



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973

SUMMARY RECORD OF THE FIFTH PLENARY MEETING

held at Church House, Westminster, London, S.W.1,
on Monday, 22 October 1973 at 9.15 a.m.

President: Mr. S. BHAVE (India)
Secretary-General: Mr. Colin GOAD (Secretary-General of IMCO)
Executive Secretary: Mr. A. SAVELIEV (IMCO Secretariat)

A list of participants is given in MP/CONF/INF.1/Rev.2 and subsequent revisions, if any.

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CONSIDERATION OF THE FIRST REPORT OF THE CREDENTIALS COMMITTEE
(MP/CONF/13, MP/CONF/15)

Mr. ZOBEL DE AYALA (Philippines) submitted the Report of the Credentials Committee. He stated that the Committee had examined the credentials of the members of the delegations to the Conference and had found them to be in due and proper form. It had also examined the documents submitted by Observers and agreed that they were in due and proper form. Two members of the Committee had abstained in respect of the credentials of the Chilean representatives, and two in respect of the representatives of Portugal and South Africa.

Mr. LOPEZ GARCIA (Cuba) stated that this delegation's refusal to recognize and its determined objection to the illegal fascist junta in Chile participating in the Conference, was well-founded and based on the following: as laid down in the IMCO Convention, only States in the strictest sense of the term could be Members of IMCO and have the right to participate in meetings to which they were invited.

If the concept of State was linked with a people and its Government, the overthrow of the legitimate Government of the Chilean people - universally recognized as an outstanding example of hope to the peoples of America - by the illegal fascist junta, could not be ignored.

The present Conference magnificently exemplified human co-operation, aimed at an agreement to protect the marine environment for the benefit of mankind. Could the presence of representatives of those guilty of acts costing more lives than could the worst marine pollution, be accepted tamely? Furthermore, was there any guarantee that such spurious representatives would observe any agreement the Conference reached, given their disregard for their own people's lives?

Faced with the growing threat to mankind from the marine environment, delegates had debated at length on the best terms for attaining the common objective. They must not assume merely the narrow role of experts impervious and passive before the fascist contamination of land, sea and air. The Chilean people were in the forefront of those fighting for their dignity and survival.

The Cuban delegation urged world opinion represented at the Conference to support the international petition for the life of Luis Corvalan and other revolutionary leaders of the simple folk of Chile. That appeal, being world-wide, could not be construed as interference in domestic affairs. There was universal condemnation of the coup d'état and the massacres.

The Cuban delegation was confident of support from delegates as being true representatives of their peoples, and urged them not to recognize the persons sent by the illegal fascist junta as the true representatives of the Chilean people.

Mr. BUZETA (Chile) recalled that the representatives of his Government had first replied by a note (MP/CONF/12) to the note from Cuba (MP/CONF/11) which accused the representatives of the Chilean Government of not being the true representatives of the Chilean people and had then taken note of a second Cuban note (MP/CONF/14), after which they had, out of respect for the Conference, for HICO and for the host country, deliberately refrained from persisting in a controversy begun by a country pursuing purely political aims in a strictly technical Conference.

He much regretted that a fresh intervention by the Cuban representative should compel him to reply to the arguments put forward.

The principle of non-interference in the affairs of another country was one of the fundamental principles of the United Nations Charter. No person had the right to criticize the Chilean Government, nor could any person basing himself on legal arguments pass a premature judgement on the legality or representative character of the Chilean Government. Nonetheless, he wished to correct a number of assertions which intentionally distorted the truth for political ends. Admittedly, the Chilean Government had taken power by force and had removed an elected President from office, but that left certain facts unsaid. It left unsaid for example, the fact that the President in question and his Government had chosen to act illegally and systematically to violate the Constitution. It left unsaid the fact that he had been proposing very shortly to take over absolute power by force in order to install in Chile a Marxist totalitarian regime which, as the latest parliamentary elections

had shown was undesired by a majority of the people. It also left unsaid the fact that the Government had annihilated the country's economy and that the Civil War had claimed a million victims. Lastly, it left unsaid the fact that the present Chilean Government was recognized and supported by Parliament and by the Supreme Court of Justice as well as by three living ex-Presidents of Chile and, tacitly by the working classes.

