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COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Twelfth Session

SUMMARY RECORD OF THE TWO HUNDRED AND THIRTY-NINTH MEETING

Held at Headquarters, New York,
on Thursday, 18 May 1961, at 10.55 a.m.

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Questions relating to the summaries and analyses additional to those
treated under previous items (ST/TRI/B.1960/1 to 6; A/4760; A/AC.35/L.341)
(continued)

PRESENT:

<u>Chairman:</u>	Mr. SCHURMANN	(Netherlands)
<u>Rapporteur:</u>	Miss KAMAL	Iraq
<u>Members:</u>	Mr. ROS	Argentina
	Mr. HOOD)	Australia
	Mr. FORSYTH)	
	Mr. WIJEGOONAWARDENA	Ceylon
	Mrs. BERNARDINO CAPPA	Dominican Republic
	Mr. de CAMARET)	France
	Mr. DOISE)	
	Mr. YOMEKPE	Ghana
	Mr. RASGOTRA	India
	Miss BROOKS	Liberia
	Mr. MERCADO	Mexico
	Mr. de BRUYN)	Netherlands
	Mr. GOEDHART)	
	Mr. EDMONDS	New Zealand
	Mr. de PINIES	Spain
	Mr. CASTON)	United Kingdom of Great Britain
	Mr. THOM)	and Northern Ireland
	Mr. POOL	United States of America
<u>Representatives of specialized agencies:</u>		
	Mr. REYMOND)	International Labour Organisation
	Mr. LLOYD)	
	Mr. AKRAWI)	United Nations Educational,
	Miss PROCTOR)	Scientific and Cultural
		Organization
	Dr. SACKS	World Health Organization
<u>Secretariat:</u>	Mr. PROTITCH	Under-Secretary for Trusteeship and
		Information from
		Non-Self-Governing Territories
	Mr. KUNST	Secretary of the Committee

STATEMENT BY THE REPRESENTATIVE OF SPAIN

The CHAIRMAN invited the Spanish representative to make a statement on the Non-Self-Governing Territories administered by Spain.

Mr. de PINIES (Spain) noted that considerable importance had been attached, in the work of the Committee, to the social aspects of development in the Non-Self-Governing Territories, and to the preparation and training of their inhabitants. He paid a tribute to the achievements of the Administering Powers and said he was sure that they had the interests of the inhabitants of their Territories at heart.

The position of Spain had been clearly defined in the Fourth Committee and the presence of his delegation in the present Committee was in full accord with that position. Spain had nothing to hide with regard to the Territories it administered, and it had transmitted various publications about them to the Secretary-General. Spain had never been a colonialist country, had never engaged in economic exploitation, the commandeering of markets, the control of raw materials or the extermination of the indigenous peoples, and was opposed to all forms of discrimination. It was prepared freely to collaborate with the representatives of other countries, in the interests of all concerned. He proposed to describe certain aspects of life in the Spanish Territories which might be of interest to the Committee.

The Province of Rio Muni, also known as Guinea, covered an area of 26,000 square kilometres, comprising a section along the western coast of Africa, the Island of Corisco and the Elobey Islands. The coastal area could be divided into three parts: from the River Campo to the mouth of the River Benito, from there to Cape San Juan, and from the Cape to the estuary of the Muni. After describing the geographical features of the Province, he said that the different tribes in Rio Muni were divided into two main groups: the ndowe, including those inhabiting the coastal area, and the pamue, comprising the inland tribes, which, in their turn, were divided into two linguistic sub-groups - the Oac and the Ntum. The capital of the province was the city of Bata, with modern streets and buildings in which the most important public offices and services were housed.

The island of Corisco was surrounded by shallow waters, which made its coasts extremely dangerous for navigation. The income of the population was mainly derived from coconuts, and their agriculture consisted merely of

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subsistence farms and a few small coffee plantations. The village houses were of a pleasing aspect, and new buildings were being constructed.

The Elobey Islands were two small islands, with sandy soil and profuse vegetation, separated by a shallow channel.

Another Spanish Territory in Equatorial Africa was Fernando Poo. The climate in both Territories was characterized by tropical heat, steadiness of the barometer, tornadoes or thunderstorms, persistent humidity and heavy rainfall.

