the Australian Government regards this question with the greatest seriousness. He also told us that Australia has interests in New Guinea. I do not know to what he was referring. The eastern part of New Guinea is not Australian territory, not yet, and I hope it never will be. But if that is the kind of interest he is thinking of—that, having some part of New Guinea which he is administering now, he might like to have the other part also—then, so far as many of us are concerned, we recognize no such interest. It was an amazing statement for a Power which is merely administering some part of the territory to make.

88. The representative of the Netherlands has claimed that West Irian falls within the domestic jurisdiction

⁴ See footnote 1.

of that State. We do not see how that can be so. The 1948 Renville Truce Agreement [S/649/Rev.1, Appendix VIII] states:

"Sovereignty throughout the Netherlands Indies is and shall remain with the Kingdom of the Netherlands until, after a stated interval, the Kingdom of the Netherlands transfers its sovereignty to the United States of Indonesia"

—this is now the Republic of Indonesia.

89. In 1949, the Kingdom of the Netherlands transferred "unconditionally and irrevocably" complete sovereignty over Indonesia to the Republic of the United States of Indonesia. It is true that the political status of West Irian was left outstanding at that time, and it was stipulated that it would be settled within one year of the date of the transfer of sovereignty. That only means that the administration was not transferred; that has nothing to do with sovereignty.

90. Again, if the Netherlands Government communicates certain information to the United Nations under Article 73 e of the Charter, that is because, pending the settlement, the Netherlands Government is still responsible for the administration of that Territory. Article 73, or indeed any other part of Chapter XI of the Charter, has nothing to do with sovereignty. That word is not even mentioned in that Chapter. Then, again, there have been examples where, although information was being supplied to the United Nations under Chapter XI, the Assembly also put on its agenda political problems concerning these Territories.

91. For all these reasons, our delegation is firmly of the view that the Assembly should accede to the request of the Indonesian delegation to place the item on its agenda for consideration on its merits and for whatever action it deems appropriate. My delegation will vote for putting the item on the agenda.

92. The PRESIDENT (*translated from French*): Three speakers have spoken for and three against the inclusion of item 61 in the agenda of the General Assembly. In accordance with rule 23 of the rules of procedure we must now take a vote. The representative of Australia has requested a vote by roll-call.

A vote was taken by roll-call.

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

In favour: Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Philippines.

Against: Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Denmark, France, Luxembourg, Netherlands, Norway.

Abstaining: United States of America, Venezuela, Canada, China, Colombia, Dominican Republic, Ethiopia, Iceland, New Zealand, Peru.

Item 61 was placed on the agenda by 39 votes to 11, with 10 abstentions.

93. The PRESIDENT (*translated from French*): Are there any objections to the inscription of item 62.

94. I call upon the representative of Iraq on a point of order.

95. Mr. AL-JAMALI (Iraq): Those of us who heard the important statements made by the representatives of Greece and the United Kingdom in the General Committee yesterday [93rd meeting] concerning item 62 will agree with me that this item has many new facets. The problem needs further study, deliberation and consultation, especially since it involves friendly relations between two of the friendliest of all nations. My delegation does not wish to cast its vote before having had the opportunity further to study the matter. It is for that reason that I propose—and I am sure that many representatives here will support me—that this matter should not be dealt with this afternoon, but that we should be given a few more days in order that our votes, when we come to the vote, will be based on a more serious study and further consideration of the matter.

96. The PRESIDENT (*translated from French*): The representative of Iraq has proposed that we should adjourn the debate on item 62 of the agenda for a few days. According to rule 76 of the rules of procedure, two representatives in addition to the proposer of the motion may speak in favour of the adjournment and two against, after which the motion must be put to the vote immediately. I would ask speakers to limit to some extent the length of their speeches.

97. I call upon the Greek representative, in accordance with rule 73 of the rules of procedure.

98. Mr. KYROU (Greece): I wish to raise a point of order. It is my humble submission that the proposal just made by the representative of Iraq does not accord with rule 23, under which our business is conducted by the President. Rule 23 states:

"Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of and three against the inclusion."

99. The representative of Iraq has spoken neither in favour of nor against the inclusion of the item under discussion. He has introduced an absolutely new matter, a postponement. Of course the General Assembly is master of its own decisions, and I should like to be permitted to explain why my delegation is against this postponement—that is, I should respectfully ask the President's permission to speak on the new matter introduced by the representative of Iraq.

100. The PRESIDENT (*translated from French*): In accordance with rule 79 of the rules of procedure, and subject to the provisions of rule 73—which is not involved here—the following motions have precedence in the following order over all other proposals or motions submitted:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) For the closure of the debate on the item under discussion.

101. We are concerned with sub-paragraph (c). In the circumstances, the Chair considers that the proposal of the representative of Iraq should be discussed first, and if the Greek representative would like to speak on that motion, I shall gladly call upon him.

102. Mr. KYROU (Greece): The representative of Iraq has made a startling proposal the intent of which is quite obvious. The appeal of the Greek Government [A/2703] was submitted on 20 August. It was circu-

lated that same day, that is, more than one month ago, to all the Member States, due to the care taken by our Secretary-General. But more than that, the Cyprus case is not a new one. For years now there have been references to that case in the United Nations.

103. As it stands, the proposal of the representative of Iraq—and I am sorry to say it—aims at by-passing the United Nations with regard to a situation which is pregnant with dangerous possibilities. It recommends that the United Nations bury its head, ostrich-like, in the sands of self-delusion, for some days. But these "some days" can eventually grow into years, regardless of the risk inherent in the situation and notwithstanding the absence of any remedies.

104. There has already been disquieting signs of the gravity of the situation in Cyprus, and I must assure the Members of this august body that, had it not been for the prospect of resort to the United Nations, the situation in that island would have taken an even more ominous turn. Oppressive measures have been imposed upon the people of Cyprus. The so-called anti-sedition legislation has been reinstated and reinforced. Fundamental freedoms have been suppressed. In defiance of legislative measures, a general strike and public demonstrations have taken place. Passive resistance has already begun. Clandestine publications, bearing such titles as "Freedom or Death", or something similar, and posters inciting to revolt, are in the hands of almost everyone in Cyprus.

105. The apparent calm is the quiet that precedes the storm. It is the elementary duty of the Greek delegation to draw the attention of the General Assembly, as seriously as possible, to the safety valve which is provided by the United Nations. If the safety valve is shut, there will be no other means of lowering the tension.

106. That is why the Greek delegation opposes the proposal just put forward by the representative of Iraq.

107. The PRESIDENT (*translated from French*): I call on the representative of the United Kingdom on a point of order.

108. Mr. LLOYD (United Kingdom): The representative of Iraq has invoked rule 76 of the rules of procedure, which says:

"During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion."

On this matter we shall leave ourselves in the hands of the Assembly, having regard to its convenience. I shall abstain from any vote upon such a proposal.

109. What has just been said is not in accordance with the facts. There is complete peace in Cyprus. The only place where people have been sent to prison for differing with the political views of the Government is, in fact, in Athens.

110. The PRESIDENT (*translated from French*): Does any other representative wish to speak on the motion put forward by the representative of Iraq?

