

solution—and such solution, naturally, in the modern world would have to be in the context of democratic conditions—that would be the best way out.

We have no desire to lengthen this debate. There have been serious difficulties in regard to the former French colonial empire in the last few years, and it is the thought that at the present moment the only place where serious fighting is going on in the world is in Algeria. On 11 August of 1954, when the French Government, in its wisdom, made certain agreements, or subscribed to certain arrangements, the guns of war were silenced after twenty-five years. And though it is not strictly relevant to this proposition, I think it is only right to pay tribute to a great British Prime Minister who made outstanding and conclusive contributions towards bringing this state of affairs to an end, which three months before that appeared almost insuperable. It is also to be said that the Prime Minister of China, in the same way, made a similar contribution at Geneva in 1954.

When the conversations began in regard to this particular problem, a number of difficulties—I would not say arguments—that now faced this problem were evident. They stood in the way. Some people probably dismissed it as obstructionism by one side or the other, but obstructionism or otherwise, they had to be overcome, and gradually they were overcome. But even after the agreement for three years, the working out of it presented considerable difficulties. But in the last week or two, we find steps towards progress which are satisfactory.

My delegation therefore wants to be of assistance in enabling you, Mr. Chairman, to conclude the general debate. We reserve our position in regard to the various matters, which we are entitled under the rules of procedure to take up at the resolution stage and we express the hope that the private talks that are going on and have been going on intensively for the last forty—eight hours outside this room, between various parties, will result in the continuation of discussions without being vitiated by insistences that are not necessary at present. All negotiations, all discussions, are for a solution. What should go into that solution is to be decided at the discussions. If we start arguing the items that should go into that solution in this particular problem and at this stage, I am afraid we shall get nowhere.

I have done my best to make this statement as short as possible and say as little as possible, in the hope that the Foreign Minister of France, in whose wisdom we have reason to place some confidence, and the generosity and forbearance of others concerned, will help us, we have faith, to find a solution in a very short time.

discussion we were at this late stage of the Assembly to go into the question of what should be discussed. That is a matter to be considered for discussion. There must obviously be a cease-fire; there must political settlements; there must be the protection of minorities and majorities; there must be economic and other questions that must be considered.

These are all matters which those concerned would have to take into account when discussions take place. Therefore, our attempt should be to aim at a solution of the problem rather than to pick one of these, even if it is the cessation of hostilities and put it in front of these so that it becomes a "red herring" across the path of any solution.

I am purposely refraining from entering into details, except to make it quite clear that our people and Government will at no time make any compromises in regard to the independence of colonial peoples. And neither any definition of the Charter nor any legal interpretations can argue people into dependence. We also think, in the background of our experience, that once that independence is gained, co-operation between former rulers and former colonials, on a basis of equality and mutual respect, is possible. But it is possible only if that co-operation comes by free both sides. Co-operation that is compelled still spells domination.

We have a great deal of trust in the wisdom of France and also in the good sense of the peoples of Algeria and their friends to hope that given a little time, even in regard to the Assembly solution, shall we say by tomorrow, it may be possible for us to work out an Assembly solution which would enable the discussions between the French Government and those who can deliver the goods in Algeria to continue.

I stated on behalf of my Government last year that Algeria means the whole of Algeria, and we cannot escape the issue of Algerian nationalism, the rights that arise from that, the aspirations that are there, by evading it by various phrases. It would be impossible to think, as regards Algeria—as, I am sorry to say, appears in the speeches of the Foreign Minister of France---that certain solutions may lead to the partition of Algeria. When a country is partitioned, those who belong to the country will try to unite it, unless it is a partition by agreement, as happened in our case.

We do not try to undo the partition. But in other places partitions have come in other ways, thirty and forty years have left the aftermath of it. Therefore, it is the hope of my delegation that if at this stage it were possible for the Assembly to come to a decision that there should be a recommendation for the continuation of discussions, with a view to finding a

solution. This hope has unfortunately not been fructified, and in this part of North Africa war still rages, and both the French people and the Algerian people continue to suffer. It is impossible to estimate the figures or the extent of the casualties or debts and other hardships arising from the war. One sometimes sees phenomenal figures. But whatever these may be, there is little doubt that this war has dragged on too long for the conscience of the world to remain unconcerned about it.

I do not think there is much point at this late hour to discuss Article 2(7). Article 2(7) has been discussed in the Assembly threadbare for the last ten years in connexion with the different problems. My delegation would like to say that while the discussion has so far not led in the direction of any conclusions, progress has been made in the last two years in regard to this problem. Two years ago, when the question of Algeria was first brought here, the issue was not whether there would be a settlement but whether we should discuss it. Unfortunately, we were not able to carry the Government of France at the time and it led to certain incidents, but latterly there has been more co-operation.

