

# GENERAL ASSEMBLY

## SEVENTH SESSION

Official Records



## FOURTH COMMITTEE, 254th

MEETING

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## CONTENTS

Page

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter ( <i>continued</i> ) .....	31
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Chairman: Mr. Rodolfo MUNOZ (Argentina).

## Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter (*continued*)

[Item 33]\*

1. Mr. SALAZAR (Peru) said that the discussions in the Fourth Committee had already been marked by a repetition of the attacks and arguments which had become familiar to the Assembly at previous sessions, and that that method had so far produced no positive results. He felt that the United Nations would be able to achieve much better results by following the realistic approach which the Committee on Information from Non-Self-Governing Territories had adopted in preparing its report (A/2219 and Corr.1).

2. The Fourth Committee's main function was to establish, bearing practical considerations well in mind, the general sociological principles which the United Nations was to apply in the Non-Self-Governing Territories. There was only an incomplete and theoretical outline of those principles in the Committee's report.

3. The General Assembly must cease to pay undue attention to theory; the findings of the UNESCO experts, given in paragraph 21 of part two of the Committee's report, were an example of that unfortunate tendency. The principle of racial equality could not, of course, be challenged; but in solving the practical problems arising in the colonial territories, it was essential to remember the considerable differences in the stages of development of the peoples concerned.

4. Despite the undeniable efforts of the administering Powers, the progress of the Non-Self-Governing Territories had so far been extremely slow. Their development could be expedited only on the basis of a comprehensive sociological plan drawn up by the General Assembly and the Trusteeship Council with the assistance of leading sociologists. The colonial problem was a technical one which could be solved only by experts. The obligation to frame such a policy was implicit in Article 73 of the Charter.

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

5. In reply to the Belgian representative's statement (253rd meeting), he explained that the sovereign States of Latin America were not required to transmit information on their Indian populations for a number of reasons. In the first place, it would be Utopian to expect sovereign countries to transmit information on what happened in their own territories; and, in the second place, the social and cultural position of the Indians of Latin America was much better than that of the indigenous peoples of Africa. Moreover, the legislation of the Latin American countries, in particular of Peru, provided particularly effective safeguards for the rights of the Indian population. Lastly, the peoples of America regarded the Indians as an essential part of the nation, which was in complete contrast to the attitude of the colonial Powers.

6. Mr. INGLES (Philippines) was in general agreement with the conclusions and recommendations which the Committee on Information from Non-Self-Governing Territories had included in its report on social conditions (A/2219 and Corr.1, part two). He disagreed, however, with the interpretation which the Committee had given, in paragraph 8 of that report to the word "inhabitants" as used in Article 73 of the Charter. The Committee's definition had been accepted by the United Kingdom and corresponded to the idea of partnership which was the basis of that country's policy for the solution of the problem of race relations in the territories under its administration. It was the Philippine delegation's opinion that Article 73 referred to the indigenous populations only and excluded nationals of the administering Powers and of other sovereign States.

7. That interpretation was implicit in the definition of the territories to which Chapter XI of the Charter referred. That definition merely reproduced and modernized the definition given in Article 22 of the Covenant of the League of Nations. It was the only key to the obligation which the Administering Members had assumed to promote the political, economic, social and educational advancement of the inhabitants of those territories and to protect them from exploitation. It was also confirmed by the records of the San Francisco Conference. In that connexion he quoted

statements made in Committee 4 of Commission II of that Conference by the representatives of Australia, the Netherlands, the United Kingdom, New Zealand and the Union of South Africa.

8. In reply to the Belgian representative, he pointed out that the records at San Francisco clearly showed that Chapter XI of the Charter applied only to dependent peoples living in dependent territories. Moreover, Article 74 established a distinction between metropolitan areas and the territories to which Chapter XI applied. The protection of minorities living within the frontiers of sovereign States was covered by other chapters of the Charter and was the responsibility of United Nations bodies other than the Fourth Committee, the Trusteeship Council, or the Committee on Information from Non-Self-Governing Territories.

