



**Factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government<sup>1</sup>**

**Cessation of the transmission of information under Article 73 e of the Charter: Netherlands Antilles and Surinam<sup>1</sup>**

## **Report of the *Ad Hoc* Committee on Factors (Non-Self-Governing Territories)**

### **TABLE OF CONTENTS**

	<i>Page</i>
I. Constitution of the <i>Ad Hoc</i> Committee .....	1
II. Officers .....	1
III. Development of the study of factors .....	1
IV. Additional elements relating to self-government and self-determination .....	2
V. Examination of the list of factors .....	3
VI. List of factors approved by the <i>Ad Hoc</i> Committee .....	4
VII. Cessation of the transmission of information on the Netherlands Antilles and Surinam ..	6

#### **I. CONSTITUTION OF THE *Ad Hoc* COMMITTEE**

1. By resolution 648 (VII) adopted on 10 December 1952, the General Assembly appointed an *Ad Hoc* Committee of ten members comprising Australia, Belgium, Burma, Cuba, Guatemala, Iraq, Netherlands, United Kingdom, United States of America and Venezuela, in order to continue and carry out a more thorough study of the factors which will have to be taken into account in deciding whether a territory has or has not attained a full measure of self-government. The Committee was invited to take into account the list of factors prepared in 1952 by the *Ad Hoc* Committee set up under General Assembly resolution 567 (VI) and the statements transmitted by governments in compliance with the aforementioned resolution. The Committee was also invited to take into account certain additional elements (see section 10 below).

2. By resolution 650 (VII) adopted on 20 December 1952, the *Ad Hoc* Committee was invited to examine carefully, in the light of resolution 648 (VII), the documents submitted by the Netherlands Government relating to the cessation of information in respect of the Netherlands Antilles and Surinam.

3. The *Ad Hoc* Committee met at the Headquarters of the United Nations on 21 July 1953 and held eight meetings between that date and 30 July 1953.

#### **II. OFFICERS**

4. The officers of the Committee were the following:  
*Chairman:* Mr. Awni Khalidy (Iraq)

*Vice-Chairman and Rapporteur:* Mr. Benjamin Gerig (United States of America)

<sup>1</sup> Items 33 and 34 (a) respectively of the provincial agenda of the eighth session (A/2416).

#### **III. DEVELOPMENT OF THE STUDY OF FACTORS**

5. By resolution 334 (IV) adopted on 2 December 1949, the General Assembly had invited the Committee on Information from Non-Self-Governing Territories "to examine the factors which should be taken into account in deciding whether any territory is or is not a territory whose people have not yet attained a full measure of self-government".

6. In 1951 the Committee on Information prepared a report which was submitted to the General Assembly at its sixth session.<sup>2</sup> At that session, the Fourth Committee appointed a sub-committee (Sub-Committee 9) to undertake a further examination of the question; on the report of that Sub-Committee it adopted a resolution which was approved by the General Assembly as resolution 567 (VI).

7. By resolution 567 (VI) the General Assembly decided to take as a basis the list of factors which had been drawn up at the sixth session and to appoint an *ad hoc* committee to carry out a further study of the factors taking into account the information available. This information included the views which the Members were invited to transmit by the resolution itself, and earlier information transmitted to the Secretary-General on the reasons which had led certain of the Administering Members to cease to transmit information on certain of the territories previously enumerated as Non-Self-Governing Territories.

8. The 1952 *Ad Hoc* Committee reported to the General Assembly at its seventh session.<sup>3</sup> After the report had been examined by the Fourth Committee,

<sup>2</sup> See *Official Records of the General Assembly, Sixth Session, Supplement No. 14*, document A/1836, part IV.

<sup>3</sup> *Ibid.*, *Seventh Session, Annexes*, agenda item 36, document A/2178.

the General Assembly adopted resolution 648 (VII) approving provisionally the list of factors as established in 1952 but appointing the present *Ad Hoc* Committee with the terms of reference set forth in paragraph 1 above.

9. The foregoing history shows the degree of attention which has been paid to the problem in recent years, and is an indication of the complexities involved. From the beginning, it was agreed that no list of factors could serve as more than a guide in determining whether any particular territory has attained a full measure of self-government. Moreover, as stated in resolution 648 (VII), each concrete case should be considered and decided in the light of the particular circumstances of that case. Taking these circumstances into consideration, it may be thought that, while a further refining and clarification of the list of factors would still be possible, a stage may have been reached in the studies of the subject which makes unnecessary any immediate action, since the present list is sufficient to serve as a guide in the sense indicated in resolution 648 (VII), permitting the full consideration of each concrete case.