The Chilean Government was, therefore, surprised at the cynicism with which the representatives of the totalitarian Government of Cuba interfered in Chile's affairs. It noted, however, that their actions were in keeping with their usual methods and that Cuba, after having introduced illegally and clandestinely thousands of weapons and agitators into Chile and seen its manoeuvres fail thanks to the action of the armed forces supported by the great majority of the people, was now trying to obtain in an international forum the success which had eluded it in Chile.

In conclusion, he said that if the Conference agreed to examine the question of the legality of the Chilean Government, his delegation would consider itself justified in requesting that the question of the legality of the Governments of all the Member States should be examined.

Mr. OPORTO (Cuba) said that, by the criterion of the illegal fascist representative of the Chilean people, the widespread high-level condemnation of that regime's actions could also be construed as interference in Chile's domestic affairs. He quoted a recent speech of Fidel Castro, which stated that problems affecting imperialism, revolutionary movements and those affecting all mankind "were our responsibility".

The fascist regime had committed many crimes in the name of democracy, The Chilean armed forces had abandoned their proclaimed apolitical stand and sided with the reactionaries; an unbridgeable abyss of blood had opened between them and the best of the Chilean people - workers, peasants, fighting youth. He expressed his firm confidence that the Chilean people would confront fascism.

Mr. KOTLIAR (USSR) agreed with the representative of Cuba in refusing to recognize the credentials of the representative of the Chilean Government.

The PRESIDENT said that the remarks of the representatives of Cuba, Chile and the Soviet Union would be noted in the summary record.

Mr. YANKOV (Bulgaria) thoroughly approved the statements of the Cuban representative. He remarked that the issue was not that of the internal affairs of Chile, since the present Government of that country had violated international principles, including those of the law of the sea, of the United Nations Charter and of the IMCO Convention.

The PRESIDENT said that the statement of the Bulgarian representative would likewise be included in the summary record.

Mr. REYTHIER (German Democratic Republic) concurred in the statements of the representatives of Cuba, USSR and Bulgaria.

Mr. PERKOWICZ (Poland), Mr. PESHKOV (Byelorussian SSR) and Mr. KOTAI (Hungary) supported the statements of the representatives of Cuba, USSR, the German Democratic Republic and Bulgaria.

Mr. NIIGULA (Tanzania) submitted the draft Resolution (MP/CONF/15), in which the delegations of Ghana and Tanzania proposed that the credentials of the representatives of South Africa and Portugal should be rejected and that those representatives should be expelled from the Conference. The argument that a conference on a technical subject should not concern itself with political questions seemed to him to be quite worthless, since considerations concerning the environment could not be dissociated from the ideological context in which they were situated: colonialism, fascism and apartheid were essential elements of the environment and forms of the worst possible pollution. The African countries could not accept the reproach of interference in a country's domestic affairs which Portugal had made against them, since they contested the legality of the rights which a colonial power claimed to arrogate to itself. As for economic development, they denied its value if it was not undertaken for the benefit of the local populations. The principle of universality, for which Tanzania had always fought within the United Nations, could not mask the bad faith of those who used it to ensure the acceptance of fascist authorities on the pretext that they were in control of a country. Quoting the precedent of the Conference on Ocean Dumping, he remarked that a convention could quite well be concluded in a spirit of universality despite the absence of certain governments from the Conference.

Why did the Conference not follow the example of the United Nations General Assembly, a majority of whose members had rejected South Africa? Had not ITU and ICAO, although purely technical bodies, rejected the credentials of the representatives of that country at their most recent meetings? As for Portugal, if the prospect of its exclusion was liable to shock certain European countries, the latter should understand how dangerous it would be to allow a fascist regime to entertain anachronistic imperial dreams. Desirous that the friends of the African countries should stand up and be counted, he requested a roll-call vote on the draft Resolution.

Mr. SEKYEI (Ghana) expressed his indignation at the idea of sitting, at a conference aimed at improving the life of all mankind without distinction of colour, race or faith, beside representatives of two governments which, flouting the principles of the United Nations by their policy of apartheid, their racist colonial measures and the war which one of them was waging against African peoples, ought to be expelled from the international community. The technical character of the Conference notwithstanding, the delegates taking part in it represented sovereign States and could not disregard all political considerations. On the basis that they were purely technical experts, they must not register a vote which would encourage the Government of South Africa to persist in apartheid and the Government of Portugal to persist in colonialism and war on the African populations in contempt of the United Nations Charter. He asked delegations to vote on the draft Resolution, in the interests of the oppressed peoples throughout the world.

Mr. OPORTO (Cuba) supported the statements made by the representatives of Bulgaria, Tanzania and Ghana.