The government and legal system of the two Territories had been established by the Act of 30 July 1959, and was the same as in all Spanish provinces. The provinces of Fernando Poo and Rio Muni were divided into municipal districts, administered by Ayuntamientos (town councils), to which the local Juntas (village councils) were responsible. The Spanish Government was empowered to make any necessary modifications in the administration of the provinces. The two provinces were ruled by a Governor-General, representing the Government. He was assisted by the General Secretary, who deputized for him in case of absence or illness, and who was the head of all the services in both provinces, except for the judicial and military. A civil Governor was appointed for each province, who was responsible to the Governor-General and the General Secretary. The appointment and termination of appointment of the Governor-General, the General Secretary and the Civil Governors were effected by a Decree. Each province had a Diputacion Provincial, a representative body, whose competence was fixed by law, and which inter alia carried out voluntary and social work.

As an illustration of the application of that system, he then gave details of the municipal elections held in the Spanish Equatorial Territories in which the people had participated fully and enthusiastically, as could be seen by the large number of candidates proposed and the high attendance at the polls. There had been no unpleasant incidents at any of the 207 Electoral Colleges set up in the two provinces. He gave details of the candidates elected to the Ayuntamientos, and the number of votes received by each. Representatives from professional, economic and cultural bodies and organizations had also been elected to the Ayuntamientos by secret ballot.

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In October 1960, there had been elections of representatives from the provinces to the Spanish Parliament: three representatives for Rio Muni and three for Fernando Poo. The mayors of Santa Isabel and Bata were representatives ex officio.

According to the latest figures in his possession, Fernando Poo had a population of 60,000, including 4,000 Europeans, and Rio Muni one of 166,000, of whom 2,000 were Europeans.

In Rio Muni the main crops were cacao, (711 tons in 1958-1959), coffee (4,334 tons in 1959), palm oil and yucca; the 1959 average price of coffee, which had been left free under an Order dated 2 February 1955, had been 55 pesetas per kg. Again, in 1959 the Territory had exported 169,930 tons of timber.

The total catch of fish at Bata, Rio Benito and Puerto Iradier had amounted to 234,200 kg. in 1959; 484,657 kg. had been landed at Santa Isabel (Fernando Poo), as against only 155,055 kg. in 1956. The output of meat, on the other hand, was insufficient to meet local requirements both in Rio Muni and in Fernando Poo, because the raising of beef cattle was hampered by climatic conditions and, in certain areas, by tse-tse fly infestation; both Territories were therefore obliged to import some of the meat they consumed.

Fernando Poo was linked with the mainland by radio telephone; in Fernando Poo itself there was a telephone service at Santa Isabel and San Carlos; telephone services were also available at Bata (Rio Muni). There were twenty-three post offices and seven radio-telegraph offices.

Public health services were divided into four sections, the first concerned with administration and pharmaceutical production, the second with hygiene, the third with endemic diseases and the fourth with hospitals. The medical staff in 1958 had consisted of a Medical Director, twenty-seven physicians, four of whom were surgeons, five pharmacists and 379 nursing and auxiliary personnel. As a result of a campaign against endemic diseases, leprosy no longer presented a danger and there had been a considerable decrease in the incidence of malaria. The provision of maternity services had led to a considerable drop in the number of still births; other measures included the opening of children's dispensaries and the establishment of a service providing milk products for mothers. The most

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modern equipment was available in the hospital of Bata. Patients who had received hospital treatment in the Province of Rio Muni in 1959 had numbered 22,720; over 1,100 surgical operations had been performed at the Bata hospital in 1958 and again in 1959. The maternity centres in the province had been attended by 2,792 women in 1959 while 624 children had been treated at the children's dispensary at Bata.

The State schools were of two kinds - elementary and primary. The former were for children under twelve years of age and were staffed by teachers trained at the Santa Isabel normal school; they existed throughout the Territory. Primary school teachers were trained in Spain. The school year began on 16 February and ended on 15 December. The number of schools was nearly adequate and, proportionately, much greater than in the neighbouring countries. Adult and evening classes were also available. There was one institution for secondary education and one for higher education. The indigenous inhabitants admitted to the latter received full State scholarship; after graduation they were entitled to appointment to official posts. Vocational education was also provided.

