

NON-SELF-GOVERNING TERRITORIES

SPECIAL COMMITTEE ON INFORMATION TRANSMITTED

UNDER ARTICLE 73 e OF THE CHARTER

Summary Record of the Sixteenth Meeting, held at Geneva
on Wednesday, 15 September 1948, at 10.30 a.m.

Present:

Chairman:

Mr. Cheng Paonan (China)

Rapporteur:

Mr. H. Lannung (Denmark)

Members:

Mr. D.W. Forsyth (Australia)
Mr. P. Ryckmans (Belgium)
Mr. A.B. Gutierrez (Colombia)
Taha Bey el Sayed Nasr (Egypt)
Mr. R. Garreau (France)
Mr. B. Shiva Rao (India)
Mr. J.W. Stoppelaar (Netherlands)
Mr. J.S. Reid (New Zealand)
Mr. I.D. Lifschitz (Nicaragua)
Mr. S.J. Soderblom (Sweden)
Mr. A.G. Kulagenkov (Union of
Soviet Socialist Republics)
Mr. J. Fletcher-Cooke (United
Kingdom)
Mr. B. Gerig (United States
of America)

Specialized Agencies:

Mr. Cortesao (UNESCO)
Dr. Briey (ILO)
Miss Howell (WHO)

Secretariat:

Mr. Victor Hoo, Assistant
Secretary-General
Mr. Benson, Committee Secretary

Note:

Will delegates who wish to have corrections made
to the Summary Record, please submit such
corrections, in writing, to the Secretariat,
Room A.511, not later than 24 hours after the
distribution of the Summary Record.

Draft Resolutions I to IV (Document A/AC.17/W.12)

Mr. RAO (India) as a member of the Drafting Subcommittee had been party to the compromises resulting in the Draft Resolutions. He had agreed to the 1949 session of the Special Committee "without prejudice as to the future" although he had been a strong advocate of a Permanent Committee and would have preferred an explicit statement leaving open the question of the establishment of a Permanent Committee. The question would have to be examined next year. He disagreed with the point of view of several of the Administering Powers, and their desire to influence the General Assembly so that next year's session would be the last. He could not accept the United Kingdom representative's premise that the Committee was merely concerned with questions of technique, and could complete its task next year. Not only were the Committee's functions wider, but even techniques could not be perfected in a single year. Regarding the New Zealand representative's complaint that some members read too much into Chapter XI he saw a danger rather, in reading too little into it. Moreover, Resolution 144(II) had been adopted by an overwhelming majority of the General Assembly.

He expressed gratification at the United Kingdom's acceptance of the transmission of information on human rights even under Part II of the Standard Form.

He had not pressed his suggestions regarding an elaboration or immediate revision of the Standard Form because he had agreed to the Secretariat's bringing the Committee's suggestions to the notice of the Administering powers, and,

because he had counted on the Administering Powers' good sense in furnishing information on at least Sub-paragraphs A, B, C of Part I and on human rights. After the suggestions of the Specialized Agencies had been received the Standard Form would have to be reviewed and if necessary revised.

Regarding collaboration with Specialized Agencies, he referred to Document A/AC.17/W.4, page 11, and to the section on Housing Standards which confirmed that valuable work in this field was being done by other bodies of the United Nations. He also drew attention to the work of the Social Commission in the same sense, and to the work of the Sub-Commission on Economic Development in respect of under-developed countries, including Trust and Non-Self-Governing Territories. Regarding Document A/AC.17/W.4/Add.1, page 2, he invited the Committee's attention to the fact that the Economic and Social Council had called upon the Statistical Commission to furnish, as a matter of urgency, statistical data regarding under-developed countries. These examples met the point made several times by representatives of the Administering Powers, that it was undesirable to focus attention exclusively on the problems of Non-Self-Governing Territories. Through this Committee information on such problems in Non-Self-Governing Territories would be provided and the subjects would be studied at other meetings where distinctions between territories and countries could be gradually obliterated. He had suggested that the Specialized Agencies conduct sample surveys in Non-Self-Governing Territories, but had withdrawn his proposal as it had found no support in the Drafting Sub-Committee.

