



# THE DEPARTMENT OF STATE BULLETIN

Volume LXXVI • No. 1961 • January 24, 1977

ENERGY AND THE WORLD ECONOMY

*Statement by Assistant Secretary Katz 61*

AMBASSADOR SCRANTON'S ASSESSMENT  
OF THE 31st U.N. GENERAL ASSEMBLY

*Statement in Closing Plenary Session 68*

U.S. SUPPORTS ESTABLISHMENT OF U.N. AD HOC COMMITTEE  
ON DRAFTING OF CONVENTION AGAINST TAKING OF HOSTAGES

*U.S. Statements and Text of General Assembly Resolution 72*

THE OFFICIAL WEEKLY RECORD OF UNITED STATES FOREIGN POLICY

*For index see inside back cover*

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*The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements, addresses, and news conferences of the President and the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and on treaties of general international interest.*

*Publications of the Department of State, United Nations documents, and legislative material in the field of international relations are also listed.*

# Energy and the World Economy

*Statement by Julius L. Katz*

*Assistant Secretary for Economic and Business Affairs*<sup>1</sup>

I welcome the opportunity to appear before your committee to discuss the international energy situation and its impact on the world economy. This hearing takes place against the background of a further demonstration at the recent OPEC [Organization of Petroleum Exporting Countries] meeting in Doha, Qatar, of the extent to which the economic well-being of the United States and the rest of the world is vulnerable to unilateral decisions on oil prices by the OPEC oil producers. In these remarks I would like to discuss the recent OPEC price decision, to comment on the effect of this and earlier oil price increases on the global economy, and to elaborate a number of longer term economic and energy policy considerations that emerge from the oil price situation.

## **The Doha Price Decision**

In many ways, the OPEC ministerial meeting in Qatar in mid-December followed the familiar pattern of OPEC meetings in recent years. Accompanied by wide-ranging speculation about the outcome of their deliberations, the 13 member nations met in closed sessions to decide among themselves on the price other nations would have to pay for oil. But the Qatar meeting was unique in one important aspect. Failing to agree on a common price for the marker crude, upon which all

their prices have been based in the past, the OPEC countries broke openly and in effect created a two-tier price system.

Eleven OPEC members announced their intention to raise their prices by 10 percent on January 1 and a further 5 percent in July. Saudi Arabia and the United Arab Emirates, on the other hand, refused to go along with the majority. They indicated the intention to increase their prices by 5 percent and to hold this level throughout 1977.

It will be several weeks or months before we know whether the OPEC majority can sustain their high posted prices or whether prices will drift down toward the level established by Saudi Arabia and the United Arab Emirates. A number of factors contribute to this uncertainty.

The most important of these is the level of demand for oil from the 11 high-price members of OPEC over the next several months. If demand for their oil remains at or near the level of late 1976, they will be able to make their 10 percent increase stick. However, if their market begins to shrink appreciably, they will have to choose between maintaining their higher prices and accepting a lower level of revenues or lowering their prices to compete with lower priced Saudi Arabian and U.A.E. oil in an effort to maintain their share of the market.

The market outlook for these 11 countries will depend on the level of total world demand for oil and on the speed with which Saudi Arabia and the United Arab Emirates can increase production. Total demand for oil should decline over the next few months as

<sup>1</sup> Submitted to the Senate Committee on Banking, Housing and Urban Affairs on Jan. 5. The complete transcript of the hearings will be published by the committee and will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

companies draw down the inventories they built up in the final months of 1976 in anticipation of a large OPEC price increase, although a cold winter and the ambiguous state of economic recovery in some major industrial countries have created unusual uncertainty in the demand outlook.

The Saudis and the United Arab Emirates have stated their readiness to raise their production to meet increased demand for their less expensive oil, and some substantial increase should be possible. However, Saudi production at the end of 1976 had already risen to near capacity levels, and it is unclear how much incremental capacity can be brought into production quickly.

There are other factors which make it even more difficult to assess the outcome of the OPEC meeting. For example, it is unclear how much companies can shift their sources of supply quickly, despite the price differential. They purchase much of their crude under long-term contracts and in many cases have already contracted for crude into the first and second quarters of 1977. Also, there are questions about the demand for the particular qualities of additional crude oil available from Saudi Arabia and the United Arab Emirates. This will depend on the refining capabilities and marketing requirements of individual companies and importing countries.

### **General Economic Implications of Oil Prices**

Because of these uncertainties, we cannot yet draw final conclusions about the consequences and impact of the price decision on the world economy. But one fact is clear: Notwithstanding the pressure on the OPEC majority to hold the price increase below the level they established, there will be an increase in the price of imported oil. Saudi Arabia and the United Arab Emirates demonstrated a greater sense of responsibility for global growth and stability than the other eleven. But whether the increase is ultimately 5 percent or 10 percent or something in between, it is nonetheless a price increase, an increase that is both unwarranted and harmful to the world economy.

Moreover, it comes on top of the massive oil price increases of the past few years as the price of this essential input has risen more than fivefold since January 1973. This unprecedented price rise constitutes a massive income transfer from oil-importing countries to a handful of oil-exporting countries. It has had, and continues to have, a profound impact on the world economy and on growth and income in oil-consuming countries. It contributed in a major way to the worldwide inflationary pressures of 1974-75. It also seriously aggravated the recession of the same period when the abrupt increase in oil import costs drained consumer purchasing power, acting in effect as an excise tax on the economies of the importing countries.

Given the already high level of oil prices, even a relatively small increase in percentage terms can have a substantial economic impact. Our analysis in advance of the Doha meeting indicated that each 5 percent increase in the cost of crude oil would cost oil-consuming countries approximately \$6 billion in higher oil bills, with the United States paying around \$1.7 billion of that total. Absent compensating domestic policy actions, each 5 percent increase costs the seven largest industrialized countries an average of 0.3 percent each in real GNP [gross national product] growth and adds roughly 0.3 percent to consumer prices.

The oil price rise has also had a fundamental impact on income distribution because increases in the price of gasoline, home heating, and electricity have a disproportionate effect on lower income groups. It has caused structural adjustments in industry and the premature obsolescence of industrial plant. In addition, the new energy situation will have a continuing impact on the allocation of investment capital; much more investment will be needed in the energy area, leaving less capital available for other economic and social objectives.

We made a major effort in the months prior to the Doha meeting to persuade the oil-producing countries not to raise prices. We stressed that any increase in the price of oil would seriously harm the effort to regain sustainable, noninflationary growth and



would have particularly serious consequences for the weaker developed-country economies and the developing countries. We also countered the argument of some of the producers that an increase in oil prices was justified by an increase in the cost of their imports; in fact, the cost of exports to OPEC from the seven largest industrialized countries has risen less than 4 percent since September 1975, when the oil price was raised by 10 percent.

We believe that our efforts and those of other industrialized countries and some developing nations probably moderated the final OPEC decision. But the fact that an unwarranted and unjustified increase occurred despite this major diplomatic effort underlines the need for effective long-term action in the energy area to lessen our vulnerability to continued increases in the price of oil. OPEC meets every six months; and in the absence of action to affect the supply-demand balance for energy, the world will confront every six months the possibility of a further increase in the price of oil.

#### **Financial Impact of Oil Price Increases**

The entire range of U.S. economic policies and objectives has to take account of higher oil prices and the structural adjustments needed to cope with these higher prices in the United States and the rest of the world. Our central concern is to insure a sustainable and noninflationary expansion over the next several years.

This task will be complicated by the divergent economic trends among major industrialized economies. It will require an intensification of the process of economic policy collaboration through the OECD [Organization for Economic Cooperation and Development] and other contacts, including meetings at the summit. One of the central objectives of such collaboration will be concerted action to deal with the serious financial imbalances which have resulted from higher oil prices and will continue at least through the end of the decade.

