Agenda item 107:
The inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty (continued)

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Chairman: Mr. Károly CSATORDAY (Hungary).

GENERAL DEBATE (continued)

1. Mr. EL-KONY (United Arab Republic) said that the principle of non-intervention had evolved from the historical experience of many small States. In the final analysis, non-intervention was for the great Powers a duty, and for the small Powers a right and an immunity.

2. The free interchange of ideas and cultures was proper and healthy; but any attempt to force countries to surrender to the desires of other States was to be condemned. Such acts of intervention were a negation of the United Nations Charter, which was founded on the principle of sovereign equality. That principle had two essential elements: firstly, the enjoyment by each State of the rights inherent in full sovereignty, and secondly, respect for the personality of the State as well as its territorial integrity and political independence. At its session held at Mexico City in 1964, the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States had recognized another element: that each State had the right freely to choose and develop its political, social, economic and cultural system. The corollary was that every State had the duty not to intervene or interfere in the affairs of other States. The principle of non-intervention had received worldwide recognition at the Asian-African Conference held at Bandung in 1955 and at the Conferences of Heads of State or Government of Non-Aligned Countries held at Belgrade in 1961 and at Cairo in 1964, and at other conferences and international meetings, and was embodied in the constitutions of various regional organizations. It was thus an essential and universally binding rule.

3. Armed intervention was the most serious form of intervention, since it endangered international peace and security and was liable to set off a chain reaction. It could be perpetrated not only against States but also against peoples and movements striving to exercise their inherent right to self-determination and independence. The principle of equal rights and self-determination and the principle of non-intervention were inseparable. The Second Conference of Heads of State or Government of Non-Aligned Countries, held at Cairo in October 1964, had adopted a Declaration entitled "Programme for Peace and International Co-operation", which had noted that the right of self-determination was still being violated in many regions, and had condemned the use of force and all forms of intimidation, interference and intervention aimed at preventing the exercise of that right. The international community could no longer condone racial and colonial aggression; any formulation of the principle that States should refrain from the use of force should recognize the right of self-determination and the consequent right of self-defence of peoples under colonial rule and foreign domination.

4. Another form of intervention was neo-colonialism, which could take the form of economic pressure or subversive activities aimed at undermining the territorial integrity and political and economic independence of newly independent States. Such forms of neo-colonialism had been condemned by various international conferences, including the Cairo Conference of October 1964.

5. In an interdependent world, any act by one State was bound to affect other States. The United Nations, as the body representative of the international community, therefore had a significant role to play in implementing the principle of non-intervention; there was a direct relationship between the effective application of that principle and the effective functioning of the Organization. In recent years the use of force had tended to coincide with periods of paralysis in the United Nations, which was the organization responsible for the maintenance of international peace and security. If the United Nations was to play an effective role, it must be founded on the principle of universality of membership and the principle of collective security.

6. The inclusion in the Assembly's agenda of the item under discussion was a positive step towards ensuring the genuine observance of the principle of non-intervention. A United Nations declaration on the subject would constitute a landmark in the Organization's history, and would help to reduce international tension and safeguard the fundamental rights of small States. It would also be of assistance to the oppressed peoples struggling to regain their freedom. With those considerations in mind his delegation,
which had now been joined by others, had submitted draft resolution A/C.1/L.353/Rev.1. In doing so it had been inspired by the Programme for Peace and International Co-operation adopted at Cairo, and had proceeded from the fundamental principle that the policy of non-alignment implied the rejection of intervention. The draft resolution, while it was firmly based on the Purposes and Principles enshrined in the United Nations Charter, took into account the problems existing in the world of today, which included colonialism and neo-colonialism and the denial to peoples of the right of self-determination and the right to full sovereignty and genuine independence.

7. Mr. TANIMOUNE (Niger) said that the item under discussion concerned an evil which might, if the necessary steps were not taken, prevent the attainment of the lofty objectives of the United Nations. His country had itself been the victim of interference in its domestic affairs—interference which was a clear violation of the provisions of Article 2 of the United Nations Charter and article III of the Charter of the Organization of African Unity.

