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SPECIAL COMMITTEE ON INFORMATION TRANSMITTED UNDER

ARTICLE 73e OF THE CHARTER

SUMMARY RECORD OF THE EIGHTH MEETING

Held at Lake Success, New York,
on Wednesday, 31 August 1949, at 11 a.m.

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<u>Chairman:</u>	Mr. GERIG	United States of America
<u>Rapporteur:</u>	Mr. de MARCHENA	Dominican Republic
<u>Members:</u>	Mr. HOOD	Australia
	Mr. RYCKMANS	Belgium
	Mr. JOBIM	Brazil
	Mr. LI	China
	Mr. SVEISTRUP	Denmark

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Members (continued)

Mr. FARRAG	Egypt
Mr. Garreau	France
Mr. SHIVA RAO	India
Mr. SPITS	Netherlands
Mr. LAKING	New Zealand
Mr. WOLLIN	Sweden
Mr. SOLDATOV	Union of Soviet Socialist Republics
Mr. FLETCHER COOKE	United Kingdom of Great Britain and Northern Ireland
Mr. STOLK	Venezuela

Representatives of specialized agencies:

Mr. METALL	International Labour Organization (ILO)
Miss WEHRWEIN	Food and Agriculture Organization (FAO)
Mr. CORTESAO	United Nations Educational, Scientific and Cultural Organization (UNESCO)
Mr. HILL	World Health Organization (WHO)

Secretariat:

Mr. HOO	Assistant Secretary-General
Mr. BENSON	Secretary of the Committee

INCLUSION OF INDONESIA IN THE TERRITORIES ENUMERATED: PROPOSAL BY THE USSR CONCERNING INFORMATION TRANSMITTED IN RESPECT OF THE INDONESIAN REPUBLIC (A/AC.28/W.11) (discussion continued)

Mr. STOLK (Venezuela) observed that the USSR proposal raised an issue of capital importance which, in his opinion, lay outside the competence of the Special Committee. The question of the independence and sovereignty of the Indonesian Republic was still subject to some controversy; indeed, the interested parties themselves were at that moment engaged on discussions on the matter.

There was nothing in the Committee's terms of reference to justify its taking a decision on a question of that kind. The Security Council, which had had the Indonesian question on its agenda for a long time, had not yet reached a definite decision on it. Consideration of the USSR proposal would necessitate the study of extensive documentation which the Committee did not, and could not, have at its disposal.

Mr. Stolk recalled that a similar situation had arisen in connexion with a proposal concerning Indonesia submitted by the USSR delegation the preceding year. At that time, it had been decided that under its terms of reference, the Committee was not competent to consider the matter; the position remained unchanged.

/In conclusion

In conclusion, Mr. Stolk stressed the earnest wish of his Government and his people that the people of Indonesia might obtain self-governing status by the exercise of their free will.

Mr. SPITS (Netherlands) recalled the discussion which had taken place at the Special Committee's fourth meeting, when the USSR representative had raised the issue of the right of Administering Powers to decide in respect of which territories they should cease to transmit information. It seemed to him that the Administering Authorities were being blamed both for ceasing to transmit information in respect of some territories and for continuing to transmit information in respect of others. However, he did not wish to comment on the substance of the USSR proposal, because he believed that that proposal was outside the Committee's competence. The Committee's terms of reference as laid down in paragraph 2 of General Assembly resolution 219 (III) did not empower it to pass judgment on the actions of Administering Powers in transmitting, or in ceasing to transmit, any information which fell within the scope of Article 73 c. Mr. Spits recalled the Committee's decision with regard to a similar USSR proposal the previous year as well as that adopted at the fourth meeting of the current session, and expressed confidence that the Committee would maintain its position in the matter.

Mr. LI (China) remarked that the difficulty confronting the members of the Committee was as great as that facing the Administering Powers, to which the representative of the Netherlands had referred. The Chinese delegation could not agree with the view that the Committee had to consider the information transmitted in accordance with Article 73 c purely as informative material and was not entitled to discuss the question whether such information was in fact related to non-self-governing territories.