My Government has considered the statements made by Foreign Minister of France. I do not propose at present to go into details about it. We stand foursquare on the principle of national independence. We regard independence as territorial. We do not regard national independence as limited by the bounds of race, religion or creed. If we were to say that each racial group should have its own national independence, then in a country like this, the United States of America, there would be very many national States. It would not be quite practicable; it would be running all over the country.

The main reason for my intervention in this debate is to express the hope that between now and the time of the resolution stage it will be possible for us to come to a unanimous decision as we did last year, which I must frankly confess will not solve the Algerian question at this Assembly; no body expects it to do so. But at any rate it would not aggravate the situation. It would lead to the furtherance of negotiations. It is essential, if we are to do that, that there must be a certain amount of give and take. There can be no give on the side of the people who want independence and as far as the principle of national independence is concerned. But there can be and there will be the desire to achieve that by methods of discussion, or whatever word is used for it.

My delegation is of the view that no contribution can be made towards an Assembly solution of this problem if, in considering that

APPENDIX

THE General assembly,

Having discussed the question of Algeria,

Recalling its resolution 1012 (XI) of 15 February 1957 by which the General Assembly expressed the hope that a peaceful, democratic and just solution would be found through appropriate means, in conformity with the principles of the Charter of the United Nations.

Recalling further its resolution 1184 (XII) of 10 December 1957 by which the general Assembly expressed the wish that pourparlers would be entered into, and other appropriate means utilized, with a view to a solution, in conformity with the purposes and principles of the Charter of the United Nations,

Recognizing the right of the Algerian people to independence

Deeply concerned with the continuance of the war in Algeria, *Considering* that the present situation in Algeria constitutes a threat to international peace and security,

Taking note of the willingness of the Provisional government of the Algerian republic to enter into negotiations with the Government of France,

Urges negotiations between the two parties concerned with a view to reaching a solution in conformity with the Charter of the United Nations.

3. SPEAKING ON THE SAME QUESTION IN THE FIRST COMMITTEE ON 4 DECEMBER 1957, SHRI KRISHNA MENON SAID:

Mr. Chairman, I understand that it is your desire to have the general debate close this evening. The desire of the general pressures and Assembly time compel my delegation to intervene in this debate at this stage. It is not my intention, however, at this late hour to go into any detail about the merits of this problem, merits which have been discussed and debated in the Assembly for several days by so many speakers.

We are considering this matter now for the third time. Last year the Assembly passed a unanimous resolution. It would not be right to regard that resolution as not making a recommendation. The phraseology of the Assembly is always such that it can not give a mandate to any country, but the nations assembled here expressed the hope that there would be a peaceful

French arms immediately after the war itself. But that is past history, and we should never recall these things which would probably spoil the atmosphere of negotiation.

My delegation therefore lends its support to this draft resolution, without reservation, but with the qualification I have mentioned. It is largely by way of explaining the position of our Government—our relations with France are of the most harmonious character, we have the highest respect for the way they have dealt with some of their colonial areas, and we look forward to the prospective and almost immediate liberation of another part of the former French colonial Empire which is now under trusteeship, we look forward to the extension of and to be able to feel that the concept of freedom in the newly proclaimed republics of the Ivory coast and Dahomey is as real as it is Guinea, so that the arena of freedom will be extended to Africa.

Algeria is a black spot: the oil of the Sahara—if there is any there—or even the sands of the Sahara, or whatever wealth there may be, will not be prejudiced by the liberation of these people because no wealth will ever come out of any territory without the application of human labour, and that has to come from the peoples of Africa because they alone can inhabit that area. Therefore, the interests of France, the interests of those people, the interests of ending bloodshed, and, what is more, the implementation of the purposes of the Charter—when the nations assembled here can say to themselves that the Charter itself is justified by the action of one of its major Members—all that requires that there should be a turning of this tide and, in accordance with the hopes which were aroused in recent times, that there should be negotiation. General de Gaulle referred to this brave people who put up their fight for their freedom. All this should be acted upon. We look forward to this draft serving this purpose: and not only the resolution but the debate in this Assembly. The assembly has addressed itself to this problem with great moderation. We appeal to a people who have great generosity in many ways—and what is more, as I said a while ago, in whom the memory of oppression, in whom the memory of occupation, the torture of their own people, the taking away of their lands and the jack-boot on their own soil is recent, and who could be more conscious of the feelings that a people must have when their homelands are under foreign occupation.