8. Political stability was the essential prerequisite for the international co-operation and foreign assistance which the newly independent countries needed to promote their economic and social development. Unfortunately, political stability was often threatened by the intriguers of those who wanted to impose unwelcome ideologies on the African continent. The African countries were especially conscious of the value of peace and the principle of non-intervention; they wanted to preserve the best possible relations and brotherly co-operation with other States. The clash between the world's two principal ideologies in the developing countries was resulting in bloody fratricidal wars; in that respect, moreover, Western imperialism was no more destructive than the imperialism of Peking, which taught hatred and dissenion and the art of killing. Peking had said that Africa was ripe for revolution; the real African revolution, however, was the creation of a truly African economy based on the consent of the people, Niger, which was determined that Africa should not be drawn into the cold war, would support any draft resolution aimed solely at restoring peace and security among peoples.

9. Mr. RAMANI (Malaysia) said that the question of non-intervention in the affairs of other States was of particular concern to his country, where actual armed intervention had been going on for more than two years and was unlikely to cease in the near future; his observations would therefore be based on harsh experience rather than academic considerations.

10. The principles of non-intervention in the internal affairs of sovereign States and respect for the sovereignty and territorial integrity of States were the very basis of the United Nations and were specifically referred to in the Charter. They had been reaffirmed at the Bandung, Belgrade and Cairo Conferences and in the charters of the Organization of American States and the Organization of African Unity. While the initiative of the USSR in bringing the question of intervention to the United Nations for the first time was an important step towards the prevention of armed conflict, he hoped that the General Assembly on the subject was likely, in view of the realities of international behaviour, to be of more value in occasioning a re-examination of attitudes than as a step towards solving the problem. It was an unfortunate fact that the political behaviour of States bore little relation to their solemn pledges, and he very much doubted whether a resolution of the General Assembly could induce them to change practices by which they had profited in the past.

11. The term "intervention" was one which defied definition and meant different things to different States. There was a subjective element in such concepts as "just wars", "colonial wars" and "wars of national liberation" which rendered a common understanding very difficult. If it was accepted that the Charter of the United Nations contained the basic law of international behaviour, then no State was entitled to engage in war except for the limited purpose of immediate self-defence under Article 51. Unfortunately, many States regarded the Charter as merely an ideal, and felt that they could bend their obligations to political realities until it was achieved.

12. So far as concerned the Non-Self-Governing and Trust Territories, the declaration contained in Chapter XI of the Charter had been reaffirmed in General Assembly resolution 1514 (XV), and the implementation of that resolution had been vigorously pursued by the Special Committee set up for that purpose. Some conflicts were inevitable between the rights of the administering Powers and those of the peoples, but the problem had essentially been removed from the national level and was now the responsibility of the United Nations.

13. As between independent States, at least those which were Members of the United Nations and had accepted the resultant obligations, it might be thought that the problem of non-intervention should not exist; yet it was paradoxically in that area that the difficulties were greatest. By the very act of admitting a State to membership, the United Nations acknowledged its sovereignty and equality in return for the State's acceptance of the obligations incumbent on it under the Charter. Yet certain States found it possible to justify intervention in the affairs of others by such devices as denying their sovereignty, attributing threatening designs to them or alleging the existence in them of liberation movements or rebellions entitled to outside assistance. It was a tragic irony that the same States which were today loudest in their condemnation of intervention had used such arguments against the establishment of Malaysia as a sovereign State and, more recently, against the condemnation in the Security Council of admitted aggression against Malaysia. Certain States asserted that the Security Council must retain the exclusive rights with which it had been endowed at the time of its creation. But if the Council allowed overt and undisputed armed aggression to go unchallenged, what then was to be done regarding the more insidious and gradual forms of intervention which threatened the very survival of States?

