



United Nations

UNRESTRICTED

A/AC.26/SR.16
7 September 1949

ORIGINAL: ENGLISH

GENERAL ASSEMBLY

SPECIAL COMMITTEE ON INFORMATION

TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER

SUMMARY RECORD OF THE SIXTEENTH MEETING

Held at Lake Success, New York,
on Wednesday, 7 September 1949, at 11 a.m.

CONTENTS: Consideration of resolution 219 (III) constituting the
Special Committee without prejudice as to the future
(continued)

<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. SVELSTRUP	Denmark
	Mr. FARRAG	Egypt
	Mr. GARNEAU	France
	Mr. SHIVA RAO	India
	Mr. SPITS	Netherlands
	Mr. LAKING	New Zealand
	Mr. GRAFSTRÖM	Sweden

Any corrections of this record should be submitted in writing, in either of the working languages (English or French), and within two working days, to Mr. E. Delavenay, Director, Official Records Division, Room F-852, Lake Success. Corrections should be accompanied by or incorporated in a letter, on headed notepaper, bearing the appropriate symbol number and enclosed in an envelope marked "Urgent". Corrections can be dealt with more speedily by the services concerned if delegations will be good enough also to incorporate them in a mimeographed copy of the record.

(Members continued)

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. METAIL	International Labour Organisation (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

CONSIDERATION OF RESOLUTION 219 (III) CONSTITUTING THE SPECIAL COMMITTEE WITHOUT PREJUDICE AS TO THE FUTURE (continued)

Mr. FARRAG (Egypt), referring to the suggestion that the Special Committee should be discontinued and its work referred to the specialized agencies, said that his delegation would have no objection to the proposal were it not for the fact that it ignored several important considerations in connexion with the Committee's work. The Egyptian delegation was in favour of avoiding the undue multiplication of United Nations committees and bodies, but held at the same time that the organization should boldly face its responsibilities and employ all the instruments required for their discharge. If a committee was required for the purpose of carrying out some of those responsibilities, Egypt would unhesitatingly support its establishment and its continuance so long as it proved useful. The Special Committee's work had been increasingly useful, and promised to be so in the future if it was allowed to continue.

It had clearly demonstrated its usefulness as a link between the various organs of the United Nations and the Administering Powers in serving the objectives of the Charter concerning Non-Self-Governing Territories. A majority of the members had come to agreement and had adopted sound and constructive resolutions, and valuable exchanges of views and information had taken place.

/Even supposing

Even supposing that each of the specialized agencies could perform a part of the Committee's work, it was clear that much of the ground specified by Article 73 would be left uncovered because it did not fall within the competence of any one of them.

Moreover, the membership of the specialized agencies was less universal than that of the United Nations. Countries which were Members of the latter but not of the former had the right to express their views regarding the information transmitted by the Administering Powers; if the Special Committee were discontinued they would have no opportunity of doing so. Furthermore, the specialized agencies had their own obligations towards their Members and would not be in a position to undertake all the work of the Committee.

There had been some criticism of the Committee's efficiency and of the manner in which the Secretariat had prepared the analyses submitted to the Committee. It should not be forgotten, however, that the Committee had had a very limited time in which to study the documents. The Secretariat also had had very little time in which to summarise, analyse and classify the enormous quantity of information, much of which had been received very late from the Administering Powers. The Secretariat's work was greatly appreciated by the majority of the members of the Committee and by the representatives of the specialized agencies. If there were deficiencies in the Committee's work, it would be better to try to remove the causes rather than to make that fact a reason for saying that it should be discontinued.

The Committee should bear in mind that Article 73 was a specific part of the Charter, and that the responsibility assumed by the United Nations to receive and consider information on economic, social and educational conditions in the Non-Self-Governing Territories could not lightly be assigned to other international agencies.

In addition to the above considerations, the Committee represented, though in a modest way, the principle of international accountability for the peoples and lands that some Members had assumed the responsibility of administering pending the day when those peoples should have progressed sufficiently to become independent. It should be realized that the discontinuance of the Committee would mean the transformation of Chapter XI of the Charter into a dead letter.