111. Since there are no further speakers, I put to the vote the proposal of the representative of Iraq that the debate on the inclusion of item 62 in the agenda of the ninth session should be postponed for a few days.

A vote was taken by roll-call.

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

In favour: Denmark, Dominican Republic, Ethiopia, France, India, Iran, Iraq, Netherlands, New Zealand,

Norway, Pakistan, Panama, Paraguay, Peru, Sweden, United States of America, Uruguay, Venezuela, Australia, Belgium, Canada, Chile, Colombia, Costa Rica.

Against: Ecuador, Egypt, El Salvador, Greece, Haiti, Honduras, Iceland, Indonesia, Lebanon, Nicaragua, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Burma, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia.

Abstaining: Guatemala, Israel, Liberia, Luxembourg, Mexico, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Argentina, Bolivia, Brazil.

The result of the vote was 24 votes in favour, 24 against, with 12 abstentions.

The proposal was not adopted.

112. Mr. LLOYD (United Kingdom): We have just had a very close vote on the question of adjourning for further consideration of the matter. I shall seek to put further arguments before the Assembly this afternoon. So far as we are concerned, we are prepared either to have the vote today or to have an adjournment, if that meets with the wish of the Assembly. Upon this last matter, opinion appears to be evenly balanced.

113. I ask the General Assembly to reject the recommendation of the General Committee with regard to the inscription of the item relating to Cyprus. I put some reasoned arguments on this matter to the members of the General Committee yesterday [*93rd meeting*], and by a majority they rejected those arguments.

114. I said yesterday that it was not the intention of those who drafted the Charter to eradicate political wisdom from international deliberations. Common sense, I suggested, should still have a place in our discussions. Bearing in mind that proposition, which I do not think is an unreasonable one, I must trespass on the patience of the Assembly while I restate the United Kingdom position on this question.

115. Cyprus is an island with a population of about half a million. Geographically, it is a part of Asia Minor, the Middle East. One hundred thousand of its inhabitants are Turkish-speaking and Moslem by religion. Historically, it has never belonged to Greece except for a short period, so I am told, in the fourth century B.C., when it belonged to one of the Greek States.

116. In 1878, the Sultan of Turkey, by a convention between Turkey and England, assigned Cyprus to be occupied and administered by England. This was done then to assist collective defence against Russia. And those who wish to draw a parallel can do so if they wish, although I do not.

117. In 1914, after the outbreak of the First World War, the island came directly under the British Crown. This was recognized by the Turkish Republic in article 20 of the Treaty of Peace with Turkey, signed at Lausanne on 24 July 1923. Greece, among other States, was a signatory to that Treaty.

118. That is the history. Greece now asks the United Nations to intervene in the hope that a change in sovereignty will result, a change in the sovereignty acknowledged by that Treaty.

119. The United Kingdom opposes that action for a number of reasons. One of them is that we consider inscription of the item to be interference in a matter of

domestic jurisdiction. Sovereignty over territory acknowledged internationally and by treaty to be British is a matter essentially within British jurisdiction. Article 2, paragraph 7, of the Charter expressly states that nothing contained in the Charter shall authorize the United Nations to intervene in such a matter. It could not be more clearly stated that, whatever powers of discussion or intervention may be conferred by other Articles, whatever capacity there may be to receive information, these do not override Article 2, paragraph 7.

120. Her Majesty's Government has striven within the terms of the Charter to co-operate fully and freely with those bodies of the United Nations which are concerned with the affairs of Non-Self-Governing Territories. Their co-operation has gone beyond the strict requirements of the Charter itself. But if the proviso in Article 2, paragraph 7, is disregarded, and if there is a discussion of Cyprus with the objective, directly or indirectly, of transferring sovereignty to another Member of the United Nations, then that, in our view, would be a flagrant violation of the letter and the spirit of the Charter. Who would be surprised if, in those circumstances, we reconsidered our attitude on these matters?

121. No doubt some, if not all, delegations will consider before voting whether inscription and consequent debate will serve any useful purpose. Well, I must leave you under no illusions as to what our attitude will be in the event of inscription. We shall not regard discussion—of course, apart from that which takes place today in connexion with this matter of inscription—as having any validity, and we shall take no part in it.

122. Having said that—although that is our view and these will be the consequences—I am not asking today for a vote on the principle of Article 2, paragraph 7. I specifically do not do so. I shall not regard a vote in our favour on this matter as an admission of our point of view on Article 2, paragraph 7. I certainly promise not to quote it as a precedent in subsequent debates on this matter. I put my case today to this Assembly on far wider grounds than simply the interpretation of the Charter.

123. The argument has been put forward that Cyprus, as a Non-Self-Governing Territory, has in some way become internationalized because of the reference in the Charter to the self-determination of peoples. But this is not a question of self-determination and independence in the accepted sense of those terms. Cyprus is an island inhabited in the main by two ethnic groups, one Turkish-speaking, the other Greek-speaking; one Christian, the other Moslem. These two groups are to be given, it is suggested, a choice between Greek and United Kingdom sovereignty. But supposing that *enosis* [union], which is the whole claim, were to take place, does anyone really suppose that the Cypriots would ever then in fact be given the chance to decide their own future, the chance to secede, if they wanted, and to become independent? Of course not. Does anyone believe that the Turkish ethnic group would be given the right to determine its own future? Of course not. All the arguments and almost all the quotations from the past have referred to the cession of Cyprus to Greece.

124. The United Kingdom is asked to agree to a plebiscite under United Nations supervision. That opens up interesting possibilities elsewhere. There are plenty of places where there are separatist movements, plenty of States which are unions of different ethnic groups. To give an example, it would be an interesting situation

if Bulgaria were to ask for a United Nations plebiscite in Macedonia. Perhaps that is why the Soviet Union supported the inscription of this item yesterday. Some of my Latin-American friends might well consider the effect of that precedent. Do not let anyone imagine that they would be protected by the fact that a particular territory or area had never been a colony. This is not limited to a colonial issue.

125. The Greek argument, if we are to be logical, applies just as much to a metropolitan territory and just as forcibly; if an ethnic group is a people within the meaning of that phrase, then its claim to self-determination is not satisfied just because it has never been called a colony or because it may or may not send a small group of representatives to some assembly where they are consistently outvoted.

126. I say in all seriousness to the General Assembly: Look where you are going. If this principle is accepted, then no frontier would be permanent. The way would be open to foment discord, to agitate for territorial adjustments, to cause racial and religious discord, and to use this Organization for these purposes.

127. My friend, Mr. Kyrrou, referred in the General Committee to the offer made by the United Kingdom to the Greek Government in 1915 to cede Cyprus to Greece if Greece would come into the war against the Central Powers and the Ottoman Empire. Mr. Kyrrou did not mention that the Greek Government turned down this offer, which was therefore withdrawn, and withdrawn specifically. Eight years later, after the disappearance of the Ottoman Empire and the emergence of the Republic of Turkey, the position was stabilized and internationally defined by the Treaty of Lausanne. That position was afterwards clearly shown to be accepted by Greece in the statements made by its leaders. There was the statement made by Mr. Veniselos in 1931 that "there is no Cypriot question between the Greek Government and the British Government".