10. The representative of Iraq suggested that the General Assembly should refer the list of factors and the question of the interpretation and development of those factors in the light of changing circumstances, to the Committee on Information from Non-Self-Governing Territories as one of its regular charges and responsibilities. This suggestion was supported by the representatives of Burma, Cuba, Guatemala and Venezuela. The representative of Belgium opposed the suggestion. He considered that even if the Committee on Information could be regarded as constitutionally justified, it had no competence in political matters since these matters were not covered by Article 73 e of the Charter.

#### IV. ADDITIONAL ELEMENTS RELATING TO SELF-GOVERNMENT AND SELF-DETERMINATION

11. By paragraph 7 of General Assembly resolution 648 (VII), the *Ad Hoc* Committee was invited "to take into account, *inter alia*, the list of factors prepared in 1952 by the *Ad Hoc* Committee set up under General Assembly resolution 567 (VI) and the statements transmitted by governments in compliance with the aforementioned resolution and, further, to take into account the following additional elements:

(a) The possibility of defining the concept of a full measure of self-government for the purposes of Chapter XI of the Charter;

(b) The features guaranteeing the principle of the self-determination of peoples in relation to Chapter XI of the Charter;

(c) The manifestation of the freely expressed will of the peoples in relation to the determination of their national and international status for the purposes of Chapter XI of the Charter."

In connexion with point (a), the *Ad Hoc* Committee agreed that it was not possible to find a satisfactory definition of the concept of a full measure of self-government for the purposes of Chapter XI of the Charter. Even if the concept of self-government could be satisfactorily defined, such a definition would be insufficient unless completed by the definition of "a full measure" of self-government within the framework of Chapter XI.

12. On the other hand, it was agreed that there were a number of features which were helpful in indicating whether a full measure of self-government had been achieved in any particular case. Many of these features were indicated in the list of factors. Others were suggested in the replies of the governments.

13. Thus, the absence of a satisfactory definition was not a serious disadvantage, since in the examination of any particular case the concept would emerge in its practical application to the facts of that case.

14. Points (b) and (c) were examined together, in view of their close inter-connexion.

15. In relation to these two points, the *Ad Hoc* Committee noted that, in virtue of General Assembly resolution 637 C (VII), a study of ways and means of ensuring international respect for the right of peoples to self-determination is being continued through the Economic and Social Council and the Commission on Human Rights. For its part, the Committee considered that among the features guaranteeing the principle of the self-determination of peoples in relation to Chapter XI of the Charter might be found the following:

A. The political advancement of the population sufficient to enable them to decide the future destiny of the territory by means of democratic processes.

B. The functioning of a representative system of government, with periodic elections in which the peoples fully participate, or other democratic processes by which the peoples can exercise their free will.

C. The enjoyment of individual rights, including:

(a) Freedom of the individual and his ability to participate and to have a voice in his government,

(b) Guarantee of basic rights, e.g., freedom of speech, Press, assembly, religion and the right to a fair trial,

(c) Universal adult suffrage, based on adequate educational opportunities,

(d) Freedom of the individual to join political parties and of all the parties to participate freely in the political life of the territory.

D. The absence of any pressure or coercion on the population so that they may be in a position freely to express their views as to the national or international status which they may desire (attainment of independence, attainment of other systems of self-government in continuing association, or free association as an integral part of the metropolitan or other country).

E. Assurance that the views of the population will be respected.

16. With reference to point E above, the representative of the United States of America said that, because the paragraph seemed to require a metropolitan or other State to give assurances in advance that effect would be given to the wishes of a territory which may adopt for statehood or for another form of integration, the United States delegation must completely reserve its position since the action to be taken would be a matter requiring the consent of both parties.

17. Reservations were also made by the representatives of Australia, Belgium, the Netherlands and the United Kingdom.

18. The representative of Australia said he would abstain on any proposal in this connexion because

the question of self-determination had no direct relevance to Chapter XI of the Charter; the representative of Belgium agreed that the phase of development involved was outside the scope of Chapter XI and therefore outside the competence of the Committee.