Mr. Li stressed that the issue before the Committee had two distinct aspects. While the Chinese delegation felt that the substance of the USSR proposal should be discussed and decided upon by the General Assembly rather than by the Committee, it did believe that the Committee was competent to consider whether or not the information transmitted was or was not related to non-self-governing territories.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) said that, in the opinion of his delegation, the question of competence did not arise. The fact that the Committee was fully empowered to consider a proposal such as that submitted by him was evident from a number of documents, in particular from paragraph 2 of resolution 218 (III), which recommended that Member Governments should notify any appreciable changes affecting the matters covered by Article 73 e of the Charter. It could not be disputed that the changes which had taken place in Indonesia were appreciable, and that they fell under the scope of Article 73 of the Charter inasmuch as they related to the achievement of self-government by the people of the Republic. Moreover, the achievement of independence by the Indonesian Republic was recorded in a series of international agreements, notably in the Linggadjati Agreement of 1947. Since July 1948, the Netherlands Government had carried out acts of unprovoked aggression on the territory of the Republic: however, those acts did not affect the independent status of the Indonesian Republic, a status not only established by the free will of the people of the Republic but also recognized in a number of official documents and international agreements. To consider that status to be nullified by subsequent acts of aggression would be to run counter to the principles of democracy.

Mr. Soldatov therefore considered that the Committee was competent to consider his proposal and to make a recommendation to the General Assembly in the spirit of that proposal. He added that, should any members still have doubts as to the status of the Indonesian Republic, they might be allowed more time to study the relevant documentation and in particular the terms of the Linggadjati Agreement.

Mr. SHIVA RAO (India) stated that, while his delegation had given careful study to the matter raised by the USSR representative, he would not for the moment touch on the matter of substance raised in the proposal but would confine his remarks to the procedural point of the Committee's competence raised by the United Kingdom representative at an earlier meeting.

The Indian delegation considered that any information to be examined by the Committee must fall within the scope of Article 73 e; in other words, it must concern non-self-governing territories alone. The Secretary-General was obviously not authorized to reject any material submitted to him by the Administering Powers; his sole function was to produce summaries and analyses of such information for the Committee's consideration. On the

/other hand,

other hand, the Committee was, surely, entitled to determine at the outset of its work whether the information presented to it was or was not within the scope of Article 73 e. If the Committee decided that any territory -- in the case under consideration, the Indonesian Republic -- did not come under the category of non-self-governing territories, the information transmitted in respect of that territory was outside the scope of the Committee's jurisdiction and could not be considered.

In the light of those considerations, the Indian delegation felt that the Committee was competent to consider the USSR proposal, and would vote accordingly.

Mr. HOOD (Australia) said that the Committee was not entitled, under the Charter or under its terms of reference, to discuss the constitutional situations arising from or relating to the transmission of information in respect of any non-self-governing territory, or to take into consideration political factors which were entirely unrelated to such information. Admittedly, in view of the existing situation in Indonesia, the Netherlands Government might have decided to refrain from submitting information in respect of that territory: however, it had not taken that course, and had continued to transmit information as before. That being so, the Committee had no other choice than to accept the information concerned together with all the other information before it. Any other action would give rise to involved political discussion which, as members would agree, was outside the province of the Committee.

Mr. Hood then remarked that he did not clearly understand the meaning of the USSR proposal as it stood. He did not see how it was possible to speak of withdrawing from discussion by the Committee the information relating to the Indonesian Republic, when the summaries and analyses containing that information had already undergone considerable discussion.

Mr. SOLDATOV (Union of Soviet Socialist Republics) failed to understand the Australian representative's difficulty. He was proposing that the information on the Indonesian Republic should be withdrawn from discussion by the Committee because the Indonesian Republic was an independent State.