For those reasons the Egyptian delegation was in favour of continuing the Committee.

Mr. FLETCHER-COOKE (United Kingdom of Great Britain and Northern Ireland) observed that the Special Committee was the third of the ad hoc or special committees set up by the General Assembly to consider how the information transmitted under Article 73 e of the Charter should be disposed of, and in view of the suggestions that had been made that the Committee should be established on a permanent basis, he asked the members to cast their minds back to the fundamental basis of its work -- Article 73 e of the Charter.

During the debates it had often been repeated, though some members persistently ignored it, that the Administering Members had accepted an obligation to transmit statistical and other information of a technical nature relating to economic, social and educational conditions in the Non-Self-Governing Territories to the Secretary-General for information purposes.

It was clearly stated in unambiguous terms that that information was to be statistical and technical. There was no reference to policies, intentions, successes or failures. It was also clearly stated that the information was for information purposes only.

Nothing could be clearer than the language of Article 73 e.

General Assembly resolution 9 (I) -- which had been adopted at a time when the words of the Charter were fresh in everyone's memory and there were as yet no attempts to read into the Charter, either by Assembly resolution or otherwise, things which were not there -- contained a request to the Secretary-General to include in his annual report to the General Assembly a statement summarising such information as might have been transmitted. That was a clear recognition of the limitation of the Charter.

Referring to resolution 66 (I), paragraph 6, he drew particular attention to the words "with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage." Those words were a correct interpretation of the situation in 1946/47. At that time the United Nations was a new organization, and the embodiment in an international document of the principles contained in Chapter XI was a new development. It had been right and proper that the General Assembly should set up a Committee to perfect the technique of transmission and classification, to ensure that the right information was being sent in, that it was being properly dealt with by the Secretariat, and that it was canalised to the specialized agencies so that their "advice, expert knowledge and experience" should be used to the best advantage".

/Resolution 143 (II)

Resolution 143 (II) contained references, firstly to supplemental information from Administering Members, and secondly to comparable information from non-Administering Members.

Resolution 145 (II), paragraph 2, contained an invitation to the specialized agencies to make their informational needs known, so as to ensure that among the statistical and technical information sent in there would be included information which they might require for their own studies and other work. That paragraph also contained an invitation to the specialized agencies to make recommendations through the appropriate channels to the General Assembly with respect to the form and content of the information. Paragraph 3 invited the specialized agencies "to bring to the notice of the General Assembly through the appropriate channels, conclusions based on this information... Thus it was the specialized agencies, and not the Committee, which were asked to form conclusions, and there was an indication that there were appropriate channels other than the Committee whereby those conclusions could be transmitted to the General Assembly.

In resolution 146 (II) there were two concepts. The Committee was invited to make first, such procedural recommendations as it might deem fit, and secondly, such substantive recommendations as it might deem desirable relating to the functional fields generally but not with respect to individual territories. The United Kingdom Government had always agreed that it was the Committee's proper function to deal with procedural matters, but with regard to the second point it did not share the views of some of the members of the Committee.

It would not be very difficult to draft a resolution containing a substantive recommendation relating to the functional fields generally, to which the United Kingdom Government would have no objection. The resolution submitted by the representative of the Dominican Republic almost fell within that category; that submitted by the Indian representative might yet do so. But no such resolution, to be within the competence of the General Assembly, which was itself bound by the Charter and could not re-write it by means of resolutions, could possibly contain anything which would suggest or imply that the Administering Authorities were in any way answerable to the United Nations for their policies in administering the Non-Self-Governing Territories. There was, in fact, no provision in the Charter for accountability as regards those territories, and he had been disturbed to hear the Egyptian representative say that the Committee represented the principle of accountability.