9. It was perfectly clear that when Article 73 said that the interests of the "inhabitants" were paramount, it referred exclusively to the indigenous people. He therefore viewed with some misgiving the principle of "partnership" between settlers from the metropolitan country and the indigenous inhabitants, by which the United Kingdom had for some time replaced the principle that the interests of the indigenous inhabitants were paramount. In his statement before the Fourth Committee (251st meeting), the United Kingdom representative had even officially confirmed that change of policy before the United Nations.

10. He did not challenge the theoretical value of the principle of racial partnership, but genuine partnership could be based only on equality, which in Africa unfortunately existed only on paper. The principle could moreover be used to justify granting of equal importance to the interests of the tiny European minority and of the overwhelming African majority. Thus the Government of Northern Rhodesia had recently stated that Africans could hope to have, some day, the same number of representatives as the Europeans had on the executive and legislative councils. The Prime Minister of one of the territories which were to form part of the proposed Central African federation had admitted that there was no equality in the partnership at present. Hence, the justified apprehension on the part of Africans that they might be destined to become merely the junior members of any partnership with European settlers.

11. While associating himself with the delegations who had praised the administering Powers for the progress achieved by them in their Non-Self-Governing territories, he felt constrained to impress upon the Fourth Committee the urgency of certain problems. It was precisely by discussing the situation in those areas where, in the words of the United Kingdom representative, the prospects were less hopeful, that the Committee could be in a position to offer its advice and assistance to the administering Powers.

12. He considered that political questions such as that of the proposed Central African federation came within the terms of reference of the Fourth Committee. He felt obliged to draw the attention of the United Kingdom representative to the statement of Mr. Creech-Jones, Secretary of State for the Colonies from 1946 to 1950, who had expressed a fear that persistence by the United Kingdom in present federation proposals might produce disastrous consequences

in the life of the continent. The scheme was rejected by all Africans because they knew that its effect would be to deliver them to the tender mercies of 200,000 white settlers, whose anti-African behaviour was a matter of common knowledge.

13. In East Africa also, the United Kingdom intended to change certain political boundaries. The Fourth Committee could not be blind to the fact that the result of all those measures would be to spread the effects of the disastrous theory of white supremacy. He urged the United Kingdom to give the assurance that any constitutional change in Africa would be in accordance with the fundamental principle that the interests of the indigenous inhabitants were paramount, and that the administering Power would obtain the consent of the Africans before making any such change.

14. Another burning question in East, Central and South Africa was that of land distribution and land tenure. In that connexion he recalled the conclusions reached the previous year by the Special Committee on Information transmitted under Article 73 e of the Charter in its report on economic conditions in Non-Self-Governing Territories (A/1836, part three). The presence of white settlers was undoubtedly one reason for the shortage of land for the indigenous inhabitants in many parts of Africa. In Kenya, for example, 18 per cent of the arable land was reserved for Europeans who constituted only one-half of one per cent of the population. In that matter he had commended to the administering Powers at the 1951 session of the Special Committee (A/AC.35/SR.36) the recommendations of the first United Nations Visiting Mission to East Africa calling for the curtailment of European colonization. Drastic measures were called for, particularly in Kenya and Northern Rhodesia, where it had been found by the Secretary-General in a study made for the Economic and Social Council (E/2003 Rev.1) that existing areas reserved for Native settlements were inadequate. He welcomed the announcement by the United Kingdom of the appointment of a Royal Commission to study land and population problems in East Africa, which acknowledged that the present problem in Kenya indicated what might be expected in other areas unless the pressure on land was relieved.

15. It would rest with the indigenous inhabitants, once they became self-governing, to frame an appropriate land policy; however, in order that that right should not be illusory, it was important not only to limit any further alienation of land but also to review the policy followed in the case of land already alienated.

