

# GENERAL ASSEMBLY

THIRTEENTH SESSION

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Chairman: Mr. Frederick H. BOLAND (Ireland).

## AGENDA ITEM 13

Report of the Trusteeship Council (A/3822, A/C.4/L.543 and Add.1, A/C.4/L.545/Rev.1, A/C.4/L.547, A/C.4/L.548, A/C.4/L.549/Rev.1) (continued)

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.543 AND ADD. 1, A/C.4/L.545/REV.1, A/C.4/L.547, A/C.4/L.548, A/C.4/L.549/REV.1) (continued)

Draft resolution on effects of the European Economic Community on the development of certain Trust Territories (A/C.4/L.543 and Add.1)

1. Mr. CLAEYS BOUUAERT (Belgium) said that, while he appreciated the remarks the Costa Rican representative had made at the 794th meeting, he nevertheless felt obliged to point out that it was impossible to interpret the wording of the draft resolution on the effects of the European Economic Community on the development of certain Trust Territories (A/C.4/L.543 and Add.1) in the sense that representative had given it. If it was admitted that the Administering Authorities concerned had no information to convey, there seemed little point in "noting with concern" the fact that they had as yet submitted none. If there was no reason to doubt that all details would be provided in due course, as called for by the Charter, he failed to see why the Administering Authorities should once again be requested to include such details in their annual reports. The Costa Rican representative had also expressed his concern about the effects of the European Economic Community upon the development of Trust Territories towards independence or self-government; the sponsors of the draft resolution had not, however, explained why they were concerned. His delegation was not in a position to comment and could only formally deny the statement in the text.

2. Other representatives had said that it should already be possible to foresee certain consequences of the Treaty signed at Rome establishing the European Economic Community. That was true enough: those consequences would be the lowering of customs tariffs on the products of the associated territories imported into the market of the six member States and the creation for the benefit of the territories, of a fund for their economic and social development. The representative of Guatemala had said at the 794th meeting that article 214 of the Treaty of Rome might have certain effects on the relationship between the administering Powers concerned and the General Assembly. That article, however, dealt with the obligation of the administrative personnel of the Community not to divulge information; it had nothing to do with the

obligations of the States signatory to the United Nations Charter. Similar rules prevailed in all public bodies, including the Secretariat of the United Nations.

3. Mr. BOZOVIC (Yugoslavia) said that the dependent peoples had had difficulties enough in dealing with the Administering Authorities one by one: there was every reason to wonder what those difficulties would be when they were dealing with what he would describe as collective colonialism. The Administering Authorities in question had themselves been lacking in courtesy in failing to inform the United Nations of their intention to include within the provisions of the Treaty territories which did not belong to them. Presumably the Powers which had signed the Treaty of Rome had considered its possible effects before deciding to associate the dependent territories with it. All that they were now being asked to do was to communicate their reflections on that subject to the Committee.

4. The representative of Israel had referred at the 793rd meeting to difficulties which would have to be overcome before the Rome Treaty could be applied to the Trust and Non-Self-Governing Territories. Mr. Božović considered that if there were difficulties in that connexion the Administering Authorities should so inform the Committee. Statistical information was a different matter, but information of a general nature should be provided first. It had been argued that the development of Togoland and the Cameroons had not been prevented by their association with the Treaty. In his view, they would have had a lucky escape in achieving their independence before the Treaty affected them.

5. His delegation would vote in favour of the draft resolution, since it considered that the United Nations had the right to ask for such information.

6. Mr. EILAN (Israel), while not denying that there were certain difficulties, stressed that in his original statement he had made no reference to Non-Self-Governing Territories.

7. Mr. RASGOTRA (India) said that his delegation, as one of the sponsors of the draft resolution, could not agree with the view expressed by the United States representative (794th meeting) that it was premature. The Rome Treaty had now been ratified: obviously the Administering Authorities concerned must have considered its effect both on themselves and on the Trust Territories involved. It had even been said that the Committee was not an appropriate place to discuss the question, and that it properly came within the scope of GATT. That was a disturbing argument; the General Assembly was authorized by the Charter and by the Trusteeship Agreements to supervise the actions of the Administering Authorities, and the Committee would be failing in its duty if it did not consider all that happened in a Trust Territory. Matters were considered by GATT from a technical angle only and GATT was not concerned with the economic, social and political future of a Territory.