Mr. FLETCHER COOKE (United Kingdom) was not quite satisfied with the USSR representative's explanation. The information on Indonesia transmitted by the Netherlands Government was contained in documents which would be presented to the General Assembly at its following session and which would later be published as an official document of the United Nations. If that information was deleted, as called for in the earlier translation of the USSR proposal, it would presumably be bodily removed from the documents in question and would neither be submitted to the General Assembly nor published. If it were simply withdrawn from discussion, as suggested in the later version of the USSR proposal (A/AC.28/W.11), it would not be discussed by the Committee but would remain in the documents. The difference was of considerable importance.

With respect to the question of competence, he could not agree with the USSR representative that the "appreciable changes" mentioned in paragraph 2 of resolution 218 (III) referred to political changes. If, however, any question arose concerning the interpretation of that paragraph, it should be settled between the General Assembly and the Member concerned and not by the Special Committee.

He added that the United Kingdom delegation fully associated itself with the Netherlands representative's statement that the decision regarding which territories fell within the scope of Article 73 e was the exclusive concern of the Administering Authorities.

He said in conclusion that it was clearly beyond the competence of the Committee to decide what territories or which information had been transmitted should be included in the summaries and analyses transmitted to the Committee by the Secretary-General.

Mr. de MARCHENA (Dominican Republic) remarked that consideration of, and action upon, the USSR proposal would involve the examination of various political and legal factors and a pronouncement with respect to the sovereignty of the Indonesian Republic. As had already been said, the Committee was not competent to deal with such matters. Furthermore, as the Security Council was seized of the Indonesian question, under Article 12 of the Charter the General Assembly itself could not make any recommendations upon it unless requested to do so by the Security Council. Consequently, the Committee could not consider the USSR proposal.

Mr. LI (China) pointed out that the problem before the Committee was neither the Indonesian question nor the status of the Indonesian Republic, but merely whether the Committee was competent to consider the USSR proposal.

/He repeated

He repeated that the Chinese delegation could not accept the principle that Administering Authorities were free to decide, on their own authority, when to transmit or to cease transmitting information concerning the non-self-governing territories under their administration. It was equally unable to share the view of the United Kingdom representative that it was for the Special Committee to consider all the information transmitted to it without questioning whether the contents related to a non-self-governing territory.

He fully agreed with the Indian representative that the Committee was entitled to consider proposals such as that submitted by the USSR representative.

The Committee decided, by 12 votes to 4, that it was not competent to receive and deal with the USSR proposal to withdraw from discussion information relating to the Indonesian Republic (A/AC.28/W.11).

THE SECRETARY-GENERAL'S SUMMARIES AND ANALYSES OF INFORMATION TRANSMITTED DURING 1949 AND COMMENTS FURNISHED BY THE SPECIALIZED AGENCIES IN RELATION TO EDUCATIONAL CONDITIONS (A/919, A/AC.28/W.12) (discussion continued)

Mr. HOOD (Australia) remarked that the discussion of item 5 of the agenda had brought home to him the stringent limitations of the Committee's terms of reference. That discussion, while of high quality, had definitely lacked in quantity, perhaps because some members had felt that the mere expression of their views would lead to no positive result and because they had shared Mr. Hood's own feeling that, if the Committee had no other function, there was little reason why it should continue to exist.

He had been much impressed, however, by the Indian representative's observations with respect to the relationship between the Committee's discussion of the summaries and analyses transmitted to it by the Secretary-General and of the function of the specialized agencies with respect to the very same material. The Indian representative had drawn attention to the part which the specialized agencies had been requested to play in handling the information concerning non-self-governing territories. It was to be hoped that, if the Committee's existence was prolonged, at its following session the specialized agencies would be in a position to report more fully and concretely on their activities in relation to non-self-governing territories and to the information transmitted to the Committee concerning those territories. It was of course true, as the WHO representative had pointed out, that much of WHO's work in that field was still at the planning stage and that no specific programme could as yet be submitted; but that would soon change and, in any case, the observation did not apply to some of the other specialized agencies.

/The Committee

The Committee might consider whether it could take any further steps at the current session to assist the specialized agencies in correlating their activities with that of the Committee itself under its existing terms of reference. True, the relationship between the Committee and the specialized agencies had been outlined in rather general terms, and it would be difficult to make it more specific but the attempt should be made.

