

## GENERAL ASSEMBLY



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Mrs. SIPILA

Finland

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Egypt

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IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (A/8331) (continued)

STATUS OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (A/8390) (continued)

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) said that the right of peoples to self-determination was now a principle of international law. Direct application of the principle consisted in the elimination of colonialism and accession to independence. Basing themselves on Lenin's ideas, the socialist countries had embodied that principle in their internal law and had helped to its adoption in international law. It was also proclaimed in Article 1, paragraph 2, of the United Nations Charter and, since its foundation, the Organization had adopted a whole series of international instruments designed to secure its application. The Declaration on the Granting of Independence to Colonial Countries and Peoples, which had been adopted on the initiative of the USSR and other socialist countries, was one of the most important documents on the subject. At the sixteenth session of the Reneral Assembly the USSR half on a memorandum, raised the question of the application of the Declaration and had stated that the maintenance of colonialism was a crime. It had also called for the complete elimination of colonialism by the end of 1972. Yet, more than 10 years later, colonialism was still rife, not only in its traditional forms but also in modern, more subtle, forms and sometimes in the form of aggression pure and simple.

The principle of self-determination should be the slogan for the campaign against aggression and oppression in all their forms. The imperialists and colonialists were seen to be trying to re-estabish their domination by such devious means as the installation of military bases, the creation of puppet régimes, unfair terms of trade, and political interference disguised as co-operation.

In addition, the imperialist Powers were sheltering behind the pretext that self-determination was not a principle of international law; that argument did not, however, withstand the tremendous moral force of the concept of the right to self-determination which was, and would remain, a principle of international law.

Colonialism, whether colonialism proper or a state of semi-colonialism, must be completely eliminated. African and Asian anti-imperialist movements, the

(Mr. Safronchuk, USSR)

emergence of which, after the Second World War, had coincided with that of many socialist countries, had practically succeeded in ridding their continents of the scourge and a considerable number of new States had acceded to independence. At the same time, however, the process had been accompanied by a new wave of imperialism. For example, since 1947, the United States and other imperialist Powers had been sending troops regularly to combat national liberation movements, had been spending 20 times more on military purposes than on economic aid and had unleashed more than 30 local wars or conflicts. Latterly, the United Nations and the United Kingdom had acted even more openly by withdrawing from the Committee of Twenty-Four by helping South Africa and by supplying arms to Portugal through Nato.

In close liaison with the racist régime of South Africa, colonialism was raising its head again. The fact that a poor and backward country like Portugal could remain in Africa while the United Kingdom, Belgium and the Netherlands, inter alia, had been unable to withstand liberation movements, was attributable to the military assistance provided by NATO countries. Those same countries refused to apply United National Countries of Lisbort allowed them to install military bases in the Azores, Cape Verde Islands, Angola and Guinea.

The imperialist Powers exploited disagreements between independent countries as well as their economic difficulties and resorted to what they called a "peaceful dialogue" with South Africa. The sole purpose of all that was to keep South Africa in the orbit of the capitalist world which it supplied with gold, platinum, chromium and other precious ores.

It was obvious that that was a class-based union, of oppressors against oppressed, and that there could be no question of class-based peace in that context. The maintenance of colonial Territories and racist States created a latent danger of war because the patriotic forces which were waging a harsh campaign in Portuguese Territories had the support and sympathy of the socialist countries.

In the Middle East, the campaign against Israeli aggression had been going on for four years. The delegation of the Soviet Union had already disclosed to the Third Committee the methods used by Israel to deprive the Palestinian people of their right to self-determination. There again, United Nations resolutions had been completely flouted, because Israel and its army of mercenaries were supported

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by international imperialism and, like South Africa, Israel was the instrument used by imperialist and reactionary Powers to infiltrate independent States.