In 1959 there had been seventy-seven elementary schools and seven primary schools in Rio Muni with an enrolment of 15,049 and 772 respectively. The Cardinal Cisneros Institute of Secondary Education had been attended by 239 pupils in 1959. He also referred to an agricultural school opened in 1955 and to the mission schools, which had been attended by 2,952 pupils in 1959.

There was a radio station at Santa Isabel which broadcast news bulletins, music, programmes in foreign languages, etc., for six hours on working days and four and a half hours on holidays. Radio Ecuatorial at Bata broadcast for six hours a day. There was also a small privately-owned radio station called Radio Papaya, which broadcast mainly music.

The Press in the Territory included one daily and one weekly newspaper and several magazines and official bulletins.

The law courts, which were responsible for the administration of justice, enjoyed complete independence. Offenders were sent to penitentiary institutions where moderate labour was exacted; corporal punishment was prohibited. Juvenile courts and correctional institutions had been set up. Cannibalism and poisoning

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had disappeared, but there had been no appreciable drop in the number of offences against property and morals.

Four religious orders were active in the two Territories in teaching welfare and public health and missionary work; some 181,000 indigenous inhabitants were now Roman Catholics. The missionaries were assisted by twelve indigenous priests trained at the Seminary of Banapa. At Ebebiyin there was a domestic science school run by nuns.

The total provincial budget for 1960 was 310,271,000 pesetas. Expenditure was mainly on public works, which accounted for 48 per cent of the total, and public health.

In 1959 the two provinces imported 101,974 tons of goods, including 88,282 tons from Spain, to a total value of 819 million pesetas. Exports had totalled 269,735 tons, worth 1,130 million pesetas. The exports to Spain (245,506 tons) had consisted mainly of cacao, coffee, coconuts, timber, and yucca; exports to other countries had mainly consisted of bananas, cacao and timber. Imports included motor fuel, cement, chemicals, metals and metal goods, bricks, vehicles and parts, and foodstuffs.

The Province of Fernando Poo, which in addition to the island of that name also included the island of Annabon, had a population of over 40,000. The principal centre was Santa Isabel, with a population of 11,100. The indigenous inhabitants of the island, the Bubi, at present accounted for 30 per cent of the population.

The island's main crop was cacao; production in 1958-59 had amounted to 20,970 tons. Other crops included coffee, bananas, coconuts, spices and honey. Exports of bananas, which had been rising in recent years, had amounted to 14,380 tons in 1959. Potatoes were yet another important crop. Fernando Poo had two experimental farms and a co-operative Chamber of Agriculture which annually distributed several thousand tons of fertilizers and insecticides. Several thousand hectares of land in Fernando Poo were being cultivated on a communal basis under the provisions of the Act of 4 May 1948.

The establishment of an Inspectorate of Industries in 1942 had served as a stimulus for the industrialization of Fernando Poo. Power stations, a soap

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factory, a cocoa oil factory, a palm oil extracting plant, an oil refinery, a brick works and several workshops and cold storage plants had been built in the years 1953 to 1957. Many of those plants belonged to the Council of Neighbours. Four power stations had been built in recent years and in 1958 the town of Santa Isabel had consumed almost 2 million kw hours of current. During the three-year period 1956-1958, 257 houses had been built in the town. Santa Isabel was Fernando Poo's main centre and port; its ability to handle shipping had been improved by the construction of a new dock in 1956 and the acquisition of new electric cranes. The volume of air traffic was constantly rising. Santa Isabel, which had a modern airport, was linked by air with Bata, Santo Tomé and Douala. There was also an airstrip at Moka.

In the social, educational and public health fields, the administration had been faced with the need to establish organizations which would defend the interests of the indigenous inhabitants and promote their gradual progress towards civilization. It was with that end in view that the Patronato de Indigenas had been set up on a temporary basis. It had opened orphanages, encouraged house-building and urbanization, promoted education, built hospitals and dispensaries, provided training in agriculture, fostered the co-operative movement, and the setting-up of collective farms, provided loans, etc. As a result of all those activities, the indigenous inhabitants had been freed of the need to work for others and now worked for their own account.