/There could

There could not therefore, in the view of the United Kingdom delegation, be any resolutions calling upon the Administering Powers to take certain action in the Non-Self-Governing Territories, and it was regrettable that the Committee had not seen fit to follow the example of its predecessors and eschew resolutions which deliberately and intentionally called upon the Administering Authorities to vary their policies in the Non-Self-Governing Territories -- policies for which they, and they alone, were responsible, and which came within the domestic jurisdiction of a Member State, in which the United Nations was not authorized to intervene, as was clearly laid down in Article 2, paragraph 7 of the Charter. The United Kingdom Government had always contended that matters of policy in the Non-Self-Governing Territories were within its exclusive domestic jurisdiction.

That that was the intention of the Charter was evident from a reading of Chapters XII and XIII on the one hand and of Chapter XI on the other. The former provided detailed machinery for international accountability in the administration of the Trust Territories; the latter clearly did not. Several members, however, had spoken as though there were little or no distinction between those two parts of the Charter. If that had been the intention of the framers of the Charter there would have been no Chapter XI -- the Non-Self-Governing Territories would have been brought within the scope of Chapters XII and XIII.

There had been a number of references to the spirit of the Charter. If they had been intended to refer to the preamble of Article 73, the United Kingdom Government subscribed to it now no less than it had done when it signed the Charter; but it could not agree that the record of the Committee or the previous committees had contributed much to the implementation of those ideals. That was not intended as a reflection on the members of the committees or the Secretariat; it was merely a statement that everyone could not be an expert in all fields, and that it was only common sense that "statistical and other information of a technical nature" should be handled by experts in the specialized agencies which had been set up for dealing with such world-wide technical problems. The Committee could perform a useful service if it did its proper task of clarifying "the technique of transmission", but so far little had been achieved in that direction.

During the third session of the General Assembly the United Kingdom delegation had stated in the Fourth Committee that it hoped that the procedural questions would be disposed of at a single further meeting of the Committee, and it had accordingly supported the resolution setting up the Committee. That hope, however, had not been fulfilled. The United Kingdom Government was therefore prepared to agree to the appointment of a Special Committee for one further year to discuss:

/(a) the transmission

- (a) the transmission of information to the Secretary-General;
- (b) the form of the summaries and analyses to be prepared by the Secretary-General;
- (c) the means whereby the advice of the specialized agencies was to be obtained and considered,

and to make final recommendations upon those questions. It was not prepared to agree to any proposal to set up a committee for more than one year nor to make it permanent.

It had been argued that since Chapter XI was permanent and information would continue to be transmitted under Article 73 e, therefore the Committee should be permanent. Those considerations, however, had been in existence when the Charter was drafted, and yet no Committee had been provided, because none was required. The Secretariat and the specialized agencies were permanent, and once the technique of transmission was settled they would be able to deal with the matters without a Committee.

The United Kingdom Government, together with others, in particular the Government of Australia, had taken the initiative in drafting Chapter XI, which was nothing more than a clear statement of its colonial policy, but if it had foreseen that that Chapter would be distorted in an attempt to set up a system of international accountability to and control by the United Nations, its ready acceptance of that Chapter would have been qualified with many reservations. It asked no more, and no less, than that the Charter should be followed.

The Egyptian representative had suggested that some of the questions covered by Article 73 e would not properly fall within the purview of any specialized agency. The Committee, however, had been enjoined in the past to keep in close touch with the Economic and Social Council, and the social problems which were outside the scope of any of the specialized agencies could properly be considered during the deliberations of that Council in connexion with the world-wide problems of which they were a part.

The Egyptian representative had also suggested that every Member of the United Nations had a right to express its views on the conditions disclosed by the transmission of information under Article 73 e.. Mr. Fletcher-Cooke could find nothing in Article 73 e which would permit Members of the United Nations to discuss and debate that information or to criticize the Administering Powers on the basis of the information transmitted.

/Mr. GRAFSTRÖM

Mr. GRAFSTRÖM (Sweden) remarked that his delegation had so far refrained from taking an active part in the Committee's deliberations because the highly technical nature of the latter had required a degree of expert knowledge which the Swedish delegation on the Special Committee did not claim to possess. Other delegations which also had no desire to use the Committee as a platform for political propaganda were no doubt faced with a similar difficulty. The Swedish delegation did not, however, feel that it was out of place in the Committee. True, the Committee should be composed predominantly of representatives of Administering Powers or of States with experience of climatic, economic and other conditions similar to those in Non-Self-Governing Territories; but countries like Sweden, which had no such experience, could usefully contribute their impartial and objective views, though their contribution could not be technical in nature.

