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Chairman: Mr. L. N. PALAR (Indonesia).

AGENDA ITEM 36

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (A/4081 and Add.1-4, A/4082 and Add.1-5, A/4083 and Add.1-3, A/4084 and Add.1-4, A/4085 and Add.1-4, A/4086 and Add.1-10, A/4087 and Add.1-5, A/4088 and Add.1-14, A/4089 and Add.1-5, A/4111) (*continued*):

(d) General questions relating to the transmission and examination of information (A/4096 and Add.1, A/4111, part one, section X, A/4115, A/4226, A/4227, A/C.4/405, A/C.4/406, A/C.4/L.628)

CONSIDERATION OF DRAFT RESOLUTIONS
(A/C.4/L.628) (continued)

1. Sir Andrew COHEN (United Kingdom), in explaining his delegation's vote at the 984th meeting on the draft resolution appearing in document A/C.4/L.624 and Add.1, pointed out that Article 73 e of the Charter had been purposely drafted in explicit terms and required the administering Powers to transmit information on the Non-Self-Governing Territories in respect only of "economic, social and educational conditions". If the authors of the Charter had intended that information relating to political or constitutional conditions should also be transmitted, they would obviously have been equally explicit in saying so.

2. There was nothing to prevent administering Powers transmitting information on political conditions voluntarily, but it would be wrong for the General Assembly to put pressure on them to do so. Although the United Kingdom refrained from doing so, abundant and detailed documentation regarding the development of its Non-Self-Governing Territories was made public.

3. Operative paragraphs 1 and 2 of the draft resolution were in harmony with the policy of the United

Kingdom Government, but as operative paragraphs 3, 4 and 5, even though moderate in their wording, went beyond the intentions of the Charter, the United Kingdom delegation had voted against the draft resolution as a whole.

4. Mr. CARPIO (Philippines) said that he realized that the interpretation of Article 73 of the Charter could give rise to divergencies of views. The fact, however, that that Article introduced the idea of a "sacred trust", which applied both to the Non-Self-Governing and to the Trust Territories, could not be overlooked. The Philippine delegation had voted for the draft resolution (A/C.4/L.624 and Add.1) and for the Iraqi amendment (A/C.4/L.634) because, although Article 73 e required the administering Powers to transmit information in respect only of the economic, social and educational conditions in their Non-Self-Governing Territories, under sub-paragraph a of that same Article they were required to ensure the "political, economic, social and educational advancement" of those Territories. The obligation to ensure advancement in all those fields necessarily entailed the obligation to transmit information on those same fields, and the General Assembly must see to it that both obligations were carried out. Since sub-paragraphs a and b were both integral parts of Article 73, the view of the administering Powers that they were not bound to transmit information on all the fields of advancement dealt with in those two sub-paragraphs could not be tolerated. That was why the Philippine delegation had voted for a text which requested that information should also be submitted on political conditions in the Non-Self-Governing Territories. His delegation had not, however, been willing to endorse the strong criticisms directed against the Powers which interpreted Article 73 differently.

5. Mrs. SKOTTSBERG-AHMAN (Sweden) said that she had voted against the draft resolution because, as the Danish representative had pointed out at the previous meeting, it went beyond the spirit and the letter of the Charter in view of the fact that Article 73 placed no obligation on the administering Powers to transmit information on political conditions in their Non-Self-Governing Territories. Furthermore, the section of the revised Standard Form (General Assembly resolution 551 (VI), annex) relating to "government" was optional, and the administering Powers could not be censured for not transmitting information under that heading. Instead, however, of noting with satisfaction that some administering Powers did transmit such information, the second preambular paragraph appeared to attack the Powers which did not do so. It was illogical, moreover, to urge the Administering Members, as was done in operative paragraph 5, to transmit information which could only be submitted voluntarily.

6. The Swedish delegation had also voted against the Iraqi amendment because it made the draft resolution as a whole even less acceptable. Her delegation

likewise made the most express reservations with regard to the request for information regarding the establishment of time-tables leading to the attainment of self-government by the Non-Self-Governing Territories.