With these words, therefore, I have presented the views of my Government on the whole of this question, and my delegation will support this resolution.

into details independence, that orientation is a request to recognize that a party who can deliver the goods is willing; and, therefore, there must be a response, and all this under the umbrella of the Charter.

That being the general orientation of this draft resolution, and containing no words of condemnation to a country which is friendly to all the other eighty countries represented here, and with whom we as a Government and a people have very close and harmonious relations—and as far as we had any problems of this kind to solve, they are for the most part solved by friendly negotiation, and only the juridical sovereignty of French possessions in India remains to be terminated, and it was without any feelings of animosity that we approached this. We think, therefore, that there should be no hesitation in the minds—it is not for us to decide, we express our own opinion—of people like ourselves who may have difficulty with regard to the juridical aspect of this question. No issue of the recognition of any particular Government of Algeria arises, no issue as to the particular method of negotiation arises, no issue of judging the rights and wrongs of this question, apart from the whole issue of colonialism, arises.

We have here, in our submission: a draft resolution of a charter calculated and certainly designed to promote the purposes of peace rather than of conflict.

May I say, therefore, before leaving this subject, that the great mistake for any country, particularly the great powers, is to think those years of war, whether four or 400, will ever suppress a people's desire for freedom. The whole of Asia, and now Africa, is replete with examples where the power of a strong arm has never been able to suppress a people. France has only recently known the tragedy of conquest and occupation. When that country was brutally treated and its peoples tortured during the last war, how could a people, how could the head of a Government with intimate contact with this, who organized governments outside his own territory—Any man in France can say: I will not recognize the Government outside the territory of its own people, any man in France can say: I will not recognize people who are rebels or who run away from the legitimate authority of their Governments. But General de Gaulle, who held the flag of Free France aloft during the war, constituted a Government abroad while, part of the time, in selves were engaged in the fight for liberty. How could they turn to them and say: we shall be entitled to liberty, but not you?

It is tragic to remember that, soon after the conclusion of the war, when the Algerian people demonstrated not for their freedom but in enjoyment of the victory of the war, they were put down by the force of

be something depending entirely on their will in picking and choosing the people with whom they would talk. If you pick and choose the people you are talking to, in a sense to talk to oneself if you are sane. Political sanity requires, therefore, that they should speak to their opponents.

We are told that there should be a cessation of hostilities before that. Now, as the cessation of hostilities itself requires negotiation, it is also enjoyed therefore on the French Government to enter into negotiations—as I said, the French Government only—because the offer of negotiations on the other side, the willingness to negotiate, has already come; and such negotiations have to take place in conditions where results will follow and, in view of certain events that have occurred recently, would have to take place in conditions where both parties feel a sense of security. They obviously could not take place on the battlefields of Algeria; perhaps, equally, they can not take place where French authority alone remains, in view of present circumstances.

I should like to state here that when the question of Indo-China came up four years ago, the same problem arose: Who are we to negotiate with? And, ultimately, we had the situation where negotiations took place between those parties which were factually in a position to negotiate. It is interesting to note that the French Government signed those instruments on behalf of the Government not represented at Geneva and, what is more, the Government of Viet-Nam, which was waging war against the others, signed them on behalf of their own Governments.

There is no escape from these facts; the worst freedom we could ever ask for would be freedom from facts. These facts are before us. And, in this massacre—that is what it really comes to—and with all hardships it is inflicting on the French people and on the Algerian people, with all the feelings of the whole world, notably in Asia and Africa, with its consequences of alienating the sympathies of new nations that have come into existence—taking all that into consideration, this assembly should make a unanimous appeal to the French Government to negotiate. We should also convey to it that we express our regret, not be resolutions, and we should convey to them that they should take account of the fact that we all regret their representatives' absence from this Assembly, but one of the five great countries on which the structure of the United Nations rests.

My Government therefore hopes this will be done. As I said, every resolution can be improved by every delegation. And each delegation, I think, would be justified in thinking they could draft it better—but, here, what we are providing is not a constitution for Algeria, it is not even going

Our own position in this matter, as I have said, has been stated fully by the Prime Minister of India. He said very recently, I believe after the Assembly began:

“The French Government has often said they did not know whom to deal with. I think it may well be said that at present what is called the Provisional Government of Algeria represents all the elements in Algerian nationalism, moderate and extremist.”

