

CANADIAN MISSION TO THE UNITED NATIONS

CAUTION: ADVANCE TEXT

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CHECK AGAINST DELIVERY

NON-INTERVENTION - Item 107

Text of Statement on Inadmissibility of  
Intervention in Domestic Affairs of States,  
To be Delivered in the First Committee by the  
Canadian Representative, Mr. E.L.M. Burns,  
on Thursday, December 9, 1965.

Mr. Chairman, Canada believes that the principle to which this item relates, that of non-intervention in the domestic affairs of States, is one of great importance. It is appropriate that the United Nations should concern itself with this matter. We have waited to speak until this rather late stage of the debate in order that we might hear the views of as many other member nations as possible. We have listened carefully to what our colleagues have had to say and consider that, in spite of certain unfortunate polemics which from time to time interrupted the constructive course of the discussion, much of value has emerged. The key question now is whether it will be possible to achieve a meaningful consensus on the subject in the time available to us.

To the Canadian Delegation it appears that, in view of the wide contradictions between the viewpoints exemplified by the USSR draft declaration and the amendments proposed by the USA and the UK, as well as those brought out in alternative draft resolutions, it will be very difficult to devise a declaration or resolution to which a large majority can adhere.

As the Committee is aware a number of representatives, including the representative of Tunisia the other day, have suggested that the matter before us should be studied by a special committee constituted for the purpose. Now, the subject matter of the proposed declarations, the principle of non-intervention, is one of those which has been studied and is undoubtedly to be studied further by the Special Committee on Friendly Relations, whose Mexico City report is at present being debated under agenda item 90 in the Sixth Committee. It forms the subject matter of chapter 5 of Document A/5746 of November 16, 1964, the report of the Special Committee on the Principles of International Law concerning Friendly Relations, but that Special Committee was unable to reach any consensus on the scope or content of the principle.

Dear Sir,  
I have the pleasure to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned matter. The same has been forwarded to the proper authorities for their consideration. I am sorry that I cannot give you a more definite answer at this time, but I will be glad to advise you again as soon as a final decision has been reached.

Very truly yours,  
[Signature]

I am sure that you will understand the need for a thorough review of the matter. The authorities are currently reviewing all aspects of the case to ensure that the most appropriate decision is reached. Your patience is appreciated, and we will contact you again once a final decision has been made.

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Without wishing to anticipate the outcome of the debate in the Sixth Committee, it appears almost certain that the Special Committee or a new special committee will be constituted to deal, inter alia, with this principle prior to the next United Nations General Assembly. Moreover, many states which have spoken in the debate in the Sixth Committee have indicated their support for an eventual declaration or statement, to be adopted by the General Assembly at its 21st session, which would deal with all the principles of friendly relations.

The United Nations has found in the past, e.g. with respect to the definition of aggression, that to give precise meaning to such important concepts is a very difficult task. What is needed in this field is the development of firm understandings on the part of states as to what the principle of non-intervention actually means. Discussions in this area should therefore be directed to the development of broadly acceptable norms of behaviour which should have an important bearing on the conduct of states in their international affairs. What the First Committee is now attempting to do is an exceedingly important and delicate task which, if it is to be successfully completed, requires patient and thorough efforts to reach a genuine consensus.

The Canadian Delegation, in view of the present state of discussion in this Committee, considers that the best course, when we have concluded the general debate, is that **the** subject matter of item 107 be transferred for further consideration by the Special Committee on Friendly Relations which would naturally bear in mind all the remarks made in the First Committee.