128. There is no evidence in the text of the Treaty of Lausanne to show that the Greek Government made any reservations in respect to Cyprus. At the time of signing, it did make a reservation about the cession of the Dodecanese to Italy, reserving Greece's right to settle the matter in a friendly spirit with the Italian Government. But it made no such reservation with regard to Cyprus.

129. Reference was made in the debate in the General Committee to Article 103 of the Charter. It was inferred that there was some conflict between the Charter and the Treaty of Lausanne and, therefore, the Charter should supersede the Treaty. The Charter does not contain any provision which obliges one Member State to cede its territory to another in any circumstances. There is scarcely a treaty defining territorial frontiers which accords in every detail with the corresponding ethnic frontiers, which does not leave ethnic groups outside the frontier in question. If the self-determination of an ethnic group is a reason for revising treaties, then there would be hardly one of them which would not be in conflict with the provisions of the Charter, according to the interpretation given to the Charter by Mr. Kyrrou.

130. The truth is that while the Charter may affirm in a general way the principle of self-determination of peoples, it contains no positive obligation to grant self-determination in any particular case or to any particular ethnic group. Consequently, when a treaty lays down a definite frontier, or places territory under the juris-

diction of a Member State, the provisions of that treaty must necessarily prevail. Therefore, to interpret Article 103 in the way suggested by Mr. Kyrrou would call all frontiers into question. Is that really what the Members want? Is that what, for example, the Latin-American delegations, with their wise and profound regard for treaties, desire? Do they realize or have they considered the effect of such a precedent?

131. So far, I have dealt with general considerations and arguments, and I hope they will be well pondered before a vote is taken. But, I still say that, if every one of the general arguments which I have used is rejected, this General Assembly should still vote against the inscription of this item on its agenda, because the principle of freedom of discussion does not mean that the General Assembly must necessarily debate subjects which it would be political folly to debate.

132. If this great Assembly wishes to retain the respect of the world, if it wishes to acquire a reputation for political realism and sagacity, or for wisdom or for common sense, it will realize, I am sure, that there must be exceptions to the rule of universal inscription.

133. Many representatives have spoken to me about yesterday's debate in the General Committee. Not one failed to say that he deplored a discussion upon this matter, that he regarded it as unwise, untimely, profitless and dangerous. Even the proposer of the item made it pretty clear in the General Committee that the purpose of the debate was not to exchange views, but to put pressure on the United Kingdom. But some of those who have spoken to me have said that, in principle, they feel they cannot oppose the inscription of anything. I cannot understand that position. It may be all right in theory, but peace will not be built on theories; and I assert that every delegation has the right and, indeed, the duty to decide whether the inscription of a particular item at a particular time is politically wise, with, I concede fully, a bias, but no more than that, towards inscription.

134. I do not quarrel particularly with what the representative of Lebanon said in an earlier debate, but the principle that anything can be inscribed surely is one which would only bring upon this Assembly ridicule and contempt. Every one of us can think of a whole number of topics which could be related, in some way, to the provisions of the Charter, but which it would be political folly for anyone to seek to inscribe on the agenda of the General Assembly. Therefore, if the question of this principle of general inscription is left aside, I do not believe that there would be more than a handful of delegations which would vote here in favour of inscription, because the practical arguments against inscription are, in my view, overwhelming. Let me state again what those arguments and what those reasons are.

135. The prospect of debate here, protracted debate, perhaps repeated debates, will add to the unrest and instability in Cyprus. The representative of Greece, a few moments ago, tried to draw a picture in a very short space of time of an island groaning under oppression and seething with unrest, and he referred to various oppressive acts and restrictions.

136. No one has been sent to prison in Cyprus since this particular agitation started. The only people I know of who have gone to prison are two newspaper editors in Athens who dared to criticize the action of the Greek Government in bringing this matter before the United

Nations. Really, I do ask the Assembly to weigh the kind of allegation that was made by the representative of Greece in its due perspective. That is one of the misfortunes of bringing a matter like this before the Assembly for this kind of discussion. The representative of Greece and I are old friends; it will not damage our friendship, but we have to make this sort of remark; we have to make an allegation and we have to present the facts in reply to that allegation, and that is just exactly what is the damage, the political harm, in this kind of procedure upon which the General Assembly is asked to embark, for it will go on if the matter is inscribed. As I say, there may be protracted debate, perhaps repeated debates.

137. The Turkish-speaking Cypriots, who are Moslems, are bitterly opposed to *enosis* [*union*]. In spite of what may be said, Cyprus, fortunately, has not suffered hitherto from communal strife. This Turkish-speaking community of Moslems is composed of 100,000 people just as devoted to their religious beliefs just as conscious of their racial and cultural ties with Turkey as the Greek-speaking people are with the Greek Church and with Greece. It is a compact Moslem community, with its own Mufti, religious foundations and funds, already playing a notable part in the economic development of the island, and ready to join in furthering an active constitutional life in the territory. As I say, there has up to now been no communal strife. Does the Assembly really want to stir it up by keeping this matter on its agenda?

138. Her Majesty's Government in the United Kingdom—because we continue to be responsible—will do what it can to keep the peace, but I beg countries which have suffered from communal troubles to hesitate before taking the risk in Cyprus. Think of the bitterness, the social insecurity, the loss of life and property which have so often accompanied such strife in various parts of the world. Think also of the position in the Aegean. Perhaps there are some of you who have expressed opinions outside this Assembly who have forgotten some of the terrible happenings in the earlier part of this century in the Aegean—the casualties, the suffering, and the destruction.

139. A *modus vivendi*, an alliance and, indeed, a friendship, has been built up, to our great delight, between Greece and Turkey. Nothing could do more to jeopardize that friendship than this controversy. I do not want to say more upon that point, although there is much more that could be said; but, again, it is one of the disadvantages of this matter that I have to say as much as that.

140. There is a further point which affects the United Kingdom very much. Cyprus is a strategic necessity to us if we are to discharge our treaty obligations. The strength of my country in that part of the world is still one of the main bulwarks of peace. We have treaty obligations to Arab States; we are vitally interested in the southern flank of the North Atlantic Treaty Organization, and in the defence of Turkey and of Greece itself. We have great responsibilities under the Charter. Cyprus is vital to the discharge of those responsibilities. As I said yesterday, there is no acceptable alternative, in the circumstances, to sovereignty. Full administrative control is necessary because leases expire, treaties have a habit of being whittled away and, as I said before, Greek governments, like other governments, change.

141. All this does not mean that our attitude to the future of Cyprus is just a negative one. As I said yes-

terday, we are anxious for political and constitutional progress. The constitution offered in 1948—a liberal constitution—was refused, as we have good reason to believe, because the extremists, with their appeal to emotion and not to reason, dared not risk normal evolution, normal constitutional development. Their methods are not those of real and stable democracy. But, Her Majesty's Government intends to persevere. We are proceeding now with another constitution. We shall make that attempt and continue on that path of constitutional development whatever may be said here and with much moderate support in Cyprus if they are given the chance. We are not ashamed—in spite of what has been said by several speakers today—of what we have achieved and are achieving in the field of constitutional development in very many instances. I do not believe that any great Empire has ever voluntarily done so much so successfully for the constitutional development of its peoples. I say this not boastfully; I say it with due humility and with the knowledge of errors made from time to time. But I say it as something which I can say with greater confidence because it is often admitted to me by political friend and enemy alike. We shall continue with this great endeavour in Cyprus.