7. Mr. PLANGPRAYOON (Thailand) said that his delegation had voted for the draft resolution because in its view the purpose was not to impose on the administering Powers additional obligations to those laid upon them by Article 73, but to request them to intensify their co-operation by voluntarily transmitting information on political conditions in their Non-Self-Governing Territories.

8. While the Thai delegation realized that subparagraph e of Article 73 did not require the administering Powers to transmit information on political conditions, it felt—in the light of the obligations imposed upon those Powers under subparagraphs a and b to ensure the political advancement of and to develop self-government in the Non-Self-Governing Territories—that the transmission of information on political conditions was one of the effective means of ensuring that those obligations were fulfilled.

9. His delegation had asked for a separate vote on the word "fully", in operative paragraph 4, in order that subparagraphs a and b as well as subparagraph e of Article 73 should be borne in mind. It had abstained in the vote on operative paragraph 5 because it had felt that to urge the Administering Members to do something which they were not absolutely bound to do was inadvisable.

10. His delegation had voted for the Iraqi amendment because in its opinion the attainment of self-government by the Non-Self-Governing Territories was one of the purposes laid down in the Charter and would not but be hastened by the establishment of time-tables.

11. Mr. RASGOTRA (India) said that he felt bound to reply to some of the matters raised in the statement made by the representative of Australia at the previous meeting. In that statement—one of the most remarkable, in many ways, that the Committee had heard in the course of the session—the representative of Australia had ascribed intentions and motives to the sponsors of the draft resolution (A/C.4/L.624 and Add.1) which had not even occurred to them. He had detected—to use his expression—meanings in the draft resolution which the sponsors had not intended and which could hardly be associated with it on fair reading. While the statement of the representative of Australia could justifiably be described as an excellent exercise in detection, it was obvious that he had missed or misjudged the purposes of the draft resolution.

12. It was regrettable that he had not understood the purpose of the draft resolution, which the majority of the Committee appeared to have fully grasped, as had been shown by the final vote. The Australian representative had made several nostalgic references to previous sessions, but the records of those sessions showed that the Australian position had not changed and that the statement which the Committee had heard on the previous day was an exact replica of those made by the Australian representative at other sessions. Under those conditions, the Australian representative was ill advised to say that the reitera-

tion of resolutions already adopted by the General Assembly was harmful to the prestige of the United Nations, for the argument could be used against those delegations which persisted year after year in defending, in exactly the same language and in repetitive arguments, positions that had become out of date.

13. The Australian representative had accused the sponsors of the draft resolution of using peremptory language, of having ulterior motives and of trying to alter the Charter. He seemed to forget that the world was not static and that the Charter was not static deadwood, but a living document founded on ideas which were continuously evolving. The Australian representative obviously had the right to give his Government's interpretation of Chapter XI of the Charter, but he could not deny the same right to the representatives of the other Member Governments. He had claimed that only the administering Powers were competent to say whether a Territory should or should not be considered as coming within the scope of Chapter XI of the Charter. In that connexion, he had invoked the concept of national sovereignty and had mentioned the possibility of former Non-Self-Governing Territories, upon becoming independent States, being required to supply information without regard for their sovereignty. Such references were completely uncalled for and entirely unjustified.

14. He had apparently forgotten that for a number of years the Indian delegation, together with others, had been pressing for the establishment of a committee which would have the special responsibility of deciding, on the basis of appropriate documentary material, whether a Territory was self-governing or not, and that the representative of Australia had always opposed that idea. The interpretation of Chapter XI given by the representative of Australia was arbitrary and unilateral, for if it was recognized—as was expressly done in the Charter—that the interests of the inhabitants of the Territories were paramount, there could be no question that the sovereignty of those Territories vested in their inhabitants. For the time being that sovereignty might be latent, but it was the purpose of the United Nations, acting under Chapter XI of the Charter, and of the administering Powers in the exercise of their functions to activate that sovereignty and to make of it a living reality.