The Committee had shown a marked tendency to go beyond its competence. It sometimes appeared to regard itself as an organ entitled to prescribe definite policies to the Administering Powers. Such an interpretation was not justified by the Charter or by any resolution of the General Assembly. The Committee's work consisted in the examination and analysis of information transmitted to the Secretary-General under Article 73 e, in making suggestions in respect of the information received, and in making recommendations as to the way in which information should be handled in the future. The main purpose of that work was to ensure that the character and contents of the information transmitted should give a true and full picture of conditions in Non-Self-Governing Territories and of measures taken to safeguard the interests of their inhabitants. It was for the specialized agencies, in which the Administering Powers were largely represented, to undertake studies on the basis of the information received, in collaboration with those Powers. The United Nations provided a central international agency responsible for co-ordinating the studies of the specialized agencies and for ensuring proper distribution of work without duplication. It was, of course, for the Administering Powers themselves to act upon the results of those studies as they deemed fit.

He did not feel that the Committee had as yet found the correct approach to its problems. Useful work could be done in the future by

/ostablishing

establishing comparative data on the basis of information transmitted in respect of other territories. The Secretariat, which had done extremely valuable work in the past, could further assist the Committee by preparing a comparative analysis on those lines for a future session.

The Swedish delegation did not think that the time had come to recommend the establishment of the Committee as a permanent organ. It endorsed the remarks made by the Belgian representative at the preceding meeting concerning the constitutional aspects of the question; moreover, it felt that greater clarity about the scope of the Committee's functions was needed before such a step could be contemplated. For those reasons, the Swedish delegation would favour a resolution on the future status of the Committee similar to that adopted the previous year.

Mr. SPITS (Netherlands) stated that his delegation would oppose the proposal to establish the Committee on a permanent basis with a fixed three-year term of membership. Within a period of three years, some of the States which were now transmitting information in respect of Non-Self-Governing Territories might cease to do so, either because the territories for which they were now responsible had attained full independence or because they were no longer considered to be Non-Self-Governing by the Administering Power concerned. The Netherlands Government, for instance, was not in a position to know whether it would transmit information in 1950 in respect of territories on which it had transmitted information in 1949. If some of the States represented on the Committee ceased to be Administering Powers, the balance of membership would be destroyed. The Netherlands delegation therefore considered it essential that members should not be appointed for longer than one year at a time, and would favour a resolution similar to that adopted the previous year.

Mr. GARREAU (France) associated himself wholeheartedly with the views expressed by the representative of the United Kingdom. The Administering Powers had accepted their obligations under Chapter XI of the Charter and had observed them to the letter. The terms of Chapter XI, however, in no way permitted United Nations intervention

/in the

in the administration of Non-Self-Governing Territories, inasmuch as the latter, unlike the Trust Territories, came under the domestic jurisdiction of the metropolitan Powers concerned.

The provisions of Chapter XI, then, had been accepted by the Administering Power as a moral obligation. The only practical obligation towards the United Nations laid down in that Chapter was that of transmitting information in accordance with Article 73 e. That Article specified that the information in question was transmitted for information purposes only. The Charter made no provision for a special organ set up in application of the general terms of Chapter XI; the Ad Hoc Committee on Information transmitted under Article 73 e, as well as the two Special Committees, had been created for the sole purpose of establishing the procedures for the transmission of information. The Ad Hoc Committee and both Special Committees had however, considerably exceeded the limitations imposed upon them by the General Assembly. As far back as 1946, the French delegation had expressed the fear that the Ad Hoc Committee might attempt to go beyond its competence and to digress into the field of politics. Years of experience had shown that such a tendency indeed existed; it was, in fact, so marked that comparatively little effort had been made to undertake detailed studies of the analyses and summaries prepared by the Secretariat. Discussion centred largely on matters outside the Committee's competence. Constant attempts were made to infringe the sovereign rights of States in respect of Non-Self-Governing Territories for which they were responsible. It was regrettable that no verbatim records of the proceedings were available; they would show more clearly the general trend of the debates.