In the 1974-76 period, OPEC members had a cumulative current account surplus of \$142

billion. With annual surpluses in excess of \$40 billion likely for the next few years, OPEC's accumulation of financial assets could easily surpass \$300 billion by the end of 1980. This represents the oil-consuming countries' aggregate indebtedness to OPEC members, a net claim on our resources. The bulk of these claims are held by three OPEC members.

The large surplus position of OPEC nations is matched by aggregate deficits in oil-importing countries, both developed and developing. No amount of adjustment action by oil-importing countries as a group can eliminate the deficit in the medium term. Under these circumstances it would be foolhardy and dangerous for individual oil-importing countries to try to improve their position at the expense of others through "beggar-thy-neighbor" policies of import restriction and artificial export stimulation. Rather, the key questions are how the deficit will be distributed and how it will be financed.

In the aggregate, the huge OPEC current account surplus is self-financing. The OPEC countries in a strong financial position have no choice but to invest their surplus funds in oil-importing countries. The pattern of investment of OPEC financial surpluses, however, does not match the needs of individual countries to finance costly oil imports. The current account deficit of oil-importing countries is very unevenly distributed. In the industrialized world, the diverse impact of oil price increases aggravates the divergent rates of growth and inflation, with the already weaker economies the hardest hit. Some OECD nations, particularly the Federal Republic of Germany, have had consistent surpluses. Others, such as the United Kingdom and Italy, have had to make fundamental adjustments in growth rates as well as investment and consumption levels to take account of energy needs and higher oil prices. This process will take longer than classic balance-of-payments adjustments.

Certain developing countries also suffer disproportionately. Generally, the capacity of developing countries to adjust their economies to higher oil prices is limited. Many developing countries therefore face

painful choices as they reassess their development prospects in light of added burdens of strained financial resources and mounting bills for imported oil.

These changes in the structure of financial relations have a number of important implications and repercussions:

—There is pressure on weaker industrialized countries to adjust through restrictions that would threaten our system of open trade and capital flows. To avoid such actions, we must insure that they have enough financing to allow orderly adjustment. A balanced and concerted strategy for sustained recovery, which will enhance their export prospects, is also essential.

—Until 1973, developed countries as a group ran consistently large current account surpluses, which enabled them to provide sufficient financing to developing nations through aid and investment flows. The vastly larger financing requirements of developing nations and the deficit position of developed countries as a group now make such flows inadequate. As a result, higher income developing countries (as well as weaker industrialized ones) have increasingly turned to private markets for financing, mostly in the form of Eurodollar credits and syndicated bank loans. The terms and conditions of these credits have not always been appropriate to the adjustment problem faced. Moreover, while private lenders presently can continue to provide a high volume of financing, they will become more selective in their lending policies. In particular, their willingness to maintain lending levels to certain important problem countries may diminish.

—The unprecedented external borrowing of developing countries has swelled the debt-service payments they face in the coming years. 1976 debt-service payments of non-oil-producing developing nations are in excess of \$21 billion, or more than double the 1973 level—of which over 80 percent relate to payments on commercial debt. These payments consume about 20 percent of their income from merchandise exports, as compared to 15 percent in 1973. In the 1977–80 period there will undoubtedly be a bunching

of debt-service payments, which will increase these figures. The debt is heavily concentrated in higher income developing nations which have dynamic economies and a strong debt-service capacity. Nevertheless, some countries may not find sufficient capital to pay their debts without imposing very restrictive economic policies. Debt-service difficulties in one or more important developing nations could trigger a credit squeeze which could cause private lenders to take a restrictive view of the creditworthiness of less developed countries as a group.

One of the fundamental limitations of heavy reliance on international lending from private sources is that these lenders cannot carry out the function of developing comprehensive economic stabilization programs with the borrowing country. Facilitating such stabilization as a condition of financial support is an essential function of official multilateral lending, in particular from the International Monetary Fund (IMF).

These considerations point clearly to the need to insure adequate amounts of official financing in the coming period to facilitate sound adjustment in the economies of oil-consuming countries. External financial support is an essential ingredient in reinforcing the adjustment efforts of borrowing countries. In the period ahead, we will therefore need to develop and strengthen further the framework of the international financial system to insure that it has the flexibility necessary to meet the needs of an international economy which has been so profoundly changed by the high cost of imported oil.

In the first instance, this means more active use of the International Monetary Fund, including both its normal lending operations and new facilities such as the Extended Fund Facility, the liberalized Compensatory Financing Facility, and the special Trust Fund for the poorest developing countries. We have also negotiated and submitted to Congress a supplementary OECD Financial Support Fund. In conjunction with IMF facilities, it could provide a safety net to deal with the particular financial vulnerability of the industrialized economies. Finally, we should strongly support the activities of the

IMF-IBRD [International Bank for Reconstruction and Development] Development Committee aimed at strengthening the access of less developed countries to long-term private capital markets.

## Energy Objectives

Over the next several years, we must pursue economic, trade, and financial policies designed to minimize the extent to which high oil prices jeopardize our objective of sustainable, noninflationary growth. But we cannot be in a position of only reacting to the evolving world energy system; we must also act to shape the development of that system.

Mr. Chairman, the events of the past four years have clearly demonstrated the extent to which the United States and our major trading and security partners are vulnerable to unilateral OPEC decisions to raise oil prices and to the threatened or actual use of an oil embargo by some oil-exporting countries as an instrument of national policy.

But the existence of OPEC is not the sole cause of our energy vulnerability. Our weakness stems directly from our increasing dependence on imported oil for our complex, energy-intensive economy. As recently as the mid-1960's, the United States, while an importer of oil, had substantial unused domestic production capacity. By the late 1960's, rising consumption had eliminated that surplus capacity, and we became a larger and larger net importer. This combined with rising oil imports by Japan and Western Europe to bring about a major increase in world requirements for OPEC oil and a profound shift in the world balance of supply and demand.

OPEC countries have taken advantage of this supply-and-demand situation to control the supply of oil offered in world markets. This control over supply, together with the absence of a readily available substitute for imported oil, enables OPEC to dictate the world price.

In this regard, it would be a mistake to view the split decision at Doha as evidence of an imminent breakup of OPEC. There are obvious differences of view and interest

within OPEC, but each member has an overriding interest, political as well as economic, in the viability of OPEC. OPEC survived a major drop in world demand for oil during the recession of 1975. With economic recovery and increasing demand, the latest disagreement does not appear to pose a major threat to OPEC solidarity.

We have taken action to reduce our vulnerability to interruptions of oil supplies. Through the emergency sharing system of the IEA [International Energy Agency] and our national strategic petroleum reserves, we have significantly enhanced our ability to deter another oil embargo and to withstand the economic impact of an embargo should one occur.

In the area of oil prices, we have made progress in strengthening our relationships with key members of OPEC and in convincing them of the extent to which their own economic interests are adversely affected by actions which threaten the well-being of the world economy. However, until there is a basic change in the supply-demand balance the effectiveness of these diplomatic efforts on the issue of oil prices will be limited.

The United States has a tremendous potential to help bring about a more acceptable balance of supply and demand by reducing its dependence on imported oil. On the one hand, we are the largest single consumer of energy. The development of our industrial, residential, and transportation systems has been based on a premise of unlimited quantities of inexpensive energy. That premise is no longer valid, and the entire structure of our economy must undergo a series of profound changes designed to improve the efficiency of our energy systems. In some cases, this greater efficiency will result from the stimulus of higher prices. In other cases, however, it will have to be mandated or encouraged by tax and other incentives.

At the same time, the United States is blessed with an enormous potential for the development of new energy supplies, including conventional oil, gas, nuclear, and coal power and eventually synthetics and nondepletable energy sources such as solar and fusion power. There are of course constraints



on the development of new energy supplies, and these must be carefully evaluated. But the development of major new energy supplies will require both adequate incentives for the enormous investment outlays needed and, unavoidably, some compromise among our legitimate energy, economic, and environmental policies.