The patronato had been abolished. In that connexion, he wished to inform the Liberian representative that she had been under a misapprehension when she had referred to discrimination as between the emancipated and the non-emancipated inhabitants. The present judicial system both in Fernando Poo and in Rio Muni was governed by the provisions of the Act of 30 July 1959 which enunciated the principle of full equality and stated that the judicial system in the two provinces would be consistent with the directives laid down in the Fundamental Laws and the ordinary legislation valid throughout the national territory.

The principal labour regulations were the Ordinances of 3 December 1947 and 9 November 1953. Provisions existed for a six-hour working day, adequate pay, free housing, recreational and cultural facilities, medical assistance, etc. There was a broad compulsory insurance coverage against labour accidents. There were

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8,800 indigenous property owners in Fernando Poo, of whom 5,000 owned property in towns; in Rio Muni they numbered 43,500, including 40,000 in cities.

Elementary, primary, intermediate and higher education were provided in Fernando Poo. The educational organization was the same as that in Rio Muni, which he had already described. In 1959 there had been twenty-six elementary schools and six primary schools in the Territory, in addition to three elementary schools in the island of Annobon, the total enrolment being 2,909. There was also a training school for teachers and Government officials at Santa Isabel, and at Banapa there was a seminary with some forty pupils.

While speaking of educational activities, he must mention the public library at Santa Isabel, which served the whole island through small local branches and by the direct loan of books by post. Seven periodicals were published at Santa Isabel, one of which was a daily newspaper, the others being monthly or fortnightly publications.

The island's health service was administered jointly with that of Rio Muni and for that reason he would not describe it in detail. At Santa Isabel there was one first-class hospital with 250 beds and at San Carlos a second-class hospital with 105 beds. Both gave in-patient and out-patient treatment; surgical operations were performed at both and blood tests were carried out at the Santa Isabel hospital. In addition there were child welfare clinics and dental clinics at Santa Isabel.

The administration of justice was similar to that in Rio Muni. The greatest number of convictions were for offences against public order. As social, insurance and labour legislation and the aggregate of laws and decrees on the subject applied to the provinces of Fernando Poo and Rio Muni. Moreover, the Act of 30 July 1959, to which he had already referred, reaffirmed the application to the provinces of Fernando Poo and Rio Muni of the provisions laid down in the Fundamental Laws and the ordinary legislation of Spain; hence the organization of the various administrative services and of the judiciary followed the general pattern of the other Spanish provinces. The local and municipal financial system was also governed by the rules laid down in Spain. There was no special legislation applying to the two provinces.

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The Spanish Sahara, another Territory administered by Spain, covered an area of 280,000 square kilometres and was bounded on the north by Morocco, on the east and south by Algeria, Mauritania and Nigeria and on the west by the Atlantic Ocean. The total population was about 30,000. The country was not a level plain, as was usually imagined, but broken, although few of the highest points exceeded 500 metres above sea level. There was little variation in temperature throughout the year and the Territory was practically waterless. Consequently it was almost completely infertile; the cultivable area had been 567 hectares in 1957 and 573 in 1958. The total wooded area was 2,879 hectares, according to the most recent figures. There were three Administration agricultural establishments which cultivated maize, alfalfa, barley, garden produce and forage.

Despite the penury of pastureland, livestock in the Territory was fairly numerous, consisting chiefly of camels, goats and sheep - whose number had greatly increased since 1956 - and to a lesser extent of donkeys and horses.

The fishing industry was of the greatest importance to the Territory; the total catch had increased from 1,034,618 kilogrammes in 1957 to 2,202,786 kilogrammes in 1958. The number of fishing vessels based on the Territory's ports had increased from 189 in 1957, with a total tonnage of 1,656, to 541 in 1958 with a total tonnage of 15,756.

The possibilities of exploiting the sub-soil had also been methodically studied. For over five years the work of prospecting for oil and minerals had been continuing. In Anoch, soundings had been made and in Agracha the Department of Mines was carrying out geological studies, drilling and analysis with a view to investigating the possibility of mining iron and phosphates.