19. The representative of the United Kingdom felt obliged to reserve the position of his delegation in relation to point E since he interpreted it as an assertion that whenever a people had declared its will its desires must be met. He indicated that any given Non-Self-Governing Territory might well be inhabited by several "peoples" whose freely expressed wishes might be in conflict, and recognition of their several wishes without qualification might simply lead to anarchy and chaos. There was always in such discussions the overwhelming difficulty that no acceptable definition of the word "people" had ever been reached in connexion with the principle of self-determination. His delegation had always regarded this principle as a useful guide to political action, in conjunction with other useful principles such as the need for cohesion and stability in the world, the need to provide for tolerable living standards and the need for the recognition of mutual interests in relations between peoples. While due respect should be accorded to the principle of self-determination, this principle could not be followed blindly with disregard to the equal validity of other principles.

20. The representative of the Netherlands associated himself with the reservations of the other representatives.

21. The representative of Guatemala proposed the addition of a new point F to the above list to read as follows: "Freedom of the peoples of Non-Self-Governing Territories, which have freely limited their sovereignty in favour of the metropolitan or other country, to change their status by democratic processes". The representatives of Cuba, Iraq and Venezuela associated themselves with this text, the representative of Venezuela stating that the whole list should be regarded as an enumeration of features which should not be applied rigidly or inflexibly. A suggestion by the representative of the United States of America that this formulation could be improved by making it subject to existing agreements was not acceptable to the representative of Guatemala, who felt that this would nullify the entire concept.

22. The original text proposed by the representative of Guatemala being retained, reservations were expressed by the representatives of Australia, Belgium, Burma, the Netherlands, the United Kingdom and the United States of America.

23. The representatives of Australia and the Netherlands considered the proposal unacceptable in its present form.

24. The representative of Belgium repeated that this point lay outside the scope of Chapter XI of the Charter and was beyond the competence of the *Ad Hoc* Committee.

25. The representative of Burma said that the final decision as to their future international status should be taken by the people themselves. Once the people, taking all factors and circumstances into consideration, freely elected association with the metropolitan or other country, then secession should be subject to the terms of any agreement entered into at that particular point. His position was based on the assumption that the

decision of association had been arrived at freely, as expressed in the paragraph E which he had proposed.

26. The representative of the United Kingdom recorded the opposition of his delegation to point F since he considered that it related to situations arising in a territory after it had passed beyond the scope of Chapter XI of the Charter and was, therefore, outside the terms of reference of the *Ad Hoc* Committee. Furthermore, such a provision would encourage the unilateral repudiation of agreements, to which his delegation was opposed.

27. The representative of the United States of America agreed with certain of the above reservations and could not consider that an unqualified unilateral right of secession or the unilateral altering of agreements was a sound principle.

28. Finally the representative of Guatemala considered it essential to establish that no metropolitan government might change the political status of a Non-Self-Governing Territory which was the subject of claim or litigation on the part of another State until such claim or litigation had been duly settled.

29. The representative of the United Kingdom observed that he failed to see the relevance of this contention to the list of factors or to any item on the agenda of the *Ad Hoc* Committee. Any disputes as to sovereignty could be adjudicated by the appropriate international body. In the meantime, it was surely the duty of the *de facto* Administering Authority to promote to the utmost the realization of the objectives of Chapter XI, since in the event of a change of sovereignty the new sovereign would fall heir to all the obligations of the old one under this Chapter of the Charter.

#### V. EXAMINATION OF THE LIST OF FACTORS

30. The list of factors provisionally approved by the General Assembly in 1952 was considered by the *Ad Hoc* Committee and approved, subject to the following changes.

31. The 1952 list was divided into two parts, and the second part into two sections. The first part consisted of factors indicative of the attainment of independence. The second part consisted, first, of factors indicative of the attainment of other separate systems of self-government and, secondly, of factors indicative of the free association of a territory with other component parts of the metropolitan or other country. After various opinions had been expressed on other possible ways of dividing the list, it was agreed that no fundamental change was necessary, but it was suggested by the United Kingdom representative that the division should be into three separate parts concerning (I) Independence; (II) Self-government in continuing association under treaty or constitutional instruments with a metropolitan country; and (III) Self-government as a component part of a federal or unitary State.

32. The first part, concerning factors indicative of the attainment of independence, was approved without change.

33. The representative of the United Kingdom proposed that the title of the second part should read: "Factors indicative of other systems of self-government in continuing association with the metropolitan country." The representative of Guatemala made a reservation that cases might conceivably arise when the association would not be with the original metropolitan country. The representative of Venezuela proposed that

the title should therefore be broadened by the addition of the words "or in other forms", which was accepted by the Committee.