Unfortunately, Mr. Chairman, the U.S. response to the energy challenge has thus far been inadequate. We are now more dependent on imported oil than we were at the time of the October 1973 embargo. More importantly, we still have not as a nation made a credible, long-term commitment to the goal of reduced import dependence and the policy measures necessary to achieve that goal.

The design and implementation of the new actions necessary to achieve our goal of reduced energy vulnerability will require the close and active collaboration of the Congress and the executive. We urgently need a consensus on a comprehensive and effective energy policy.

Our energy concerns, like our general economic and financial interests, cannot be viewed solely in a national context. Energy is just one element—although a central element—in the web of our political, economic, and security ties with the rest of the world. The other industrialized consuming countries face greater vulnerability in energy than the United States because of even greater dependence on imported oil. By the same token, it is not enough for the United States alone to reduce its import dependence; U.S. success could be offset by the failure of other major nations to limit their requirements for imported oil.

In energy, as in other areas, our industrialized-country allies look to us for leadership. Because we account for roughly one-half of OECD energy consumption and for nearly one-quarter of demand for OPEC exports, our leadership, if it is to be effective, requires visible evidence that we are meeting our national energy responsibilities by improving the efficiency of our energy use and developing new supplies.

Just as we recognize that our efforts to establish a more stable world energy balance could be undercut by the failure of other

major consumers to limit their dependence on imported oil, so do they recognize that they will be unable to reduce their energy vulnerability unless U.S. import dependence is reduced. Therefore we must work together, strengthening national policies and pursuing common programs, where possible, in energy conservation, in the development of new supplies, and in research and development (R. & D.). The common objective of such measures is to reduce our total dependence and to achieve a global energy balance in which consumers share control with producers.

We have made the International Energy Agency the principal vehicle for this cooperation in energy with the rest of the industrialized world. This organization has achieved notable successes in the two years of its existence. It has:

- Put in place a comprehensive emergency program to build oil stocks, to establish standby demand-restraint measures, and to share available oil supplies in the event of future disruptions in the supply of imported oil;

- Agreed to a long-term cooperative program of conservation and the development of alternative supplies, including a number of joint R. & D. projects and a framework for joint projects in the actual development of new supplies;

- Established an oil market information system aimed at improving understanding of the international oil market; and

- Provided the forum for industrialized-country coordination for the energy dialogue in the Conference on International Economic Cooperation.

At a U.S. initiative, the IEA is currently engaged in a process to establish group and individual national targets for reducing dependence on imported oil by 1985. It is envisioned that member countries will undertake political commitments to these targets and the policy measures necessary to achieve them at an IEA ministerial meeting in the first half of 1977.

We are also seeking to expand our cooperative efforts with the oil producers in the development and diversification of their economies. As their economies become more



dependent on the health of the international economy, they should accept more readily their own responsibility for global economic stability and growth in their oil pricing and production policies. We also appreciate the special energy difficulties of the non-oil developing countries and have made clear our readiness to facilitate access to, and modification of, our energy technology to help them develop their indigenous resources and use energy more efficiently.

Mr. Chairman, the oil price increases over the past several years have caused fundamental structural changes in the international economy. The adjustments that are already taking place and which will be required in the future are profound. To meet these new challenges, we must, as a nation and in cooperation with others, implement policies to sustain global growth, to preserve and improve the world trading system, and to strengthen the international framework for financial cooperation.

We must also act decisively to end our energy vulnerability. As the leader of the industrialized world, we have the capacity to confront directly and overcome our national and collective energy vulnerability. We must also demonstrate a determination to take the hard decisions required.

## **President Ford Responds to Action by OPEC Increasing Oil Prices**

*Statement by President Ford*

White House press release dated December 17

We deeply regret OPEC's decision to raise, once again, the price of oil. We very much appreciate the efforts of those OPEC members, particularly Saudi Arabia and the United Arab Emirates, whose sense of international responsibility and concern for the adverse impact of an oil price increase on the world economy led them to advocate restraint and to refuse to go along with the increase proposed by the others. Unfortunately, however, the majority of OPEC members, citing artificial economic justifica-

tions and ignoring the destructive consequences of their actions, chose to take a course which can only be termed irresponsible.

The United States has joined with many other nations in an international effort to improve the quality and degree of global cooperation. The prosperous world which we and other nations seek, in the interest of developed and developing nations alike, depends on a sense of shared responsibility.

This requires that nations avoid actions which harm one another. It requires that every country understand that, in an interdependent world, shortsighted actions, however seemingly attractive in the near term, can have long-term consequences detrimental to its prosperity and to that of all other countries. It requires a common commitment to the well-being of all peoples and special sensitivity to the plight of the world's poorest societies. The decision of the OPEC majority clearly does not meet such standards of international responsibility.

For our part this latest price increase can only serve as a sharp reminder for all Americans of the need to take urgent action to strengthen our conservation efforts and develop new sources of energy in order to reduce our dependence. And it must serve as a reminder to all oil-consuming nations of the need to work closely together to reduce our reliance on imported oil and our vulnerability to arbitrary OPEC decisions.

## **Congressional Documents Relating to Foreign Policy**

Resources in Namibia: Implications for U.S. Policy. Hearings before the Subcommittee on International Resources, Food, and Energy of the House Committee on International Relations. June 10, 1975–May 13, 1976. 165 pp.

U.S. International Grain Policy: Sales and Management. Hearing before the Subcommittee on International Resources, Food, and Energy of the House Committee on International Relations. December 3, 1975. 34 pp.

Proposed Foreign Military Sales to Middle Eastern Countries–1976. Hearings before the Subcommittee on International Political and Military Affairs of the House Committee on International Relations. February 23–September 21, 1976. 100 pp.

## Ambassador Scranton's Assessment of the 31st U.N. General Assembly

*Following is a statement by U.S. Representative William W. Scranton made in the closing plenary session of the 31st United Nations General Assembly on December 22.*

USUN press release 200 dated December 22

A year ago the problems of disarmament, the Middle East, and southern Africa were acute. Negotiations, however, were stagnant. The deteriorating situation in Lebanon kept Arabs and Israelis from seeking ways to move toward solutions. As prospects for peaceful solution in southern Africa dwindled, a downward spiral toward violence gained momentum. Superpower commitment to strategic arms discussions and disarmament talk in general was questionable.

This world situation affected the United Nations. The lack of progress or even a prospect for progress was aggravated by one of the sharpest and most dangerous confrontations in General Assembly history: the dispute over the equation of Zionism with racism. There, another divisive factor was added to an already intensely complex Middle East debate. This wounding rhetoric and other acts nearly as excessive embittered many people toward the United Nations, certainly in the United States.

Today, hope exists for settlement in the Middle East. This results partly, though only partly, from a winding down of the tragic struggle in Lebanon. Equally important, the energies of all parties are today engaged productively in pursuing ways for the parties to come together. For the first time all sides have manifested a renewed determination to achieve peace. For the first time all parties desire a negotiating process.

As to southern Africa, determination is strong to bring about majority rule for multi-racial nations living in peace. Meaningful talks concerning Rhodesia are in process. Talks on Namibia are within reach—talks allowing peaceful change, change by negotiations, the only course that will avoid the horror of mass violence.

This positive tone extends to the difficult issues of arms control and disarmament, including nuclear proliferation—issues that will be with us after many others are solved. Today, none doubt the necessity of resolution or that superpowers must take the first steps.

These developments are no cause for euphoria, but they do offer a basis for hope. In contrast with the last General Assembly, this session has had a lessening of confrontation. Some significant changes in the world situation combined with a more mature tone here to alter the atmosphere for the better. A small but perceptible change of mood took place. The U.N.'s cup, last year half empty, this year became half full.

