



Thursday, 24 January 1952, at 10.30 a.m.

Palais de Chaillot, Paris

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Chairman : Mrs. Ana FIGUEROA (Chile).

Draft international covenant on human rights and measures of implementation (A/1883, A/1884 (chapter V, section I), E/1992, E/2057 and Add.1 to 5, E/2059 and Add.1 to 8, E/2085 and Add.1, A/C.3/559, A/C.3/L.88, A/C.3/L.186 and Add.1) (*continued*)

[Item 29]*

JOINT DRAFT RESOLUTION SUBMITTED BY AFGHANISTAN, BURMA, EGYPT, INDIA, INDONESIA, IRAN, IRAQ, LEBANON, PAKISTAN, THE PHILIPPINES, SAUDI ARABIA, SYRIA AND YEMEN (A/C.3/L.186 and Add.1) (*continued*)

1. Mr. KUSOV (Byelorussian Soviet Socialist Republic) stated that the joint draft resolution (A/C.3/L.186 and Add. 1), which requested the inclusion in the international covenant on human rights of an article proclaiming the fundamental right of peoples to self-determination, was of historical significance and deserved to be studied very carefully by the Third Committee and the General Assembly.

2. To ensure a people that right was, in fact, to proclaim the sovereignty of that people and to guarantee its independence; to recognize that it was the equal of other peoples; to give it the chance of governing itself through freely selected institutions and of determining its own domestic and foreign policy; and finally, to allow that people to use its own language and to enjoy complete independence in the humanitarian, social and cultural fields. At the moment millions of individuals were subjected to oppressive régimes: the courageous peoples of Viet-Nam and Korea were fighting to secure recognition of the right to self-determination, a right which the populations of Asia, Africa and Latin America were also demanding.

3. If the Third Committee wished to carry out its humanitarian duty and abide by the principles of the United Nations Charter, it must forthwith assist oppressed peoples, particularly those in the Non-Self-Governing Territories, to throw off the yoke which weighed heavily upon them. Under Article 73 of the Charter, States Members of the United Nations which assumed responsibilities for the administration of Non-Self-Governing Territories accepted, as a sacred trust, the obligation to promote their prosperity to the utmost. If it was desired to follow the lines laid down by the Charter, the first step should be to ensure the self-determination of peoples.

4. The delegation of the Byelorussian SSR would therefore vote in favour of the joint draft resolution (A/C.3/L.186 and Add.1) and the USSR amendment (A/C.3/L.216). Under the auspices of the USSR Government, the Byelorussian SSR had been able fully to appreciate the importance of a right without which all the other political, economic, social and cultural rights were meaningless. It earnestly hoped that all peoples, irrespective of origin, race or opinion, would become masters of their own destinies. The delegation of the Byelorussian SSR would also vote for the Iraqi amendment (A/C.3/L.217/Rev. 1), which had the same objectives as the joint draft resolution and which tried to offset the effects which would be produced by the adoption of the United States amendment (A/C.3/L.204/Rev.1), an amendment designed to prevent the General Assembly from drafting the text of the article on the right of peoples to self-determination.

5. The delegation of the Byelorussian SSR could also vote for the Greek amendment (A/C.3/L.205/Rev. 1) and the Syrian amendment (A/C.3/L.221), which were both in accordance with the principles of the Charter.

6. Certain representatives had tried to hinder the adoption of the joint draft resolution. The United

* Indicates the item number on the General Assembly agenda.

States representative had erected a veritable barrier of amendments, and the representatives of France (399th meeting) and the Netherlands (398th meeting), resorting to quibbling, had argued that the self-determination of peoples was a collective right which was out of place in a covenant intended to set forth the rights of the individual.

7. In its first amendment (A/C.3/L.204/Rev.1), the withdrawal of which had no effect since it depended on the adoption of other texts with the same meaning, the United States delegation had wanted the General Assembly merely to reaffirm the principle of the self-determination of peoples. That amendment, like the Afghan amendment (A/C.3/L.209/Rev.1) which related to it, was solely intended to put the Committee a step further back and to prevent the drafting of the article and its inclusion in the covenant.