34. Factor A.3 of the second part relates to the voluntary limitation of sovereignty. The representative of Guatemala pointed out that his Government and that of El Salvador had proposed the elimination of this factor. He expressed doubt whether any territory could voluntarily surrender any sovereignty that it did not possess. After other members had held that the factor might be of practical value in certain cases, a phrase was added, on the proposal of the representative of Venezuela, with an amendment proposed by the representative of Cuba, to read "degree of evidence that the attribute or attributes of sovereignty which are not exercised individually will be collectively exercised by the larger entity thus associated".

35. The representative of the Netherlands suggested the inclusion of an additional paragraph after factor B.1 in order to provide for the complimentary case of the obligations of the metropolitan country. After a brief discussion, the Committee agreed to add the following:

"Degree or extent to which the metropolitan country is bound, through constitutional provisions or legislative means, by the freely expressed wishes of the territory in negotiating, signing and ratifying international conventions which may influence conditions in the territory."

36. The representative of the Netherlands, who had requested the deletion of factor B.2—*Eligibility for membership in the United Nations*—from the second part, withdrew his proposal on the ground that the new title of the second part now made possible the retention of such a factor.

37. On the proposal of the United Kingdom representative, it was agreed that the title of the third part should read: "Factors indicative of the free association of a territory with the metropolitan or other country as an integral part of that country".

38. The representative of Guatemala felt that this title, like that of the second part, was too restrictive and implied the concept of continuous associations and did not, therefore, make provision for any other forms.

39. No change was made in the third part, on which the opinion was expressed that it had been carefully studied and was the most satisfactory of the three parts.

40. The Belgian representative made the following reservations concerning the question of factors:

(a) Chapter XI of the Charter appeared to apply to all "Territories whose peoples have not yet attained a full measure of self-government". It was couched in general terms and provided no exceptions. The benefit of the international obligations assumed by States under Chapter XI was not therefore restricted to the peoples of colonies and protectorates.

(b) It was the prerogative of States, and of them alone, to decide with legal effect, each for itself, whether the territories for which they were responsible came, did not come, or no longer came, within the scope of Chapter XI. That was their right under international law and they had not ceded it to any organ of the United Nations. In particular, the General Assembly could not force any definition upon them. Article 2, paragraph 7, of the Charter was quite categorical: nothing contained in the Charter authorized the United Nations to intervene in matters which were essentially within the domestic jurisdiction of any State. The Assembly would

therefore be exceeding its powers if it passed judgment in any capacity or in any way on the status of a specific State or territory.

(c) The Assembly could, however, give its general opinion on the factors which might, in its opinion, serve as a guide to States. They were no more than opinions, however, and were not binding on States.

(d) If the factors drawn up by the General Assembly were considered fit to serve as a guide in determining whether a territory was self-governing, they were, conversely, fit to serve as a guide in determining whether a territory was not self-governing and was hence a subject for the guarantees of Chapter XI. No State which recognized those factors as valid for determining the status of other States could dispute their validity for determining its own status under Chapter XI.

(e) The Belgian delegation had taken no part in the efforts that had led to the study of factors and it was not satisfied with the results. Its attitude concerning the list of factors that had been drawn up was one of abstention. In spite of some vagueness and inaccuracy, however, the studies that had been made had brought to light sufficient evidence to show that there were many peoples in the world who were not yet self-governing and that there were, therefore, many States with obligations under Chapter XI. Henceforth, therefore, it would be useless to endeavour to impose the idea that the only States having obligations under Chapter XI were the eight Member States which had recognized those obligations and, in particular, the obligation to furnish information in accordance with Article 73 e.

#### VI. LIST OF FACTORS APPROVED BY THE *Ad Hoc* COMMITTEE

41. The following is the list of factors approved by the *Ad Hoc* Committee.

#### FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE OR OF OTHER SEPARATE SYSTEMS OF SELF-GOVERNMENT

##### First Part

#### *Factors indicative of the attainment of independence*

##### A. *International status*

1. *International responsibility.* Full international responsibility of the territory for the acts inherent in the exercise of its external sovereignty and for the corresponding acts in the administration of its internal affairs.

2. *Eligibility for membership in the United Nations.*

3. *General international relations.* Power to enter into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments.

4. *National defense.* Freedom of the territory to enter into arrangements concerning its national defence.

##### B. *Internal self-government*

1. *Form of government.* Complete freedom of the people of the territory to choose the form of government which they desire.

2. *Territorial government.* Freedom from control or interference by the government of another State in respect of the internal government (legislature, executive, judiciary, and administration of the Territory).