I repeat: There is no reason for euphoria, but it just may be that we have turned a corner. It just may be that this new tone will permit us to do more together. Having approached the brink and drawn back, perhaps we will now turn to our common tasks with resolve to make substantive progress rather than political points.

At the very least, our growing recognition of the value of small steps taken together is indeed an accomplishment.

And now, Mr. President and fellow delegates, once again I ask your indulgence for some personal comments, a habit of mine to

which you have become accustomed but to which you will not be subjected much longer. Having been the American Representative for nine months, I have become an instant expert on all aspects of the United Nations. More seriously, I am deeply indebted to each of you and many others for this educational process, and when I leave in another month, it will be with more understanding of the United Nations than when I arrived.

Let me begin with a few basic thoughts. Although the United Nations has many purposes, three are most frequently and clearly enunciated in the charter: maintaining international peace and security, assisting in economic development, and promoting human rights.

As to the first, we are making progress. Let me cite one example: Eight years ago on a trip to the Middle East, I was informed by the leaders of all six countries I visited that they believed there was no further role for the United Nations in the Middle East dispute. Today, none deny the essential role of the U.N. presence between Syria and Israel and between Egypt and Israel. Through these temporary peacekeeping forces the United Nations is giving the world time to find a way to bring peace in the Middle East. And there is virtually unanimous opinion that the route to peace definitely and prominently involves the United Nations.

In this geo-economic era, increasing interdependence and an acceleration of the desire by people everywhere for a better way of life bring economic problems and opportunities to the United Nations to a greater degree than ever before. The nations of the world now recognize that new mechanisms must be initiated and developed in the U.N. system for world resources and world trade to meet the special needs of many while benefiting us all.

In both these areas—peacekeeping and economic development—I am encouraged, as I think we all are, not only by the demands on the United Nations but by its response, even though it is limited. Time will tell, and a short time at that, whether we take further opportunities now before us.

But while much is encouraging with regard to two of the main purposes of the United Nations, little can be said about the third. With the exception of successful action on the initiative of the Federal Republic of Germany in regard to hostages, for which I congratulate the General Assembly, little has happened during this session to improve protection of human rights where human rights most need protection. The strong and unswerving views of the U.S. Government on this subject were recently made plain to the Third Committee.

This brings me to the United States. Over and over again I am told here that the United States must lead—that it must lead with regard to a settlement in the Middle East; that it must lead with regard to majority rule in southern Africa; that, with the Soviet Union, it must lead in disarmament initiatives; that it must lead and be forthcoming in regard to interdependence in the economic field; that the United States must lead the West in the East-West dialogue and it must lead the North in the North-South dialogue.

I believe that, working with many of your countries, the United States has important roles to play in the effort to find “proximate solutions to the insoluble problems” of mankind. How will each of our nations meet the test? Will all of us measure up to our responsibilities?

I can speak only as one American. But at this moment my feelings are clear and my hopes high.

Like all nations and all governments and all peoples, we have made mistakes. That came home dramatically to Americans in the last decade.

We have been looking at ourselves—just as you have been looking at us—with confusion, with anger in some cases, and with some effort at dispassionate analysis.

Every one of you sees the United States firsthand. You are here. You read about us in our newspapers every day. You hear about us on radio and you see us on television. Our assets and liabilities are wide open to you.

When I look at the United States as our Bicentennial year comes to a close, I have a



simple emotion: I rejoice. I find an America which is quieter, calmer, more modest, but sounder and more secure. Also, we are becoming better listeners. Though we no longer expect the rest of the world to copy our economic system, we believe that of all the economic systems in the world, it is the most productive, the most creative, and the most beneficial to the people.

We also know that we are joined irrevocably with the rest of the world, that neither we nor anyone else can "go it alone."

But out of 30 years of postwar turbulence has come a more important security than simply an economic one, and this Bicentennial year epitomizes it. There is a deeper dedication to the basic precepts of this country as declared in the Bill of Rights of our Constitution. I believe the people of the United States are more firmly convinced today than ever before in our history that our individual freedoms, our open society, are the most precious part of our lives. They are our inspiration and our only real security.

What does all this mean for the United Nations? I think it means that the United States will take leadership. It means that we will try with our hearts and our minds to work for a lasting peace in the Middle East, to bring majority rule to southern Africa, to build the mechanisms necessitated by economic interdependence, and to progress in arms control and disarmament.

It also means that you will hear a great deal from us about freedom and human rights—for we believe in them. We believe there is a natural desire in people everywhere to live not only in peace but also in freedom; that governments are installed foremost to secure those rights; and that no human being has peace or freedom where his or her human rights are denied.

I believe you will find us easier to live with and a better leader. I believe Americans respect you, and you will have good reason to respect us.

One final thought: The United Nations is not a parliament. It cannot enforce its will by enacting laws. It cannot define reality or establish truth by majority vote. The United

Nations is a gathering of sovereign states, born out of consensus and destined to survive only by consensus. Consensus comes down simply to this: commitment from each of us to strive for a safer and better life for human beings everywhere, now and for generations to come.

## **U.S. Signs Articles of Agreement of Agricultural Development Fund**

*Following are texts of a statement by President Ford issued at Vail, Colo., on December 22 and a statement by Daniel Parker, Administrator, Agency for International Development, made at U.N. Headquarters that day upon signing the articles of agreement establishing the International Fund for Agricultural Development.*

### **STATEMENT BY PRESIDENT FORD**

White House press release (Vail, Colo.) dated December 22

I have instructed Daniel Parker, Administrator of the Agency for International Development, to sign, on behalf of the United States, the articles of agreement establishing the International Fund for Agricultural Development. The Fund—which has received pledges amounting to \$1 billion—will provide financial assistance to enable poor countries to increase their own food output. The U.S. contribution will be \$200 million.

The Fund is the product of a cooperative effort between the industrialized and oil-exporting countries to meet the needs of the world's poor nations, which thus exemplifies the progress which can be achieved by constructive international cooperation. The Fund also received considerable impetus from the Conference on International Economic Cooperation, which has been meeting in Paris.

The United States remains thoroughly committed to cooperation among developed and developing nations, oil importers and oil exporters, to meet the problems of economic

development and to build a prosperous world economy from which all nations will benefit.

The United States was one of the earliest supporters of the International Fund for Agricultural Development. In his speech to the seventh special session of the U.N. General Assembly in September 1975, Secretary of State Kissinger announced my intention to seek a contribution to the Fund.

Throughout the planning for the Fund and negotiations with other nations, there has been close cooperation between the executive branch and the Congress. This has enabled the United States to maintain its leadership role and to make a substantial contribution to helping the developing countries better meet their own food needs.

This is an important step toward the healthier and more prosperous world which all nations seek.

#### **STATEMENT BY MR. PARKER**

USUN press release 198 dated December 22

It is with a great deal of satisfaction that I am signing today on behalf of the United States, the articles of agreement establishing the International Fund for Agricultural Development.

IFAD, as it has come to be called, represents the culmination of two years of international negotiations and brings to fruition one of the major initiatives proposed at the 1974 World Food Conference—to accelerate the flow of development resources for improving food production and nutrition in the poorer developing nations.

The U.S. contribution of \$200 million to

the Fund is entirely additional to the assistance provided through our existing bilateral and multilateral foreign aid programs and as such reflects a major budgetary decision to increase the U.S. commitment to alleviating problems of hunger and malnutrition.

A significant aspect of this new Fund is the fact that it brings together both OECD [Organization for Economic Cooperation and Development] countries and OPEC [Organization of Petroleum Exporting Countries] members in a major multilateral assistance program. The establishment of IFAD has also been strongly encouraged by all participants in the Conference on International Economic Cooperation and represents a positive step forward in the North-South dialogue.

Throughout the lengthy process of making IFAD a reality, the United States has played a strong leadership role. We pledged our \$200 million contribution at an early stage and we have helped design the articles of agreement to insure efficient operation of the Fund in close coordination with existing international institutions.