14. Because it was both invisible and effective, subversion was another and more refined form of intervention that was more insidious than overt armed aggression. It was an insult to the intelligence of the community of States to pretend that there was a sharp distinction between the two. Intervention could assume both forms; the one was as deceptive as the other.
meeting), the Malaysian Minister for Home Affairs and Justice had spoken of the urgent problem of subversion in many African, Asian and Latin American States, and had stressed that it required the immediate attention of the United Nations.

15. Every State provided machinery for peaceful changes of government, and in every form of government, except that of dictatorship, there was opportunity for political opposition. But that did not give other States the right to call such oppositions "liberation fronts" and give them assistance in their efforts to overthrow established Governments. That dangerous doctrine, and its outgrowth, the new concept of neocolonialism, were essentially an excuse for intervention in the affairs of other States, and raised a problem to which the United Nations should give more attention.

16. The Malaysian delegation would fully support any resolution which was based on realities and provided machinery for outlawing intervention in any of its numerous forms. The best procedure might perhaps be to refer the subject to a committee of the Assembly for adequate study rather than to attempt to accommodate every conflicting view in a hurried and ineffective compromise.

17. Mr. ESCOBAR SERRANO (El Salvador) said that the important question under consideration was a familiar one to all Latin American countries, Latin America, which had repeatedly been the victim of unjustified intervention, had played a historic role in establishing the principle of non-intervention as a rule of international law. It was the delegation of El Salvador which had proposed the endorsement of that principle at the Sixth International Conference of American States, held at Havana in 1928. Its proposal had not then been adopted, but the Convention on Rights and Duties of States adopted at Montevideo in 1933 had recognized the principle of non-intervention, which had not only become one of the pillars of the Organization of American States but had won universal acceptance, having been proclaimed in the Pact of the League of Arab States, the Charter of the Organization of African Unity, in the Pact of the League of Arab States, in declarations issued by the Organization of American States and the Organization of African Unity, and in other documents. Unfortunately, it had been asserted in some quarters that the principle of non-intervention was becoming obsolete in the modern world, and that subversion there necessitated such action. In some cases, attempts were made to justify intervention in the domestic affairs of other States, in flagrant violation of their freedom and sovereignty, by reference to so-called major security interests or even humanitarian considerations. However, it was significant that such interests or considerations always operated outside the frontiers of the States which undertook the intervention, and often in places remote from its territory.

18. The principle of non-intervention was stated in Article 2, paragraph 7, of the Charter and was universally recognized in international law. It had been proclaimed in the Covenant of the League of Nations and had been reaffirmed in numerous Latin American instruments, in the charters of the Organization of American States and the Organization of African Unity, in the Pact of the League of Arab States, in the Warsaw Treaty, in declarations issued by the non-aligned countries and in many United Nations and other documents. Unfortunately, it had been asserted in some quarters that the principle of non-intervention was becoming obsolete in the modern world, and the United States House of Representatives had even adopted a resolution authorizing armed intervention in Latin American countries if the United States Government decided that subversion there necessitated such action. In some cases, attempts were made to justify intervention in the domestic affairs of other States, in flagrant violation of their freedom and sovereignty, by reference to so-called major security interests or even humanitarian considerations. However, it was significant that such interests or considerations always operated outside the frontiers of the States which undertook the intervention, and often in places remote from its territory.

19. El Salvador had always defended the principles of peaceful coexistence, equal rights and self-determination, and condemned all forms of intervention. The task now before the United Nations was to find a formula, backed by the moral force of all the countries of the world, to guarantee the sovereignty and independence of all States and protect them from outside interference. That was a tremendous responsibility.

20. The concept of non-intervention had evolved and kept pace with changing circumstances. It had originally embraced only direct intervention; but now and more subtle forms had emerged which should also be condemned. The Charter of the Organization of American States defined intervention in clear and comprehensive terms, covering every form of direct and indirect intervention and coercive action.

21. El Salvador was a sponsor of the Latin American draft resolution (A/C.1/L.349/Rev.1 and Add.1), which reflected the views of Latin America and tried to cover all forms of intervention and condemn them all equally. His delegation would have favoured the establishment of a working group to study the different texts, but since that had not proved possible it hoped that the exchange of ideas in the debate would make it possible to arrive at an agreed formulation.