In fact, the head of this Government was recognized by France as a very moderate leader, living in France most of the time, and I believe he was a member of the French Chamber.

“And therefore it should be easy “---says the Prime Minister---“to deal with them as representing Algerian nationalism. I would hope, therefore, that the French Government--General de Gaulle --will deal with these people, because it is obvious that there is no other way of settling the Algerian problem except in recognizing Algerian freedom”

Our Prime minister has equally stated that the question of the immediate recognition of the Provisional Government in Algeria raises other problems. The real test in our minds has been now how we can help in this matter and not merely make a gesture without helping. This comes from a Government that has not recognized the Republic of Algeria but at the same time regards its emergence and the position of the leaders of the Algerian movement as providing an answer to the oft-repeated argument, “with whom are we to negotiate.” There are two parties: one, the holders, according to French law, of juridical power, armed with all the modern weapons, waging the war in Algeria for three years, with more than half of the army committed and the greater part if not the whole of the Foreign Legion, and no doubt having, even if not for that purpose, the indirect assistance that must come to a power in military alliances from the vast resources that lie behind in reserve. On the other hand are people who, in spite of all their suffering, have not surrendered in three years. And, what is more, Mr. Abbas tells general de Gaulle, “When we offer to negotiate, we do not do so in terms of surrender”. We say , therefore, that a situation has now arisen in which , if there was any genuine desire for peace and for creating a situation in North Africa which would not lead to further international complications, which would not endanger in any sense relations such as they are between the independent countries of North Africa, notably the ones recently freed from French rule and the rest of them, it would be the policy of wisdom and humanity and of common sense to try to bring about negotiations. If the French government has to negotiate in any other way, that negotiation would

previous decisions of the General Assembly; it recognizes "the right of the Algerian people to independence" which is inherent or expressed in the Charter; it expresses concern at the great slaughter that is going on in Algeria of, as I said comparatively unarmed people. One newspaper wrote that one cannon-burst can kill fifty Algerians, while an Algerian sniper might or might not get a Frenchman, in terms of war.

Then, in the preamble, paragraph, the draft resolution says "the present situation in Algeria constitutes a threat to international peace and security". We can well remember situations, which are less grave than this, inviting the attention of the Assembly and the Assembly taking strong, effective, and prompt action, and countries which are allied to others by military alliances, by traditional friendship, by kinship of religion, race, civilization and everything else, taking the position that the aggressor must withdraw.

If I may say so, whatever may be the juridical position in this matter, the position of France in Algeria today is not that of a colonial power trying to restore order, but of a sovereign country committing aggression upon a land that is free, because in all colonies the sovereignty remains vested in the people and when they choose to assert it they become independent. So that as far as the people are concerned, Algeria is an independent country whose independence is being violated by the force of French arms and therefore the position of France in Algeria is that of a country waging war, committing aggression upon a people.

The operative part of this draft resolution does not ask for condemnation of the French Government: it does not ask for anything more than negotiation. It asks for negotiations between these two parties because negotiations, if they are serious, must be between those who are able to deliver the goods. It has been part of the argument against negotiations to ask: "with whom will we negotiate?" without disrespect to anyone, that is a common argument from a colonial power. Here, however, it is now possible to negotiate with a party that is in effective hostility with the French Government and if it is strong enough to wage war and resist it and to carry on for three years against such powerful odds, then it must be assumed that it is possible to enter into effective negotiations and come to a statement, at least leading to the cessation of hostilities, to which I feel that, irrespective of political views, every State Member of this Assembly would look forward.

in military alliance with a large number of powerful countries, it must at least be expected that it is able to release considerable instruments of war of its own for the purposes of this colonial war. The same thing happened in Indo-china, but there, after many years, the more effective opponents of rule gained a military victory. Are we to wait for the time when the same situation exists in Algeria when this conflict has had its repercussions upon neighbouring lands? There is a difference between the situation in south-East Asia and that in North Africa.

Algeria is surrounded by territories which are charged with a spirit of nascent nationalism and, what is more, territories that are allied in kinship, by race, and other features, with the people who are under suppression. As states in the draft resolution before us, the continuance of this situation can lead to a breach of international peace. The assembly must take into account the fact that this is a large-scale war, waged by one of the most powerful nations of the world—one of the great Powers, one of the Powers responsible for international peace and security more than the seventy-seven others under the Charter of the United Nations, a Power which, by its historic and by its traditional practice, is wedded to the conceptions of liberty, fraternity and equality which from the Constitution of the eighteenth century have been transferred into every single Constitution afterwards, including the Constitution of the Fifth republic.