16. Recent events in Kenya showed the deep mistrust which certain Africans felt towards European settlers. That mistrust had been created first by the alienation of land, and also by a racial policy which had found its most serious expression in the educational system upon which so much reliance had been placed for the eradication of race prejudice. The rigid segregation of races by schools, and the tremendous disparity between the sums appropriated for the education of Europeans, Asians and Africans respectively tended to perpetuate racial inequality and mistrust. Such conditions could not but create a sense of injustice, lead to agitation and invite communism.

17. Finally, he hoped that in restoring order in Kenya, the United Kingdom Government would act

with humanity and that the majority of Africans, who had taken no part in acts of violence, would not find themselves confronted with the *fait accompli* of the effective concentration of political power in the hands of the European settlers, and the further limitation, if not abrogation, of the already meagre rights which the Africans had enjoyed before the declaration of the state of emergency. He hoped that the United Kingdom Minister of State for Colonial Affairs, who was honouring the Fourth Committee with his presence, would take that opportunity of assuring the Africans and the European settlers that the future of civilization in Africa could be secured by statesmanship based on the highest concepts of justice rather than on race prejudice. Nothing short of total understanding and collaboration between all races could bring tranquillity and progress to Africa.

18. Mr. DORSINVILLE (Haiti) said his Government had always taken a great interest in the work of the Fourth Committee and of the Committee on Information from Non-Self-Governing Territories because it was aware of its responsibilities in regard to international co-operation and because the Haitian people felt a natural sympathy towards the peoples of the African continent who remembered their past greatness and dreamt of a future in which they would once again be the sole masters of their destiny.

19. During the past year it had been possible to make considerable progress, which would facilitate the Committee's work. Those of the administering Powers which had conformed to the Standard Form approved by the General Assembly had made a great effort to transmit more specific information on many subjects which the Committee considered important. His delegation hoped that the other administering Powers would follow that example.

20. The Committee on Information had completed an important series of studies with the submission of its report on social conditions, which supplemented the earlier reports on education (A/1303/Rev.1, part two) and on economic conditions. When the Assembly had examined that report, it would have completed a general review of conditions in the Non-Self-Governing Territories and established a body of principles relating to those conditions. That general work should afford useful guidance to both administering and non-administering Powers.

21. He agreed with the representatives of Brazil and Egypt that the administering Powers should provide information on the measures taken and the progress achieved in the Non-Self-Governing Territories in pursuance of General Assembly resolutions and the recommendations contained in the special reports of the Committee on Information. In that connexion, it would be interesting to know what use was made of the special reports. In paragraph 14 of part one of its report (A/2219 and Corr.1), the Committee on Information said that the representatives of New Zealand and the United Kingdom had stated that the report on economic conditions had been submitted to the proper authorities in the various territories. He wondered whether the fact that the other administering Powers had not made similar statements indicated that their governments had not taken similar action. He agreed with the Brazilian representative that detailed information on the use made

of the reports in the territories under the jurisdiction of other administering Powers would be of considerable interest to the Fourth Committee.

22. The special reports set out principles approved by the General Assembly which should serve as a guide in the study of problems relating to the Non-Self-Governing Territories. It was therefore desirable that the Administering Members should inform the United Nations of the measures they had been able to take to apply those principles. The information transmitted by the Administering Members on conditions in the Non-Self-Governing Territories should be examined by the other States in the light of those principles.

23. The special report on social conditions stressed the basic principle that it was essential to obtain the collaboration of the peoples of the Non-Self-Governing Territories in both the planning and the execution of development programmes. It was regrettable that some administering Powers had not been in a position to provide information on the government of the territories under their administration, as they had been requested to do by the General Assembly. He realized that remarkable progress had been made in that respect in a number of territories, particularly in West Africa; but, for reasons which many members considered inadequate, the Fourth Committee had not yet received information which would show conclusively that an effort was being made to obtain the participation of the indigenous inhabitants in programmes of social advancement at every level.