Human rights were still openly violated in Viet-Nam where the United States leaders hoped to re-establish imperialism. They shrank from no perfidy and even went so far as to deceive their own people, as had been shown by the secret Pentagon papers which certain newspapers had published. As to the war itself, it was becoming increasingly vicious and increasingly cruel: the whole world had recognized that fact when news of the Song My massacre had eventually been revealed. It had also become apparent that those responsible for the massacre had had the approval of the highest authorities in the country. Furthermore, by causing the Asian peoples to tear each other to pieces, the so-called "Vietnamization" policy had made the war even more atrocious.

Finally, the situation in Ulster, where barbarous crimes were being committed daily by United Kingdom troops, could not be omitted from the list. The United Kingdom Government was using the same method as it had used during the colonial era, namely terror, provocation, torture, internment in concentration camps, arbitrary arrest, searches, letc. The United Kingdom Covernment Dad decided to crush the people's struggle with an "iron hand" and more than 15,000 soldiers had already been sent to Ulster. Once again, the forces of colonialism were engaged in depriving a whole people of its rights. In the end, however, national liberation movements would prevail over the forces of reaction and neo-colonialism. It was on that victory, particularly in Africa, that world peace depended.

The unswerving position of the USSR in the matter had been reaffirmed in the report of the Twenty-fourth Congress of the Communist Party. The USSR was convinced that in order to ensure world peace, United Nations resolutions must be implemented and the last vestiges of colonialism eliminated. Its attitude was based on Marxism-Leninism which was incompatible with any exploitation of man by man or of one country by another.

Mrs. MARICO (Mali) reminded members of the adoption, at the fifteenth session of the General Assembly, of the resolution embodying the historic Declaration on the Granting of Independence to Colonial Countries and Peoples. Unfortunately, the hopes raised by the Declaration had not been realized and although a number of colonial peoples had achieved independence since 1960, the persistence of colonial domination in the world was nevertheless to be deplored.

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Tens of millions of people were living under the arbitrary rule of such colonial Powers as fascist Portugal, the racist Government of Pretoria and the illegal régime of Salisbury. The desperate resistance of those régimes and of those Powers to the decisions of the international community was explained by the very mercantilism of colonialism. All the acts it provoked were outrageous, contrary to the Charter and a serious threat to international peace and security. Nevertheless, certain States Members of the United Nations continued to lend their political, economic and military support to the white minority régimes.

For years, United Nations bodies had been drawing the attention of the international community to the scandalous situation prevailing in South Africa, but the racist régime of that country continued to flout General Assembly decisions with impunity. Such characteristic violation of fundamental human rights called for a series of decisions by Member States based on respect for the Charter. The Commission on Human Rights had recognized that by subjugating peoples, colonial domination was a violation of human rights. At its current session, the United Nations should adopt a categoric declaration calling for an end of colonialism and the elimination of spartheid. It should also condemn the complicity of those Governments and private TIME CONTINUE TO THE CONTINUE OF THE CONTIN

Military alliances between NATO Governments and Powers, economic exploitation by large colonial and imperialist companies, colonial and imperialist wars waged in Africa and Asia to prevent peoples from exercising their right to self-determination were so many obstacles to the achievement of the basic objectives of the United Nations. That was why, in addition to moral support, those peoples must be given increased assistance of a kind likely to guarantee them ultimate victory. By turning to account the possibilities available to it under the provisions of chapter VII of the Charter, the United Nations should make régimes based on colonial domination and racial discrimination observe its decisions. Her delegation hoped that the comments it had just made would be taken into consideration when the final version of the draft resolution now before the Third Committee, in document A/8331, was being prepared.

Mr. DERWINSKI (United States of America) voiced his country's pride at its long tradition of independence. It had received millions of refugees fleeing oppression and coming to seek freedom, happiness, prosperity and dignity in America. His Government was committed to the proposition that peoples could fully determine their own destiny only where there was complete freedom of expression and choice. It therefore deplored totalitarian and arbitrary systems. The United States had always been a foremost advocate of independence for the oppressed peoples, and hundreds of thousands of Americans had given their lives so that other peoples could achieve independence and free themselves from foreign domination. Again, the United States delegation had been largely responsible for the provisions of the United Nations Charter which upheld human dignity and freedom. Freedom and self-determination were universal principles, and ought not to be applied selectively.