Therefore, we come here again this year to consider this subject with the same appeal—the appeal that there shall be negotiations in order to bring the war to an end and establish the independence of the Algerian people. We have now come to a stage in the debate when there is a draft resolution before the Assembly and my delegation will support this draft resolution. We will support it not with a reservation but with qualifications and explanations. We make that explanation in order that those who find themselves in a position similar to ours may not feel any embarrassment in supporting them so far we are concerned.

The draft resolution does not ask anyone to recognize the Provisional Government of the Republic. It says: “The willingness of the Provisional Government of the Algerian republic to enter into negotiations with the government of France.”, and “urges negotiations between” them. We do not urge negotiations between them in order to find “a solution in conformity with the Charter”. Therefore, I would say this draft resolution, like all resolutions, can be differently worded or better worded, but this one, as it stands, does not offer any insurmountable difficulties in the mind of any country which, like ours, has not recognized the Provisional Government or the Algerian Republic. It is a resolution which, for the most part, recalls

accustomed to calling everybody in the French Empire a Frenchman. May I say here, with great appreciation, that although the British ruled us for three hundred years one way or another, and for ninety years more as an imperial Power, they never called us Englishmen—they spared us that, and what is more, we parted in friendship, but they have been called Frenchmen, and under the previous Constitution sovereignty belonged to the French people, under the Present Constitution sovereignty belongs to the people. And if you put that side by side with the recognition of Algerian personality, with the statement of de Gaulle that Algeria is a county and what is more, he speaks about its great people—I submit that under the terms of the present Constitution of France itself, the sovereignty of Algeria rests in the Algerian people.

The matter having come before the assembly, it passed resolutions year after year. Each of these resolutions is singularly free from any words expressing condemnation or any kind of phraseology which would create embarrassment to the French Government. In fact these resolutions, after a great deal of negotiation, have been passed with the acquiescence—I shall not say the consent-of the French representative in this place. But what has happened to them? As I said, the first resolution was practically a resolution to enable the French to return after what we thought was an act which did no credit to a great power. But the two subsequent resolutions were resolutions asking for a peaceful and democratic settlement, whatever the phraseology may be. However, in each case the United Nations either noted or offered the good offices of high personalities. In the first instance it called upon the Secretary General to offer his good offices and find a solution through appropriate means—it did not even prescribe the means, but spoke of finding a democratic and just solution through appropriate means--- in conformity with the principles of the Charter of the United Nations.

The assembly has now been informed that in fact it has not taken place, nor was the good offices of the United Nations used in order to bring this sanguinary war to an end. And today the situation is that there are half a million troops, with all the weapons of war by land, sea and air, entailing the expenditure of \$ 3million a day. We might well sit down here and contemplate that this billion dollars a year, if it had gone into the paternal, estate of France for the betterment of its people during the last fifty years, would have improved the situation. There is always money to be found for war and suppression, but little for other purposes.

The Government of France expends \$3million a day in order to wage war against 10 million people, or the majority of the people of Algeria, and while I have no desire to introduce other matters, since France remains

The Government of India has never resigned its position in regard to the independence of the Algerian people. We have at times allowed the words personality, entity, and so on, to be used in order to facilitate negotiations. Equally, we have never departed from the view that peaceful solutions are more likely to be permanent, more likely to be effective.

Within the last two years, there have been other parts of the French Empire-whether they are protectorates or colonies-which have emerged into independence. Only yesterday we welcomed one of these territories as a Member State of the United Nations. I think members of this Committee, when discussing this matter, could put aside the large number of details that have been introduced into the discussion and just consider whether, if it is possible for Guinea, with a population of two million, the territories of Indo-China which, after waging sanguinary war with France won a military victory and therefore were able to establish their independence, for the other territories of the Federation of French, West Africa, and of Equatorial Africa, for the territories under trusteeship—for all these territories to emerge into independence-the Algerian people alone are to be kept in a state of Helotry.

And what is their sin? The main argument which has been used in regard to Algeria is that out of ten million people one and a half million people are Europeans or of European descent. Are we to understand that because a colonial people, either by the laws of hospitality or by the laws of conquest and of surrender, have permitted or acquired the occupation of some part of its territory by some other people, it is therefore to be denied liberty for ever? That is to say, the representatives of people who belong more to modern civilization, and particularly of France, which is wedded to the ideas of liberty. Who have become residents of this land--should they, therefore, deny to others liberty? And what is more, should they refuse to accept citizenship in this vast territory and come under the government under democratic considerations? I say this because it is the view of the Government of India that an independent Algeria, as stated by Mr. Abbas, should and would extend the whole of that freedom without distinction as to race or religion. Therefore the colons, the residents, those others who come into Algeria would be Algerian nationals.