8. The second United States amendment (A/C.3/L.224) camouflaged an even more dangerous manoeuvre, because its adoption would allow States which were not responsible for administering a Non-Self-Governing Territory to interfere in the relations between the Administering Powers and the Non-Self-Governing Territories in order to secure strategic bases for the war which was being prepared against the USSR and the peoples' democracies. Together with the USSR delegation the delegation of the Byelorussian SSR had submitted an amendment (A/C.3/L.225) intended to counteract the United States amendment, which would in no way guarantee the right of the inhabitants of Non-Self-Governing Territories but which, on the contrary, would hand over those inhabitants to certain foreign Powers.

9. The Byelorussian SSR could not allow the peoples of the Non-Self-Governing Territories, already subjected to colonialism, to come under the influence of the United States policy of interference and would therefore vote against that text, the sole purpose of which was to perpetuate and extend a system based on oppression.

10. The delegation of the Byelorussian SSR hoped that all the members of the Committee who looked upon the right of peoples to self-determination as a universal right would reject the United States amendment and vote for the original joint draft resolution (A/C.3/L.186 and Add. 1) and the amendments supplementary to it. The Third Committee's decision would have a decisive effect on the fate of millions of people; it would at the same time show whether the General Assembly and the Committee were really anxious to defend the cause of international peace and security, which was based on the principle of the self-determination of peoples.

11. Mr. AZKOUL (Lebanon) pointed out that all the representatives who had spoken, both for and against the joint draft resolution (A/C.3/L.186 and Add. 1), had agreed on the principle of the right of self-determination of peoples and had asserted that their governments were prepared to ensure the implementation of that principle by every means at their disposal.

12. Opinion was divided on which measure should be adopted first. The thirteen Powers sponsoring the joint draft resolution and those members of the Third Committee who shared their views felt that the principle should first be converted from theory and the sphere of idealism into practice. For that purpose an article drafted in moderate terms should be prepared and included in the covenant. The opponents of that view had referred to the difficulties which would arise from the implementation and interpretation of such an article and from the number of problems which its inclusion in the covenant might raise.

13. Those difficulties were of course real ones, but it would be impossible to solve them by remaining at the ideological level. The principle must be made a living one, a driving force, and for that purpose it must be included in a binding legal document. The Committee must therefore be discouraged by the difficulties which it visualized; it should vote for the joint draft resolution, which proposed the only method of solving them.

14. Mr. Altaf HUSAIN (Pakistan) said that he could not share the views of those representatives who were opposed to the joint draft resolution and who believed that, by approving such a text, the Committee would exceed its powers and that its decision would give rise to serious difficulties in the future.

15. It had been pointed out that the covenant on human rights should only contain the rights of the individual; however, the right of peoples to self-determination constituted the very basis of all the individual rights laid down in articles 1 to 18 of the draft covenant (E/1992). His delegation was surprised to see attempts being made, such as those supported by representatives opposing the joint draft resolution, to nullify the decisions taken by the General Assembly in its resolution 421 (V), section D.

16. Pakistan was all the more interested in the purpose of the joint draft resolution since it had only achieved its independence four and a half years previously. The principle of the self-determination of peoples had been consistently respected during the attainment of its independence, since the various groups of the population had demonstrated in complete liberty, by means of separate referendums, their wish to form part of a united and free nation.

17. The Pakistani people had endeavoured since then to facilitate the accession to independence of the 40 million inhabitants of the neighbouring State of Jammu and Kashmir; the question had been included in the agenda of the Security Council and if the United Nations did not implement the decisions it had taken, it was to be feared that the situation in that State might become a dangerous and permanent threat to world peace and security.

18. By a remarkable coincidence, at the very moment when the Third Committee was studying the question of the inclusion in the covenant of an article on the right of peoples to self-determination, movements were developing in several parts of the world which gave a

particular importance and urgency to that study. The efforts being made by the Tunisian people to free themselves from the colonial system were comparable to the most heroic attempts to achieve freedom recorded in history. A tribute should be paid to the courage shown by the indigenous populations of Tunisia, and an effective way of coming to their help would be to adopt the joint draft resolution since, under that text, the States subscribing to the covenant would undertake to respect the right of peoples to self-determination.