Mr. KULAGENKOV (USSR) regarded the Draft Resolutions as interpreting both Chapter XI and the functions of this Committee in a restrictive sense. The Soviet Delegation's view was that this Committee was to assist the Administering Powers in fulfilling their Charter obligations. The Draft Resolutions excluded information regarding the development of self-governing institutions and the participation on the part of the population in these institutions in Non-Self-Governing Territories. The sources of information remained limited to official sources. The functions of the Committee were interpreted as purely technical. The suggestion that a future Committee should be of a temporary nature was in contradiction to Resolution 146(II). The present Committee could not reconsider a General Assembly Resolution, and mention of the establishment of another Committee for only one more year prejudiced its future and diminished the significance of Article 73.

The CHAIRMAN asked that the Soviet Union representative's amendments be considered first (A/AC.17/15).

Mr. GARREAU (France) regarded the Soviet Union representative's amendments as outside the Committee's competence.

The CHAIRMAN considered the first Soviet amendment within the competence of the Committee, since under Resolution 146(II), the Committee was entitled to make recommendations of a substantive nature. He ruled the Soviet representative's second, third and fourth amendments as outside the competence of the Committee.

Mr. FLETCHER-COOKE (United Kingdom) without wishing to challenge the Chairman's ruling, pointed to Resolution 146(II) which specified that substantive recommendations should apply

to functional fields generally. By functional fields he understood the Resolution to mean those specified in Article 73 e, which did not include political information.

The CHAIRMAN said that, interpreting Resolutions 144(II) and 146(II) in a broad sense, he felt the Committee was competent to deal with the first Soviet amendment.

Mr. KULAGENKOV (USSR) agreed with the Chairman's ruling regarding his first amendment. Resolution 144(II) encouraged the Administering Powers to transmit political information, and Item 7 on the Agenda had put the Committee in a position to discuss the transmission of such information. The amendment was therefore within the competence of the Committee, since it suggested a change from the voluntary to the compulsory transmission of such information.

Mr. GARREAU (France) invoking Rule 110 moved that the Committee vote on the inadmissibility of the Soviet Representative's amendments.

Mr. KULAGENKOV (USSR) asked that each amendment be considered separately.

Mr. GERIG (United States) felt that neither the Charter nor Resolution 144(II) could be interpreted to mean that the transmission of political information was obligatory. The United States Government had transmitted such information voluntarily.

He had expected some consideration to be given to the summary of that information. However, Resolution 144(II) regarded the transmission of this information as within the spirit, not the letter of the Charter. To make this transmission obligatory, the General Assembly would have to amend the Charter.

Mr. NASR (Egypt) felt it was unfair to rule any amendment out of order since there were obviously two points of view represented in the Committee, interpreting the Charter in different ways.

Mr. GARREAU (France) regarded Article 73 e as explicit and not subject to interpretation. Information of a political character had been formally excluded. Resolution 144(II) only referred to the voluntary transmission of political information. Resolution 146(II) was also clear on this point.

Mr. KULAGENKOV (USSR) said that the representative of France had on a number of occasions wished to restrict the functions of the Committee which, in his view, was to assist in the implementation of the Charter. Article 73 emphasised the encouragement of self-government in Non-Self-Governing Territories. All other considerations were subordinate to transforming colonies into independent countries. The French representative's interpretation therefore implied an evasion of the functions of the Committee.

Mr. REID (New Zealand) wished to make it clear that if the French representative's motion were acted upon, the Committee would vote on the admissibility of the amendments, not the substance.

Mr. GARREAU (France) stated that he had asked for a vote on the competence of the Committee as a matter of principle, but withdrew his motion of inadmissibility.

Mr. RYCKMANS (Belgium) in view of the French representative's withdrawal, submitted a motion of inadmissibility of the Soviet amendments.

Mr. RAO (India) regarding the substance of the first Soviet amendment, pointed out that the Committee could not avoid the restrictions imposed under Article 73 e, as well as under Resolutions 142(II) and 144(II) which merely recommended the voluntary transmission of political information.