Members of the United Nations were bound by the terms of the Charter alone. If the General Assembly adopted decisions which ran counter to the Charter and were therefore illegal, those decisions were not binding upon Member States. Unfortunately, no provision had been made for eventualities of that kind and no supreme judicial organ existed to pronounce judgment in such cases; nevertheless, it was not impossible that such mistakes might be committed by the General Assembly or its organs. A recent decision of the Committee whereby a motion of

/competence

competence raised by the French delegation had been rejected and an Indian draft resolution had been voted upon was, in Mr. Garreau's opinion, a case in point.

Despite its shortcomings, however, the Committee and its predecessors had, in a period of three years, done useful work towards determining procedures for the transmission of information. That work had not yet been completed. It had proved impossible to deal with certain matters at the current session and those matters should be taken up at a future time. For that reason, the French delegation would agree to the continuance of the Committee for a further year, and would support a resolution similar to that adopted in 1948. It would, however, strongly oppose any move to transform the Committee into a permanent body or to prolong its existence for a period of three years. A single year would enable the Committee to complete the technical work entrusted to it; if other matters falling within the scope of its competence should arise, a further extension might be considered in 1950.

Mr. LI (China) stressed that his delegation had consistently upheld the view that, while the Committee's competence was limited in many ways, its deliberations should be guided by the general objectives laid down in Article 73 as a whole. He appealed to Administering Members represented in the Committee to regard the problems before them in a liberal and enlightened spirit.

Recalling a remark made at an earlier meeting by the representative of Belgium to the effect that the economic, social and educational problems of the Non-Self-Governing Territories were so closely inter-linked with those of sovereign States that the Committee's work could serve no useful purpose, Mr. Li observed that it was precisely because the welfare of the peoples of Non-Self-Governing Territories was intimately linked to the general welfare of the world that there was need for an organ of that kind. Similarly, if the fate of peoples of Non-Self-Governing Territories had not been a matter of international interest, there would have been no need for the inclusion of Chapter XI in the United Nations Charter.

/The world

competence raised by the French delegation had been rejected and an Indian draft resolution had been voted upon was, in Mr. Garreau's opinion, a case in point.

Despite its shortcomings, however, the Committee and its predecessors had, in a period of three years, done useful work towards determining procedures for the transmission of information. That work had not yet been completed. It had proved impossible to deal with certain matters at the current session and those matters should be taken up at a future time. For that reason, the French delegation would agree to the continuance of the Committee for a further year, and would support a resolution similar to that adopted in 1948. It would, however, strongly oppose any move to transform the Committee into a permanent body or to prolong its existence for a period of three years. A single year would enable the Committee to complete the technical work entrusted to it; if other matters falling within the scope of its competence should arise, a further extension might be considered in 1950.

Mr. LI (China) stressed that his delegation had consistently upheld the view that, while the Committee's competence was limited in many ways, its deliberations should be guided by the general objectives laid down in Article 73 as a whole. He appealed to Administering Members represented in the Committee to regard the problems before them in a liberal and enlightened spirit.

Recalling a remark made at an earlier meeting by the representative of Belgium to the effect that the economic, social and educational problems of the Non-Self-Governing Territories were so closely inter-linked with those of sovereign States that the Committee's work could serve no useful purpose, Mr. Li observed that it was precisely because the welfare of the peoples of Non-Self-Governing Territories was intimately linked to the general welfare of the world that there was need for an organ of that kind. Similarly, if the fate of peoples of Non-Self-Governing Territories had not been a matter of international interest, there would have been no need for the inclusion of Chapter XI in the United Nations Charter.