142. I have sought to set forth the reasons against the inscription of this item on the agenda. I feel that by the time the debate on inscription has been finished, the matter will have been adequately aired, if that was what it required. I have set forth reasons of general principle. I have made it quite clear that I am not seeking a vote here on the principle of Article 2, paragraph 7. I have put forward the practical considerations, the matters of political wisdom which, with great respect I do submit, should influence every delegation before it decides upon this matter.

143. May I end this statement as I ended yesterday in the General Committee. It is repetition, but some things have to be repeated. I have tried to speak today without rancour and without bitterness. It causes the United Kingdom great grief to have to differ with Greece in this matter. It is painful to differ; it is painful to differ in the kind of way we have had to differ today, in public, with old friends.

144. There are the warmest ties of affection and respect between Britons and Greeks. Our friendship has been almost a model friendship in the past. We have common interests in peace and in war. We have fought together. We have suffered disaster together. And we have triumphed together.

145. I spoke yesterday in the General Committee of action taken during the last war and of what I thought was one of the most moving incidents in all the stirring events in Anglo-Greek friendship, and I say again that it hurts us to differ, and to differ in public. We are not anti-Greek in this matter. We love Greece, its history, its heritage, its people and its land. But in our attitude on this matter we believe that we act and we speak in the best interests of Cyprus, in the best interests of Greece itself, of the countries of the Aegean, of the countries of the Middle East, and the best interests of the free world, in the cause of peace and stability and, indeed, in the interests of the United Nations.

146. Her Majesty's Government in the United Kingdom holds the view which I have already put forward, and we shall not depart from it. We beg all delegations to weigh carefully the words which have been spoken and the further points which may be developed. There really are very serious issues at stake in this matter.

But, as I have said, we will do what we can, for our part, to see that between Greece and ourselves the controversy raises no lasting bitterness and leaves no permanent scar.

147. I ask the Assembly to reject the inscription of this item.

148. Mr. LANGE (Norway): The Norwegian delegation is opposed to the inscription of this item on the agenda. We have arrived at this conclusion after long and thorough appraisal of all the aspects of this very complicated problem.

149. We cannot agree, however, with the interpretation of Article 2, paragraph 7, which the representative of the United Kingdom has advocated in support of his position against admitting this item to the councils of the United Nations. If this had been the only consideration determining the attitude of my delegation in this instance, we should undoubtedly have supported the inscription of this question on the agenda. But there are considerations other than the legal ones which have determined our attitude. Our liberal interpretation of Article 2, paragraph 7, does not, of course, mean that we abdicate our right, or indeed our duty, to evaluate each case on its merits.

150. In this particular case, we have been guided by two main considerations, both of which concern the nature of the case. First, we are aware of the fact that strong elements relevant to the principle of the self-determination of peoples are involved in this problem. Our stand in favour of this principle cannot be questioned. Neither do we question the legitimate concern of the United Nations with respect to this principle. However, it is a fact that by its very nature the United Nations is under a firm obligation, in all its work and in all its activities, never to put itself in a position where it becomes, even unintentionally, an impediment to the solution of a problem. The objective of this Organization is to facilitate, assist and even initiate the elimination of factors which tend to bar the road to settlements.

151. Consequently, we have asked ourselves this question: Will a debate here in the United Nations, now, contribute to an improvement of the situation; or, to go further, contribute to a solution of the problem? It is the considered opinion of my delegation that it will not. We have good reason to fear that a debate here will inflame passions, disturb relations between countries directly or indirectly interested, and considerably reduce the prospects of arriving at a satisfactory settlement. We would be willing to admit that it is not necessarily always wrong to accept a temporary worsening of the situation if one is sure of having the means and the power to remedy the situation and bring about a solution. But can it realistically be said that the General Assembly has the means and the power to remedy a situation which it may itself create by a debate here and now? In all sincerity, I think we must answer this question in the negative. Under these circumstances, my delegation, for one, is not willing to be instrumental in creating such a situation.

152. The second consideration which has guided my delegation's evaluation of this case has perhaps carried even more weight than the one I have just mentioned. In our opinion, the Cyprus question, as it has been presented to us here, does go beyond an appeal to the United Nations for assistance in securing the right of self-determination for the inhabitants of the island. If we look beneath the surface of the appeal, we find that

it really amounts to a request by one country to the United Nations for an intervention in order to bring about a transfer of sovereignty over a certain territory from another country—a sovereignty recognized in an international treaty, the Treaty of Lausanne, to which both countries are parties of their own free will.

153. It seems to us that such a request, if granted, would launch the United Nations upon an entirely new course, the consequences of which are at best unpredictable, if not ominous. If the United Nations should allow itself to become an instrument in a campaign for the revision of national borders, for territorial claims or for changes in the structure of nationally heterogeneous States, then I am very much afraid that the Organization might crumble and disintegrate under the heavy strains to which such a role would subject it. My delegation feels very sincerely that this consideration is of crucial importance to the continued role of the United Nations in international affairs.

154. For these reasons, my delegation has come to the conclusion that the inscription of the Cyprus question on the agenda of the General Assembly would be detrimental to the basic interests of the United Nations. At the same time, a debate here can only harm relations between the countries principally involved and thus delay the creation of conditions conducive to a settlement. That is why we shall vote against the inscription of this item.

155. Mr. STEPHANOPOULOS (Greece) (*translated from French*): In approving the inclusion of the question of Cyprus in the agenda, for the purposes of its report to the General Assembly by a vote of 9 to 5, with 3 abstentions [93rd meeting], the General Committee passed a preliminary judgment on the validity of the argument set forth by the Greek delegation in support of its request for such inclusion, and on the objections to it raised by the United Kingdom delegation. I shall therefore confine myself to giving the General Assembly a quick and concise summary of certain points which will help it to reach a decision on this matter.

156. I should like to say, first of all, that it is the Greek Government's intention to respect this judgment and duly carry out the decision of the supreme international authority which is the United Nations. I should like to hope still that the United Kingdom delegation, faithful to the tradition of respect for international law, is also ready to comply with any resolution which the General Assembly may adopt on the question of Cyprus.

157. The United Kingdom delegation alleged yesterday and again today that the island of Cyprus has never been Greek, that it has never belonged to Greece.

158. I should like to reply to this argument by quoting the following words used by the Prime Minister of the United Kingdom, when he said, in 1907, when he was Under-Secretary of State for the Colonies, to a representative from a Legislative Council which then existed on Cyprus—I apologize for my poor English but I should like to repeat what the British Prime Minister said in English, because I want the British representative to hear it in his own language:

"I think it is only natural that the Cypriot people, who are of Greek descent, should regard their incorporation with what may be called their mother country as an ideal to be earnestly, devoutly, and fervently cherished. Such a feeling is an example of the patriotic devotion which so nobly characterizes the Greek nation."

Here you have, from the lips of the Prime Minister of the United Kingdom, the reply to his representative's first argument.

159. The United Kingdom representative also asserted that Cyprus had never belonged to Greece, save for a short period in the fourth century B.C. Nothing could be more inaccurate. I am not going to give the Assembly a history lesson—it has no history to learn from me. However, I have before me the *Colonial Reports* for 1954, and it is expressly stated there on page 122 and 125 that Cyprus has been Greek since fifteen centuries before the Christian era.