19. He sincerely hoped that those members of the Committee who wished that fundamental right to retain a theoretical character and who were hoping to avoid its implementation would modify their attitude and that the joint draft resolution could be adopted unanimously.

20. Mr. LANNUNG (Denmark) recalled that one of the purposes of the United Nations was to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.

21. Denmark had recognized and applied that principle for generations and considered it of decisive importance; his delegation would therefore vote for the joint draft resolution (A/C.3/L.186 and Add. 1), the object of which was to include in the covenant an article on the right of peoples to self-determination, a right which should be granted to all peoples and all national groups. Denmark had always remained faithful to that principle; it had in the past had the opportunity of defending the right of peoples to self-determination in the Assembly of the Council of Europe and it would maintain that attitude in the Third Committee of the General Assembly of the United Nations.

22. His delegation would not object to that principle being applied to the peoples of the Non-Self-Governing Territories just as to other territories, provided that existing conditions were such as to make its application possible.

23. Mr. CORLEY SMITH (United Kingdom) was pleased to see from the large number of draft resolutions and amendments before the Committee that no one disputed the actual principle of the self-determination of peoples, as laid down in the Charter.

24. He invited members of the Committee to compare the various statements made by the representatives of the Soviet Union and of the peoples' democracies with the way that doctrine was applied in their countries. Those representatives had bitterly criticized the actions of the States responsible for the administration of the Non-Self-Governing Territories as constituting attacks on the freedom of peoples and had praised the conduct of the Soviet régime which, in their view, was based on respect for the principle of self-government. Actually, the Constitution of the USSR gave the central government control over the various republics not only in foreign affairs and defence but in the most important fields of domestic policy. In point of fact, those republics enjoyed a lesser measure of self-government than the most humble colony.

25. Generalissimo Stalin had said that the so-called independence of countries such as Armenia, Poland or Finland was only an illusion. In his report of 1923 to the Twelfth Congress of the Communist Party, he had stated that the right of nations to self-determination must be subordinated to the right of the working class to dictatorship. Such a declaration was tantamount to proclaiming purely and simply the primacy of a dictatorship over self-determination.

26. The United Kingdom representative recalled that Bukovina, Ruthenia and Bessarabia had been annexed without consulting the populations of those provinces. The province of Koenigsberg, re-named Kaliningrad, had also been annexed without consulting the people. He would not dwell on the fate of the small Moslem peoples in the Soviet Union, but would be glad to supply the text of the decree of the Supreme Soviet of the USSR abolishing the autonomous Chechen-Ingush Republic. Those examples were evidence of the USSR representative's lack of sincerity and of his country's disregard for the rights of peoples to self-determination.

27. His delegation commended the sincerity of purpose which had inspired the sponsors of the joint draft resolution (A/C.3/L.186 and Add. 1). For its part, it agreed whole-heartedly with the principle of the self-determination of peoples, but believed that to transform that principle into a right would be a serious decision, and it would appear inappropriate to incorporate an article on the right of peoples to self-determination in an instrument having binding force and aimed at establishing the rights of the individual.

28. The term "self-determination of peoples" lacked clarity. It was not even certain that the expression had the same meaning in English and in French. Applied to an individual, it presumably meant the right of everyone to fulfil his aspirations and to develop his personality. The general purpose of the covenant was, no doubt, to enable man to reach the fullest stage of his development, but it was difficult to affirm that each human being should thus have the right of self-determination regardless of the consequences for others, and indeed, the existing draft covenant (E/1992) contained no such article. If, moreover, that formula were applied to States it might have tragic consequences. It had been on the basis of the right of the German people to self-determination that Hitler had destroyed the rights and the very existence of twenty nations and peoples. There could be no doubt that the crimes of the hitlerite régime would have found their justification in an article such as that which it was being proposed to include in the covenant. The nations invited to subscribe to the covenant, being aware that they would be liable to sanctions if they infringed any one of its provisions, were entitled to know the exact meaning to be given to all the provisions submitted for their consideration.