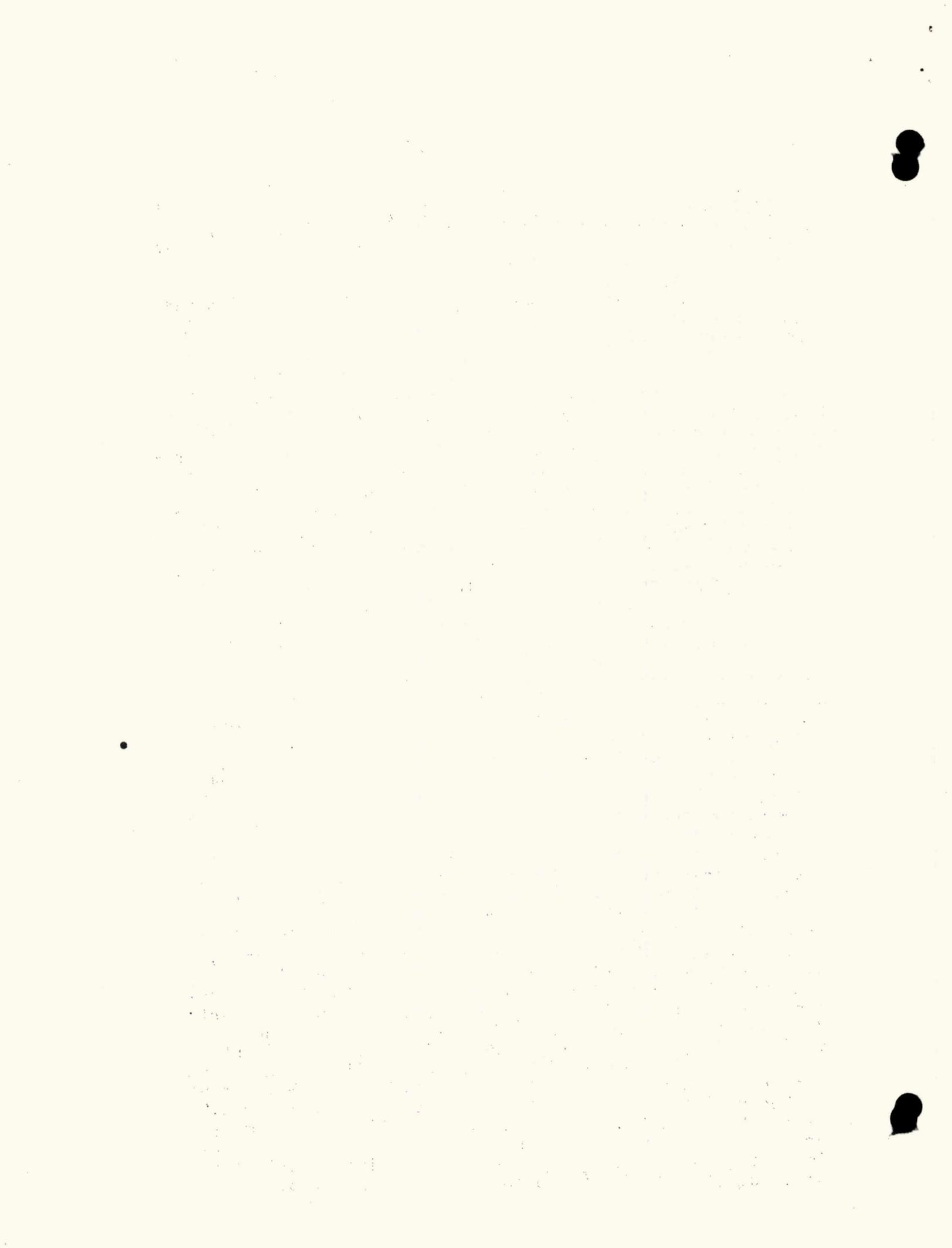
The Canadian Delegation at this stage does not wish to enter into a detailed discussion of the merits and acceptability of the various parts of the several draft resolutions and sets of amendments which are before us. We will reserve our right, depending on the procedure which will be adopted following the conclusion of the general debate, to explain our point of view with regard to the several draft resolutions before us if it is decided to vote upon them. We have, incidentally, heard with interest that a number of non-aligned and Latin American delegations are to have consultations on a joint text. My delegation looks forward to the results of these consultations.

In voting on the resolutions and amendments before this Committee, if they come to a vote, the Canadian Delegation would be guided largely by the need to ensure that account is taken of forms of intervention which have now become one of the principal causes of concern to the international community. Canada would agree for example with the concern reflected in the Latin American draft among others about the continued use of direct forms of intervention



and increasing resort to indirect forms. The Latin American draft resolution, in our view, wisely draws attention in particular, in Operative Paragraph 4 of A/C.1/L.349, to "indirect forms of intervention, to the organizing and training of armed bands or subversive agents to engage, in the territory of any other State or States, in missions of sedition, terrorism and sabotage, to the financing of those operations and the supply of arms or other means for those ends, and to incitement to rebellion."