15. The Australian representative had made personally disparaging remarks about the Indian representative when he had said that in submitting the draft resolution the Indian representative had quoted the report of the Committee on Information (A/4111), of which he had been the Rapporteur, in a biased manner. Mr. Rasgotra wished to point out, first, that he had not been speaking as Rapporteur of the Committee on Information, but as the representative of India. Secondly, it had been in a spirit of moderation that the sponsors of the draft resolution had used the first part of paragraph 27 of the report of that Committee; the latter part, though more in harmony with the views of the sponsors, was perhaps rather too categorical and forward-looking for some of the administering Powers and they had, therefore, avoided reproducing that in the draft. Contrary to what the Australian representative thought, the sponsors had been anxious to base their proposal on those observations of the Committee on Information which had reflected the most generally accepted view and had therefore seemed to offer an acceptable basis for a compromise. There could be no better evidence of the

spirit of moderation that had motivated the delegations of India, Ghana, Panama and Yugoslavia in submitting the draft resolution. It was true enough that in the Committee on Information the Australian delegation had made some vague and general reservations about the Committee's report, and the Fourth Committee in acting on that report could not be inhibited by those reservations. If the Committee were so inhibited, it would accomplish nothing, as certain delegations had made all kinds of reservations every inch of the way on almost every issue that came before it. He was glad to note from the vote on the resolution that the Fourth Committee as a whole recognized the sense of moderation and compromise embodied in the draft resolution on that important matter.

16. The CHAIRMAN invited the Committee to consider the draft resolution relating to the attainment of independence by Non-Self-Governing Territories (A/C.4/L.628).

17. Mr. TOURE (Guinea) stated the reasons which had led his delegation to submit the draft resolution appearing in document A/C.4/L.628. Those reasons were based on four principles generally recognized in the United Nations: (a) the Non-Self-Governing Territories were territories whose peoples had lost their freedom; (b) hence, those peoples were encountering considerable difficulties in the economic, social, political and cultural fields and, not being in a position where they could ensure their own development, were endangering not only the development of the entire world but also peace; (c) the peoples of the Non-Self-Governing Territories were entitled to recover their freedom, and that right should not only be recognized but should also be granted them; (d) it was the duty of States Members of the United Nations to help the Non-Self-Governing Territories to recover freedom as one of their basic possessions.

18. Before the Charter had come into being, almost all the Non-Self-Governing Territories and the Territories at present under trusteeship had been administered under the same colonial system of direct administration. Only by chance had certain Territories obtained the benefits of special protection from the United Nations within the Trusteeship System. Thus, for example, two Territories as closely akin as Togoland and Dahomey—inhabited by the same race, speaking the same language and having the same customs and aspirations—were different in status.

19. If the Charter had succeeded in granting fuller protection than before to the Non-Self-Governing Territories, that had been due to the spirit prevailing at the San Francisco Conference which had raised the hopes of all the peoples of the world. The colonial peoples had participated on an equal footing with the free nations in the fight against arbitrary rule, aggression and discrimination which had just been brought to a victorious conclusion. By their sacrifices in the defence of liberty against arbitrary rule, the colonial peoples had acquired rights. The Charter adopted at the San Francisco Conference had not, therefore, been something bestowed upon them; Article 73 had merely been a concrete expression of united living forces fighting in the defence of law, justice and equality. Properly interpreted, it had been intended to swell the numbers of the post-war movements of liberation, first in Asia and later in Africa.

20. Article 73 was accordingly of especial importance, and any attempt to confine its scope to

sub-paragraph e alone would be absurd. Article 73 was in truth a recognition of the right of the Non-Self-Governing Territories to attain freedom and of the right of their peoples to equality, and none of those peoples need henceforth bow to arbitrary rule or foreign domination. Mr. Sekou Touré, the President of the Republic of Guinea, had brought that out when he had drawn the General Assembly's attention, at the 837th plenary meeting, to "the colonial peoples' desire for independence" and to "their legitimate right of self-determination" and when he had requested every nation to state its views, not on that right, which was already recognized and won, but on its genuine application in the interests of Africa and of the world, "which cannot deliberately deprive itself of the creative contribution of 200 million men and women". In the minds of its authors, the Charter had constituted a promise that all the free peoples would co-operate to ensure the freedom of all others.