3. *Economic, social and cultural jurisdiction.* Complete autonomy in respect of economic, social and cultural affairs.

## Second Part

### FACTORS INDICATIVE OF THE ATTAINMENT OF OTHER SYSTEMS OF SELF-GOVERNMENT IN CONTINUING ASSOCIATION WITH THE METROPOLITAN COUNTRY OR IN OTHER FORMS

#### A. General

1. *Political advancement.* Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population.* The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

3. *Voluntary limitation of sovereignty.* Degree to which the sovereignty of the territory is limited by its own free will when that territory has attained a separate system of self-government. Degree of evidence that the attribute or attributes of sovereignty which are not individually exercised will be collectively exercised by the larger entity thus associated.

#### B. International status

1. *General international relations.* Degree or extent to which the territory exercises the power to enter freely into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments freely. Degree or extent to which the metropolitan country is bound, through constitutional provisions or legislative means, by the freely expressed wishes of the territory in negotiating, signing and ratifying international conventions which may influence conditions in the territory.

2. *Eligibility for membership in the United Nations.*

#### C. Internal self-government

1. *Territorial government.* Nature and measure of control or interference, if any, by the government of another State in respect of the internal government, for example, in respect of the following:

*Legislature:* The enactment of laws for the territory by an indigenous body whether fully elected by free and democratic processes or lawfully constituted in a manner receiving the free consent of the population;

*Executive:* The selection of members of the executive branch of the government by the competent authority in the territory receiving consent of the indigenous population, whether that authority is hereditary or elected, having regard also to the nature and measure

<sup>4</sup>For example, the following questions would be relevant:

(i) Has each adult inhabitant equal power (subject to special safeguards for minorities) to determine the character of the government of the territory? (ii) Is this power exercised freely, i.e., is there an absence of undue influence over and coercion of the voter and of the imposition of disabilities on particular political parties? Some tests which can be used in the application of this factor are as follows:

(a) The existence of effective measures to ensure the democratic expression of the will of the people;

(b) The existence of more than one political party in the territory;

(c) The existence of a secret ballot;

(d) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;

(e) The existence for the individual elector of a choice between candidates of differing political parties;

(f) The absence of "martial law" and similar measures at election times.

(iii) Is each individual free to express his political opinions, to support or oppose any political party or cause, and to criticize the government of the day?

of control, if any, by an outside agency on that authority, whether directly or indirectly exercised in the constitution and conduct of the executive branch of the government;

*Judiciary:* The establishment of courts of law and the selection of judges.

2. *Participation of the population.* Effective participation of the population in the government of the territory: (a) Is there an adequate and appropriate electoral and representative system? (b) Is this electoral system conducted without direct or indirect interference from a foreign government?<sup>4</sup>

3. *Economic, social and cultural jurisdiction.* Degree of autonomy in respect of economic, social and cultural affairs, as illustrated by the degree of freedom from economic pressure as exercised, for example, by a foreign minority group which, by virtue of the help of a foreign Power, has acquired a privileged economic status prejudicial to the general economic interest of the people of the territory; and by the degree of freedom and lack of discrimination against the indigenous population of the territory in social legislation and social developments.

## Third Part

### FACTORS INDICATIVE OF THE FREE ASSOCIATION OF A TERRITORY WITH THE METROPOLITAN OR OTHER COUNTRY AS AN INTEGRAL PART OF THAT COUNTRY

#### A. General

1. *Political advancement.* Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population.* The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

3. *Geographical considerations.* Extent to which the relations of the territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles.

4. *Ethnic and cultural considerations.* Extent to which the population are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

5. *Constitutional considerations.* Association (a) by virtue of the constitution of the metropolitan country; or (b) by virtue of a treaty or bilateral agreement affecting the status of the territory, taking into account (i) whether the constitutional guarantees extend equally to the associated territory, (ii) whether there are powers in certain matters constitutionally reserved to the territory or to the central authority, and (iii) whether there is provision for the participation of the territory on a basis of equality in any changes in the constitutional system of the State.

#### B. Status

1. *Legislative representation.* Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions.

2. *Citizenship.* Citizenship without discrimination on the same basis as other inhabitants.

3. *Government officials.* Eligibility of officials from the territory to all public offices of the central authority,

by appointment or election, on the same basis as those from other parts of the country.