Mr. TELHEIRA DA MOTA (Portugal) drew attention to the fact that the Conference could not vote immediately on a draft Resolution which had only been circulated to delegations that morning.

The PRESIDENT noted that the Conference could only take a decision on the draft Resolution after twenty-four hours had elapsed. For the moment, it could only vote on the report of the Credentials Committee, while reserving its position on the cases of Portugal and South Africa.

Mr. KOTLIAR (USSR) supported the statement of the Bulgarian representative. In his view, the Conference was free to discuss the report of the Credentials Committee at two meetings, but should only take one decision, on the report as a whole.

Mr. MARCELO RAFFAELLI (Brazil) said he thought that the procedure envisaged by the President was quite in order. It was current practice, at international conferences, to take several decisions in succession on the report of the Credentials Committee.

Mr. BECKER (South Africa) said that he considered the report of the Credentials Committee to be an inseparable whole, on which a single general decision only should be taken. The Committee had entirely approved of the credentials of the representatives of South Africa and Portugal.

Mr. YANKOV (Bulgaria) said he thought that the only path open to the Conference was to take an immediate decision concerning the three countries which had given rise to comments or to postpone a decision on the credentials as a whole until the following day. He drew the attention of delegations to the short time at the disposal of the Conference and said that, for his part, he was ready to vote at once.

Mr. VIZCAÍNO MURRAY (Mexico) said he thought that the Conference should vote on the draft Resolution before taking a decision on the conclusions of the Credentials Committee. He would be prepared, if need be, to vote on the draft Resolution but he would prefer to have time to ask his Government for instructions if the delegations which had submitted the draft Resolution would agree.

Mr. TELHEIRA DA MOTTA (Portugal), in reply to the comments of the Bulgarian representative, reminded the Conference that, although some members of the Credentials Committee had abstained on certain matters, the Committee had in no way contested the validity of the credentials of the representatives of Chile, Portugal and South Africa.

The PRESIDENT proposed that the Conference should postpone until the following morning further discussion both on its decision on the draft Resolution and on the conclusions of the Credentials Committee.

It was so decided.

The meeting rose at 10.55 a.m.



IMCO

FOR PARTICIPANTS ONLY

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N.B. Corrections to be incorporated in the final summary record of the meeting should be submitted in writing (two copies in English or French), preferably on a copy of the provisional summary record, to the Distribution Counter, Bishop Partridge Hall, within three days of the publication of this record.

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Mr. LOPEZ GARCIA (Cuba) contested the validity of the Chilean Government's representation. The aim of the Conference was to make the people of the world happier and to protect and to prolong their lives. That being so, it could not agree to the presence of a government which, after assuming power by means of a coup d'etat and assassinating the legally-elected President of Chile, had acted with contempt for human life and not flinched from any crime. All the countries represented at the Conference had already condemned the massacres committed by the military junta, but it was their duty to reaffirm that condemnation by refusing to admit its representatives.

Mr. BUZETA (Chile) recalled that the Representatives of his Government had first replied by a note (MP/CONF/12) to the note from Cuba (MP/CONF/11) which accused the representatives of the Chilean Government of not being the true representatives of the Chilean people and had then taken note of a second Cuban note (MP/CONF/14), after which they had, out of respect for the Conference, for IMCO and for the host country, deliberately refrained from persisting in a controversy begun by a country pursuing purely political aims in a strictly technical Conference.

He much regretted that a fresh intervention by the Cuban representative should compel him to reply to the arguments put forward.

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In conclusion, he said that if the Conference agreed to examine the question of the legality of the Chilean Government, his delegation would consider itself justified in requesting that the question of the legality of the Governments of all the Member States should be examined.

Mr. LOPEZ GARCIA (Cuba) commented that if Cuba were accused of interference in the affairs of Chile, then all the countries which had condemned the action of the Chilean Government were open to the same accusation. Faced with the massacres committed by the fascist junta, the Conference could hardly stand aloof from a question which, concerning as it did all mankind, was entirely within its competence.

Mr. TIKHONOV (USSR) agreed with the representative of Cuba in refusing to recognize the credentials of the representative of the Chilean Government.

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Mr. YANKOV (Bulgaria) thoroughly approved the statements of the Cuban representative. He remarked that the issue was not that of the internal affairs of Chile, since the present Government of that country had violated international principles, including those of the law of the sea, of the United Nations Charter and of the IMCO Convention.

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