The position in the past has been, under the French Constitution that only Frenchmen could be citizens. Now I have no desire to make comparative studies of these two Constitutions-the Constitutions of the Fifth and Fourth Republics-but it is interesting to note, whatever its purposes may have been that the Constitution of the Fifth Republic refers to this fact: national sovereignty belongs to the French people. The French have been

the right to express its person? So if there is any suggestion today that this matter must be decided in Metropolitan France, that the Algerian people have no right to their independence, then there is a regression from the position already communicated to General Assembly.

I have no desire to go further into the history of this question, because we are trying to wind the Assembly as early as we possible can, and my good friend from Tunisia has now introduced the draft resolution. Therefore it is not necessary to make two speeches, but we can deal with this draft resolution of which the Assembly is now seized.

The liberation movement which is the main resistance and the arm of the Algerian people, today is at war with the French government – and I say this deliberately for reasons which I hope will soon become clear – because when there are more than half a million modern troops in that country you can no longer call it a civil commotion. When the forces of the French republic on land, air and sea are being utilized against a people which is comparatively unarmed-but still armed, which makes it a war- I think it is necessary for us to mention the fact in this debate that, apart from all political questions, we should appeal to the Government of France and to the leaders of the Algerian people, to apply very strictly to this struggle the terms of the Geneva Convention. That is, irrespective of the recognition of the Algerian Republic, according to the Convention of which France is a signatory, these people are entitled to be treated as belligerents, with all the consequences that follow from it. Neither party-more particularly the Government of France that is a signatory to the Convention-would have the right to treat these prisoners except under strict conformity with this Convention, providing for their housing-not to put them in common jails-providing for their rights of internment, for medical attention, for repatriation to neutral countries, and also to respect the rights of neutral nations in regard to these belligerents ; so that when a situation like the arrest of persons who are travelling under Moroccan hospitality and therefore at least in effect under the Moroccan flag, come under hostile action, it is a violation of this Convention.

It is the view of my Government that irrespective of the political settlements that have been made, humanity requires that the Status of belligerency should be recognized and therefore the prisoners-and those others who come under hostile action on either side-are entitled to all the amenities, all the consideration and all the laws of humanity that are embodied in this Convention, of which France is a signatory.

What is the position with regard to Algeria? The position with regard to Algeria is as follows. Algeria was surrendered by the Turks when it was part of the Ottoman Empire—in parentheses, may I say that I am happy that there is no claim that it should be put back into Ottoman Empire. The French proclaimed Algeria as an integral part of France. That was an act of conquest; and conquest, particularly in modern times, confers the reciprocal right of rebellion. Conquest is an act of *force majeure*. It is not a juridical act: it is a political act; and every conquest confers the right of rebellion. It is written into the American Declaration of Independence. And into the declaration of independence of many countries, including my own, that where people are governed against their will they have the right to rid themselves of that rule. In 1834, therefore, France proclaimed Algeria as an integral part of France.

But of this fact had remained alone, this problem would have a different complexion. However, immediately France proclaimed Algeria as an integral part of France, and the rule of the Ottoman Empire was terminated, not by the people but by France: the Peoples of Algeria rebelled against it as early as 1847. So we are dealing not with an ephemeral, a temporary or a passing phase of the resistance of a people. The peoples of Algeria have been fighting the thralldom of an empire for nearly 100 years: and the French conquest of Algeria met with resistance under the national leader of that day, Abd El-kader. He surrendered. That surrender, again, was surrender to physical force; and it carries with it, as its corollary, the right to resist when you are able to wake up

Then there was quiescence for a period. But in our own time, after the conclusion of the First World War, North Africans. In Paris started a movement, moderate in its character, which proclaimed the right of the Algerian peoples to freedom. Then came the years of the second world war, and the Algerian nationalists presented to the Allies stationed in Algeria a manifesto demanding sovereignty; and there was no greater supporter, not in exact terms but in sentiment, of this movement than the present leader of the French nation, General de Gaulle. It was the first time he proclaimed, on behalf of the Free French Government of the day, that it was proper and appropriate that the Algerians—whom the French call the “Moslem Algerian”—had the right to citizenship without renouncing their status.