160. Such are the arguments of history and that is what I could reply to the United Kingdom representative who claimed yesterday and claims now that Cyprus has never belonged to Greece and that Cyprus has never been Greek.

161. But is the point of this debate really to prove the Greek character of Cyprus? I cannot see why the United Kingdom delegation should seek to sow confusion. Greece has never requested that the Greek character of the island of Cyprus should be proved or that there should be a transfer of sovereignty. It has only requested the right of self-determination for the people of Cyprus and its appeal to the United Nations has but one purpose: the abolition of the colonial régime in a territory inhabited by Greeks. The survival of such a régime in the midst of the eastern Mediterranean is, to say the least, a glaring anomaly. I do not believe that asking freedom for Greeks is demanding a great deal of the General Assembly.

162. Much has also been made of distance. An attempt was made to argue that Cyprus was closer to Asia Minor than to Athens and that, consequently, Athens was less justified than other countries closer at hand might be in making claims. This geographical approach to liberty and human rights is a rather strange one. Regarded as an ideological novelty, it might, if it was ever taken up, have the most unpredictable and inopportune results. However, if Greece is not entitled to ask that a system of freedom and justice should be set up in Cyprus because of the facts of geography, why should London, six times further away, be authorized to impose on Cyprus a colonial régime which the Cypriot people have always hated and rejected?

163. Moreover, I do not consider that, as far as Greek relations with Turkey are concerned, the freedom of the people of Cyprus will ever be a stumbling block. The friendship between Greece and Turkey is not—as we see it at least—a mere *modus vivendi*, as the representative of the United Kingdom saw fit to state before the General Committee yesterday and before this Assembly this afternoon. The friendship between Greece and Turkey is a political reality upon which these nations intend to build for the future. It is based upon freedom because both Greece and Turkey are democratic nations. It could not be based upon the maintenance on the island of Cyprus of a régime which is contrary to the Charter of the United Nations and which the people of Cyprus abhor.

164. Mention has also been made of possible strife between the Moslem Turkish population and the Orthodox Greek population. There is nothing to fear on this score. In eastern Thrace we have a Turkish minority which lives on a perfectly equal footing and in conditions of perfect amity with citizens of Greek origin.

165. Another argument to which the United Kingdom delegation sought to give special weight is the Treaty

of Lausanne, which was signed in 1923 by the United Kingdom, Turkey and Greece. It was argued that Greece, by signing the Treaty of Lausanne on 24 July 1923, had undertaken to recognize the existing system on Cyprus. This argument of respect for treaties entered into greatly influenced the decision of the representatives of certain countries, who, precisely on account of this argument, abstained yesterday when the vote was taken. But this is what Article 16 in this famous Treaty, signed on 24 July 1923, says textually with reference to the question before us:

"Turkey hereby renounces all rights and title whatsoever over or respecting the territories situated outside the frontiers laid down in the present Treaty and the islands other than those over which her sovereignty is recognized by the said Treaty, the future of these territories and islands being settled or to be settled by the parties concerned."

166. Thus, according to the treaty, Turkey renounces its rights to all territories and islands other than those over which its sovereignty is recognized by the Treaty of Lausanne, and consequently, to the island of Cyprus, the annexation of which by the United Kingdom is explicitly recognized in Article 20 of the same Treaty. However, it is further expressly stipulated in Article 16 that the future of those territories and islands now outside Turkish sovereignty is being settled or is to be settled by the parties concerned. In order to understand this provision of the Treaty of Lausanne a little better, I should like to quote, again in the exact words, a statement by Ismet Pasha, at that time head of the Turkish delegation. According to the records of the Lausanne Conference,⁵ Ismet Pasha's statement is recorded as follows:

"He had already stated several times that the Government of the Grand National Assembly of Turkey had no designs upon the territories of the former Ottoman Empire which lay outside the frontiers of Turkey. . . .

"The Turkish delegation, in fidelity to this principle, which had likewise been proclaimed by the Allied Powers, felt it their duty to make a solemn declaration that Mesopotamia, the Hedjaz, Egypt, Syria and all other territories outside the frontiers of Turkey had the right to choose in perfect freedom the administration which suited them."

167. If I am not mistaken, of all the territories and all the islands remaining outside the former Turkish Empire, only the isle of Cyprus is still waiting to be consulted as to what administration it would choose.

168. There is thus no question of a treaty violation; on the contrary, it is out of respect for the Treaty of Lausanne that we come before you to request that at long last the island of Cyprus also should be able to choose, in full freedom, the administration it desires.

169. Greece is not asking for the revision of the Treaty of Lausanne. It has always been careful to respect the clauses which concern it. In any case, the Treaty of Lausanne, in liquidating the Ottoman Empire, did not bequeath the freedom and human rights of the Cypriots to the United Kingdom. On the contrary, those rights—in virtue of the Charter of the United Nations, which is also a treaty and indeed a more recent treaty than the Treaty of Lausanne—must be

guaranteed and respected. I would recall, moreover, that Article 103 of the Charter affirms that the provisions of the Charter shall prevail over any other contractual obligation that conflict therewith.

170. I should also like to make a brief reference to Article 2, paragraph 7, of the Charter, which was invoked by the United Kingdom delegation. Article 2, paragraph 7, can have no meaning unless it is linked with Article 10, which is the keystone of the General Assembly's jurisdiction. The Charter is a whole. It cannot be used piecemeal by all and sundry according to the circumstances. Article 10 establishes the jurisdiction of the General Assembly on an extremely wide basis. Moreover, the San Francisco Conference deliberately rejected all amendments which would have resulted in restricting the scope of that Article.

171. Again, it has been the constant practice of the General Assembly since the start of the United Nations energetically to assert its competence when its right of intervention was contested. It has never refused to take cognizance of and to consider any questions of an international character that have been referred to it, and in so doing, it has acted with wisdom and authority.

172. As far as Cyprus is concerned, could anyone seriously claim that the fate of its 500,000 inhabitants, the Cypriots, is a question within the domestic jurisdiction of the United Kingdom? Nowadays the future of a person whose elementary rights are disregarded is a matter of highly international concern and the subject of international guarantees.

173. I cannot pass over in silence the argument put forward by the United Kingdom representative whereby, in applying the Charter, principles and political wisdom must be weighed very carefully, one against the other, which means in simpler language that principles, that is to say, freedom and justice in the case in point, must not prevail over political wisdom, and may even have to give way before it. In listening to this argument, I thought I heard an echo of the language of the Holy Alliance, which also thought that it was acting wisely and sensibly in trying to stifle the peoples' right to freedom. I believe, on the contrary, that after a further hundred years of history and after much bloodshed, the world has acquired some experience and now considers that true political wisdom demands the full implementation of freedom and justice for all. When freedom and justice prevail throughout the world, peace will have been achieved.

174. Mention has also been made of a so-called constitution accorded to the Cypriots. I do not think that the term "constitution" can be used, because this word implies a basic act, a written assurance of certain elementary rights; whereas a document of this kind which specifically prohibits all rights, even the most elementary, to the peoples of Cyprus cannot be considered or termed a "constitution".