Much water conservation work had been done, including the construction of wells. In the urban centres the supply of drinking water had been improved and in the interior wells had been deepened, enlarged and modernized. As a result, a modern township with some 3,000 inhabitants had grown up at Asiun in little over ten years.

There was little industry and only small-scale artisan work, including metalwork, chiefly in silver. There was a small salted fish industry. A few electric power stations, with an output of 266,000 kilowatts, had been constructed. Commerce was on a very small scale and was confined to imports of necessities, chiefly foodstuffs and fuel oil for the fishing fleet. Exports consisted principally of dried fish and in recent years there had been a small export trade in "turya", a kind of textile fibre.

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Although communications and means of transport were few, there had been an appreciable development in that respect. The airfields at El Asion and at Villa Cisneros had been enlarged and improved. The port of La Agüera had been extended and a warehouse was being constructed. Work on the port of Villa Cisneros had been speeded up and the construction of a harbour at Cabo Bojador was planned. The postal and telegraphic services had been improved and there had been a marked increase in the amount of correspondence, telegrams and postal parcels. Sea and air transport of passengers and freight had considerably increased since 1957. The number of roads and vehicles had also increased since that date.

In 1957 the budget of the province had amounted to 86,762,294 pesetas; in 1958 the figure had been 49,116,173. The explanation of the decrease was that the budget was prepared on a two-year basis so that the figures for the first year were frequently overestimated.

The people of the Sahara were known by the poetic name of "men of the clouds" because they were constantly seeking for places where rain had fallen and where consequently there would be pasture for their cattle. In that area there were three types of economic and hence of social life: first, in the north, there were the mountain Berbers, who were settled; secondly, there was a group of tribes who owned houses and engaged in agriculture but at certain times of the year migrated towards the south; thirdly, there were nomadic tribes. The idea of property and wealth referred essentially to the possession of animals; ownership of land was hardly known in the Sahara. Wealth in cattle varied greatly between the tribes and between families within the tribes.

The most clearly defined social unit was that known as the "jaima" which consisted of all the people in one household, i.e. of a family of four or five persons. Sometimes the "jaimas" lived in isolation; sometimes they were grouped to form a large family headed by a patriarch.

A larger social unit was that known as the cabila or clan. The cabila was difficult to define, since its characteristics varied greatly. To begin with, every cabila possessed a real or supposed common ancestor from whom it took its name. Although governed by Moslem law of the Malekita rite, each cabila had its customs, laws and traditions.

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Charity was very highly developed among the people of the Sahara. One of their most interesting customs was that of the "meniha" in accordance with which a wealthy man would allow a poor one the use of some of his cattle. The inhabitants of the Spanish Sahara observed the obligations of hospitality to a rare degree. Generally speaking, they were people of great intelligence.

Various attempts had been made to settle those people. One of the most recent of such endeavours had been the construction of a town on the borders of the Sagua-el-Hamra. Another settlement, Tantan, had been created in the north of the Territory.

It was extremely difficult to hold a census with a nomad population. Nevertheless, thanks to the perseverance of the authorities and the efforts at settlement that had been made he was able to give some figures, all of which referred to the years 1957 and 1958.

As he had said at the beginning of his statement, the number of inhabitants was 30,000; the de jure population, however, amounted to 19,235, of whom 1,710 were of Spanish origin and 17,525 were indigenous. The chief concern of the authorities had been the health and educational welfare of the people.

There were twelve health establishments, including two hospitals, four urban and six rural medical centres, and dispensaries. 13,439 patients had been treated in 1957 and 12,708 in 1958. In 1957 there had been 54,429 consultations; in 1958 there had been 50,830. In the course of an anti-tuberculosis campaign, 149 people had been X-rayed in 1957 and 2,853 in 1958. Treatment in the hospitals and dispensaries was given by forty-seven doctors and medical auxiliaries.

In 1956/57 there had been nine schools with eleven teachers and in 1957/58 eight schools with ten teachers. In 1956/57, 327 children, both Spanish and indigenous, had attended those schools; the number of indigenous children was naturally higher. In 1957/58, 337 children had attended school.