This is the background in which we are functioning. We have on the one hand the proclamation of French policy which has recognized Algeria as a country—and what is more, two years ago the Foreign minister of France told this Assembly that the French government recognized the personality of Algeria. What is a personality if it is not a personality, that is to say, it has

A corollary to that is the statement of the leader of the nationalist movement in Algeria. I hope my friends who have sponsored the draft resolution will not think I am fighting shy of these words: "Provisional Government of the Algerian Republic"; but I want to place this particular aspect of my observations in a context which does not create difficulties for those who have not recognized this Government. Now, even taking it in that way, the head of this Government said, in September of this year, that "The presence of Frenchmen and Europeans in Algeria, does not pose an insoluble problem. It is certain that Algeria, freed of colonialists"-that is, the colonial Power-"will have neither first nor second-class citizens." The Algerian republic will make no distinction due to race or religion among those who wish to remain Algerians." Now, wishing to remain Algerians is in conformity with what General de Gaulle said in October, that it was a country and that it must live in dignity "Fundamental guarantees will be given to all citizens so that they may participate in the total life of the nation. All legislative interests will be respected." This was the statement made by the head of this Provisional Government who, at any rate, at the minimum, should be considered as the head of the effective nationalist movement of Algeria.

He goes on to say :"The efforts of this Government"-he is speaking for his Government-"will be to find a peaceful solution through negotiation; and there will be a response, but this will not be a response to a request for unconditional surrender." It is not for my Government to endorse the second part of the statement, which refers to France; but we can accept the first part, certainly, that the efforts of the Provisional Government of the Algerian republic will be devoted to finding a peaceful solution.

The head of a movement that is engaged in armed resistance in order to establish the freedom of his country comes forward with an offer that he is prepared to find a peaceful solution. We consider the response to it should be adequate and of a reciprocal character.

What is the background of this whole situation? This matter has been before for three years. We have had before us the questions of other territories of North Africa of different types. We had before us, for many years, the question of the country of the last speaker, Tunisia; and we can remember the speeches made at that time, by France and its allies, to the effect that the Tunisians were Frenchmen and, therefore, the decision must rest with France, now, history has decided otherwise. Tunisia, today, is an independent State, in common with Morocco; the Protectorate which administered French sovereignty over that territory has been withdrawn, so that the sovereignty inherent in its people has blossomed into a Republic.

qualifications; but here we have one of the five permanent members of the Security Council, changed, more than others, with world security and the maintenance of international peace, not being able, or not willing, to assist us in these discussions. The whole of the Assembly, on every problem, has made appeals for negotiations- I do not mean on this question in particular, but on questions generally. The approach of the Charter is an approach of peaceful settlement. We will not have the contribution that the one potentially effective power can make in this regard.

This is all the more regrettable since there is a new Republic in France .The Fifth Republic. We regard to this particular problem, the head of the Fifth republic said to the world, in October of this year, after the Assembly met:” What must be achieved is the basic transformation of this country.”-meaning Algeria ; he did not say “this colony “ , “country,” means that there are nationals who belong to that country , a place which is the homeland of the people-“so brave, but also so full of difficulties and suffering. This means that all Algeria must have a share in modern civilization, and it must be brought to them in terms of well-being and dignity.” If he had simply said “wellbeing”, one could have understood that it was a paternal Government of a colonial country. But General de Gaulle’s proclamation stands. It means that the personality of Algeria, its position as a country, was recognized as late as October; and he pledges to the world that that country, so far as he is concerned, must live in terms of dignity. What is more essential to the dignity of a people than freedom? How can a country live in terms of dignity and modern civilization , even if we give it education, even if we give it food, and build roads-all dictators build roads, you know-and supply all the creature comforts, but without freedom ?

Therefore, we must still hope that this declaration of French policy, which was circulated to us all on 3 October, stands true and will be respected. Our regret is all the greater that the French Government is not participating in this debate; since the Assembly is drawing to a close, it would be an idle wish that we might correct this situation. But in view of the moderation of the debates that have taken place in this chamber-and those who have participated are mainly countries whose views on the colonial rule and the liberation are well known; but , in spite of that , the appeal has been for negotiation between the metropolitan Power and the people; there is no strong resolution before us, there have been no speeches of wild condemnation-we hope that the voice of so many nations, even though the colonial Powers have not taken a substantial part in the debate, will be heard in France , particularly by the Head of State , and that he will interpret that as an overwhelming part of world opinion.

2. Speaking in the first Committee of the General Assembly on 13th December, 1958, SHRI V. K. KRISHNA MENON said:

My delegation at the outset, considers it necessary to refer to the special circumstances in which this debate takes place, and expresses its extreme regret at the absence of the delegation of France. This absence this year is more significant than the absence on a previous occasion.