21. The draft resolution submitted by his delegation was designed to give a specific form to one of the most important elements in the present situation, upon which all others were dependent, namely, the speedy liberation of the dependent Territories. At the 954th meeting the Committee had adopted, almost unanimously, a draft resolution concerning the attainment of self-government or independence by Trust Territories (A/C.4/L.603 and Add.1). There seemed to be no reason why it should not do the same with regard to the Non-Self-Governing Territories, whose line of development was almost identical with that of Trust Territories. The number of Non-Self-Governing Territories which had attained independence was in any case greater than that of the Trust Territories which had done so.

22. The United Nations should not allow itself to be outpaced by events. The whole of Africa was thirsting for liberty, and the words "independence" and "unity" had never echoed so loudly as on that continent caught up in an irresistible movement. Since the Second World War, the African countries had realized that freedom was the key to all their problems and that they would never take their proper place among the nations of the world until they regained it. That wish was shared by the twelve States which, with Guinea, had belonged to the French group. Two of them, Sudan and Senegal, had clearly expressed their intention of establishing a time-table for their attainment of complete independence. Only by setting precise target dates could outbreaks of violence, such as those which had recently taken place in the Belgian Congo, be prevented. That being so, and in view of the claims of the peoples demanding immediate independence, the draft resolution was by no means radical, but might rather be considered a compromise document designed to bring order into an inevitable development.

23. He went on to analyse the draft resolution paragraph by paragraph. In particular, he emphasized the need to reaffirm the principle—set forth in the first part of Article 73 and too often forgotten in favour of sub-paragraph e—that the interests of the inhabitants of the Non-Self-Governing Territories were paramount. His delegation would point out once again that in its view Article 73 began by stating a problem and then went on to suggest five methods of solving it. The entire Article should, moreover, be considered in conjunction with the relevant provisions concerning the Trust Territories, namely, those of Article 76

of the Charter. Only if Chapter XI was understood in that sense did the principle that the interests of the inhabitants of the Non-Self-Governing Territories were paramount take on its full meaning.

24. His delegation was convinced that all members of the Committee would understand the importance of the draft resolution and would realize, in view of the increased tempo of events in Africa, that the United Nations must not hesitate to set in motion all the machinery provided by the Charter. Today it was the peoples themselves who were stating the problem and were doing so forcibly, and it was the duty not only of the administering Powers, but of all Member States, to help them to solve it in such a way as to avoid conflict and to strengthen world peace.

25. Mr. GEBRE-EGZY (Ethiopia) said that his delegation was in complete agreement with the views expressed by the representative of Guinea on the problem under consideration, which was one on which the Ethiopian Government had taken up a definite position at the various conferences of independent African States. His delegation was fully aware of the great emancipation movement now in progress on the African continent, where new institutions were rapidly being established in the most widely varying forms and in the most diverse manners. The recent appearance on the scene of a group of autonomous States, which seemed to be on the point of attaining independence, had in particular been warmly welcomed by Ethiopia, which congratulated the leaders of the new republics and the French Government.

26. His delegation thought, on the other hand, that the draft resolution submitted by Guinea should be examined in the light of the provisions of the Charter. The word "independence" did not, it was true, appear in Chapter XI of the Charter. That did not mean that the Powers which had met at the San Francisco Conference in 1945 had been intending to prevent the Territories referred to in Chapter XI from some day attaining independence. They had thought, however, as the representative of the United Kingdom had pointed out at the time, that there was no need to state the fact in so many words. The fact that several Territories administered by the United Kingdom had attained independence since the San Francisco Conference seemed to witness the validity of the fact that independence was not excluded. It should also be remembered that the transmission of information concerning the political advancement of the Non-Self-Governing Territories was optional. In view of all those considerations, his delegation, while completely agreeing, as he had just said, with the basic principle of the draft resolution, felt that the wording should be brought more closely into line with the text of the Charter, and it would be glad if the delegation of Guinea would agree to do so in order to get unanimous support for it.