29. Certain representatives had believed that the "self-determination of peoples" signified the right to self-government, whether applied to peoples or to minority groups within a nation. His delegation was convinced that such an interpretation was inaccurate, as the Charter of the United Nations never confused

those terms, but always used them in different instances; if those terms were synonymous, the preamble and Article 1 of the Charter would have referred to the "right to self-government".

30. It should also be noted that the passages of the Charter relating to human rights did not once refer to the "self-determination of peoples"; thus Article 1, paragraph 2, referred to the self-determination of peoples, whereas reference to human rights was made for the first time in paragraph 3.

31. His delegation believed that it would be both dangerous and inappropriate to include in the covenant an article on the self-determination of peoples, since that right, as the French representative had pointed out (399th meeting), constituted a political right rather than a human right.

32. The Turkish representative had, in analysing the Charter, emphasized the balance and the sense of proportion which characterized that instrument (400th meeting). It would be regrettable if, by distorting the meaning of an expression taken from the Charter and by making a general declaration of principle into a statement of a precise and unlimited right, the Committee were to compromise the very balance of the Charter.

33. His delegation was anxious to respect the intentions of the authors of the Charter and the actual principle of the self-determination of peoples; it was therefore unable to vote for the joint draft resolution (A/C.3/L.186 and Add.1) and the amendments which were based on the same considerations as the draft resolution.

34. Mr. GARIBALDI (Uruguay) said that he had already indicated (365th meeting) his delegation's support for the principle of the self-determination of peoples, which was included in the Charter and to which Members of the United Nations had therefore already subscribed. Hence there was no question at that stage of innovation; the point at issue was whether right of self-determination should be reaffirmed in an international covenant on human rights and, if so, the form which such a reaffirmation should take.

35. While self-determination was not an individual right, it was nevertheless at the root of all individual freedoms and their exercise. The delegation of Uruguay appreciated that for practical reasons it was advisable that the General Assembly should merely reaffirm the principle and leave the Commission on Human Rights to incorporate it in the covenant in the form of an article, after the necessary work of adaptation and collation. It considered that to go any further than a statement of principle would be difficult, since the right of self-determination was not a right exercised regularly, like that of freedom of association or freedom of thought; it was applied only in exceptional circumstances, and no precise rules of application could be laid down since such rules would have to be adapted to the circumstances of each case.

36. The delegation of Uruguay would consequently vote for the United States amendment (A/C.3/L.204/Rev.1) and the Afghan amendment (A/C.3/L.209/

Rev.1), which were closest to the views it had stated. It supported the Venezuelan delegation's proposal for a separate vote on the first paragraph of the preamble to the joint draft resolution (A/C.3/L.186 and Add. 1). That would enable it not to vote for that paragraph, which was incompatible with the resolution adopted by the General Assembly at its fifth session (resolution 421 (V), section D).

37. Mr. KUSOV (Byelorussian Soviet Socialist Republic) and Mr. PAVLOV (Union of Soviet Socialist Republics) asked the Chairman to allow them to avail themselves of the right of reply at a later stage.

38. Mr. CASSIN (France) asked the Chairman to allow him to reply and to give his views on the amendments which had been submitted after his statement at the previous meeting.

39. Mr. PAZHWAQ (Afghanistan) pointed out that delegations which had submitted those amendments would then also have to be allowed to defend them.

40. Mr. VALENZUELA (Chile) considered that representatives who had exhausted their allotted time should be allowed to explain their votes and give their views on the amendments submitted most recently.

41. In reply to a question by Mr. PAZHWAQ (Afghanistan), the CHAIRMAN said that sponsors of amendments would be able to speak after representatives who wished to explain their votes on those amendments. If any representative wished to be allowed the right of reply before the vote, the Committee would have to allow all other representatives the same right.

42. Mrs. ROOSEVELT (United States of America) challenged the Byelorussian representative's interpretation of her amendment (A/C.3/L.224). The sole intention of the United States amendment was that all States should fulfil their duty of ensuring respect for the right of self-determination of peoples.