/The world

The world had an obligation to assist those peoples which were least capable of governing themselves: that was the essential meaning of Chapter XI. An obligation of so solemn a character should not be lightly transferred to sub-committees on technical assistance or to specialized agencies. A large number of dependent territories were not represented in the specialized agencies, and their problems might easily be shelved or entirely forgotten there. The question of conditions in Non-Self-Governing Territories should not be written off as a purely technical matter. The special character of the territories concerned was sufficient to provide the Committee with a raison d'être.

The question was how to make the Committee's work genuinely effective and constructive. Above all, the Committee should have at heart the true interests of the peoples of Non-Self-Governing Territories and should enlist the co-operation of all the specialized agencies concerned and co-ordinate their efforts.

The Belgian representative had remarked earlier that since Article 73 e provided only that Administering Powers should transmit information to the Secretary-General, a Committee to examine that information was superfluous. Mr. Li was unable to agree with that view. The representative of France had implied that the proposal to establish the Committee on a permanent basis was virtually a violation of the sovereign rights of Administering Powers; that was certainly not the intention underlying the proposal. The United Kingdom representative had interpreted the proposal as an attempt to re-write the Charter; that, too, was far from being the intention of its sponsors, whose only aim was to give full effect to the Charter.

The United Kingdom representative had also said that the Committee was entitled to make procedural recommendations only. Under resolution 219 (III), however, it was also free to make substantive recommendations relating to functional fields.

The Chinese delegation, together with the delegation of India and several others, wished to submit a joint proposal on the future constitution of the Committee. Mr. Li opposed the view that no action not specifically provided for in the Charter was permissible; it was in no sense contrary to the Charter to propose the establishment of the Committee as a permanent organ.

/Lastly, Mr. Li

Lastly, Mr. Li again called upon the Administering Members to adopt a more liberal and less narrow legalistic attitude.

Mr. STOLK (Venezuela) recalled that several representatives had thought that the General Assembly had transgressed its powers by setting up a Special Committee, since Article 73 e of the Charter called for information to be transmitted to the Secretary-General for information purposes only and did not refer to the consideration of that information or the possibility of making any recommendations on it. Those representatives had held that the task of the Committee was the purely procedural one of facilitating the transmission of information and that the Committee could not be constituted as a permanent body unless the Charter were amended.

In his view, the fact that the Article made no mention of consideration and recommendations did not mean that the existence of the Special Committee rested on an arbitrary decision of the General Assembly. Under Article 73, Members of the United Nations which had, or assumed responsibilities for the administration of Non-Self-Governing Territories recognized the principle that the interests of the inhabitants of those territories were paramount and undertook the obligation to promote the well-being of those inhabitants. A number of specific obligations were stated in sub-paragraphs a, b, c and d of Article 73; by accepting the Charter, the Administering Authorities had accepted all those obligations. The purpose of Article 73 e was to enable the General Assembly to know in what manner and to what extent they were being carried out. The framers of the Charter at San Francisco had pursued a practical object in drafting that Article; they had certainly not intended the information transmitted merely to be filed away in the archives of the Secretariat. Furthermore, under Article 10 of the Charter the General Assembly was empowered to discuss any questions or matters within the scope of the Charter; that certainly included information transmitted under Article 73 e.

The General Assembly had set up the Special Committee and its predecessors with a view to aiding it in its consideration of information transmitted under Article 73 e and had authorized the current Committee to submit substantive as well as procedural recommendations.

/The General Assembly

The General Assembly had, in other words, felt the need for a special body to aid it in achieving the aims and purposes outlined in Chapter XI of the Charter. It had taken a similar step in establishing another subsidiary organ -- the Interim Committee -- which again was not specifically mentioned in the Charter.

The Venezuelan delegation was of the opinion that the Committee should continue in existence and that its members, both those that administered Non-Self-Governing Territories and those that did not, should work jointly to raise the inhabitants of those Territories to a level at which they would be capable of self-government.

As the Committee was empowered to make both procedural and substantive recommendations to the General Assembly, provided they were general in character, it could hardly be accused of a tendency to interfere with the domestic jurisdiction of Administering Powers. General suggestions which did not apply to individual territories could scarcely be said to constitute an attempt to change the policy of any one State.