The fact that 97 per cent of the peoples under colonial rule in 1940 had since obtained the right to self-determination was most encouraging. Since 1941, 83 countries had attained independence and taken their place in the community of nations, whose numbers were increasing year by year.

His Government half mail Gta positible Creft Clear in the Cright of the peoples of southern Africa to self-determination, and supported the peoples of Namibia, Southern Rhodesia, Angola, Mozambique and Portuguese Guinea in their fight for independence.

It believed, however, that the new forms of colonialism which had emerged since the Second World War should not be overlooked. A number of countries had lost their independence during that period and their populations denied the right to self-determination and national dignity: such was the case with regard to the three Baltic States - Lithuania, Latvia and Estonia - which the Soviet Union had annexed by force and incorporated in the bloc of socialist republics, depriving them of their independence and national identity. The United States, for its part, refused to accept that annexation, and continued to recognize the representatives of the last legitimate governments of those States, where Soviet occupation had created many victims and resulted in a whole series of deportations. Between 1947 and 1949, over 100,000 Latvian peasants had been deported to Siberia and the north, and the number of Lithuanians who had suffered the same fate was no doubt even higher. There were serious doubts as to whether self-determination

(Mr. Derwinski, United States)

existed in a country which over 4,400 persons had fled in 1971 using all manner of escape routes, and which refused its citizens permission to emigrate. There was no need to recall the tragic events of 1956 and 1968, and the ruthless repression of the brave Hungarian and Czechoslovak peoples for seeking merely to live in freedom and dignity. The United States had unequivocally rejected the doctrine of "limited sovereignty", which was imperialism and colonialism in another guise.

Contrary to what was affirmed by the representatives of the socialist States, economic development had slackened or even completely stopped whenever peoples had not been free to make their own economic decisions. A comparison of per capita income in the Soviet Union and the United States of America sufficed to demonstrate that fact. It was interesting to note, in that connexion, that some of the communist countries were at present adopting liberalization measures in order to encourage private enterprise and initiative.

To save time, he wished to reply at that juncture to some of the charges levelled by the Soviet Union representative. Firstly, the countries of South-East Asia - Laos, the Khmer Republic and South Viet-Nam - were indeed victims of aggression, but the aggression was communist one little and democratic elections had been held in South Viet-Nam, and the people had been able to express their verdict in complete freedom.

Secondly, on the subject of the Pentagon papers, their publication provided clear evidence that freedom of the press and of expression was complete in his country. The public, incidentally, had always had access to many of the papers, and there had been no attempt to keep it in ignorance.

Thirdly, it was the communist countries which were responsible for the aggression in Korea. No United Nations Member State, surely, could condemn the United States of America for having defended a country's freedom. Lastly, he pointed out that it was not uncommon for communist diplomats to be involved in the subversive attempts which had taken place in Latin America and Africa.

Mr. MOUSSA (Egypt) drew attention to the undertaking by the peoples of the United Nations, in the Preamble to the Charter, to save succeeding generations from the scourge of war - hence the United Nations efforts to strengthen and maintain international peace and security - and to reaffirm faith in fundamental

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human rights - hence the Organization's activities, and especially the Third Committee's, to ensure respect for, and protect, fundamental freedoms and human rights for all peoples without distinction.

One of the fundamental human rights enshrined in the Charter was the right of peoples to self-determination, in virtue of which all peoples had the right to determine their political status in complete freedom and without interference from outside, and to pursue their economic, social and cultural development.

The General Assembly, in the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States, had declared that every State had the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of that principle, in order to promote friendly relations and co-operation among States and bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned.

The General Assimbly hid always regarded the domination and exploitation of peoples as a violation of the principle of self-determination and a denial of fundamental human rights contrary to the United Nations Charter. It had always stressed the right of self-determination as a fundamental and inherent right without which other rights were meaningless.