43. Mr. PAMONTJAK (Indonesia) said that he had already expressed his delegation's general views on the question (366th meeting), but wished to comment on a number of observations made by representatives who had spoken after his statement.

44. Some of them had said that the Third Committee was a purely social, and not a political committee, and that the self-determination of peoples was a political right outside its domain. It was doubtful whether there was a single question of interest to the United Nations which had no political implications; the essential object of the United Nations was to influence politics in such a way as to promote peace.

45. Others had asserted that the right of self-determination was essentially a collective right, and that the Third Committee was concerned only with individual rights. As the Czechoslovak representative had explained (400th meeting), individual rights could not be implemented where a people did not possess the right of self-determination. Some might consider that to be a purely theoretical consideration; but peoples who had been subject to foreign domination for centuries knew that the right of self-determination was a *condi-*

tie sine qua non of individual human rights. In 1945 the Government of Indonesia had published a manifesto stating the fundamental principles of its domestic and foreign policy; it had declared that independence was not an end in itself, but was a means essential, as the experience of centuries had shown, for ensuring those very human rights with which the Third Committee was concerned.

46. He recalled that he had stated (397th meeting) that he would vote against the Greek amendment, but as the Greek delegation had redrafted its amendment (A/C.3/L.205/Rev.1), the Indonesian delegation would withdraw its former objections.

47. Mr. PAZHWAQ (Afghanistan) wished to comment on certain remarks by various representatives, who probably expected one of the sponsors of the joint draft resolution (A/C.3/L.186 and Add.1) to answer their arguments.

48. He thanked the Netherlands representative for having begun his statement (398th meeting) by saying that it was "impossible" to object to the principle of the self-determination of peoples: the emphasis which that representative had placed upon the point was a powerful argument in favour of the joint draft resolution. The Netherlands representative had also stated that the right, in so far as it concerned the individual, was already adequately guaranteed in the covenant: he therefore acknowledged that it also applied to the individual, which was a further argument in favour of the joint draft resolution. Lastly, the Netherlands representative had stated that the right should form part of an instrument on the rights and duties of States rather than of a covenant on human rights. Mr. Pazhwak pointed out in that connexion that the inclusion of a right in the covenant on human rights did not mean that it was excluded from all other instruments. Covenants on human rights were instruments concluded solely to implement the principles of the Charter.

49. In view of the decision taken by the majority of the Committee, the Chilean representative had asked (399th meeting) in which of the two covenants the authors of the joint draft resolution thought the article on self-determination should be inserted. Mr. Pazhwak believed that that was only a drafting problem and that, as the right to self-determination had two aspects, it should be set forth in both instruments.

50. The French representative had maintained (399th meeting) that the right was not recognized in resolution 421 (V). The sponsors of the joint draft resolution disagreed, basing their argument on section D of the resolution, which Mr. Pazhwak quoted. He asked the French representative whether, in his opinion, the General Assembly would have recommended the Economic and Social Council to call upon the Commission on Human Rights to study ways and means of guaranteeing for peoples and nations a right to which the General Assembly did not recognize them to be entitled. It was true that, in the previous year, some delegations had not supported that recommendation, but it did not follow that the General Assembly had

not made the recommendation. It was the obligation of every member of the Committee to accept the decision of the majority.

51. The French representative had also dealt with the question of territorial unions. In the case in point the right to self-determination should be interpreted as being identical with the will of the people, which must be respected. The representative of France had contended that that was a dangerous right, but the example he had given did not prove his contention. He had quoted the case of the Val d'Aosta in which France had demonstrated its goodwill; clearly, where there was goodwill, there could be no danger,

52. Addressing himself to the colonial Powers, Mr. Pazhwak pointed out that it was also in their interests to accept the principle of self-determination. They had repeatedly declared that they administered certain peoples, with the sole object of assisting them; they ought to welcome the principle of the self-determination of peoples, as the exercise of that right could help the colonial peoples. The best proof they could give of their good faith would be to vote for the right to self-determination, thereby showing that they intended to give non-self-governing peoples the possibility of attaining freedom.