There could be no doubt that the General Assembly was fully entitled under the Charter to extend the existence of the Committee, with its current terms of reference, on a permanent basis.

Mr. Stolk therefore wished to present a draft resolution (A/AC.28/W.19), submitted jointly by the delegations of China, Egypt, India and Venezuela, to the effect that the Committee, with its present terms of reference, would continue in existence indefinitely, that its members should be elected for a period of three years, and that the Secretary-General should be empowered to convene it whenever necessary.

Mr. SOLDATOV (Union of Soviet Socialist Republics) stated that his delegation gave general support to the proposal for a permanent committee, the existence of which would aid the General Assembly in the effective realization of the aims and purposes of the Charter, and in particular of Article 73. He could not, however, comment on the joint draft resolution just introduced until he had its text before him.

Mr. HOOD (Australia) remarked that although the question of its continuance was on the agenda, the Committee -- unlike the Interim Committee -- had been neither instructed nor empowered by the General Assembly to make any recommendations with respect to its own future.

/While he

While he would not question the Committee's competence to discuss the matter, he strongly queried the propriety of its reaching a decision or making any specific recommendation. Had the Administering Authorities and the other members been unanimous in their views, there would have been a sound practical reason for making those views known to the General Assembly. That, however, was clearly not the case. Several conflicting proposals with respect to the Committee's future had been made and arguments had been advanced in support of each. In the circumstances, he did not think that a vote on any of those proposals would be of much value to the Fourth Committee, in which the same discussion would invariably arise and the same arguments would be repeated. A far more proper and more dignified course would be for the Committee to include in its report to the General Assembly the various proposals made and the reasons advanced in favour of each. The ultimate decision, in any case, lay with the General Assembly. He therefore urged the Committee to consider carefully the implications of a formal vote on the question and to reflect upon the course he had suggested.

With regard to the proposals made, the Australian delegation was not necessarily prepared to support any one of them. In its view, no fully convincing argument had as yet been adduced in favour of making the Committee a permanent body. As he had pointed out previously, considerable clarification was required of the Committee's duties and functions with respect to procedural matters, determining the part to be played by the specialized agencies in handling the material that came before the Committee and defining the relationship of the Committee to the General Assembly. The Committee had perhaps done all it could do in that respect during its current session and further work might be left to the Fourth Committee with its wider membership. Moreover, it was difficult to decide whether the Committee should continue in existence for, say, one or three more years until the relationship between the Committee and the specialized agencies on the one hand, and the General Assembly on the other, had been definitely determined.

General Assembly resolution 66 (I) made it plain that it was the intention of the General Assembly to establish an agency of its own which would aid it "in its consideration" of the information transmitted under Article 73 e. Those who had stated that the information was not destined merely for the archives of the Secretariat were consequently right. It was destined to be considered by the General Assembly. It was for the Committee.

/and later

and later for the Fourth Committee -- to delve more deeply into the question how the General Assembly might best be assisted in its consideration of that information. Until the functions and powers of the Committee had been fully clarified, however, it should not commit itself to a definite recommendation with respect to its future existence.

Mr. LAKING (New Zealand) said that, in general, he agreed with the Australian representative that the question should be settled by the General Assembly itself.

The New Zealand delegation considered the United Kingdom representative's interpretation of the legal position to be completely unassailable. While some parts of the Charter might be ambiguous, Article 73, and in particular sub-paragraph (e) of that Article, most certainly were not.

The New Zealand Government did not, however, wish to take a narrow view of the situation. In its opinion, the decision whether the existence of the Committee should be continued should be based solely on the value of the Committee's work. It was not, unfortunately, convinced that the work of the Committee and of its predecessors had been of any material value. While giving full credit to the good will of the members and full appreciation to the valuable work of the Secretariat, the New Zealand Government felt that the Committee had been hampered by difficulties arising from circumstances beyond its own or the Secretariat's control. The Committee had been endeavouring to deal with economic, social and educational problems from a political standpoint. Yet very few of those problems were peculiar to Non-Self-Governing Territories; they existed equally in a number of sovereign States. It was therefore difficult to deal with them in the Non-Self-Governing Territories alone and, indeed, the experience of the current session had shown that when the Committee made a recommendation on a specific subject, such as illiteracy or instruction in the vernacular, it not only referred the problems to the specialized agencies but asked them to undertake world-wide studies. The specialized agencies appeared to be the proper bodies to deal with such matters, and the New Zealand Government was consequently not certain that the continuance of the Committee would serve any useful purpose. It was definitely opposed to the Committee becoming a permanent body; it would, however, in a spirit of co-operation, agree to a short extension of its existence, thus giving it another chance to demonstrate that it could do useful work.