24. He stressed the importance his delegation attached to the section of the Committee's report dealing with race relations. The proposals made were a real contribution to the solution of the problem. In that connexion, he recalled that the representatives of Belgium, France and the United Kingdom on the Committee on Information from Non-Self-Governing Territories had opposed the adoption of the draft resolution on race relations (A/AC.35/L.113) because, in their view, there was no need for formal action by the Committee since that would duplicate views already expressed in the report on social conditions. That argument was refuted by the fact that racial discrimination was one of the chief obstacles to the harmonious development of the Non-Self-Governing Territories. No claim was more legitimate than that of the indigenous inhabitants against whom discrimination was practised. When the Assembly discussed the problem of social conditions in the Non-Self-Governing Territories, it would be failing in its duty if it did not adopt a formal resolution condemning racial discrimination.

25. The opponents of the draft resolution had also argued that racial discrimination was at present under consideration by other organs of the United Nations. It should be noted that the administering Powers and the Fourth Committee were specially responsible for insuring that the indigenous peoples of the Non-Self-Governing Territories were not the victims of discriminatory practices by a powerful minority. While it was not absolutely correct to say that, without the colonial system, prejudices based on race or colour would never have existed, it could not be denied that there was so close a correlation between the colonial system and race prejudice that it was impossible not to regard them as cause and effect, at least in the colonial territories. In view of the survival of such prejudices and the vexa-

tious measures of all kinds to which the peoples of the Non-Self-Governing Territories were subjected as a result of practices resulting directly from the colonial system, it was the Fourth Committee's duty to seek a solution of the problem of racial discrimination in those territories. He warmly supported the draft resolution submitted by the Committee on Information from Non-Self-Governing Territories (A/2219) and Corr.1, part one, annex II), and hoped that it would be adopted.

26. He noted that the situation with regard to race relations had developed satisfactorily in some territories. In that connexion he drew attention to document A/AC.35/L.87, and in particular paragraph 72, which dealt with the implementation of the principle of non-discrimination in laws applicable to the French Union. Paragraphs 52 and 74 of that document referred to the progress made in the recruitment of officials; that progress had already been mentioned at the 251st meeting by the United Kingdom representative in connexion with territories in West Africa. The situation was, however, very different in some parts of East and Central Africa, where the indigenous inhabitants were still subject to discriminatory practices which had serious repercussions on their economic position. Measures prohibiting them from setting up businesses or establishing their residence other than in specified districts or areas, differential wage-rates based on race, and discrimination in the distribution of land discouraged the indigenous inhabitants who were already handicapped by their lack of education and by their low physical resistance as a result of endemic diseases and malnutrition. In that case, also, the situation was not general and those discouraging statements did not apply to the French territories in *Afrique noire* and the Gold Coast.

27. It would, he thought, be wrong to be unduly pessimistic since the administering Powers had shown that on the whole they accepted the principles of Chapter XI of the Charter.

28. The United Kingdom representative had expressed the view that the difference of opinion between members of the Fourth Committee related less perhaps to the objectives themselves than to the pace of programmes of advancement and the methods to be used. If, however, the rate of political, economic and social advancement of the peoples of Non-Self-Governing Territories was unintentionally slowed down, it might lead to a conflict no less dangerous than if the situation was the result of a deliberate policy.

29. The mere fact that the General Assembly was discussing conditions in the Non-Self-Governing Territories was in itself a contribution to the cause of world peace. The Fourth Committee's work, strengthened by the technical contribution provided by the studies of the Committee on Information, was of international importance, and it was impossible to believe that responsible members of the General Assembly would not realize the need for continuing the work. Any opposition to the continuance of the Committee on Information from Non-Self-Governing Territories could be considered as reactionary. The Committee should be continued as long as there were territories to which Chapter XI of the Charter applied.

30. The Committee on Information was not required to compare the situation in Non-Self-Governing Territories with that in sovereign countries facing the same

problems. Under the Charter, the Fourth Committee, to which the Committee on Information was subordinate, was concerned with social, economic and cultural problems in the colonies and not with those in all countries. Even if such comparisons could be made and were favourable to the administering Powers, it would by no means prove that those Powers had successfully fulfilled their sacred trust. The domination they had achieved over those territories was morally justified only by the advantages that they were supposed to bring to the indigenous populations.