22. Mr. HASEGANU (Romania) said that the adoption of a declaration reaffirming the principle of non-intervention in the light of contemporary realities would be an important contribution to the realization of the fundamental task of the United Nations: the strengthening of international peace and security. Experience had shown that the chief cause of the tensions and conflicts endangering world peace was disregard of the principle of non-intervention, which was one of the foundations of the United Nations and was a fundamental condition for peaceful coexistence and international cooperation.

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24. The hostilities being carried out by the United States against the people of Viet-Nam were an example of such direct aggression, constituting a serious threat to world peace and security. The military operations of the increasing numbers of United States troops against the Viet-Nam people and the cynical bombardment of the Democratic Republic of Viet-Nam were grave violations of the principle of non-intervention, and had caused deep alarm and indignation among peace-loving peoples. The people and Government of Romania had condemned United States aggression in Viet-Nam. They
believed that the problem could be solved only on the basis of the 1954 Geneva Agreements, by the cessation of the bombing of the Democratic Republic of Viet-Nam, the withdrawal of United States and other troops and weapons from South Viet-Nam, and respect for the right of the Viet-Name people to settle their internal affairs without foreign interference. World public opinion demanded an end to United States armed intervention against the people of Viet-Nam.

25. The United States intervention in the Dominican Republic, which had caused concern throughout the world, was further proof that the principle of non-intervention, far from being obsolete, was today of more pressing significance than ever. Since the adoption of the United Nations Charter more than fifty new States had emerged and were making strenuous efforts to strengthen their national sovereignty and independence. The adoption by the General Assembly of a declaration on the principle of non-intervention would do much to ensure proper relations between States and guarantee the right of peoples to decide their own destinies. Political, economic or other intervention, including the maintenance of foreign military bases and forces on the territories of other States, impeded social progress, was damaging to international co-operation and threatened the cause of peace.

26. The enforcement of the principle of non-intervention would also further the struggle of peoples to free themselves from the yoke of colonialism; for a corollary of that principle was the sacred right of peoples to win their national freedom and independence—a right which was being violated by the racist régime in South Africa and, more recently, in Southern Rhodesia, in the light of those considerations, any assertion that it was not outside interference but the struggle for national liberation of peoples which gave rise to international tensions and conflicts was clearly fallacious.

27. The people and Government of Romania strongly favoured the consistent application of the principle of non-intervention, which was enshrined in article 14 of the 1965 Constitution of Romania. The Romanian Government stood for the maintenance of peace and security and the cause of progress, civilization and respect for the inalienable rights of peoples, It would vote in favour of the draft resolution submitted by the USSR (A/C.1/L.343/Rev.1), and would study the other draft resolutions and amendments closely.

28. U TUN SHEIN (Burma) said that his country was irrevocably dedicated to the ideal of peace, friendly relations and co-operation between all nations on the basis of international justice and morality. Since winning its independence it had followed a policy of positive neutrality, in accordance with the principles of independence and self-determination of peoples, mutual respect, non-interference in domestic affairs, equality and mutual benefit—principles which had been endorsed by the Bandung, Belgrade and Cairo Conferences. Only through faithful observance of those principles could international tension be reduced and international friendship be furthered.

29. The principle of non-intervention was also of great importance to Burma because of its recognition of the inalienable right of self-determination of the peoples of the world. March 1962 the Revolutionary Council had been building a new society under the Burmese Way to Socialism Programme, and Burma did not want any outside intervention to interfere with the accomplishment of that great task.