27. Mr. RASGOTRA (India) said his delegation, which had always upheld the right of colonial peoples to independence, was in full agreement with the views expressed by the representative of Guinea. It believed, however, that it was not the United Nations, but some of the administering Powers, which lagged behind the present progressive trend in the world. The United Nations had no means of influencing those Powers other than persuasion; it could do nothing more than make them aware of the progress achieved since the San Francisco Conference and make them admit that

they must now take more energetic and constructive action in step with the course of history. Attempts to exert pressure on those Powers might result in the opposite effect from what was desired in the interests of the peoples of Non-Self-Governing Territories. The problem was a delicate one involving many constitutional and other difficulties. Therefore, while his delegation unreservedly supported the spirit of the draft resolution appearing in document A/C.4/L.628, it associated itself with the appeal that other members of the Committee had addressed to the Guinean delegation. He recalled that some progress had been made and that the position of the administering Powers had already been drawn considerably closer to that of the non-administering Member States. Moreover, the incorporation of the Iraqi amendment (A/C.4/L.634) in the draft resolution adopted by the Committee at the previous meeting concerning information on political developments in Non-Self-Governing Territories (A/C.4/L.624 and Add.1) had in large measure already served the purpose of the Guinean draft resolution. For that reason, and in the belief that moderation would ultimately yield the best results, his delegation hoped that Guinea would not press for a vote on its draft resolution.

28. Mr. TOURE (Guinea) said, in reply to the objection raised by the Ethiopian representative, that he was prepared to bring the wording of his draft resolution into line with that of the Charter and to replace the word "independence" by the words "self-government". Thus the draft resolution would conform, not only to the spirit, but also to the letter of the Charter.

29. Replying to the representative of India, he pointed out that the situation in Africa was changing with unpredictable rapidity. For instance, no one would have expected disturbances to break out so suddenly in the Belgian Congo. In view of the impetus of the colonial peoples' will to freedom, it could not be claimed that the purpose of the draft resolution was to speed up the attainment of independence by the Non-Self-Governing Territories. In the eyes of people demanding their freedom, the establishment of a time-table was a very moderate proposal. The draft resolution was not ahead of events in Africa but was merely intended to take them into account and to give Article 73 of the Charter its true meaning.

30. Mr. SIDI BABA (Morocco) felt that the Guinean draft resolution, which took into account certain political facts that were of current concern to colonial peoples, was in conformity with the spirit of the Charter. The General Assembly should facilitate the irreversible movement of Non-Self-Governing Territories towards freedom. It should therefore fix a time-table for the attainment by those Territories of independence. The freedom and dignity of the colonial peoples and their economic and social development depended solely on their attainment of independence. Colonial or neo-colonial systems now no longer met the needs of the African peoples. His delegation would therefore support the Guinean draft resolution if it was put to the vote.

31. Mr. ESPINOSA Y PRIETO (Mexico) said that he shared the views of the representative of Morocco regarding the future of non-self-governing peoples. Mexico firmly believed that all peoples should attain independence. The concept embodied in the Guinean draft resolution was the logical outcome of the pressure exerted by the non-self-governing peoples