175. Lastly, it has been claimed that, for strategic reasons, the status of Cyprus should remain as it is now. In replying to that argument I shall merely ask whether it is likely that Cyprus can really serve as an adequate and stable strategic base while it is inhabited by a population which would be, to say the least, unfriendly.

176. It has also been alleged that any debate, any public discussion on the right of a country to self-determination might be harmful to the cause of peace. I will not reply to this unexpected argument. The founders of the United Nations, those who drew up

⁵ See *Lausanne Conference on Near Eastern Affairs, 1922-1923, Records of Proceedings and Draft Terms of Peace*, London, His Majesty's Stationery Office, 1923, p. 444.

the Charter and the rules of the Organization, have already done so.

177. According to the Charter, the essential purpose of the Organization is, of course, the maintenance of peace and international security. However, it is also clear, again in virtue of the Charter, that this objective will be achieved only through respect for the equality of rights of peoples and for their right to self-determination, that is to say, by denying to no one the essential and fundamental rights of freedom.

178. Of course the Charter seeks to maintain peace, and peace in freedom. We too love peace; we too set peace above everything save our freedom, which we put above peace.

179. When, in 1940, we stood alone before the Fascist legions, we did not for an instant hesitate to fight, thus abandoning the benefits of peace which we too could appreciate. We did not hesitate for a single instant; we chose the agony and the sacrifices of freedom, and we have not regretted it. Those who believe that they can stifle all the rights of peoples to freedom, who believe that in this way they can secure and maintain peace, are dangerously mistaken. Only by respecting the rights of peoples to freedom and, more specifically, their right to self-determination, can a stable and enduring peace be secured and organized.

180. In the name of peace, which is the purpose of our Organization and in the name of freedom, which is the only way in which this purpose can be achieved, I ask this high Assembly to ratify the decision taken yesterday by a large majority by the General Committee. I ask you, therefore, to include in the agenda of the ninth session of the General Assembly our request claiming the right of self-determination for the people of Cyprus.

181. Mr. SARPER (Turkey): I have studied carefully the explanatory memorandum [A/2703] submitted by the Greek Government. I have also listened with great care and attention to the remarks of the Minister for Foreign Affairs of Greece on the so-called question of Cyprus. Many points relating to the substance of the item have been mentioned here today, especially by the Foreign Minister of Greece. I shall have to answer all those points: I shall do it—very reluctantly, I must admit—at a later stage and at the proper time, should this item be inscribed on the agenda. I hope that it will not.

182. Both the United Kingdom and Greece, which are at this juncture the principal parties to the so-called question of Cyprus, are, as all representatives know, close friends and allies of Turkey. Our friendship and alliance with Greece is being increasingly strengthened. It is a most pleasant duty for me to state with emphasis on this occasion this very happy achievement and development.

183. In all loyalty and sincerity to both our friends and allies, I must at the outset state that in our view it would have been more appropriate and wiser—politically much wiser—not to have created the so-called question of Cyprus. Unfortunately, certain claims have now been raised about Cyprus. Since they have been made, and since Turkey could not be expected by anyone not to be concerned in the matter because of the special and important position this island occupies for us for historical and geographical reasons, together with considerations of the ethnic composition of its inhabitants and many other considerations, I wish to say a few words on the matter.

184. At this stage of the discussion, I do not wish to touch upon the substance of the matter and, in all sincerity, I hope that I shall not later find myself in a position where I will be compelled to do so. Suffice it to say that the administration of the island of Cyprus is, in our opinion, a domestic affair of the United Kingdom and, according to Article 2, paragraph 7, of the Charter, the United Nations is not authorized to intervene in this matter. This Organization has been set up essentially with the aim of maintaining peace and protecting the independence of its Members. But it must faithfully observe the principle of non-intervention in the domestic affairs of States, as laid down in the above-mentioned Article.

185. This principle came into being as a result of the lessons learned from long historical experience. Deviation by the United Nations from this principle cannot serve the purpose of strengthening friendships that should be established or maintained among States. The atmosphere which would be created by deviation from this principle is likely to remove the elements of stability and security so essential to the continued existence of friendship among the Member States of this Organization.

186. Certain among us continue to be inclined to make a distinction between the discussion of a question and intervention by the United Nations. It is not possible for us to accept such a distinction. The authority given to the General Assembly consists only in discussing a matter and making recommendations about it. Why has Article 2, paragraph 7, been included in the Charter? It has been included for the simple purpose of preventing intervention in matters within the domestic jurisdiction of a State. Even the discussion of or the making of recommendations about certain matters are liable to become interventions.

187. On the other hand, actions taken in recent years which ignored the clear-cut provisions of the Article in question have been far from producing positive and happy results. On the contrary, such attempts tend to impair the prestige of our Organization which, I hope, we all are anxious to preserve.

188. It is evident to those who participated in the Conference at San Francisco or who have carefully studied the records of that Conference that Articles 10 and 14 of the Charter have been laid down in order that certain matters might be taken up in the General Assembly in the event that they could not be discussed in the Security Council because of the veto. The provisions contained in those Articles are restricted by the provisions of Article 2, paragraph 7. There is no doubt about that whatsoever.

189. Apart from these legal considerations, which I am sure are valid in so far as they apply to the subject before us, the premises upon which the request is based do not seem to be sound. If, in the application of definite principles in international relations, the merits of each case are not properly taken into consideration, the shortcomings and even dangers which may result are obvious. Indeed, no existing problem can be exactly the same as one in the past, and no problem in the future can be exactly similar to one now existing. That is why each problem must be thoroughly studied according to its own merits, and conclusions must be reached accordingly. If we attempt rigidly to apply certain principles to all cases, then that means that we will act without due regard to the responsibilities involved in such actions. The life of human society must not be

and cannot be suffocated in moulds that neither conform to nor fit in with realities.

190. For the above-mentioned reasons, which I have for the time being stated in general terms, and because of our anxiety to preserve the prestige of the United Nations, the delegation of Turkey opposes the inscription of this item on the agenda. Its inscription would be too heavy a responsibility and burden for the United Nations to carry. Needless to say, I reserve the right to explain our viewpoint on the substance of the matter at the proper time should the item be included in the agenda.

191. Mr. KHOMAN (Thailand): I would like to clarify in a brief but unequivocal manner the position of my Government in regard to the question of the inscription of item 62 on the agenda of the General Assembly.

192. Our representative in the General Committee voted in favour of the inscription of this item because my delegation strongly feels that it is the undeniable right of any Member of this Organization to bring before the United Nations a problem affecting it or the peace and security of the world or of a region of it, and that the United Nations is at least obligated to give to that Member a just and fair hearing. My country—or for that matter any other—may also in the future avail itself of that right; it would therefore be incomprehensible if we were to deny to others the right which we may, with every justification, claim for ourselves.

193. For this reason, the representative of Thailand has voted and will vote in favour of the inscription of the item. In so doing, my delegation has in no way entertained, far less accepted—cannot possibly do so—the merits and principles involved in this case. This will be the task which will be incumbent upon the Assembly if the item is adopted. Then and only then will my delegation take a position on the substance of the matter.

194. The PRESIDENT (*translated from French*): We may hear one more speaker on the question of the inclusion of item 62 in the agenda.