/The CHAIRMAN

The CHAIRMAN, speaking as the United States representative, remarked that there had been some criticism of the tendency to create new bodies within the United Nations; if, therefore, the Committee should decide to recommend to the General Assembly that it should be continued for a year or more, it must be able to justify such a recommendation beyond any question.

The United States delegation was ready to support any reasonable proposal which would facilitate the performance of useful work by the Committee and would clearly contribute to the well-being of inhabitants of Non-Self-Governing Territories.

He noted that, although most members of the Committee had been ready to do constructive work, much time had been taken by irrelevant discussion, by charges and counter-charges, and by a regrettable tendency to deal with matters which were outside the Committee's terms of reference and for which there was no documentation. Certain other members had, on the other hand, construed too narrowly the functions of the Committee. He called attention to the fact that a proper handling of the information transmitted under Article 73 e, would not only keep the Committee within the limits laid down in the Charter but would require technical qualifications on the part of representatives which they had not in all cases possessed. Owing to the emphasis that had been given to political matters at the expense of economic and social questions, no substantive recommendations in the economic, social or educational field had been made at previous sessions. The United States delegation was convinced that the Committee would do useful work by exchanging ideas and experience on such subjects as agricultural production, industrialization, housing, transport and communications, health and social services and the development of educational facilities. In spite of the somewhat discouraging experience of the past, the United States delegation was prepared to continue to make an effort along those lines and hoped that the Committee would in the future make recommendations which would carry weight with the Administering Authorities.

In his view, that could be achieved only if all the technical facilities of the specialized agencies were fully utilized and if all relevant comparable data from any State were made available.

He realized that some Administering Authorities were not convinced that the Committee could serve a useful purpose of that kind, while some members which did not administer Non-Self-Governing Territories were inclined to use the Committee as a forum for political propaganda;

/the United States

the United States delegation was nevertheless prepared to give the Committee a further trial and hoped that it would approach its task in a scientific and objective spirit. The Committee might, at its current session, recommend to the General Assembly that special attention should be given the following year to one technical field within its terms of reference; for example, that of education. Such an experiment would show whether the General Assembly was justified in continuing the Committee. If the experiment failed, the United States Government would reconsider its position with respect to the Committee and its continuance.

Non-Self-Governing Territories could advance towards self-government only as their economic, social and educational standards rose. The United States Government, for one, had benefited from the summaries and analyses prepared by the Secretariat and from the constructive comments on those documents made by various members of the Committee. It felt, therefore, that if the Committee exercised a certain amount of self-restraint and approached its task in a constructive spirit, its work would contribute to increasing the well-being of the inhabitants of Non-Self-Governing Territories and of under-developed countries in general.

The position of the United States delegation with respect to the ultimate future of the Committee could be determined only on the basis of that Committee's record of achievement. In its opinion, therefore, the time had not yet come to set up the Committee on a permanent basis. It believed that a special committee similar in composition to the one in existence and with the same terms of reference should be constituted for two or three more years. It would submit a draft resolution to that effect.

He agreed with the Indian representative that there was an advantage in maintaining the same composition for a three-year period. Some safeguarding clause would, however, be required to ensure proper balance, in case during that period any Administering Authority should cease to have Non-Self-Governing Territories under its responsibility.

With respect to the suggestion of the Australian representative, he said that, while the United States delegation was not opposed to voting on any of the proposals submitted, it was also prepared to agree that no votes should be taken.

The meeting rose at 1.5 p.m.