31. Independent countries situated in tropical areas were the more interested in the progress made in Non-Self-Governing Territories because both groups of countries sold substantially the same products on the world market and the administering Powers were among the chief buyers of tropical products.

32. In conclusion, he said that his delegation would examine in good faith any proposals placed before the Fourth Committee, for, although it could not compromise with regard to the fundamental principles on which the very existence of the free and independent people it represented was based, it did not wish sterile sectarianism to mar its collaboration.

33. Mr. HOPKINSON (United Kingdom) observed that his Government regarded the remarks of the Polish representative at the 253rd meeting as irrelevant to the item under discussion and therefore out of order, inasmuch as that representative had referred in detail to the political affairs of several particular Non-Self-Governing Territories under British administration. The item under discussion was information transmitted under Article 73 e of the Charter by those Members responsible for the administration of Non-Self-Governing Territories. For representatives in the Committee to offer information, and in the case in question misleading information, on matters not covered by Article 73 e of the Charter was an irrelevance. He therefore formally reserved the position of his Government in the matter.

34. He did not agree with the interpretation given by the representative of the Philippines to the term "inhabitants", as used in Article 73 of the Charter, since he endorsed the definition contained in paragraph 8 of the report on social conditions of the Committee on Information from Non-Self-Governing Territories.

35. With regard to the observations of the representative of the Philippines on Central African federation, he stated that no federation had been established as the scheme was still under discussion and no decision had yet been taken. The question was therefore hypothetical and essentially political and there was no need for a defence in the Fourth Committee of the policy of the United Kingdom Government. He would, however, point out that any eventual decision would be taken after full consultation and discussion with all concerned, in the interests of all the inhabitants of the territories, with particular regard to the obligations undertaken by the United Kingdom Government towards the Africans.

36. With reference to the observations of the representative of the Philippines on the situation in Kenya, he felt that it was wholly improper for the Committee to embark upon a discussion of the constitutional or political affairs, which, of course, included matters of

security, of any particular Non-Self-Governing Territory. Nevertheless, the first duty of government was to preserve a sufficient degree of law and order and economic and social stability. The main force of the atrocities committed by the secret society, Mau Mau—a small minority of one particular tribe—fell upon Africans and particularly responsible Africans of prominence, not upon Europeans. The Government of Kenya must first suppress the brutal violence and bring the criminals to justice and subsequently ascertain and eradicate the cause of unrest. That was what was being done.

37. Mr. RYCKMANS (Belgium) emphasized that appropriations for education and health in the Belgian Congo did not constitute 3 per cent of the total budget, as the Polish representative had asserted. As he had stated at a meeting of the Committee on Information from Non-Self-Governing Territories (A/AC.35/SR.54, p. 17), the figure of 34,768,000 francs given for expenditure on education in 1951 related solely to supplementary credits forming part of the extraordinary budget for 1951; 202,997,616 francs, the 1951 portion of the extraordinary three-year budget voted for in 1950, should be added to that figure, as should the grant from the Indigenous Welfare Fund. Appropria-

tions for health and education totalled not 77 million but a thousand million francs.

38. Mr. WINIEWICZ (Poland) asked for the floor in order to refute the United Kingdom representative's allegations. The information that he, Mr. Winiewicz, had given had been taken from the document in which the information transmitted on Malaya was reproduced (A/1234/Add.2). He considered that it was not only his right but his duty to comment on political matters.

39. The CHAIRMAN apologized for interrupting the Polish representative, but said that in the interests of the orderly conduct of the discussion he must ask representatives who had already spoken not to exercise their right to reply until the list of speakers had been exhausted. His ruling was based on rules 109 and 114 of the rules of procedure, which gave the Chairman some discretion in the matter.

40. Mr. WINIEWICZ (Poland) said he had merely wished to indicate that he still considered political comments to be perfectly in order in the Fourth Committee. He reserved the right to reply to the Belgian representative's remarks at a later stage.

The meeting rose at 5.20 p.m.