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COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Thirteenth Session

SUMMARY RECORD OF THE TWO HUNDRED AND FIFTY-FOURTH MEETING

Held at Headquarters, New York
on Wednesday, 9 May 1962, at 3.15 p.m.

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PRESENT:

<u>Chairman:</u>	Mr. MALALASEKERA	(Ceylon)
<u>Rapporteur:</u>	Mr. ROS	Argentina
<u>Members:</u>	Mr. HOOD)	Australia
	Mr. WHITE)	
	Mr. MAHENDRAN	Ceylon
	Mr. VALENCIA	Ecuador
	Mr. de CAMARET	France
	Mr. WILSON	Liberia
	Mr. CALVILLO	Mexico
	Mr. GOEDHART)	Netherlands
	Mr. JOUWE)	
	Mr. NORRISH	New Zealand
	Mr. AKHUND	Pakistan
	Mr. CALINGASAN	Philippines
	Mr. de PINIES	Spain
	Mr. SANKEY	United Kingdom of Great Britain and Northern Ireland
	Mr. POPPER	United States of America
	Mr. ILBOUDO	Upper Volta

Representatives of specialized agencies:

Mr. LLOYD	International Labour Organisation
Mr. ORR	Food and Agriculture Organization
Mr. SALSAMENDI	United Nations Educational, Scientific and Cultural Organization
Dr. SACKS	World Health Organization
<u>Secretariat:</u> Mr. CHU	Secretary of the Committee

POLITICAL AND CONSTITUTIONAL INFORMATION ON NON-SELF-GOVERNING TERRITORIES (A/5078/Add.3 and Add.7-10, A/5079 and Add.1 and Add.3-6, A/5080 and Add.2-4, Add.6, Add.8 and Add.10-17, A/5081 and Add.1 and Add.3-5, A/5120) (continued)

PREPARATION AND TRAINING OF INDIGENOUS CIVIL AND TECHNICAL CADRES IN NON-SELF-GOVERNING TERRITORIES (A/5122) (continued)

Mr. SANKEY (United Kingdom) said that the debate on political and constitutional information had been interesting and varied. He was grateful to members for having followed his suggestion that they should stand aside from the hurly-burly of day-to-day events and the intricate detail of individual Territories and take a calm and thoughtful look at the practical problems facing the Administering Members in preparing Territories for self-government and independence. It had also been valuable to hear the experience of other Administering Members in that field. He acknowledged with gratitude the many tributes which had been paid to the United Kingdom for its decision to transmit political and constitutional information on the Territories under its administration.

Some members had not been entirely satisfied with the information supplied by his Government. The Pakistan representative had said that he had been informed about the facts but not enlightened about the United Kingdom's future intentions. What the United Kingdom had included in the documents, however, was information, not speculation, and unless the next step ahead had been firmly agreed it had been thought better to avoid raising hopes which might later be disappointed through no fault of the United Kingdom. For example, the Federation of the West Indies had been expected to become independent in May 1962, whereas in fact events had turned the destinies of that area in a different direction. A more immediate example was that of the constitutional conference on British Guiana which was to have taken place in May 1962 but had had to be postponed; in that connexion his Government had just made an announcement explaining the reasons for the postponement and proposing that the conference should be held in July provided the necessary preparatory steps were completed in time.

The Argentine representative had felt that the information supplied was "static" and did not reflect all that was happening in the Territories, such as, for example, the formation and dissolution of various federations embracing smaller

(Mr. Sankey, United Kingdom)

Territories. With regard to the Federation of the West Indies, Jamaica would achieve independence in August 1962, a constitutional conference on Trinidad would open later in the month to consider a date for the independence of that Territory, and representatives of the eight remaining Territories of the former Federation were at present meeting in London to discuss the formation of a new Federation comprising Barbados and the Windward and Leeward Islands. Thus the position there was far from static.

With regard to the Federation of Rhodesia and Nyasaland, to which the Liberian representative had referred, the United Kingdom Government had just made an important announcement: firstly, the Government acknowledged that Nyasaland was not prepared to remain within the present Federation but it considered that before any final conclusion was reached a full examination must be undertaken of the consequences both of withdrawal and of acceptable forms of alternative association with the other Territories; secondly, the Government would appoint advisers to examine those matters with the Nyasaland Government and would conduct complementary talks with the Governments of Northern and Southern Rhodesia to consider possible forms in which the three Territories might be associated in the future; thirdly, any association proposed must be acceptable to the three Territories and based on the good will of their peoples. There too, therefore, the position was far from static.