53. The United Kingdom representative had acknowledged that no member of the Committee had contested the principle of the self-determination of peoples, but he had maintained that in the case in point the United Nations was faced with a serious decision. Mr. Pazhwak pointed out that it was the duty of the United Nations to take important decisions.

54. The United Kingdom representative had asked exactly what was to be understood by the term "self-determination of peoples". The representative of Afghanistan replied that it was a question of the will of the peoples, which the people of the United Kingdom had defended more resolutely than any other nation in the world: the right had the same meaning for an Englishman in his own country as for any other person in his. The United Kingdom representative had referred to the special interpretation given by Hitler to the right to self-determination. Mr. Pazhwak pointed out that interpretations differed according to their interpreters and, if that of the colonial Powers was to be believed, colonialism was so attractive that all colonized peoples preferred the status of a colony to that of a sovereign State.

55. Mr. PAVLOV (Union of Soviet Socialist Republics) wished to comment on the amendment submitted on the previous day (399th meeting) by the United States delegation (A/C.3/L.224), and on the joint Byelorussian and USSR amendment (A/C.3/L.225). Mrs. Roosevelt had stated that she could not see the usefulness of the latter, which seemed to her merely to repeat what was already contained in the United States amendment. He recalled a passage from the first USSR amendment (A/C.3/L.206); "States which have responsibilities for the administration of Non-Self-Governing Territories shall promote the realization of this right...". In its amendment (A/C.3/L.222) the

United States delegation had proposed the addition of the words "as well as all other States". After an Afghan amendment (A/C.3/L.223) which had led the USSR delegation to submit its other amendment (A/C.3/L.216), the United States delegation had withdrawn its amendment (A/C.3/L.222) to the first USSR amendment and submitted an amendment (A/C.3/L.224), identical in scope, to the other USSR amendment (A/C.3/L.216), which had obliged the USSR delegation together with the Byelorussian delegation to submit another amendment (A/C.3/L.225).

56. There was an essential difference between the new USSR amendment and the new United States amendment. Whereas the USSR amendments were perfectly clear, those of the United States were intentionally vague and ambiguous. Under their inoffensive appearance, they meant in fact that not only States which administered Non-Self-Governing Territories, but also all other States, shared the responsibility of ensuring the application of the right. They would enable other States, in particular the United States of America, to intervene in the administration of Non-Self-Governing Territories which were under the domination of certain countries. They were part of an underground campaign by the United States to supplant the Administering Powers in the Non-Self-Governing Territories.

57. Some people might wonder why that conflict between imperialist countries was of any concern to the USSR. The reason was, first, because the indigenous peoples were the victims and secondly, because it endangered world peace and security, the chief purpose of the United States of America being to establish a series of bases throughout the world with a view to waging an aggressive war.

58. The danger of foreign interference in their internal affairs threatened not only the Non-Self-Governing Territories but all countries, and the USSR had not forgotten the interference by the Western Powers in 1920.

59. Mr. Pavlov did not wish to question Mrs. Roosevelt's good faith but felt bound to denounce the danger represented by the United States amendment, which had been prepared by the United States delegation's advisers with a full knowledge of the implications. He would vote against it because it constituted a threat to peace and to the national sovereignty of States, and he asked that the USSR amendment should be put to the vote first.

60. Mrs. ROOSEVELT (United States of America) pointed out that the order in which the Committee would vote on the various texts before it was not under discussion. She reserved the right to speak at a later stage.

Reply by the representative of Iraq to the statement made by the representative of Israel at the 398th meeting

61. The CHAIRMAN called upon the representative of Iraq to give her reply to the statement made by the representative of Israel at the 398th meeting.

62. Mrs. AFNAN (Iraq) said that the Chairman of the Iraqi delegation had held a Press conference during which he had replied to the accusation the delegation of Israel had irregularly made against Iraq in the Committee. The trial, sentence and execution of the two Iraqis in question was a matter completely within the national jurisdiction of Iraq. The two men had been found guilty of having caused the death of many persons by placing and throwing bombs in public places. They had been tried in open court and had been sentenced and executed in the same way as other Iraqis found guilty of similar crimes. The statements concerning torture and degradation were slanderous and false. By talking of the execution of "two Jews" the representative of Israel had implied that they had been executed because they were Jews. The State making the accusation was the State which had driven a million human beings from their homes because they were Arabs and had condemned them to a speedy death by privation or to a slow death of hopelessness.