Canada would find much it could agree with in the various proposals before the Committee, many of which make a valuable contribution to a greater understanding of the need for firm principles accepted by States as norms of their international behaviour. The Canadian Delegation draws particular attention to the portion of the Latin American draft resolution we have just cited because Canada's experience in South East Asia, a part of the world now under great tension, has given Canada the opportunity for an assessment at first hand of how important it is for States to refrain from interference in their neighbours' affairs. The Canadian Delegation would like for a moment to refer to certain events in South East Asia because they represent an area of international concern where the Canadian Government is a member of the International Control Commissions, especially competent to report on the observance by States of the commitments not to intervene or act in ways contrary to their solemn obligations. In that part of the world Canada has had the painful experience of witnessing the effects of intervention in the affairs of another state. On the occasion of the issuing of the report dated September 16, 1965, by the International Commission for Supervision and Control in Laos to the Co-Chairmen of the 1962 Geneva Conference the Secretary of State for External Affairs for Canada, the Honourable Paul Martin, expressed the grave concern of the Canadian Government about the course of developments in a country whose neutrality and integrity had been solemnly guaranteed by an international agreement freely entered into by all the parties concerned. Noting that the Commission's report established that regular units of the armed forces of North Vietnam, numbering up to 650 men, had entered Laos during 1964 with arms and munitions and that they had engaged in hostilities with Laotian Government forces on Laotian soil, Mr. Martin remarked in part: "These acts of aggression against Laos represent gross violations by the Democratic Republic of Vietnam (North Vietnam) of the declaration on the neutrality of Laos and its protocol, both of which were signed by the Government of North Vietnam and 13 other governments in July 1962." As for Vietnam, Mr. Chairman, my Delegation has on many occasions in the past commented on the origins of the strife in that unhappy country. I need not go into detail here now, but it should suffice to recall a comment by my



Prime Minister, the Right Honourable Lester B. Pearson, to the Canadian Society of New York on March 5, 1965. Mr. Pearson said, "Today we cannot afford any 'permissible' kinds of international violence. All must be outlawed. As I see it, the struggle in South East Asia today is basically an attempt to establish the principle that armed assistance from outside to 'Wars of Liberation' constitutes aggression and must be checked."

In the Canadian view these events illustrate the need to ensure that any declarations which may be adopted in the field of non-intervention will have the full weight of the world community behind them and are broad enough to embrace one of the most significant and dangerous types of intervention which has become a feature of present day international relations. I refer in particular to intervention which begins in a clandestine way and employs the techniques of subversion and terrorism. It seems to my Delegation that rules and principles about States' behaviour must be such as to involve the full commitment of the international community to them. The United Nations must ensure that any statement or declaration it adopts in this field carries with it the full commitment of States to respect and observe those principles as a basis for their relations with their neighbours and other States. For a resolution or a declaration of the General Assembly to have this effect it should receive the overwhelming support of the membership as a whole. Any resolution adopted by a substantially divided vote or which failed to carry such support would be much less effective in achieving this end.

In the accomplishment of this task the Canadian Delegation believes that greater attention must be paid to the drafting and achieving of a consensus. The Special Committee on Friendly Relations, which met last year in Mexico City, had undoubted success in achieving a consensus about the meaning of the principle of the sovereign equality of states and almost achieved a consensus on the principle concerning the non-use of force in international relations. The Special Committee proved to be an effective forum for exploring the differences among states in these fields and being able to bridge those differences so as to achieve general understanding about the meaning of key principles of international law. While the same degree of success did not result from the Committee's efforts to define and develop the principle of non-intervention, it is expected that the Special Committee will meet again in 1966 and will have as a part of its specific mandate the achievement of a consensus or statement of principles about the meaning and scope of the concept of non-intervention. It seems to the Canadian Delegation that if the various proposals now before this Committee are to

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receive the very careful consideration they deserve it would be appropriate for the Assembly to refer these draft declarations and amendments now before us to the Special Committee to be studied by them in connection with their effort next year to achieve an agreement on the meaning and scope of the principle of non-intervention. We do not believe this will involve undue delay. The Committee will undoubtedly be reporting to the General Assembly next year. That Committee will have much more time than this body to resolve differences of view. If they succeed at this task and can produce a statement of principles or declaration which contains an agreed definition of the principle of non-intervention the world community will be well on its way to taking an important step forward in the achievement of friendly relations and of a stronger basis for the attainment of international security.