U.S. leadership has been made possible by the exceptional degree of coordination and cooperation between the executive branch and the Congress that has characterized U.S. participation in IFAD from the beginning.

With the articles of agreement now open for signature, it is our hope that ratification by member governments will quickly follow so that IFAD may become fully engaged in its vital role of improving the global food situation, which is essential for the economic and social well-being of the world's poor people.

## **U.S. Supports Establishment of U.N. Ad Hoc Committee on Drafting of Convention Against Taking of Hostages**

*Following are texts of a statement made in Committee VI (Legal) of the U.N. General Assembly on November 29 by U.S. Representative Robert Rosenstock, Legal Affairs Adviser to the U.S. Mission to the United Nations, and a statement made in plenary session on December 15 by U.S. Representative W. Tapley Bennett, Jr., together with the text of a resolution adopted by the committee on December 10 and by the Assembly on December 15.*

### **U.S. STATEMENTS**

#### **Mr. Rosenstock, Committee VI, November 29**

USUN press release 170 dated November 29

As the General Assembly has unanimously recognized, the taking of hostages is an urgent and important international problem. The increasing number of cases in which hostages are taken compels the United Nations to act immediately. Our delegation is therefore pleased that the Legal Committee has been entrusted to undertake consideration of this item. We are hopeful that this consideration will soon culminate in an international convention against the taking of hostages.

The act of taking hostages has sometimes resulted in the death of the hostages, other times in the death of persons in the area of confrontation between the police and the perpetrators, and even in threats to international peace. Always it has resulted in the great suffering of the hostage, his family, and his friends—and indeed of all people.

All states should be willing—indeed, anxious—to denounce this act. The citizens of every state have been, or potentially are, the

objects of the act. Experience establishes that no state can feel confident it will not be placed in the difficult position of choosing between complying with unacceptable demands and risking lives, sometimes of its own nationals. Accordingly, each state has a measure of self-interest in taking steps to prohibit this act.

More importantly, each state is already committed to principles that are violated by any seizure of a hostage. The Charter of the United Nations recognizes fundamental human rights and the dignity and worth of all persons. These charter principles have been elaborated and enshrined in the Universal Declaration on Human Rights, which proclaims the right of everyone, without exception, to life, liberty, and security of person. All states have publicly acknowledged their commitment to these principles. We must now act collectively to protect them.

In the past, when actions of an international character have produced a significant threat to fundamental rights, the world community has responded by formulating a protective mechanism. Piracy on the high seas is but the oldest of many examples. It has long been recognized in the context of the laws of war that certain means of waging them are unacceptable and may not be engaged in by either the aggressor state or the poor victim exercising its inherent right of self-defense. The Geneva Convention of 1949 on Protection of Civilian Persons was prompted in large measure by concern over the inhumane practices of the Second World War. It was recognized that the true horror of Lidice and Katyn was not who perpetrated the outrages or why, but that outrages against human life and human dignity had oc-



curred and that a law which was not applicable to such cases was a defective law. It has always been recognized that it is of the essence of these outrages that no amount of sympathy for the alleged cause can ever be thought to justify them.

Following the rash of airplane hijackings in the 1960's, the international community adopted the Tokyo, Montreal, and Hague Conventions for the protection of civil aviation. More recently, we responded to repeated assaults on diplomats by elaborating the Convention on Protection of Diplomats. These conventions built on the customary and codified law relating to piracy.

The considerations that promoted these conventions have arisen again. The threat to the lives of innocent persons through the taking of hostages has reached a level that the international community must not tolerate. Diplomats on post, ministers attending conferences, businessmen, grandmothers en route to visiting their families, schoolchildren, and babies have been held hostages. The taking of hostages is an action with international ramifications since the crime is often perpetrated outside the country of the hostages and since it has the obvious potential to provoke breaches of the peace. Rapid international action is urgently needed.

By its nature, the taking of hostages entails the seizure of an individual, the deprivation of his liberty, and a threat to his life, coupled with an ultimatum that some third party comply with the demands of the perpetrators. It always involves demands on a third party. The person or persons held are not held for reasons relating to themselves but to the demands on a third party; they are thus by definition innocent in the context of the act in question—innocent in this context whether or not they have led blameless lives or committed grave sins or crimes, innocent whether we like them or not, innocent whether the regime they lead has been the object of sanctions or the object of universal applause. Prisoners may be innocent or they may be guilty, but not hostages; hostages are human beings held for what ransom they may bring—held for what ransom they may bring, not for them or for their acts. It would be at

the least redundant and at most dangerously confusing to add an inherently irrelevant adjectival qualifier to the term "hostage."

Mr. Chairman, we are convinced that the resolution tabled by the Federal Republic of Germany and a number of other cosponsors is the appropriate way to begin to form another protective mechanism for fundamental human rights.<sup>1</sup> The resolution decides to convene an Ad Hoc Committee on the Drafting of an International Convention Against the Taking of Hostages. An international convention seems the best method to erect a legal mechanism to combat the problem, and it is consistent with what we have done on previous occasions.

The resolution would have us convene the ad hoc committee "on the basis that the taking of hostages should be condemned, prohibited and punished and that persons who perpetrate such acts should be prosecuted or extradited for the purpose of prosecution." We think this instruction to the committee is appropriate and inescapable, for it follows naturally from the conclusion that the act of taking hostages infringes on fundamental rights.

Finally, the resolution requests the ad hoc committee to prepare the draft convention in time to allow its consideration at the 32d General Assembly. If the committee appreciates the gravity of this problem and draws on the experience of the Civil Aviation and Protection of Diplomats Conventions, we are confident the committee will have no difficulty in fulfilling this request. The means of drafting conventions of this nature based on the principle *aut dedare aut judicare* [extradite or prosecute] are well known and should present few problems.

We do not suggest that the elaboration of a convention will alone eliminate the danger. What we do suggest is that the elaboration of a convention along the by now familiar lines laid down in the Hague, Montreal, and Protection of Diplomats Conventions presents no significant difficulties. Such a convention will

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<sup>1</sup> Draft resolution A/C.6/31/L.10; on Dec. 9 the Representative of the Federal Republic of Germany introduced a revised version (A/C.6/31/L.10/Rev.1) of the draft resolution.

strengthen the hands of those responsible for the well-being of their people in a joint co-operative effort to diminish the threat through the normal legal avenue of deterrence and isolation of offenders. Such a convention will contribute not merely because of the deterrent and punitive potential inherent in its terms, but because its elaboration will serve to crystallize and underscore the determination of the international community not to allow the unchecked spread of the human outrage involved in the taking of hostages.

It is particularly important that the international community express itself on acts such as interference with civil aviation, attacks on diplomatic agents, and the taking of hostages. Such acts have a significance and importance that transcends even the large number of people directly injured by them and even the extremely large and widespread number of people threatened by such acts; for these acts strike at the heart of the notion of an organized international society. The organized international society must be prepared to demonstrate its willingness to respond to such attacks on its *raison d'être* or recognize the absence of a *raison d'être* or anything that could be called a self-respecting international society.

In closing, we urge member states to be sensitive to the suffering caused by the taking of hostages and to realize that the taking of hostages is a significant and growing problem. Every occurrence is an affront to our most closely held principles and a challenge to the United Nations. We believe that the resolution before us is a commendable response to this challenge; we urge its unanimous adoption.

#### **Ambassador Bennett, Plenary, December 15**

USUN press release 193 dated December 16

My delegation is pleased to vote in favor of this resolution. It is important that action be undertaken to deal with the contemptible practice of the taking of hostages. It is important that the international community is prepared to undertake the task of drafting an international convention against the taking of hostages.