Despite those efforts, many peoples were still subject to foreign domination, and were prevented from deciding freely on their own future. It was true that some progress had been made during the past 25 years, and that many countries had achieved independence. Nevertheless, it was quite incredible that 26 years after the creation of the United Nations, 21 years after the adoption of the Universal Declaration of Human Rights and 11 years after the adoption of the Declaration on the Granting of Independence to Colonial Peoples and Countries, millions of people were still being refused the right to self-determination. The General Assembly had repeatedly expressed its concern at that situation, deplored the fact that States had not discharged their obligations under the Charter and reaffirmed the legitimacy of the struggle waged by the peoples under colonial and foreign

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rule. It had also called upon the Governments which refused those peoples the right to self-determination to recognize that right and respect it.

The draft resolution which the Economic and Social Council recommended for adoption by the General Assembly, and which was set forth in document A/8331, confirmed, once again, in operative paragraph 1, the legality of the peoples' struggle for self-determination, and, in paragraph 2, man's basic right to fight for the self-determination of his people under colonial and foreign domination. It was true, as was stressed in the resolution, that "the main objectives and principles of international protection of human rights could not be effectively implemented while some States pursued the imperialist policy of colonialism, used force against developing countries and peoples fighting for self-determination, and supported régimes that were applying the criminal policy of racism and apartheid".

It was therefore essential to put an end, by every means, to the last vestiges of colonialism where they still persisted, whether in South Africa or in Palestine. The General Assembly, in resolution 2649 (XXV), had condemned in clear-cut terms all those Governments that refused to grant peoples their right to self-determination, the peoples of southern Africa and Palestine being specifically mentioned.

The many Declarations and resolutions adopted by the United Nations on that score should be given due effect. It was to be hoped, accordingly, that the Commission on Human Rights would be able to complete successfully the study which the General Assembly had asked it to make on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination, so as to enable the General Assembly to examine the situation at its next session and take all necessary steps to ensure the realization of the right of all peoples to self-determination.

Mr. EL-FATTAL (Syrian Arab Republic) hoped that a fruitful debate would ensue in the Committee with a view to the formulation of a resolution reflecting the will and aspiration of the oppressed peoples who were still being denied one of the most fundamental of human rights, namely, the right to self-determination. His delegation would therefore do its utmost to ensure a thorough analysis of the factors involved in the principle of self-determination and keep the Committee's

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attention from being diverted from the real problem, which was the persistence of colonialism and imperialism.

The item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights" was the outcome of the Teheran Conference and of a number of resolutions relating to human rights adopted by the Conference and by the General Assembly and other United Nations organs. Moreover, his delegation regarded the item as an extension of that relating to the elimination of racial discrimination since the denial of the right to self-determination resulted from the perpetuation of foreign domination. In considering the item, it was important to take account of humanitarian factors and the impact of the denial of the right to self-determination on peace and security in the world. The competence of the Third Committee with regard to the universal realization of the right of peoples to self-determination, as defined by the Teheran Conference in its resolution VIII, was undeniable, as was the right of the Third Committee to formulate its opinions and submit its resolutions as long as some peoples were refused the right to self-determination.

The Committee's outy was not to define the principle of self-determination. That had already been done the previous year by the General Assembly which had proclaimed the right of self-determination of peoples to be a principle of international law by virtue of which all peoples had the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development. The body of law relating to the principle of the universal realization of the right to self-determination was monumental. It sufficed to mention the Declaration on the Granting of Independence to Colonial Countries and Peoples, General Assembly resolution 1803 (XVII) and the two Covenants on Human Rights. It was no longer a question of determining whether self-determination was a political concept or a moral duty. That question had been resolved once and for all when the Assembly had proclaimed that self-determination was a right and that the realization of that right was a duty incumbent on all States. The task now was to apply the law of nations to actual situations and, more specifically, to restore the inalienable rights which had been usurped since the colonial situations which still existed in Africa and the Middle East were intrinsically a violation of the inherent right of peoples to self-determination.