63. The CHAIRMAN requested the representative of Iraq to limit her remarks to a reply to the statement made by the representative of Israel.

64. Mr. BAROODY (Saudi Arabia) pointed out that when the matter had been unexpectedly and irregularly raised, the Chairman had ruled the Israel representative's remarks out of order; but the damage had been done. The question was wholly outside the terms of reference of the Third Committee; in those circumstances it might be asked who could decide what was or was not in order. He thought no one had that right, and since the representative of Iraq was replying to a statement which had been out of order, she must be allowed to reply to it as she thought fit. That was the only way in which the Committee could avoid the opening of a further discussion, in the course of which the delegation of Saudi Arabia would be obliged to intervene whether its remarks were in order or not.

65. The CHAIRMAN requested the representative of Iraq to continue her reply.

66. Mrs. AFNAN (Iraq) assured the Committee that the two men in question had been tried and sentenced in accordance with the law in force in Iraq and applicable to all regardless of their race or religion. Zionism sought to include within its jurisdiction all Jews throughout the world and endeavoured to profit from the respect the world felt for the Jewish religion and the sympathy that was felt for the persecuted Jewish people. However, Zionism was an aggressive political movement while the Jewish faith was a recognized and respected religion. It was Zionism that was the implacable enemy of the Arab countries, and not the Jews.

67. The CHAIRMAN said that she would have to allow the representative of Israel to speak to enable him to reply to the representative of Iraq, who had not confined her remarks to a refutation of the statement made at the 398th meeting.

68. Mrs. AFNAN (Iraq) said that if the representative of Israel spoke, she would be obliged to make a further reply.

69. Mr. Altaf HUSAIN (Pakistan) recalled that he had cautioned the Committee (398th meeting) against the danger of opening a discussion and that it had been decided that the incident would be closed after the reply by the representative of Iraq. If that were not done, there would be a succession of speeches and he would himself be obliged to take part.

70. The CHAIRMAN said that it was her duty to preside impartially and that she was trying to do so. She considered that she was applying rule 114 of the rules of procedure fairly and felt that it was her duty to allow the representative of Israel an opportunity of replying.

71. Mr. AZKOUL (Lebanon) said that the incident should serve as a lesson for the future. He did not think that the representative of Iraq had overstepped the permitted limits. In court an accused person had the right not only to refute the charges against him but to show that the accuser was not a trustworthy person. Rule 114 of the rules of procedure did not apply in the case before them, since it was concerned with the right of reply to statements made during a normal general debate while the case under discussion was completely exceptional. The Iraqi representative's reply was thus completely in order and there was no need to call upon the representative of Israel.

72. Mr. NAJAR (Israel), speaking on a point of order, said that the Committee could rely upon him not to delay its work. It was not he who had chosen

the moment to intervene, but the Government of Iraq, for it was the latter which had fixed the date of execution of the two young Jews. Had there been no execution, there would have been no intervention. He had been accused of surreptitiously bringing the matter before the Committee. It should be remembered that the President of the General Assembly had intervened with the Government of Iraq. The delegation of Israel felt that the authority of the President of the General Assembly must be respected and that the humanitarian character of his intervention justified the raising of the matter in the Third Committee. The delegation of Israel had always shown great restraint in the course of the debates and had confined itself to the subjects under discussion, even during the discussion (387th, 391st and 392nd meetings) of the Polish draft resolution on the twenty-four citizens of Barcelona (A/C.3/L.203/Rev. 1).

73. Mrs. AFNAN (Iraq) considered that her reply had not gone beyond the permitted limits. She had said nothing that was not a well-known fact and abundantly vouched for; she thought that there was no need to call upon the representative of Israel.

74. Mr. VALENZUELA (Chile) moved the adjournment of the meeting.

The motion was adopted by 28 votes to 3, with 10 abstentions.

The meeting rose at 1.20 p.m.