The Committee voted on the admissibility of the Soviet representative's amendments.

Decision: The First amendment was rejected as inadmissible by 10 votes to 3 with one abstention.

Decision: The second amendment was rejected as inadmissible by 13 votes to 2.

Decision: The third amendment was rejected as inadmissible by 13 votes to 2.

Decision: The fourth amendment was rejected as inadmissible by 12 votes to 2.

The CHAIRMAN asked for consideration of Draft Resolution I with the appropriate amendments (Document A/AC.17/W.14).

Mr. STOPPELAAR (Netherlands) stated that his Government would do everything possible to transmit the information within six months of the end of the administrative year, but he could not promise that this would be possible especially in view of the suggestion regarding fuller information in some categories.

Paragraphs 1 and 2 of Draft Resolution I were adopted without vote.

Decision: Paragraph 3 was adopted by 14 votes to none with 1 abstention.

Decision: Paragraph 4(a) was adopted by 14 votes to

1.

The SECRETARY in reply to the representative of Belgium, whether it was necessary for the Governments to furnish statistical data for the two previous years, pointed out that paragraph 4(b) contained instructions to the Secretary-General, who would use data already supplied.

Mr. KULAGENKOV (USSR) found paragraph 4(b) unacceptable as it contradicted Article 73 and the functions of the Committee.

Decision: Paragraph 4(b) was adopted by 14 votes to 1.

Decision: Paragraph 4(c) was adopted by 11 votes to none with 3 abstentions.

Paragraph 5 was adopted without vote.

Paragraph 6, at the request of the United Kingdom representative was voted upon in two parts, the first part to the word "analyses" end of line 9. This part was adopted without vote.

Mr. RYCKMANS (Belgium) asked that the word "general" in the second line of part 2 of paragraph 6, be replaced by the word "political", otherwise it was not meaningful and he would have to vote against it.

Mr. RAO (India) pointed out that the Drafting Subcommittee had merely adopted the terminology of the Standard Form.

Mr. GARREAU (France) wished to substitute for "which do not provide general information forming the optional category of the Standard Form" the words "those who do not furnish information under the Standard Form, Part I, D".

Mr. FLETCHER-COOKE (United Kingdom) suggested that, while he would still have to vote against this part of Paragraph 6, the words "which do not provide general information" be replaced by "which have not hitherto provided general information".

Decision: The second part of paragraph 6 as orally amended by Mr. Fletcher-Cooke was adopted by 11 votes to 2 with 2 abstentions.

Mr. FLETCHER-COOKE (United Kingdom) wished to call attention to his remarks on this point made during the

fifteenth meeting.

Mr. RYCKMANS (Belgium) having voted against the second part of paragraph 6, since he could not agree to the text as it stood, stated that he would recommend to his Government to furnish information on the geography, history and people of the Belgian Congo.

Mr. RAO (India) regarding the schedule attached to Draft Resolution I asked the Administering Powers after advising the Secretary-General of the date of transmission of information to continue to comply with this date. He also asked them to notify the Secretary-General of the reason for the withdrawal of any territory from the list of those on which they had previously transmitted information.

Mr. FLETCHER-COOKE (United Kingdom) agreed to the Indian representative's suggestion, provided that this did not preclude any possible change in the administrative year should such a change become necessary.

Decision: Resolution I as amended was adopted by 14 votes to 1 with no abstentions.

Resolution II

Mr. KULAGENKOV (USSR) said that paragraph 1 providing for the temporary character of the Committee was not within the competence of the Committee, since Resolution 146(II) set no time limit on the existence of the Committee. He moved that Resolution II was outside the competence of the Committee.

Decision: The Soviet motion regarding the inadmissibility of Draft Resolution II was rejected by 1 vote to 11 with 2 abstentions.