195. I call upon the representative of India.

196. Mr. MENON (India): First of all, I should like to say that I am on this rostrum not as one of the three representatives entitled to speak for or against inscription. With the permission of the President, I am here to exercise my right under rule 90 of our rules of procedure to explain my vote.

197. We have heard the case put forward on this question by the representative of the United Kingdom and by the Foreign Minister of Greece. Most of the representatives of this Assembly have also heard the discussion in the General Committee yesterday afternoon.

198. My delegation normally does not seek to explain its vote because the vote itself is an explanation of one's attitude. However, in this particular matter, we are obliged to do so in order that there should be no misunderstanding of our position. My Government and my country stand for the independence of nations. The arguments we have heard here have nothing to do with the Cyprian nation and nationhood. This is a question of Greece, on the one hand, and the United Kingdom, on the other, wanting possession of these islands. I have read this item as tabled by the Greek delegation: "Application, under the auspices of the United Nations, of

the principle of equal rights and self-determination of peoples in the case of the population of the Island of Cyprus." There is no talk here about the people of Cyprus; there is no argument about the nationhood of Cyprus as such.

199. The position of our Government is that we would support and we desire the establishment of self-government and independence according to the wishes of the people wherever possible—and we hope it will be possible everywhere—by peaceful methods of conciliation and negotiation for their freedom. If freedom and self-government were the issue, we would support the inscription of this item, but we cannot support the inscription of an item where the issue is as I have stated. And the issue has been further complicated after the last speech we heard.

200. There are three claimants. There is the United Kingdom, and Greece, and now Turkey. Very soon it may become a free-for-all! We therefore regard this island as the homeland of its peoples, entitled to nationhood and independence.

201. I disagree with my very good friend and colleague, Mr. Selwyn Lloyd, who spoke of it as "a strategic necessity". It is the homeland of the Cyprian nation. We regard nationhood as territorial; it makes no difference to us whether, in a particular territory, people are of one ethnic group or another. Therefore, the territory of Cyprus is regarded by us as the homeland of a people entitled to the recognition of their nationhood. We hope that those who are responsible for their affairs will advance them in the near future on the road to full self-government and independence as speedily as possible, so that they will become entitled to derive the benefits of what is stated in Article 1 of the United Nations Charter and also in the Preamble. Those who want to inscribe this item on the agenda appear to rely in part on the Preamble and in part on Article 1. I would now like to draw the attention of the Assembly to this point: the second paragraph of the Preamble refers to "the dignity and worth of the human person, in the equal rights of men and women and of nations large and small".

202. I particularly wish to refer to this because I have heard it said by both sides that it is not possible for a small island like Cyprus to have independence and nationhood. I should like to quote some examples. There are several republics in Central America with populations of very nearly three-quarters of a million people; these republics have neighbours who are powerful. If there is a case of fear of neighbours, they should be afraid of theirs. Although independent, their populations are not larger than that of Cyprus. There is also the notable example of the great little country of Iceland, with a population of 145,000 people. It is totally independent and, what is more, it had democratic and parliamentary institutions before the United Kingdom. Thus, we consider that the smallness of a country is not an argument against its independence.

203. The real issue, therefore, should be the nationhood and independence of Cyprus and their establishment, and not the transfer of the territory from one country to another. We are not able to subscribe to the argument with regard to strategic considerations. I want to express my appreciation of the fact that the representative of the United Kingdom has not sought to rely on Article 2, paragraph 7, of the Charter, because under that heading we would not be able to

entertain any objections with regard to the rights of peoples.

204. In these circumstances, my delegation proclaims without equivocation that it stands for the independence of peoples, the establishment of national independence and the basing of their associations with others, as are ours, upon free will and co-operation. We equally oppose the idea that this territory—because some people went to live there at one time or another, or because it is strategically valuable, or because it is valuable in other ways—is a matter of barter and exchange between those who have it and those who wish to have it.

205. For these reasons we shall not be able to support the inscription of this item as proposed.

206. The PRESIDENT (*translated from French*): Before we proceed with our consideration of this item, I would, in general terms, urge representatives wishing to exercise their right of explaining their vote to do so after the Assembly has taken a decision as to the inclusion of the item in the agenda.

207. This seems to me the logical procedure to follow in the light of rule 23 of the rules of procedure, which stipulates that "Debate . . . shall be limited to three speakers in favour of and three against the inclusion."

208. Consequently, if the Members of the Assembly agree, the provisions of rule 23 will first be observed and then, when a decision has been taken as to the inclusion of the question in the agenda, representatives will have an opportunity of explaining their votes under rule 90 of the rules of procedure.

209. If the Assembly agrees, we will proceed to the vote.

A vote was taken by roll-call.

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

In favour: Ecuador, Egypt, El Salvador, Greece, Guatemala, Haiti, Honduras, Iceland, Indonesia, Israel, Lebanon, Mexico, Nicaragua, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Burma, Byelorussian Soviet Socialist Republic, China, Costa Rica, Cuba, Czechoslovakia.

Against: France, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Peru, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Canada, Chile, Colombia, Denmark, Dominican Republic.

Abstaining: Ethiopia, India, Iran, Iraq, Pakistan, Panama, United States of America, Venezuela, Argentina, Bolivia, Brazil.

Item 62 was placed on the agenda by 30 votes to 19, with 11 abstentions.

210. Mr. MARTIN (Canada): I wish briefly to explain the Canadian vote on this matter. We have given this question careful study as to whether or not this item should be inscribed on our agenda. We have noted, and we have sought to weigh as objectively as we could, the conflicting and persuasive arguments submitted by Mr. Lloyd on behalf of the United Kingdom, and by Mr. Kyrrou on behalf of the Government of Greece.

211. In our judgment the generally accepted interpretation of the Charter does not preclude the inscription of the Cyprus item. From the past voting record of our delegation, I think it is clear that we have consist-

ently taken the position that the General Assembly has very wide competence to discuss. Although Canada has always supported in principle the right to discuss matters of international concern, we have reserved our right to oppose any item which we think should not at a given time be discussed. There is, as we see it, nothing in the Charter which compels us to agree to discuss anything, and everything is within the Assembly's competence.

212. For example, in defining the attitude of the Canadian delegation on the Tunisian question in the First Committee on 9 December 1952 [541st meeting], I said that the right of discussion must not be abused. I went further, and said that in our judgment it must not become the right to slander, the right to incite revolt or rebellion, the right to use the forum of the United Nations to give encouragement to political parties or movements in a given country with whose views one happens to agree. We said further that such an abuse of the right of discussion would be harmful to the United Nations, and we would have to reconsider our position on the question of discussion if it appeared that the United Nations was being weakened and its prestige damaged in this way.

213. I should hasten to add that the submissions that have been made on both sides today in this debate do not deserve any characterization but that the debate by these gentlemen has been conducted objectively and in good temper. In his statement in the general debate yesterday [475th meeting], my colleague, Mr. Pearson, underlined once again the necessity for forming a judgment as to priority, so as to avoid overloading our agenda with items which it is either untimely or futile to try and settle here.