We have no doubt that the convention will be drafted along the by now familiar lines of the Hague, Montreal, and Protection of Diplomats Conventions; namely, with the principle of *aut dedere aut judicare* forming the central mechanism. Perpetrators of these acts must be denied a safe haven. They must know that wherever they are they will be subject either to prosecution or extradition.

We are particularly pleased that the Legal Committee has recommended a course of action which follows the Protection of Diplomats model and has avoided the introduction of irrelevant material and not suggested any exclusions of the type which have plagued other items. We are confident these decisions reflect the widespread recognition that no cause can excuse and no motive justify so condemnable an act as the taking of hostages.

We hope and expect the ad hoc committee will have a draft convention ready for the 32d session of the Assembly.

#### **TEXT OF RESOLUTION <sup>2</sup>**

*Drafting of an international convention  
against the taking of hostages*

*The General Assembly,*

*Considering* that the progressive development of international law and its codification contribute to the implementation of the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

*Considering* that, in accordance with the principles proclaimed in the Charter, freedom, justice and peace in the world are inseparable from the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family,

*Having regard* to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights which provide that everyone has the right to life, liberty and security,

*Recognizing* that the taking of hostages is an act which endangers innocent human lives and violates human dignity,

*Gravely concerned* at the increase of such acts,

*Recalling* the prohibition of the taking of hostages in

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<sup>2</sup> Adopted by the committee on Dec. 10 (A/C.6/31/L.10/Rev.1) and by the Assembly on Dec. 15 by consensus (A/RES/31/103) (text from U.N. doc. A/31/430, report of the Sixth Committee on agenda item 123, Drafting of an international convention against the taking of hostages).

articles 3 and 34 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, the Hague Convention of 1970 for the Suppression of Unlawful Seizure of Aircraft, the Montreal Convention of 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation, the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, as well as General Assembly resolution 2645 (XXV) of 25 November 1970 condemning aerial hijacking or interference with civil air travel.

*Recognizing* the urgent need for further effective measures to put an end to the taking of hostages,

*Mindful* of the need to conclude, under the auspices of the United Nations, an international convention against the taking of hostages,

1. *Decides* to establish an *Ad Hoc* Committee on the Drafting of an International Convention Against the Taking of Hostages, composed of 35 Member States;

2. *Requests* the President of the General Assembly, after consultations with the Chairman of the regional groups, to appoint the members of the *Ad Hoc* Committee on the basis of equitable geographical distribution

and representing the principal legal systems of the world;

3. *Requests* the *Ad Hoc* Committee to draft at the earliest possible date an international convention against the taking of hostages and authorizes the Committee, in the fulfilment of its mandate, to consider suggestions and proposals from any State, bearing in mind the views expressed during the debate on this item at the thirty-first session of the General Assembly;

4. *Requests* the Secretary-General to afford the *Ad Hoc* Committee any assistance and provide it with all facilities it may require for the performance of its work, to provide the Committee with pertinent information on the taking of hostages and to ensure that summary records on the meetings of the Committee will be drawn up and submitted;

5. *Requests* the *Ad Hoc* Committee to present its report and to make every effort to submit a draft convention to the General Assembly in good time for consideration at its thirty-second session and requests the Secretary-General to communicate the report to Member States;

6. *Decides* to include the item entitled "Drafting of an international convention against the taking of hostages" in the provisional agenda of its thirty-second session.

## U.S. Calls for Responsible Measures Against International Terrorism

*Following is a statement made in Committee VI (Legal) of the U.N. General Assembly on December 6 by U.S. Representative Monroe Leigh, Legal Adviser of the Department of State.*

USUN press release 178 dated December 6

The item before us is profoundly important. No one can deny that the scourge of terrorism continues to plague the international community and to devastate the innocent.

It is accordingly incumbent upon all governments to join in taking the measures that the international community can take to deal with this pervasive problem. It is incumbent upon all governments to consider, and act upon, what can be done to deal with terrorism, for a number of reasons.

Governments have a paramount obligation to protect the lives of their citizens. If there is one thing that is clear, it is that the inherently indiscriminate nature of terrorism makes it a threat to people everywhere. Not only is the terrorist act itself aimed at taking

human lives—often for the mere publicity value of the act—but the reactions that such acts inevitably and understandably engender also sometimes result in loss of life. Terrorism is the starting point of a process which is likely to lead not merely to bloodshed on a small scale but to a threat to the peace, or worse.

Governments are obligated, moreover, to consider the effect on their standing and that of the international community of tolerating acts of terrorism. Can any government worthy of governing be expected to acquiesce in the continuing victimization of its citizens? Can an organized international community which tolerates acts of terrorism maintain that measure of self-respect necessary for its simple survival as an organized international community—still less its closer and more effective integration? Can the United Nations be taken seriously as a force for human rights, racial justice, and economic equity if, as an institution, it is indifferent to internationally promoted murder?



For its part, my government remains concerned. We believe that the international community should and must undertake measures to deal with terrorism. We believe those measures should be grounded on the same humanitarian concerns that underlie laws of war. If we can limit the conduct permissible to a state which is fighting for its survival in accordance with its inherent right of self-defense, we surely can limit actions by groups or individuals which, whether undertaken for base or noble goals, are not considered legal by states under international law. We certainly can do so in cases where such acts are of an international character or where they violate fundamental human rights (as they characteristically do).

The United States submitted a draft convention to the General Assembly in 1972 for the prevention and punishment of certain acts of international terrorism. Our draft was not aimed at all acts of terrorism but only at the spread of terrorism to persons and places removed from the scene of the conflict. We said at that time, and we say now, that we do not maintain that our approach is the only possible approach or the best of all approaches. It is the best approach which we have devised in light of the circumstances. We invite others to support our suggested approach or to propose something better.

We are aware of the objections some have raised to our proposal for a treaty that would attempt to deter the export of terrorism. Briefly put, these objections can be summarized under three headings: (1) that national liberation movements must have a free hand; (2) that governmental action causes death, so why single out acts of other entities; and (3) that there can be no action taken against terrorism until the underlying causes of terrorism are eliminated.

While we have a measure of sympathy and a larger measure of understanding for some of the motives behind some of these arguments, we find them wholly unconvincing—from the standpoint of the progressive development of international law and from the standpoint of the preservation of the peace.

We do not believe that any government disagrees with those humanitarian aspects of

the laws of war which limit or endeavor to limit state conduct. If, then, there are horrors and outrages that even states fighting for their lives cannot indulge in, there must be limits to what conduct groups or individuals may indulge in. Indeed, no one has yet argued that groups or individuals may use poison gas or dumdum bullets. The sooner we recognize that we all agree that there are limits on permissible conduct of groups or individuals to use force to promote their objectives, the sooner we can sit down and talk about what those limits are or ought to be. We may wish to set the international limits at one level and another government may wish to set them at another, but that is a matter susceptible to solution by rational discourse. Our plea is that we stop throwing up smokescreens of false argument and sit down to work out humanitarian limits.

The argument that one cannot take action against groups or individuals without taking action against states—against so-called “state terrorism”—is transparently fallacious. Indeed, we doubt many assert that nihilistic view with genuine conviction. The world is too full of problems, and if we refuse to deal with one of them until we can deal with all of them, we shall never deal with any. For example, our inability to eradicate violations of human rights in all cases—even in all grave cases—cannot be a basis for refusing to try to alleviate human rights violations in southern Africa.

Moreover, we must recognize that there is already in existence an established body of rules governing state conduct. There is the United Nations Charter, with its unarguable prohibition against the threat or use of force. There are the laws of war that govern those situations when fighting nevertheless breaks out. The laws of war have had great humanitarian effect, though at the same time gravely inadequate effect; and of course those imperfect rules are now being revised. But new rules are not needed to inform states when the use of force is permissible and when it is not. And even if new rules were necessary, and achievable, a need to deal with *that* problem would not provide a valid excuse for ignoring others, such as

those of international economic order—new, old, or whatever. Nor would it provide a valid excuse for refusing to take measures to deal with terrorism.