### C. Internal constitutional conditions

1. *Suffrage.* Universal and equal suffrage, and free periodic elections, characterized by an absence of undue influence over and coercion of the voter or of the imposition of disabilities on particular political parties.<sup>5</sup>

2. *Local rights and status.* In a unitary system equal rights and status for the inhabitants and local bodies of the territory as enjoyed by inhabitants and local bodies of other parts of the country; in a federal system an identical degree of self-government for the inhabitants and local bodies of all parts of the federation.

3. *Local officials.* Appointment or election of officials in the territory on the same basis as those in other parts of the country.

4. *Internal legislation.* Local self-government of the same scope and under the same conditions as enjoyed by other parts of the country.

## VII. CESSATION OF THE TRANSMISSION OF INFORMATION ON THE NETHERLANDS ANTILLES AND SURINAM

42. By resolution 650 (VII) of 20 December 1952, the General Assembly decided that the *Ad Hoc* Committee should examine carefully the documents submitted by the Netherlands Government relating to the Netherlands Antilles and Surinam in the light of the resolution on factors and should report to the General Assembly at its eighth session.

43. The principal document submitted by the Netherlands Government was in the form of a communication dated 31 August 1951, completed by a communication of 30 November 1951 (A/C.4/200). The document contained an explanatory note by the Netherlands Government and constitutional texts comprising articles of the Constitution of the Netherlands (1948), the Interim Order of Government for the Netherlands Antilles (1950) and the Constitution of the Netherlands Antilles (1950). The texts were transmitted in English and, in addition, the full Dutch texts of the legal regulations of both the Netherlands Antilles and Surinam were annexed.

44. When the *Ad Hoc* Committee met, a further communication was brought before it in the form of a letter to the Secretary-General dated 23 July 1953 from

<sup>5</sup> For example, the following tests would be relevant:

- (a) The existence of effective measures to ensure the democratic expression of the will of the people;
- (b) The existence of more than one political party in the territory;
- (c) The existence of a secret ballot;
- (d) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;
- (e) The existence for the individual elector of a choice between candidates of differing political parties;
- (f) The absence of "martial law" and similar measures at election times;
- (g) Freedom of each individual to express his political opinions, to support or oppose any political party or cause, and to criticize the government of the day.

the Permanent Representative of the Netherlands to the United Nations (A/AC.67/3).

45. In this last communication the Netherlands Government stated that according to Article 73 e, the obligation to transmit information was subject to such limitation as security or constitutional considerations might require. The Netherlands Government based its decision to discontinue the transmission of information in 1951 on this limitation. After the enactment of the Interim Orders of Government which accorded a new status to Surinam and the Netherlands Antilles, there were constitutional objections to continuing the transmission of information. The Netherlands Government further expressed doubt whether the examination of the discontinuance of the transmission of information in the case of the Netherlands Antilles and Surinam would be facilitated by applying the resolution on factors as a yardstick. According to the Netherlands Government, "the point is: has a territory attained such a measure of self-government that it is fully responsible for the three fields mentioned in Article 73 e, viz., the economic, social and educational conditions"?

46. The representative of the Netherlands presented this communication to the Committee, and said that the Netherlands Government was confronted with the impossibility of transmitting information by the fact that the Governments of the territories themselves had opposed such transmission. He invited the Committee, and the Committee agreed, to hear on the subject Mr. Pos and Mr. Debrot, General Representatives to the Netherlands Government in The Hague for Surinam and the Netherlands Antilles respectively, empowered by their respective Governments to act as members of the Netherlands delegation.

47. The representatives of Australia, Belgium, the United Kingdom and the United States of America, though not all for the same reasons, agreed with the Netherlands delegation that information on Surinam and the Netherlands Antilles, hitherto supplied in accordance with Article 73 e, might now cease.

48. The representatives of Burma, Cuba, Guatemala and Iraq did not consider that the reasons advanced by the Netherlands delegation were sufficient to justify the cessation of information because they were not in conformity with the provisions of General Assembly resolution 648 (VII). The representative of Venezuela maintained that, although the *Ad Hoc* Committee was competent by virtue of its terms of reference to deal with the matter, nevertheless, for practical reasons, it would be better to refer the problem directly to the General Assembly.

49. The views expressed by representatives are given in the summary records of the sixth and seventh meetings of the *Ad Hoc* Committee (A/AC.67/SR.6 and 7), to which the attention of the General Assembly is drawn.

50. In view of the wide divergencies which prevailed in the *Ad Hoc* Committee, it was decided that this matter should be referred to the General Assembly without recommendation.