To illustrate his point, he referred to the activities of the South Pacific Commission which had competence over the whole South Pacific area in which a number of non-self-governing territories were situated. The Commission had established a programme of work including some twenty-five or thirty related projects, amongst them a survey of facilities for professional and technical training; a study of the best techniques for teaching to read and write; a survey of the work required in linguistic research; a study of the types of buildings best suited to various climatic zones; and the use of visual aids in education. It was projects of that type that the Committee should encourage -- since it could do no more -- in every regional aggregation of non-self-governing territories.

The Committee's limited terms of reference precluded any positive action or recommendation even with respect to a regional area; it had to rely on the active assistance of the specialized agencies. It could reasonably expect, however, to have before it in **future** precise and practical programmes prepared by those agencies. The Committee itself could do little more than collate the data it received and draw attention to the most urgent problems revealed by that data; any further action should be undertaken by the specialized agencies in co-operation with the Committee, which should serve as an intermediary body between them and the General Assembly.

It was the view of the Australian Government that that aspect of the Committee's work would repay efforts and would, in fact, justify the Committee's existence.

He remarked in conclusion that the Committee was surely competent to draw the attention of the specialized agencies to the particular requirement of non-self-governing territories in connexion with the programme of technical assistance to under-developed countries, among which the non-self-governing territories were clearly prominent, which the Economic and Social Council, with the assistance of its various organs and in collaboration with the specialized agencies, was in the process of evolving.

Mr. de MARCHENA (Dominican Republic) observed that document A/919 referred to one of the most critical aspects of social development in the non-self-governing territories, namely education. The fact should not be overlooked that one of the aims of the Charter was to prepare those territories for self-government, and education was one of the means to that end. Chapter XI of the Charter established certain principles which were very different from those enunciated in Chapters XII and XIII. It was true that Article 73 called for no action in connexion with the information transmitted by the Administering Authorities, but if it was studied in conjunction with Article 10 it would be seen that all the necessary machinery for recommendations on the basis of that information was available. The Special Committee had to carry out a task of orientation on the basis of the information voluntarily transmitted by the Administering Powers, but its eventual goal was to lead the non-self-governing territories to a future in which they would become legally and politically organized entities.

The Dominican Republic was proud to say that it knew what educational progress meant. A large proportion of its national budget was earmarked for education, and the percentage of illiteracy had been greatly reduced. The schools were part of a general plan to combat illiteracy. Similar programmes could be put into effect in the non-self-governing territories. His delegation felt some concern at the lack of a definite plan and at the paucity of school attendance. The problem was a difficult one, but a beginning should be made. He did not contend that the indigenous inhabitants should immediately begin to take part in the administration of the territories, or take the place of experts; they would, however, be more prepared to co-operate with the metropolitan Powers if they were brought into touch with developments in the modern world.

UNESCO, in the light of its great experience, should prepare for the General Assembly a general plan, to be presented to the Administering Authorities, for a uniform campaign against illiteracy in all non-self-governing territories. Technical details should be in accordance with the circumstances of each territory. The participation of the Economic and Social Council and the Trusteeship Council should be requested. The Administering Authorities, who were familiar with the difficulties, would doubtless agree that much remained to be done before the Charter was completely implemented in the non-self-governing territories.

Self-government must be based on culture; many peoples were unable to benefit by the principles of the Charter because of their low educational level. It might be that a hundred years or more would pass before all peoples were on a basis of equality, but it must be recognized that there were many doors that could no longer be kept closed; education was one of those doors.

Mr. STOLK (Venezuela) said that his delegation considered education as the cornerstone of a sincere effort to further the progress of the indigenous populations. The entire economic effort would be frustrated unless primordial importance was attached to education. Many cases might be cited of a high degree of economic exploitation side by side with very backward social conditions. It was for that reason that the Charter linked those two aspects of the problem. Education must be widespread so that the peoples would have all the benefits of an economically, politically and socially organized States, and thus become self-governing. The Venezuelan delegation warmly supported all measures in favour of compulsory education.