The Committee will remember that three years ago, when it was sought to inscribe this item on the agenda of the assembly, it met with considerable resistance, the resistance being based upon Article 2 (7) of the Charter. But the Assembly decided otherwise, and the item was inscribed. As a result of this, the French delegation withdrew. This was incident which was regretted by the entire Assembly, and, after the debate, those who supported the resolution and, more particularly, those who were close neighbours of the State affected and who were familiar with the conditions, showed great magnanimity in permitting the item, in effect, to be removed from the agenda to enable the French delegation to return.

That magnanimous spirit was a tribute to the neighbours and to others concerned in the introduction of this item to the Assembly. For two years following the Government of France was represented in this Assembly while the debate took place. While maintaining the juridical position with regard to Article 2(7), the distinguished Foreign Minister of France informed this Assembly that the representatives of France were present in order to inform the Assembly of the conditions that prevailed and to present their own point of view. At the end of the debate he said: "France has chosen. You can choose as you like."

This year France is absent. This is not a matter between the Algerian people and France, for the situation between the Algerian national movement and France is a matter which affects the Assembly. This is to say, the item has been inscribed, France has taken part in this discussion and we are constantly told that the movement in France towards colonial problems, and particularly in regard to Algeria, is a progressive one. Yet we are not favoured with the participation of the one Government which can bring this war to an end.

We say this not by way of protest, not by way of condemnation, not by way sitting in judgement, but as an expression of our sadness that we will not have this participation. It would be bad enough if it were one of the eighty-one States Members of the United Nations without any particular

Keywords

India, Assembly, United Nations, Algeria, Provisional, Abbas, Resolution, War, France, negotiation.

1. INTRODUCTION:

Who is V.K. Krishna Menon?

Born May 3, 1897, Calcutta, India and died October 6, 1974, New Delhi.

He was really a great Indian nationalist and Champion of India's anti-colonialism and neutralism.

After studying at the London School of Economics, Menon was called to the bar at the Middle Temple. He became an ardent Socialist and served as a Labour member of the St. Pancras Borough Council from 1934 to 1947. His primary political interest in England centred in the struggle for freedom in India, however, and he strove tirelessly in this cause as secretary of the India League from 1929. His long and close relationship with Jawaharlal Nehru, nationalist and first Prime Minister of India, began during that period.

With coming of Indian independence in 1947, Krishna Menon was appointed high Commissioner (Ambassador) of India in London. He returned to India in 1952 after 27 years of residence in England, becoming a member of the Indian Parliament in 1953, Minister without Portfolio in 1956, and minister for defence in 1957, from 1952 to 1962 he represented India in the General Assembly of the United Nations, where his vigorous presentation of anti-colonial and neutralist policies of his Government won him many admirers, as Minister of defence, he brought new vigour to his office and introduced many far-reaching changes, but his policies and methods received heavy criticism, and the military reverses suffered by India at the hands of the Chinese in the Himalayas in 1962 were attributed by some to his policies.

Overwhelming opposition forced him to relinquish the Ministry of Defence in October 1962. Thereafter he devoted himself to left-wing political activity as an independent.

INDIA AND THE QUESTION OF ALGERIA BEFORE THE UNITED NATIONS: 1957-1958[☆] (Speeches of Krishna Menon)

Ali TABLIT

الملخص:

هذه وثيقة رسمية تقدم بها ممثل الهند أمام مداولات الجمعية العامة للأمم المتحدة سنتي 1957-1958

أشار السيد كريشنا في كلماته أن الحكومة المؤقتة للجمهورية الجزائرية قدمت كل الأدلة للدخول في مفاوضات مع الحكومة الفرنسية من أجل وقف القتال والوصول إلى استقلال الجزائر. تحدث عن انسحاب الوفد الفرنسي من الجمعية العامة عند مناقشة القضية الجزائرية، والدعم الذي تتلقاه فرنسا من الأعضاء الدائمي العضوية في مجلس الأمن، كما تحدث بإسهاب عن تاريخ ونضال الشعب الجزائري، الذي قال أن الجزائر كانت دولة مستقلة وأن فرنسا احتلتها بالقوة وارتكبت عدوانا على شعبها الذي هو صاحب الكلمة الأخيرة.

[☆] I found this document at the library of University of Michigan, Ann Arbor (Graduate Library) when I was there as a visiting scholar (May-June 2004). On this occasion, I thank all the staff of this University for their services.