Mr. GUTIERREZ (Colombia) stated that he had voted for the admissibility of Draft Resolution II for the purpose of harmony. However, Colombia, and all Latin

American countries, had a vital interest in the permanent continuation of a Committee of this kind to meet at least one month before each regular session of the General Assembly. It seemed basic for all Latin America that the existence of a body examining the reports and activities of the Administering Powers be assured, the interests of Non-Self-Governing Territories watched, and action taken which would lead to the improvement of the standard of living in these territories. The prosperity of Non-Self-Governing Territories influenced the economy of independent countries. Energetic measures were needed to improve the standard of living, and to increase the purchasing power of peoples in Non-Self-Governing Territories, so that manufactured goods produced in other countries would find larger markets.

Mr. BENSON (Secretary) stated that under Rule 142 no Committee could make a recommendation to the General Assembly involving expenditure without a statement regarding such expenditure. The cost of a Special Committee would be \$10,500, provision for which had been made in the Secretary-General's proposed budget.

Mr. RYCKMANS (Belgium) asked for clarification on the amendment proposed by the representative of Nicaragua.

Mr. LIFSCHITZ (Nicaragua) associating himself with the remarks made by the representative of Colombia, pointed out that Resolution II paragraph 1 had seemed vague in its wording and needed amplification. It should not be left to the discretion of Members whether or not they continued to transmit information. Moreover, new Members administering Non-Self-Governing Territories might join United Nations. He wished to add to his amendment after the words "Non-Self-Governing Territories", the words "as

referred to in Chapter XI".

Mr. RYCKMANS (Belgium) felt that the implications of this amendment were far reaching. The Committee would in such a case include the Union of South Africa, since South West Africa was not independent. The amendment also implied a definition of the term "Non-Self-Governing Territory" which would involve the Committee and the General Assembly in difficult discussions.

Mr. GARREAU (France) supporting the representative of Belgium, pointed out that the Powers transmitting information had voluntarily declared themselves to be Powers administering Non-Self-Governing Territories. Other Administering Powers had not done so and were not present. It would be impossible for the United Nations to define the term "Non-Self-Governing Territories".

A number of suggestions for clarifying the existing wording were made by Mr. GERIG (United States) and Mr. FORSYTH (Australia) and were accepted by Mr. LIFSCHITZ (Nicaragua).

The amendment was accordingly modified to read: "considers that, without prejudice as to the future, a Special Committee similar to that of this year, should be constituted to meet in 1949, composed of all the Members of the United Nations which have hitherto transmitted information in accordance with Article 73 e, and of an equal number of other Members elected by the Fourth Committee on behalf of the General Assembly, on as wide a geographical basis as possible."

Decision: The Nicaraguan amendment thus amended was adopted by 6 votes to 4 with 4 abstentions.

Decision: Paragraph 1 of Draft Resolution II, as amended, was adopted by 14 votes to 1.

Mr. FLETCHER-COOKE (United Kingdom) wished to draw attention to his remarks made at the fifteenth meeting regarding the phrase "without prejudice as to the future".

Paragraph 2 of Draft Resolution II was voted upon in three parts. The first part to the words "Specialized Agencies" in line 5, the second part to the words "may deem fit" in line 7, and the third part to the end of the paragraph.

Decision: The first part of paragraph 2 was adopted by 14 votes to 1.

Decision: The second part of paragraph 2 was adopted by 13 votes to none with 2 abstentions.

Decision: The third part of paragraph 2 was adopted by 11 votes to 1 with 3 abstentions.

Decision: Paragraph 2 as a whole was adopted by 11 votes to 1 with three abstentions.

Paragraphs 3 and 4 were adopted without vote.

Decision: Resolution II as a whole, and as amended, was adopted by 11 votes to 1 with 3 abstentions.

Resolution III

Paragraph 1 was voted upon in two parts.

Decision: Paragraph 1(a) was adopted by 15 votes to none.

Decision: Paragraph 1(b) was adopted by 13 votes to none with 1 abstention.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) had no objection to paragraph 2 but had not yet obtained sufficient information regarding the technical assistance mentioned, and would therefore abstain from voting on this Resolution as a whole.

Decision: Draft Resolution III was adopted as a whole by 14 votes to none with 1 abstention.