30. It was the duty of the United Nations to require all its Member States strictly to observe the principle of non-intervention and respect for independence and sovereignty. The Burmese delegation agreed with the view that the term "intervention" should be construed to cover all forms of interference; it noted with satisfaction that the USSR representative had referred to that point in his statement at the 1395th meeting and that the matter was dealt with in paragraph 4 of the USSR draft resolution (A/C.1/L.343/Rev.1). The Burmese delegation was able to give general support to all three draft resolutions before the Committee, and to the amendments which had been proposed, but it wished to appeal to the various sponsors to add to the effectiveness of the Committee’s work by making every effort to work out a single acceptable draft. The adoption by the General Assembly of a resolution proclaiming the principle of the inadmissibility of any form of intervention in the domestic affairs of States would be a significant contribution to the cause of international peace and understanding during the twentieth anniversary year of the United Nations.

31. Mr. TRIVEDI (India) said that the Soviet delegation was to be commended for proposing the inclusion of the item under discussion in the agenda for the current session. While the United Nations was endeavouring to reach the goal of general and complete disarmament, it was essential to lay down certain basic and primary principles governing international relations in a world of peaceful coexistence, and to reinforce the provisions of the United Nations Charter relating to non-intervention and independence and the sovereignty and territorial integrity of States. One of the most essential steps towards the achievement of the final objective of a single and united world community was complete and unconditional acceptance and observance of the supreme principle of non-intervention in the domestic affairs of States.

32. That principle was an article of faith for the non-aligned countries, which rejected the political manipulations that others were obliged to suffer under the inhibiting ties of military alliances, and placed their reliance on the justice and validity of their philosophy of peaceful coexistence. Accordingly, special emphasis had been placed on the principle of non-intervention in the declarations of the Heads of State or Government of the non-aligned countries and in other international instruments concluded between them. But while the non-aligned countries already cherished and advocated the principle, all States must recognize and practise it if the world was to progress towards abiding peace and the rule of law.

33. The concept of non-intervention based on the sovereign equality and territorial integrity of States was not a new one. It had been enunciated by the jurist Wolff in a work published in the middle of the eighteenth century and had been incorporated in the French Constitution of 1793. During the nineteenth century it had been violated so often that the exceptions...
The accession to independence of a large number of States in recent years had broadened both the basis of international law and its scope of application; and as the International Court of Justice had stated in its decision on the Corfu Channel case in 1949, the alleged right of intervention could not find a place in international law.

The principle of non-intervention was embodied in the United Nations Charter itself. When the Charter had been signed at San Francisco in 1945 many States had not yet gained their independence; and the total number of Member States had been only fifty-one. But the Charter allowed for the dynamic development of the world society; and, although the United Nations had had little success so far in eradicating racism and apartheid, it had made considerable progress in the eradication of colonialism. At the fifteenth session, the General Assembly had adopted the historic Declaration on the granting of independence to colonial countries and peoples; and the Committee should bear in mind the letter and the spirit of that Declaration in drafting the declaration on the principle of non-intervention. The question of the independence of colonial countries and peoples was in fact closely associated with the question of non-intervention, because the proposed declaration on the latter subject would confer the benefits of sovereign equality on colonial peoples when they attained their freedom.

The principle of non-intervention had also been proclaimed in various regional and multinational declarations and instruments. The Latin American countries, for instance, had called, in the Convention concerning the Duties and Rights of States in the Event of Civil Strife, signed at Havana in 1928, in the Declaration of American Principles, adopted at Lima in 1938, and in the Charter of the Organization of American States, signed at Bogotá in 1948, for strict observance of the principle; and articles 15, 16 and 17 of the Charter of the Organization of American States actually provided definitions of the principle of non-intervention which were now firmly established in international jurisprudence. Under those articles, intervention in both the internal and the external affairs of States was prohibited; and activities against the State’s personality and its political, economic and cultural elements, as also coercive measures designed to force the sovereign will of a State, were forbidden. Lastly, and above all, the territory of a State was inviolable. The Afro-Asian and non-aligned countries, which had suffered most from the interventionist policies of their former colonial rulers, had also defined the principle in clear and unambiguous terms in the Declaration of Bandung, adopted at the

he regretted, however, that the statements by the Soviet delegation and certain delegations of like mind—and the statements which other representatives had made in reply—had created the impression that the Committee was considering a specific case, or specific cases, of intervention. It was not dealing with a specific complaint or case. The appropriate forum for discussing specific acts of intervention was, in the first instance, the Security Council, not the General Assembly; and since there was already an established procedure for dealing with complaints, the question of the Congo, the Dominican Republic and Viet-Nam should not be discussed in one of the Assembly’s Committees.