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The Committee's first duty therefore was to identify situations which constituted a violation of the principle of equal rights and self-determination of peoples. In resolution 2649 (XXV), the Third Committee had requested the Commission on Human Rights "to study the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination, and to submit its conclusions and recommendations to the General Assembly, through the Economic and Social Council, as soon as possible". It appeared from the report of the Economic and Social Council contained in document A/8331 and from resolution 8 (XXVII) of the Commission on Human Rights that the study would be presented at a later stage, after the appointment of a special rapporteur. In view of the delay and in order to assist the Secretariat and the Commission on Human Rights, the Third Committee should continue to attempt to identify situations which constituted violations of the right of peoples to self-determination and to formulate its conclusions and recommendations. That was not very difficult in view of the fact that the General Assembly had on several occasions specified which were such situations, in particular in resolutions 1514 (XV) and 2672 F (XXV). In the Catter resolution the Assembly had recognized that the problem of the Palestinian Arab refugees had arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights. It had declared that the people of Palestine were entitled to equal rights and self-determination and that full respect for the inalienable rights of the people of Palestine was an indispensable element in the establishment of a just and lasting peace in the Middle East, thereby recognizing that the Middle East conflict could not be solved unless the inalienable rights of the Palestinians, in particular their right to self-determination, were fully respected. It was therefore no accident that the same General Assembly, in operative paragraph 5 of resolution 2649, condemned those Governments that denied the right to self-determination of peoples recognized as being entitled to it, especially of the peoples of southern Africa and Palestine.

In considering the item before it, the Committee should be careful not to evade certain issues. His delegation believed that the draft resolution recommended by the Economic and Social Council contained many gaps. The Committee

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should therefore prepare a complementary resolution which would reaffirm the principles proclaimed in resolution VIII adopted by the Teheran Conference and om several resolutions of the General Assembly, in particular resolutions 1514 (XV), 2588 B (XXIV), 2535 C (XXIV), 2649 (XXV) and 2672 (XXV); contain a clause condemning the United States and all imperialist Powers which violated the resolutions of the United Nations relating to the rights of the peoples of southern Africa; and invite the Commission on Human Rights to study in depth the right of the Palestinian people to self-determination and to recommend measures that would assist them.

Mr. TINCA (Romania) said that, as the experience of the past twenty-six years had shown, respect for the right of peoples to self-determination and independence was one of the essential conditions for promoting international peace and the progress of mankind. At the same time, the realization of that right was an essential guarantee of the full exercise of human rights throughout the world, as the United Nations had recognized in many instruments.

Since the creation of the United Nations, great progress had been made towards the realization of the right to reif-determination and considerable number of countries had gained their independence. It was, however, inconceivable that millions of human beings should still be denied their right to self-determination and independence. Foreign domination and exploitation, the existence of colonial régimes in southern Africa and the repression of peoples fighting for their freedom were a flagrant violation of the rights of peoples and a threat to international peace and security.

Despite the determination of the United Nations, the situation in southern Africa was undermining the efforts of the Organization to promote peace and co-operation in the world. Thus, the Government of South Africa was continuing to consolidate its hold over the Territory of Namibia; the illegal régime in Southern Rhodesia was overcoming the economic sanctions imposed by the Security Council thanks to the assistance of the Governments of South Africa and Portugal; and the Portuguese authorities were intensifying still further their military operations against the national liberation movements in the Territories under their domination, thereby threatening the peace and security of meighbouring African States.

(Mr. Tinca, Romania)

Despite the oppression to which they were subjected, such movements were becoming stronger and, in so far as they were fighting for progress, peace and justice, his delegation was firmly convinced that they would ultimately triumph. Because of the legality of their struggle, they were entitled to receive political, material and moral support from the whole international community.