The third argument often used to bar examination of possible measures is that we cannot engage in a discussion of practical measures until we eliminate the root causes of terrorism. The very existence of all of our governments indicates how spurious this line of argument is. Crime occurs in all of our countries, bar none. More in some than others, but the society does not exist whose laws are never violated. In many cases, that crime has its roots in social causes. Yet all our governments apprehend, prosecute, and punish criminals. None of our heads of state, parliamentary bodies, or judges urge the elimination of criminal law until the causes of criminal conduct have been eliminated. Repressive governments merely punish those they consider criminal. Responsible governments do not merely punish criminals. They seek to improve the nature of their societies and to insure the widest measure of justice so that punishment is proportionate and the causes of crime are ameliorated.

Were the United Nations to embark on concluding a convention along the lines we suggest, would it be behaving like a repressive government or a responsible one? The answer to that question lies in the immense work that is currently going on throughout the U.N. system to improve the social situation for all the world's people. Poverty and injustice are being fought directly in more than half of the main committees of the Assembly as well as the Economic and Social Council and the Security Council and the specialized agencies. Like that of most national governments, the record of the United Nations is one of only partial success. If, then, the United Nations could not be said to resemble a repressive government, could it be said to resemble a responsible one? My government does not believe we can give an unqualified affirmative response to that question so long as there is an unwillingness in this body to take responsible measures to deal with the scourge of terrorism.

We respectfully urge all members who care

whether the United Nations can be regarded as an organization comprised of responsible members to join our efforts to find measures to control international terrorism. We urge all members to join in a common effort to protect all mankind from barbaric acts of violence which have already cost so many lives to so little purpose.

## **U.S. Supports U.N. Resolution Against the Practice of Torture**

*Following is a statement made in Committee III (Social, Humanitarian and Cultural) of the U.N. General Assembly by U.S. Representative Jacob M. Myerson on December 3, together with the text of a resolution adopted by the committee on December 3 and by the Assembly on December 13.*

### **STATEMENT BY AMBASSADOR MYERSON**

USUN press release 177 dated December 3

In accordance with an injunction you have given us on other occasions, I shall endeavor to be brief. We are at a late stage of our work in the 31st session of the General Assembly. We are perhaps—perhaps I should say the hour is also late for human rights, at least for human rights work in the United Nations, as we have recently had occasion to point out.

Sir, in many countries around the world—and not just in those countries it is fashionable to attack in this body—people are locked up in prison, often simply because of the views they dare to hold. Some of these people are subjected to torture.

Three years ago in Resolution 3059 the General Assembly expressed its grave concern over the fact “that torture is still practised in various parts of the world.” The shocking fact for all of us is that such a concern had to be expressed 25 years after approval of the Universal Declaration on Human Rights. Torture is practiced in spite of the fact that every civilized government accepts without question that no human

being should be subjected to torture. Freedom from torture is a basic human right recognized in article 5 of the Universal Declaration. In the Covenant on Civil and Political Rights it is further specified that no overriding circumstance of public emergency threatening the life of a nation can be cited to derogate from this basic right.

Certainly, Mr. Chairman, if this Assembly has a mission to promote human rights it cannot escape taking action to bring to an end the practice of torture in our modern-day world. My government has been in the forefront of those calling for action. U.S. representatives in the various U.N. forums which have been acting to strengthen the guarantees against torture have given their full support to the measures which this Assembly has requested. The draft resolution which has been presented to us in document A/C.3/31/L.38 takes account of the activities which are presently underway in a number of U.N. bodies.

The accomplishments of the Committee on Crime Prevention and Control with respect to a draft code of conduct for law enforcement officers have been a welcome development, in our view. Likewise, the work of that body in extending the range of application of the Standard Minimum Rules for Treatment of Prisoners has, we think, constituted a worthwhile and important step forward.

The Subcommittee on Prevention of Discrimination and Protection of Minorities has acted to begin preparation of a body of principles for the protection of all persons under any form of detention or imprisonment. The subcommittee has decided to appoint a working group to analyze the materials received in connection with its annual review of developments relating to the question of the human rights of persons subjected to any form of detention or imprisonment. We have taken note of this development with interest also.

Mr. Chairman, my government has no quarrel with the intent of the draft resolution which is before us to endorse this important work and to give support for further measures in pursuit of the overall plan of trying to

construct a system of guarantees to protect persons under detention. We therefore welcome the provisions of the operative paragraphs. All of these will, we are confident, complement the achievement of the last Assembly session in agreeing upon the declaration on the protection of all persons against torture which was unanimously adopted by our Resolution 3452.

Having said all this, Mr. Chairman, I cannot refrain from posing a question: Are all of these measures which are now underway enough to meet the problem?

I think it is perhaps extremely revealing that, based on the record, the adoption of the various resolutions passed by this body on torture has been remarkably easy. Unanimity has been the rule when governments have been called upon to take a position on measures to combat torture.

But what are the facts, Mr. Chairman? The facts reveal, of course, that torture still persists. Just last week this Assembly adopted a far-reaching resolution which had as its major impetus the recurring reports of torture being practiced in Chile. But none of us would be so naive, I am sure, as to assert that Chile is the only place in the world that requires our attention as far as the practice of torture is concerned. There is overwhelming evidence easily available to those who may be interested in seeking it which is equally disturbing—disturbing as to the practice of torture in other countries—torture practiced by governmental agencies, in some cases with the clear connivance of high-level governmental authorities.

Are we then, Mr. Chairman, fellow delegates, doing enough? Are these unanimous expressions of support for the resolutions which we have adopted, such as that now before us, indicative that we may be engaging in an exercise in self-deception—that we are meeting the need to combat the evil of torture by actions which we all know with various degrees of uneasiness may not reach to the heart of the problem? Mr. Chairman, I believe that many of us fear that it is not enough.

In saying this I do not wish to denigrate



the possible utility of the measures underway. Any strengthening of the fabric of international protection by the drafting of codes, declarations, and strongly worded resolutions can have a positive effect. My delegation does, however, believe that as long as the problem of torture persists in the world we must keep in mind that more direct actions may be required.

Now, sir, at this particular stage, my delegation does not wish to present any specific proposals. It is within the power of this Assembly to establish machinery to deal with this problem on a worldwide basis—machinery which could bear more directly on the instances of torture which may exist—machinery which could focus on those instances in the glare of public opinion which this organization is uniquely equipped to bring to bear.

In closing, Mr. Chairman, I would like simply to reiterate my government's support for the resolution which is before this committee. We do so because we are deeply concerned that this most shocking human rights violation, the practice of torture, is one which cries out for our attention. Torture must be eliminated. We shall be untrue to the purposes of the charter if we fail to persist in bringing this barbaric practice to an end everywhere in the world.