Draft Resolution IV

Decision: Paragraph 1 as amended by the United Kingdom was adopted by 14 votes to none with 1 abstention.

Paragraph 2 was adopted without vote.

Mr. GARREAU (France) proposed in paragraphs 3 and 4 to provide for examination by the secretariats of the specialized agencies.

Mr. BENSON (Secretary) pointed out that the purposes of paragraphs 3 and 4 differed from paragraph 2. The specialized agencies might consider revision of the Standard Form of sufficient importance to refer it to a body other than the secretariats. The amendment might have a restrictive influence upon the specialized agencies. Moreover, co-operation should be between the Organizations as a whole. In the Sub-Committee an opposite amendment had been moved, referring matters to the competent bodies of the specialized agencies, but had been rejected as too restrictive.

Mr. CORTESAO (UNESCO) stated that the Secretariat of UNESCO was in the same position as the United Nations Secretariat, entitled to submit comments to the Committee without reference to a higher authority.

Decision: The amendment by the French representative was rejected by 1 vote to 9 with 5 abstentions.

Decision: Paragraph 3 as originally proposed was adopted by 14 votes to none with 1 abstention.

Mr. FLETCHER-COOKE (United Kingdom) had suggested previously that paragraph 4 was unnecessary since the specialized agencies submitted reports to the General Assembly in any case. Since he did not know whether such action would

cover the Special Committee for 1949, he had submitted an amendment to this paragraph.

Mr. RYCKMANS (Belgium) could not agree to the United Kingdom amendment since it distinguished between the specialized agencies' work in non-self-governing and independent countries. He suggested instead that the words in lines 5 and 6 of paragraph 4 "in Non-Self-Governing Territories" be deleted. It was important for the Committee to be informed regarding the specialized agencies' work, since work undertaken in an independent country might benefit non-self-governing territories similarly situated. However, the specialized agencies submitted reports in any case, and in virtue of Resolution III paragraph 4 of this Resolution was superfluous.

Mr. BENSON (Secretary) stated that under the Charter and the agreements between the United Nations and the specialized agencies data were supplied through the Economic and Social Council. For the purposes of this Committee such data, however, were less up to date than desirable. The paper prepared by the ILO for the Committee was more up to date and more conveniently organised in relation to matters of interest to this Committee than data supplied through the Economic and Social Council.

Mr. FORSYTH (Australia) asked for the deletion of paragraph 4 since its substance was covered in Resolution I, paragraph 3, Resolution II, paragraph 2 and Draft Resolution IV, paragraph 2.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) favoured the retention of paragraph 4.

Mr. FLETCHER-COOKE (United Kingdom) formally moved the omission of paragraph 4.

Decision: The United Kingdom's motion was rejected by 5 votes to 7 with 3 abstentions.

Mr. RYCKMANS (Belgium) asked for a vote on paragraph 4 in two parts, the second part being the words in lines 5 and 6 "in Non-Self-Governing Territories".

Mr. GUTIERREZ (Colombia) opposed the Belgian representative's suggestion, since it was this Committee's purpose to report on the activities of Governments administering Non-Self-Governing Territories.

Mr. GERIG (United States) suggested that the principle of paragraph 4 was covered in Resolution III paragraph 1(a).

Mr. BENSON (Secretary) in answer to questions by the Rapporteur and the representative of New Zealand, pointed out that the present text invited the specialized agencies, rather than the Secretary-General of the United Nations, so as to avoid duplication.

Mr. FLETCHER-COOKE (United Kingdom) accepting the suggestion made by the representative of the United States proposed a vote on paragraph 4 to read as follows: "also invites the Specialized Agencies to inform any Special Committee which the General Assembly may appoint of the progress of any work undertaken by them which includes within its scope social, economic and educational conditions affecting Non-Self-Governing Territories".

Decision: Paragraph 4 in this form was adopted by 14 votes to none with 1 abstention.

Paragraph 5 was adopted without vote.

Decision: Draft Resolution IV as a whole, as amended, was adopted by 14 votes to none with 1 abstention.

The meeting rose at 1.40 p.m.