The disproportion in the registration of boys and girls in countries where primary education was less general should be corrected. Increased participation in teaching by the indigenous population was desirable. The problem of language was a difficult one; instruction should be in the indigenous language as far as possible, especially in primary and secondary schools.

He supported the proposal of the Egyptian delegation (A/AC.28/W.12), while suggesting, in order to make it less categorical, that the words "to do their best" should be inserted after the words "Administering Powers" in the fifth line.

He paid a tribute to the work done by UNESCO in the non-self-governing territories.

He pointed out that according to document A/919 (page 29) plans had been made to launch three pilot projects in fundamental education, including one in East Africa, but that the latter had been temporarily suspended in 1949. He would like to know the reason.

With reference to the remarks of the Dominican representative, he asked him to make a definite proposal on the lines he had indicated, so that UNESCO would be in a position to present a general plan to combat illiteracy in the non-self-governing territories.

Mr. CORTEBAO (United Nations Education, Scientific and Cultural Organization) assured the Committee that UNESCO wished to co-operate in every possible way in the non-self-governing territories. The policy of UNESCO with regard to activities in those territories had been outlined at the General Conference, and a majority of the representatives of the Administering Powers who had taken part in the discussions had agreed to a proposal defining that policy. He quoted a resolution adopted by the General Conference on 4 December 1948, which invited the Administering Authorities to co-operate with UNESCO, and recommended UNESCO to continue to co-operate fully with the United Nations in the field of education and, through the Administering Powers, with the non-self-governing territories themselves.

UNESCO had understood that the Administering Authorities were prepared to use its services. If those Powers wished for the co-operation of the specialized agencies, they should make their desires known. If the Special Committee wished UNESCO to study any problem, the General Conference would consider the proposal. The UNESCO programme could be applied in the non-self-governing territories, as could be seen from the annual report submitted to the United Nations.

Some of the questions raised in the Committee figured in the list of UNESCO's activities; he referred in particular to the remarks of the Indian representative concerning the needs of the growing population of the world for technical assistance, and to the question of soil erosion. Concurrently with the Committee, a meeting was being held at Lake Success of an International Technical Conference on the Protection of Nature which had been jointly organized by the United Nations and UNESCO. The documentation prepared for that Conference might be of interest to the members of the Committee. The Indian representative had also expressed interest in the use of films in the campaign against soil erosion. UNESCO had prepared a catalogue of films in connexion with the conservation and utilization of natural resources, including films on soil erosion.

It had been said that the problems of the non-self-governing territories were world problems, but they had certain peculiar characteristics -- for instance, their economic subordination and lack of autonomy of those territories.

The comments furnished by UNESCO on the summaries and analyses of information were not as complete as they should have been, owing to the fact that some of the information had been very late in arriving. The statistics were incomplete and not always comparable. It would be desirable to obtain the following information: the age of registration in schools; the distribution of students by grades, sex and ethnic groups; the distribution of students by age and class; the percentage of the children of school age which attended school, by age groups; the age limit for compulsory education. Those data would permit a technical study of conditions in the non-self-governing territories to be made.

UNESCO felt that the proposals which had been made for improving the standard form should be carried out, so that the variable elements could be presented each year in a uniform and comparable way.

The question of the language in which education was carried out had already been considered by UNESCO, but the problem was so delicate that the Committee of Experts established to consider it had not been able to find any solution. Nevertheless UNESCO would continue to study the problem.

He referred to document A/AC.28/W.2, which mentioned an Educational Clearing-House. That would provide all the elements needed to study any educational problem placed before UNESCO by the Administering Powers, the Trusteeship Council or the Special Committee.

The representatives of the Dominican Republic and Venezuela had suggested that UNESCO might prepare a plan for teaching to combat illiteracy. He felt sure that if UNESCO received a request to that effect, it would make every endeavour to carry it out.

The meeting rose at 1.10 p.m.