## TEXT OF RESOLUTION <sup>1</sup>

*Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment*

*The General Assembly,*

*Recalling the Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted in its resolution 3452 (XXX) of 9 December 1975,*

*Recalling also its resolution 3453 (XXX) of 9 De-*

cember 1975, in which it requested the competent bodies to conduct further work on the elaboration of:

- (a) A body of principles for the protection of all persons under any form of detention or imprisonment,
- (b) A draft code of conduct for law enforcement officials,
- (c) Principles of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment;

*Noting Economic and Social Council resolution 1993 (LX) of 12 May 1976 and resolution 10 (XXXII) adopted by the Commission on Human Rights on 5 March 1976,*

*Welcoming the work of the Committee on Crime Prevention and Control at its fourth session, in particular with respect to a draft code of conduct for law enforcement officials as well as the range of application and the implementation of the Standard Minimum Rules for the Treatment of Prisoners,*

*Noting further the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-ninth session to appoint a Rapporteur to prepare the first draft of a body of principles for the protection of all persons under any form of detention or imprisonment, and its resolution 3 (XXIX) of 31 August 1976, recommending the appointment of a working group to analyse the materials received in connexion with its annual review of developments relating to the question of the human rights of persons subjected to any form of detention or imprisonment,*

*Reiterating its belief that further efforts are needed to help ensure adequate protection for all against torture and other cruel, inhuman or degrading treatment or punishment,*

1. *Calls upon Governments, as well as inter-governmental and non-governmental organizations concerned with human rights, to give maximum publicity to the Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;*

2. *Invites the Economic and Social Council to give due priority to the examination of the draft code of conduct for law enforcement officials proposed by the Committee on Crime Prevention and Control, in order that the Council at its sixty-second session and the General Assembly at its thirty-second session take further steps with a view to the adoption of this instrument;*

3. *Also invites the Economic and Social Council to consider with due priority the recommendation of the Committee on Crime Prevention and Control at its fourth session contained in new draft rule 95 of the Standard Minimum Rules seeking to assure the applicability of the Standard Minimum Rules to all persons arrested or imprisoned with or without charge and conviction, as well as to the draft procedures for the effective implementation of the Rules;*

4. *Requests the Commission on Human Rights,*

<sup>1</sup> Adopted by the committee on Dec. 3 (A/C.3/31/L.38) and by the Assembly on Dec. 10 without a vote (A/RES/31/85) (text from U.N. doc. A/31/394, report of the Third Committee on agenda item 74, "Torture and other cruel, inhuman or degrading treatment or punishment.")

through the Economic and Social Council, to present a comprehensive report on the elaboration of a body of principles for the protection of all persons under any form of detention or imprisonment to the General Assembly at its thirty-third session;

5. *Invites* the World Health Organization to prepare a draft Code on Medical Ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment, and to bring it to the attention of the General Assembly at its thirty-second session;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

## TREATY INFORMATION

### Current Actions

#### MULTILATERAL

##### Aviation

Convention on international civil aviation. Done at Chicago December 7, 1944. Entered into force April 4, 1947. TIAS 1591.

*Adherence deposited:* Mozambique, January 5, 1977.

##### Coffee

International coffee agreement 1976, with annexes. Done at London December 3, 1975. Entered into force provisionally October 1, 1976.

*Ratifications deposited:* Guatemala, December 15, 1976; Yugoslavia, December 28, 1976.

##### Fisheries

International convention for the Northwest Atlantic Fisheries. Done at Washington February 8, 1949. Entered into force July 3, 1950. TIAS 2089.

*Withdrawal effective:* United States, December 31, 1976.

*Revocation of notice of intention to withdraw:* Canada, December 28, 1976.

##### Health

Amendments to articles 24 and 25 of the constitution of the World Health Organization of July 22, 1946, as amended (TIAS 1808, 4643, 8086). Adopted at Geneva May 17, 1976.<sup>1</sup>

*Acceptances deposited:* Egypt, December 21, 1976; Niger, December 28, 1976; Norway, December 29, 1976.

#### Maritime Matters

Amendments to the convention of March 6, 1948, as amended, on the Intergovernmental Maritime Consultative Organization (TIAS 4044, 6285, 6490). Adopted at London October 17, 1974.<sup>1</sup>

*Acceptances deposited:* Dominican Republic, Hungary, December 30, 1976.

#### Program-Carrying Signals—Distribution by Satellite

Convention relating to the distribution of programme-carrying signals transmitted by satellite. Done at Brussels May 21, 1974.<sup>1</sup>

*Ratification deposited:* Yugoslavia, December 29, 1976.

#### Safety at Sea

International regulations for preventing collisions at sea. Approved by the International Conference on Safety of Life at Sea held at London from May 17 to June 17, 1960. Entered into force September 1, 1965. TIAS 5813.

*Acceptance deposited:* Barbados, December 8, 1976.

#### Seals

Convention for the conservation of Antarctic seals, with annex and final act. Done at London June 1, 1972.<sup>1</sup>

*Instrument of ratification signed by the President:* December 28, 1976.

#### Space

Convention on registration of objects launched into outer space. Done at New York January 14, 1975. Entered into force September 15, 1976.<sup>2</sup>

*Ratification deposited:* Niger, December 22, 1976.

#### Space—Liability

Convention on international liability for damage caused by space objects. Done at Washington, London, and Moscow March 29, 1972. Entered into force September 1, 1972; for the United States October 9, 1973. TIAS 7762.

*Accession deposited:* Uruguay, January 7, 1977.

#### BILATERAL

##### Korea

Agreement concerning fisheries off the coasts of the United States, with agreed minutes and exchange of notes. Signed at Washington January 4, 1977. Enters into force on a date to be mutually agreed by exchange of notes.

##### Peru

Agreement amending the agreement of July 21 and August 8, 1976, relating to the transfer of commodities to Peru to support the national primary school feeding program. Signed at Lima December 14 and 20, 1976. Entered into force December 20, 1976.

<sup>1</sup> Not in force.

<sup>2</sup> Not in force for the United States.

<b>Agriculture.</b> U.S. Signs Articles of Agreement of Agricultural Development Fund (Ford, Parker) .....	70
<b>Congress</b>	
Congressional Documents Relating to Foreign Policy .....	67
Energy and the World Economy (Katz) .....	61
<b>Economic Affairs.</b> Energy and the World Economy (Katz) .....	61
<b>Energy</b>	
Energy and the World Economy (Katz) .....	61
President Ford Responds to Action by OPEC Increasing Oil Prices (statement) .....	67
<b>Food.</b> U.S. Signs Articles of Agreement of Agricultural Development Fund (Ford, Parker) ..	70
<b>Human Rights.</b> U.S. Supports U.N. Resolution Against the Practice of Torture (Myerson, text of resolution) .....	77
<b>Petroleum</b>	
Energy and the World Economy (Katz) .....	61
President Ford Responds to Action by OPEC Increasing Oil Prices (statement) .....	67
<b>Presidential Documents</b>	
President Ford Responds to Action by OPEC Increasing Oil Prices .....	67
U.S. Signs Articles of Agreement of Agricultural Development Fund .....	70
<b>Saudi Arabia.</b> President Ford Responds to Action by OPEC Increasing Oil Prices (statement) .....	67
<b>Terrorism</b>	
U.S. Calls for Responsible Measures Against International Terrorism (Leigh) .....	75
U.S. Supports Establishment of U.N. Ad Hoc Committee on Drafting of Convention Against Taking of Hostages (Bennett, Rosenstock, text of resolution) .....	72
<b>Treaty Information</b>	
Current Actions .....	80
U.S. Signs Articles of Agreement of Agricultural Development Fund (Ford, Parker) .....	70

<b>United Arab Emirates.</b> President Ford Responds to Action by OPEC Increasing Oil Prices (statement) .....	67
<b>United Nations</b>	
Ambassador Scranton's Assessment of the 31st U.N. General Assembly (statement in closing plenary session) .....	68
U.S. Calls for Responsible Measures Against International Terrorism (Leigh) .....	75
U.S. Supports Establishment of U.N. Ad Hoc Committee on Drafting of Convention Against Taking of Hostages (Bennett, Rosenstock, text of resolution) .....	72
U.S. Supports U.N. Resolution Against the Practice of Torture (Myerson, text of resolution) ..	77

*Name Index*

Bennett, W. Tapley, Jr .....	72
Ford, President .....	67, 70
Katz, Julius L .....	61
Leigh, Monroe .....	75
Myerson, Jacob M .....	77
Parker, Daniel .....	70
Rosenstock, Robert .....	72
Scranton, William W .....	68

**Checklist of Department of State  
Press Releases: January 3-9**

Press releases may be obtained from the Office of Press Relations, Department of State, Washington, D.C. 20520.

No.	Date	Subject
+2	1/4	U.S. and Republic of Korea sign new fisheries agreement.
† Held for a later issue of the BULLETIN.		