The United Nations, which had an essential role to play in that area, had adopted many resolutions and many Declarations and had launched programmes of action. While the results of those efforts were far from satisfactory, that was not due to an alleged lack of realism in the measures adopted as some claimed, but to the refusal of certain States to put an end to their imperialist policy of colonialism, to stop using force against the peoples fighting for their independence, and to comply with United Nations resolutions calling fo the discontinuance of any relations with régimes which applied a policy of racism and apartheid.

The Romanian people, who had made heavy sacrifices to shake off the yoke of foreign oppression, gave political more and interial support to peoples fighting to free themselves from colonialism and imperialist domination. Romania had always supported the measures adopted by the United Nations to abolish colonialism in all its forms.

In order to put an end once and for all to colonial domination, which represented a permanent challenge to the authority of the United Nations and which threatened international peace and security, the United Nations and all States should endeavour to implement the Programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In view of the complex nature of colonialism, all United Nations organs should combine their efforts and, in that connexion, the Third Committee, as well as the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, had a role to play.

For that reason, the measures taken by the Commission on Human Rights at its twenty-seventh session regarding the appointment of a special rapporteur at its next session were to be welcomed. The annotated collection of all resolutions

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and Romania had made useful suggestions in that respect. The Third Committee should make clear the difference between the expressions "colonial domination" and "foreign domination" as used in the Economic and Social Council reoslution.

Nevertheless, although the Austrian delegation welcomed the idea of establishing an annotated collection of all the resolutions adopted within the United Nations system, it feared that the resolution under consideration would detract from the value of the study that the Commission on Human Rights had been asked to undertake.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said he regretted that the United States representative had seen fit to distort the facts in order to divert attention from the criticisms levelled against his country and against the members of NATO which maintained relations with South Africa and Portugal. To put the picture straight, he reminded members that, in 1940, the Baltic Republics had joined the Union of Soviet Socialist Republics of their own free will, following totally democratic elections. They had then taken part in the fight against nazism. After the war, the inhabitants of those countries had succeeded in developing their example in a remarkable manner, on a socialist basis.

After the defeat of Nazi Germany, the Facist Governments of the Baltic Republics, which had collaborated with the enemy and were thus guilty of the death of thousands of their compatriots, had fled to the United States, where they continued their manoeuvres with the full support of the United States authorities. The latter had, of course, always refused to extradite those war criminals so that they could be tried in the Soviet Union. One of the members of the Soviet delegation was from one of the Baltic Republics and the Soviet delegation reserved the right for him to revert to that question later.

The representative of the United States had tried to convince members that the inhabitants of Viet-Nam were the victims of a communist aggression. It was true that they were victims of aggression, but it was American aggression. United States soldiers were engaged in armed aggression in that country and were maintaining the puppet régimes of Viet-Nam and Cambodia in power by force of arms.

The United States representative had got out of his difficulty in connexion with the Pentagon papers by emphasizing the freedom of the press. He had carefully

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avoided speaking of the contents of those papers which revealed the duplicity of the United States leadership towards its own country. It was difficult to speak of the freedom of the press, moreover, when that very press was dragged before tribunals.

Instead of trying to divert the attention of the members of the Third Committee, the United States delegation would do better to explain why the United States Congress had just adopted a bill which authorized the importation of Rhodesian chrome, despite the sanctions imposed by the Security Council. That amounted to support for the Rhodesian régime, and that was how the United States Government approached its international responsibilities.

Mr. HANDL (Czechoslovakia), speaking in exercise of the right of reply, categorically denied that anyone had the right to interfere in the internal affairs of his country. The United States, because of its attitude of aggression and neo-colonialism, had the least right of all to internationalize the internal affairs of other States in order to divert attention from its own misdeeds.

Mr. CHRUN YOU HAK (Khmer Republic), speaking in exercise of the right of reply, solemly affirmed that his country was the victim of one aggression only, that of the North Viet-Namese communists.

The meeting rose at 12.55 p.m.