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## CONTENTS

Page

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: report of the <i>Ad Hoc</i> Committee on Factors (Non-Self-Governing Territories) (A/2178) .....	151
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Chairman: Mr. Rodolfo MUNOZ (Argentina).

**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: report of the *Ad Hoc* Committee on Factors (Non-Self-Governing Territories) (A/2178)**

[Item 36]\*

1. Mr. KHALIDY (Iraq), speaking as Chairman of the *Ad Hoc* Committee on Factors, introduced the Committee's report (A/2178).

2. The question of determining whether a territory had or had not achieved a full measure of self-government was one of the problems posed by the text of the Charter which had in various ways influenced discussions in the Fourth Committee. It had arisen as early as 1946, during the second part of the first session of the General Assembly when, after the consideration of communications from various governments, it had been decided that the best course of action at that time was to incorporate in resolution 66 (I) an enumeration of the territories which had been declared by the Administering Members concerned to fall within the scope of Chapter XI of the Charter. In 1949, following the cessation of the transmission of information under Article 73 e in respect of certain territories, the General Assembly adopted resolution 334 (IV) in which it had invited the Special Committee on Information transmitted under Article 73 e of the Charter to examine the factors which should be taken into account in deciding whether any territory was or was not a territory whose people had not yet attained a full measure of self-government. That Committee had been able to transmit to the General Assembly a report (A/1836 and Corr.1, part four) containing a list of factors which it had said was not to be regarded as exhaustive. Using that list as a basis for its consideration of the problem, the Fourth Committee had, at the Assembly's sixth session, established a sub-committee, which had studied the question further and submitted two lists:

\* Indicates the item number on the agenda of the General Assembly.

one of factors indicative of the attainment of independence or other separate system of self-government, and the other of factors indicative of the free association of a territory on equal status with other component parts of the metropolitan or other country. On the recommendation of the Fourth Committee, the General Assembly in resolution 567 (W), had decided to take those two lists as a basis, and had also decided that since further study based on more complete information was required for a more definitive list, it would invite Member States to transmit their views to the Secretary-General on the basis of the list drawn up at the sixth session. It had also appointed an *ad hoc* committee of ten members to carry out the further study. That was the Committee whose report was now before the Fourth Committee.

3. The work of the *Ad Hoc* Committee on Factors had been governed by certain general considerations. First, it had been agreed that the Committee was concerned only with Non-Self-Governing Territories as covered by Chapter XI of the Charter. The details of the occasions on which that point had been previously made were to be found in paragraph 5 (A) of document A/2178. Secondly, the Committee had decided that the question of what authority should determine that a territory had reached a stage of self-government where it fell outside the scope of Article 73 e of the Charter was not within its competence. Various members of the *Ad Hoc* Committee had reserved their right to deal with that question in the General Assembly. Thirdly, it had been agreed to refer to the General Assembly the question of the extent to which Article 73 e continued to apply in the case of territories which had become neither independent nor fully integrated within another State but which had already attained a full measure of self-government in their internal affairs. The Netherlands Government had submitted a list of factors relating to that question, which had been included in the Committee's report.

4. After those jurisdictional questions had been disposed of, the Committee had co-operated in producing a revised list of proposed factors, which were set out

in detail in the report. The same two general categories had been maintained, but the first had been divided into two parts: first, factors indicative of the attainment of independence; and secondly, factors indicative of the attainment of other separate systems of self-government. The second major category was still entitled "Factors indicative of the free association of a territory with other component parts of the metropolitan or other country."

5. The Government of Iraq had suggested that a new factor relating to the question of armed forces should be added to the list, but as that raised the difficult questions of security which were beyond the terms of the Committee's work, it had been agreed to include a broad reference to the question of responsibility for national defence, and to record the text submitted by the Government of Iraq in paragraph 5 (E) of the report.

6. The United Kingdom Government had sent the Secretary-General a list of factors which, in its view, would ideally have to be taken into account in deciding whether a territory was or was not a territory whose people enjoyed a full measure of self-government. The Committee had found it possible to include in its list the points concerning the political rights of

individuals, while the others, regarding the position of the executive, the judiciary and internal security, had been recorded in the report.

7. The Committee had been able to agree on the individual factors in its list without taking any votes. However, when the report as a whole was adopted, by 7 votes to none with 2 abstentions, some delegations had made formal reservations and it had been agreed that all delegations would be free to re-examine the report in the General Assembly.

8. The most important statement made by the Committee was that no enumeration of factors could do more than serve as a guide in determining whether a territory was or was not fully self-governing. Each specific case would need to be determined by the particular circumstances of that case. Paragraph 5 of the annex to resolution 567 (VI) had underlined that principle by stressing that such a list of factors could not be regarded as exhaustive or definitive.

9. In conclusion, Mr. Khalidy paid a tribute to the spirit of co-operation which had dominated the *Ad Hoc* Committee on Factors and to the diligence and devotion of its secretariat.

The meeting rose at 4.15 p.m.