who wanted independence. His delegation supported all the views expressed by the representative of Guinea. As the delegation of a country which had gained its independence 150 years ago, it had upheld those views for many years. Nevertheless, while all delegations agreed that it was desirable for mankind to be made up entirely of free peoples, they were deeply divided on the interpretation of Chapter XI of the Charter. His delegation was among those which placed a very liberal interpretation on that Chapter and would be very glad if the administering Powers agreed to furnish political information about the Territories under their administration. However, the adoption of an intransigent attitude might compromise the useful measure of co-operation that had developed in the United Nations between Administering and non-administering Member States. That co-operation was making it possible to assist the peoples of Non-Self-Governing Territories in their progress towards independence. In view of the vigorous nature of that progress, it did not seem necessary to fix time-tables, which might in fact be quickly outstripped by events. Furthermore, the administering Powers should not be given grounds for accusing the Committee of exceeding the provisions of Chapter XI. Lastly, the idea expressed by the delegation of Guinea and brought into sharp relief by the present discussion had, as a result of the Iraqi amendment, been incorporated in the draft resolution (A/C.4/L.624 and Add.1) already adopted by the Committee.

32. In the light of those considerations, he would ask the representative of Guinea not to press for a vote on his draft resolution at the current session, as that would place many delegations in a very difficult position.

33. Sir Andrew COHEN (United Kingdom) said he had listened with great interest to the statement of the representative of Guinea. The United Kingdom maintained friendly relations with Guinea. There was a larger measure of agreement than of disagreement between the two countries and, in regard to the objectives of progress in the Non-Self-Governing Territories, Guinea was certainly in agreement with the United Kingdom on nearly all counts.

34. Because it represented a country which had always felt it a duty to help the peoples of Non-Self-Governing Territories to attain independence, his delegation had consistently endeavoured to co-operate to the utmost in the Committee's work, even when that had involved going to the limit of possible concessions with regard to the interpretation of the Charter. It did not agree with the Guinean delegation's view of the interpretation which should be placed on Article 73 of the Charter. Moreover, as several delegations had stated, a spirit of co-operation which it would be a pity to compromise had developed in the Committee over the years in the discussion of matters relating to Non-Self-Governing Territories. If the Guinean

draft resolution was put to the vote, it would raise serious difficulties for many delegations, particularly his own. The United Kingdom had been happy to welcome the delegation of the new independent State of Guinea to the Committee, and realized that that delegation wished to act as spokesman for all the peoples of Africa that were not yet independent. His own delegation would be the first to deplore any action that might jeopardize the progress of those peoples towards independence, but it did not feel that failure to put the draft resolution to the vote could jeopardize that progress, which was irresistible. He hoped therefore that the representative of Guinea would not press for a vote on his draft resolution.

35. Mr. ZULOAGA (Venezuela) said that he had been deeply moved by the statement of the representative of Guinea, who had very appropriately recalled the atmosphere which had prevailed at the San Francisco Conference, at which the Charter had been drafted. At that time the war against fascism had just ended, and there had been a feeling of collective guilt, which explained why certain lofty principles, particularly that of "sacred trust", had been proclaimed in Chapter XI of the Charter. His delegation had always considered it wrong for any isolated sentence of Article 73 to be interpreted without reference to its context in Chapter XI as a whole, and it entirely approved of the spirit in which the Guinean representative had submitted his draft. It felt however that, without any repudiation of the principles embodied in the Guinean draft resolution, the more prudent course would be to take account of the practical considerations raised by the United Kingdom representative. He would therefore join the previous speakers in asking the representative of Guinea not to press the Committee to vote on the Guinean draft resolution at the current session.

36. Mr. TOURE (Guinea) thanked the delegations which had just spoken on the draft resolution which he had submitted. He was sure that they were moved by a desire to preserve the harmony which was essential if the Committee was to accomplish useful work on behalf of the Non-Self-Governing Territories. Guinea would need the support of those delegations in the long struggle which lay ahead in promoting the progress of the non-self-governing peoples towards independence. In the belief that any acceleration of that progress lay within the powers of the peoples themselves and that the discussion which had just taken place had left a deep impression in all minds, he agreed to withdraw his draft resolution.

37. Miss BROOKS (Liberia), Mr. LEWANDOWSKI (Poland) and Mr. OBEREMKO (Union of Soviet Socialist Republics) said they would have supported the Guinean draft resolution if it had been put to the vote.

The meeting rose at 1.15 p.m.