The representative of Ecuador had noted that despite an increase in indigenous participation in government there was only one indigenous Governor. In the British pattern of development, however, the important post in the final stages before independence was that of Chief Minister or Prime Minister, not Governor, for by that stage the Governor had become in many ways a constitutional monarch; it often happened that when a Territory became independent the last colonial Governor became the first Governor-General of the independent country, as had been the case in Sierra Leone, Tanganyika and India. In fact the majority of the United Kingdom Territories had reached a stage where they had an indigenous Chief Minister and were thus already largely self-governing. With regard to the question of votes for women, there now remained only one Territory in which there was discrimination against women with respect to franchise qualifications.

(Mr. Sankey, United Kingdom)

Many members had criticized the continuation of restrictions on the franchise, but most United Kingdom Territories enjoyed universal adult suffrage and it remained the goal in the few Territories where there were still various kinds of qualitative franchise. All the Territories which had achieved that goal had passed through a gradual process in which franchise qualifications had been progressively reduced - which indeed had been the pattern followed in the United Kingdom itself. That had proved to be an effective means of getting away from the communal rolls, which had been rightly criticized by some members, and establishing common rolls where racial differences were no longer a criterion. Although the goal was still some way off in a few Territories, particularly Northern Rhodesia, the objective remained clear and it was encouraging that the political leaders in that Territory should have agreed, with reservations, to participate in the elections to be held in October 1962.

The Mexican representative had discussed a number of further aspects which Administering Members might cover in the information they submitted. One such question concerned the exercise of fundamental freedoms and their protection under the constitution. Such matters illustrated the difference between British concepts of government and those of other countries with respect to the relationship between the State and the individual: whereas many countries made detailed legislative provisions in order to safeguard the rights of individuals, the British pattern was to start from the assumption that the individual enjoyed those rights except in so far as they were restricted by law in the interest of the community as a whole. It was not for the individual to prove that the law had conferred certain rights upon him; the onus was on those seeking to derogate from such rights to show that, by express words or by necessary implication, such had been the intention of the legislature.

Information on many of the questions raised by the Mexican representative was to be found in other documentation which was either before the Committee or available in the Secretariat archives. His Government was already supplying a vast amount of information on its Territories in response to questionnaires by the various functional commissions and specialized agencies; for example, the right of workers to form trade unions and to strike would be covered in reports to the International Labour Organization, while much information on the question of land ownership could be found in the material transmitted under Article 73 (e).

(Mr. Sankey, United Kingdom)

The debate on political and constitutional information had been friendly and valuable, and a spirit of constructive criticism had prevailed. The problem now was not one of the objective, on which all were agreed, but the speed with which that objective could be reached. The Committee's task was becoming smaller each year; two of the largest remaining Territories, Uganda and Jamaica, would become independent in 1962; and he hoped that the number of Territories remaining would be still further reduced in the course of 1963.

Mr. HOOD (Australia) said that as there was considerable information available relating to the training of indigenous civil and technical cadres in Papua, his delegation would circulate a document describing in detail the vigorous efforts being made by the Administering Power and the progress already achieved; he hoped that document would be useful to the Drafting Committee in the preparation of its report.

Trained and experienced personnel capable of filling responsible positions could not be produced from one day to the next and progress in that field was geared to the educational programme. If the peoples of Territories under Australian administration were efficiently trained to undertake the tasks of government when the time came, they had to be trained not only in political awareness to ensure that their rights and interests were maintained, but also in all forms of administrative development; to that end the Administration was progressively bringing Papuans into the Public Service while ensuring that their educational qualifications were commensurate with the degree of skill they were called upon to exercise. Training was provided by the Administration at all levels of employment and employees were encouraged to equip themselves to occupy more progressively responsible positions. Training was undertaken by the Department of Education, the Public Service Institute and all the technical and professional departments. A substantial increase in the 1961/62 budget appropriations to the Territory, from £A14 million to over £A17 million, would make it possible to expand the whole training programme, a step which reflected the importance his Government placed on that aspect of development.

By February 1962, the number of indigenous administration and field service officers in the Territory's Public Service had risen to a total of 713, and it was intended to recruit not less than 2,500 indigenous staff for the Service in

(Mr. Hood, Australia)

the next few years. The total strength of the Public Service would then be about 10,000, of which about one third would be indigenous employees as compared with one eighth in June 1960. If, as was likely, Administration employees of the lower-paid echelons were admitted to a proposed new Fourth Division, the proportion of indigenous workers in the Public Service would then be about two thirds.

It could thus be seen that the Administering Authority was placing increasing emphasis on the training of Papuans in all fields of administration to enable them to take their place in the ranks of the rapidly expanding Public Service.

The meeting rose at 3.50 p.m.