214. But I should like to make it quite clear that this is a judgment which in our view has to be made on the merits of the case and not, in so far as the Cyprus question is concerned, a judgment on the competence of the United Nations. We have come to the conclusion, as a matter of practical judgment on the over-all situation, and not on grounds of competence, that the inclusion of this item is likely to do more harm than good in the region of Cyprus and in the United Nations. It was for this reason that we voted against the inscription of this item.

215. We are sustained in our conclusion by the wording of the proposed item and of the supporting memorandum. We are not asked by the Government of Greece merely to consider the question of Cyprus. We have been asked to apply under United Nations auspices the principle of equal rights and self-determination of peoples in the case of the population of Cyprus. We feel that those who propose the inscription of this item are virtually asking the Assembly not merely to discuss the question of Cyprus but to consider action of a particular kind: nothing less, presumably, than a United Nations-sponsored plebiscite for Cyprus, as requested by the Government of Greece.

216. Even if we were prepared to discuss the question of Cyprus, we are certainly not prepared to agree to put a question on the agenda which by its very wording, in our judgment, prejudices the issue and presupposes intervention in a manner contrary, as we see it, to the Charter of the United Nations.

217. The PRESIDENT (*translated from French*): There are three more speakers on my list for explanations of vote. Before calling on the representative of Venezuela, who is the first on the list, I feel that I

speak for all present in pointing out that the later the hour, the greater is the virtue of brevity.

218. Mr. PEREZ PEREZ (Venezuela) (*translated from Spanish*): The delegation of Venezuela did not vote for the inclusion of the Cyprus question or of the previous question in this session's agenda because it considers that the inclusion of those items might cause friction between States and thereby increase international tension. Hence, our abstention on these questions is no reflection on the validity or lack of validity of the arguments advanced by either side, and does not commit Venezuela's attitude to the consideration of any future problems of this type.

219. Mr. LUNS (Netherlands): I should like briefly to explain the vote of my delegation on the question of the inclusion of the item regarding Cyprus in the agenda of the Assembly. On this, we find ourselves in a difficult and delicate position. The two countries directly affected by this question are both allies of my country and, moreover, friends of long standing and tradition. We are therefore not happy that we had to take a stand on this matter, and, in all sincerity, we would have preferred not to take sides.

220. However, now that the matter has been placed before us, we have had to decide whether or not we deemed it advisable and expedient to make this question a subject of international discussion and recommendation. The answer to that must be in the negative.

221. Much as we understand the Greek Government's concern for and interest in people of Greek language and culture elsewhere in the world, we seriously doubt the wisdom of bringing before this international forum a claim which, in our view, has a cultural and emotional foundation rather than a sound legal foundation.

222. On the strength of what we have heard so far from both sides involved in the matter, we cannot but conclude that neither our world Organization nor the general political relationship in the area and in Europe as a whole would be served by putting this case on the agenda of the Assembly. We therefore had no choice but to vote against its inscription.

223. Mr. URRUTIA (Colombia) (*translated from Spanish*): Yesterday in the General Committee I abstained because I felt that that was the most suitable attitude to adopt in view of our doubts on some legal aspects of the problem. Today my delegation was obliged to vote against the inclusion of the item in the agenda because the discussions held have shown two things. The first is that not only an affirmative vote but even an abstention on our part might be regarded as wavering on the part of the Colombian delegation in face of the principle of non-revision of treaties; my Government can permit no doubt to be entertained as to its position on this matter, which has always been consistent and in accord with the legal heritage of the inter-American system as embodied in all its treaties, particularly in the Act of Chapultepec and the Charter of the Organization of American States. In the second place, it has been said here that Article 103 of the Charter might be interpreted to mean that the United Nations was competent to decide that particular treaties had been superseded by the Charter. As early as San Francisco, my Government was opposed to that view. For these reasons, and for these reasons alone, we voted against the inclusion of this item, which we should have been willing to study had its inclusion not cast doubt on principles to which my country's Ministry of Foreign Affairs has always subscribed.

224. Mr. URQUIA (El Salvador) (*translated from Spanish*): The Salvadorian delegation voted for the inclusion of the Cyprus question in the agenda of this session of the Assembly because this is not the first time we have been faced with the problem of whether or not to include an item in the agenda and have discussed at length something which it is perhaps inopportune for us to discuss and decide on at this moment.

225. My delegation attended the General Committee's meeting yesterday and listened to the interesting statements of the representatives of the United Kingdom, Greece, France and others; this afternoon it has listened closely to the various statements made both for and against the inclusion of the item in the agenda. We are sure that the theme of the whole discussion has been whether the Assembly is or is not competent to examine this matter and to adopt any resolution or recommendation concerning it.

226. In our view—and we believe that both precedent and Assembly discussions in previous years support that view—the fact of inclusion of a given item in the agenda does not of itself amount to an assertion by the Assembly that the subject of the item, or rather such resolutions or recommendations as the Assembly may adopt with regard to it, fall within the Assembly's jurisdiction. In other words, we feel that this debate is neither sufficiently wide in scope nor, perhaps, a suitable occasion for a discussion of the Assembly's competence. This argument is supported by the provisions on competence in the rules of procedure. Rule 81 of the rules of procedure states:

“Subject to rule 79, any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.”

Rule 122 of the rules of procedure contains an identical provision with particular reference to the Committees of the Assembly.

227. Hence, when a query is raised in a Committee, let us say in this case the Political Committee, as to whether the Assembly is competent to deal with a certain proposal, draft resolution or draft recommendation on the subject of Cyprus, the matter will be discussed fully and the Committee, and later the Assembly, will have an opportunity of deciding the question.

228. With these considerations in mind, that is to say without taking any position on the question of the Assembly's competence but merely as a matter of procedure, my delegation voted for the inclusion of the item concerning Cyprus.

229. Mr. AZMI (Egypt) (*translated from French*): The Egyptian delegation voted for the inclusion of this item. It could not do otherwise. The question was submitted in connexion with the right of peoples to self-determination. The Egyptian delegation has proved, by its actions in various United Nations organs, that it attaches great importance to the right of peoples to self-determination. Therefore, it could not abstain on or vote against the inclusion of an item concerned with that right.

230. Egypt itself has furnished a striking example of the application of the principle by signing with the United Kingdom an agreement concerning the Sudan, which recognized that territory's right of self-determination.

231. But in voting for the inclusion of this item Egypt has not overlooked the spirit of moderation displayed yesterday in the General Committee which was evidenced by the Netherlands in abstaining from the vote on West New Guinea, and by what we might term France's "*laissez-passer*" given to the Moroccan and Tunisian items when they were put to the vote. The Egyptian delegation hopes therefore that before the question of Cyprus comes before the First Committee, the two delegations concerned—those of Greece and the United Kingdom—will find in this spirit many opportunities of contact and will perhaps avail themselves of the good offices of willing intermediaries.

232. It was with these considerations in mind that the Egyptian delegation voted for the inclusion of the question of Cyprus in the agenda.

233. The PRESIDENT (*translated from French*): If there are no further speakers, I shall declare the meeting closed. The Assembly has had a very heavy day. Tomorrow, if you agree, it will have a less onerous programme. I propose that we should hold a plenary meeting only in the morning at 10.30, to continue our discussion of the General Committee's report and, if time permits, the general debate.

It was so decided.

The meeting rose at 6.55 p.m.