Adult education had been intensified; in 1957/58, 108 men had attended classes, twenty-four of whom had been of Spanish origin and eighty-four indigenous.

In 1958 there had been two public libraries which had been used by 788 people.

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Among an essentially nomadic people labour questions were of minor importance. He had already referred to the legislation on the matter, which made no distinction between people of Spanish origin and indigenous inhabitants. 1,114 labour contracts had been signed in 1957 and 1,148 in 1958. The greater part of them related to the fishing industry or to domestic service. Wages varied greatly; the highest wages were paid in the fishing industry. In addition to their regular wages, workers benefited by the system of family aid.

The special characteristics of the province of the Spanish Sahara had naturally influenced the administrative organization, although it was still based on the Fundamental Laws. The various services were organized in the same way as those of the other Spanish provinces, but with suitable adaptations. Like the other provinces, Spanish Sahara had the right to be represented in the Spanish Parliament and other public bodies and there was a representative provincial council whose functions were in accordance with the law on local government, adapted to the nature of the province.

The province was under a Governor General, assisted by a General Secretary who replaced him in case of absence or illness and who was the head of all the services of the province with the exception of the judicial and military.

For administrative purposes the Territory was composed of municipal councils, smaller local units and nomadic sections. The latter institution was characteristic of the province and was based on the way of life of its inhabitants.

The judicial organization was in conformity with the general Spanish system, while maintaining the characteristics of the province and traditional Koranic law. The system of property ownership took into account the traditional communal land rights of all Moslems.

The labour code of the province, subject to its special characteristics, was in accordance with Spanish legislation.

Taxes and revenues went to the Treasury of the provincial administration and were used exclusively to meet the needs and promote the prosperity of the province and to raise the level of living of the inhabitants. For that purpose, they were supplemented by subsidies from the general budget of the State.

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Lastly, it was explicitly laid down in the Spanish legislation that all educational establishments of every type must be open to all the inhabitants of the province without distinction.

Mr. YOMEKPE (Ghana) expressed his delegation's appreciation of the comprehensive report furnished by the representative of Spain. The delegation of Ghana would, however, have liked to have some information concerning the Territory of Ifni. He asked whether the Spanish delegation intended to furnish information on that Territory in future.

Mr. de PINIES (Spain) pointed out that Ifni had been the subject of negotiations between the Spanish Government and another Member of the United Nations, whose representative had stated in the Fourth Committee that the submission of information concerning that Territory would not be appropriate at the present time. While his Government did not share the views on which that conclusion had been based, it nevertheless agreed that for the time being at least it would not be appropriate to submit information on Ifni.

He would be happy, however, to transmit the remarks of the representative of Ghana to the Spanish authorities.

Mr. RASGOTRA (India) also expressed appreciation of the Spanish representative's statement. He suggested that the statement should be reproduced in full and annexed to the Committee's report to the General Assembly.

His delegation hoped that information concerning the Spanish Territories would be submitted to the Committee's next session beforehand in the usual way, so as to give members time to study it.

Miss KAMAL (Iraq) associated herself with those representatives who had expressed appreciation of the Spanish representative's interesting and detailed statement. Although the Committee would not have time to examine the facts submitted, they would form a useful basis of discussion at the sixteenth session of the General Assembly and the next session of the Committee.

She reaffirmed the position taken by her delegation in the past with regard to certain Territories administered by Spain. Iraq regarded Ifni, Saguia-el-Hamra and Rio de Oro as integral parts of Morocco and her delegation's participation

(Miss Kamal, Iraq)

in any future discussions would be subject to that reservation. Although, as the Spanish representative had stated, negotiations were in progress between the Spanish and Moroccan Governments on the subject of Ifni, her delegation's reservations would apply to that Territory too, pending the conclusion of the negotiations.

Miss BROOKS (Liberia) also thanked the Spanish representative for his statement. She had been glad to learn that the situation to which she had referred had now been remedied.

Mr. KUNST (Secretary of the Committee) said that it would not be possible for the Spanish representative's statement to be reproduced and translated before the Committee adopted its report. It could, however, be annexed to the report when that document was submitted to the General Assembly.

It was so decided.

The meeting rose at 1.10 p.m.