40. If, as he believed, the Committee wished to reaffirm and elaborate the principle of non-intervention embodied in Article 2 of the Charter, all it had to do was to follow the precedents established by the General Assembly itself. In 1948, it had adopted the Universal Declaration of Human Rights on the basis of the human rights provisions in the Charter, and in 1960 it had adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples on the basis of the Charter provisions regarding the self-determination of peoples, particularly those contained in Article 73.

41. A United Nations declaration on non-intervention should refer to the more contemporary, overt and indirect forms of intervention—particularly subversive intervention—as well as to the classical, overt and direct forms which were proscribed in the USSR draft. Indirect forms of intervention included those defined in the new paragraph 2 proposed by the United States (A/C.1/L.350 and Corr.1) for insertion in the Soviet draft declaration in the new paragraph 4 proposed by the United Kingdom (A/ C.1/L.351) for insertion in the same draft, and in operative paragraph 4 of the draft resolution submitted by eighteen Latin American countries (A/C.1/L.349/Rev.1 and Add.1).

42. Finally, the declaration eventually adopted should include a reference to the purposes of the United Nations as defined in Article 1 of the Charter, as a logical counterpart to the principles expressed in Article 2. While Article 2 emphasized the separateness and individuality of States, Article 1 stressed their collectivity; and it was essential, as the United Kingdom delegation had suggested, to include some statement to the effect that respect for the principle of non-intervention should not have the effect of derogating from the right and duty of Member States to cooperate with one another in accordance with the Charter.

43. Since too little time remained at the current session for the Committee to set up a working group to draft an agreed text of a declaration, as the Afghanistan representative had suggested, he would support the Tunisian representative’s proposal for the appointment of a special committee or working party to prepare a draft declaration on non-intervention for consideration by the General Assembly at its twenty-first session. Such a special committee should be relatively small, consisting perhaps of no more than seventeen members selected on the geographical basis as the Vice-Presidents of General Assembly and representing all the important viewpoints which had emerged in the Committee discussion. All the proposals now before the First Committee, together with the records of its discussions, should be referred to the special committee for information and guidance.

44. Mr. KABORE (Upper Volta) welcomed the initiative taken by the USSR in proposing a discussion of the inadmissibility of intervention in the domestic affairs of States. At the same time, his delegation wished to throw some light on one aspect of intervention which was threatening peace and security in Africa.

45. When Africa had cast off the yoke of colonialism it had hoped to pursue its economic, social and cultural development in an atmosphere of calm and stability with the assistance of friendly countries. However, certain people had sent agents to the African continent to spread camouflaged imperialism there. Taking advantage of the credulity of a still illiterate population, they had found ambitious persons to fulfill their dark designs. In the name of freedom and dignity, indoctrination schools had been established in Africa to train innocent Africans to commit fratricide. Information media were being used to teach intolerance, dissension, subversion and hatred. Attempts were being made to conceal the true situation from the world by depicting innocent States such as the Upper Volta as trouble-makers.

46. Africa would not be able to play the role which was expected of it unless the United Nations gave serious attention to the problems of subversion in newly independent countries. In particular, the great Powers should behave with tolerance and respect for others in the United Nations and should try to win the confidence of the small countries by disarming and by renouncing the use of force. Each Member State should help the Organization to ensure stricter respect for the provisions of the Charter and other international instruments with the same aims, rather than use the United Nations as a school of ideology and sterile phraseology.

47. He hoped that all countries would display the same zeal in implementing the resolutions adopted as they had shown in the current debate and that all Member States would accept the idea of international inspection to guarantee the peace and security of mankind.

The meeting rose at 1.15 p.m.