8. It had been argued that the Rome Treaty did not hamper the development of Trust Territories towards independence or self-government. It was, however, impossible to dissociate economic situations from political situations and Article 76 b of the Charter specifically referred to economic advancement, which was of the highest significance to the political future of a country. It was therefore absurd to say that the Committee was not competent to deal with the matter. It was common knowledge that the concept underlying the European Economic Community was the unification of Europe. He had no objection to that: the issue was whether European States were entitled under the Charter and the Trusteeship Agreements to take steps which might result in the integration of Trust Territories into some kind of economic community; in so doing the Administering Authorities concerned ignored their obligations under the Charter. It seemed to him to constitute colonialism in its worst form.

9. So far as Ruanda-Urundi was concerned, the Administering Authority was bound by article 3 of the Trusteeship Agreement to collaborate fully with the General Assembly and the Trusteeship Council in the discharge of all their functions. One of the most important of those functions was to watch over economic development. The Administering Authority was obliged to render all possible assistance to the United Nations and any refusal by the Administering Authority concerned to fulfil those obligations was tantamount to a breach of the Agreement, which was a serious matter. The peoples of Ruanda-Urundi were under-developed and had no political rights; they were being included in the European Economic Community without having been consulted. If it was contended that the Treaty was to bring beneficial results, the Committee should be told in what those results would consist. Moreover, article 9, sub-paragraph 1, of the Trusteeship Agreement for Ruanda-Urundi stated that the Administering Authority should ensure to all nationals of Members of the United Nations the same rights as were enjoyed by its own nationals. Any association of States, especially an economic association, necessarily excluded other States from the advantages enjoyed by its members. Consequently, the inclusion of Ruanda-Urundi in the European Economic Community contravened the Trusteeship Agreement.

10. The wording of the draft resolution was moderate; it reiterated what had been said before and embodied no criticism of the Administering Authorities concerned. It merely asked for the facts.

11. Mr. MUFTI (United Arab Republic) said that the draft resolution, of which his delegation was a sponsor, confined itself to asking for information concerning the effects of the association of the Trust Territories with the European Economic Community. It did not say whether the effects were good or bad; he for one would be glad to learn that they were good.

12. The Committee's concern was justified by the fact that the General Assembly was a party to the Trusteeship Agreements and thus to anything which happened in the Trust Territories.

13. Mr. VELA (Guatemala), replying to various criticisms that had been made of the draft resolution, emphasized that the sponsors had intended no discourtesy to the Administering Authorities.

14. With regard to the criticism that it was too soon to calculate what the effects of the European Economic Community on the development of Trust Territories would be, he pointed out that the Belgian representative had informed the Committee that its effects would be favourable. Furthermore, the subject had initially been discussed at the eighth session of the Committee on Information from Non-Self-Governing Territories, background material had been supplied for that discussion, and the question had been widely dealt with in the Press. He felt sure that the possible effects of the Treaty must have been contemplated when it was signed and he did not therefore consider that it was premature to deal with the matter.

15. Moreover, in resolution 1210 (XII), which had been adopted by a large majority, the General Assembly had resolved to resume examination of the question at the thirteenth session and the Committee was therefore bound to discuss it.

16. The draft resolution did not in any way prejudice the effects or the consequences of the European Economic Community; it merely asked the Administering Authorities to assist the Committee by supplying it with information.

17. Mr. FERNANDEZ (Costa Rica) expressed the view that since the Trusteeship Council's report (A/3822) contained no information on the subject of the effects of the European Economic Community on the development of Trust Territories, because the Administering Authorities had not, as requested in General Assembly resolution 1210 (XII), submitted information on the subject, it was necessary to reiterate that request. A number of criticisms had been made of the draft resolution, but in his delegation's opinion it was very moderate in its terms. It did not prejudice the effects of association with the European Economic Community on the Trust Territories and was in no way discourteous to the Administering Authorities.

18. Mr. HILALY (Pakistan) observed that his delegation, like many others, could not hide its doubts about the possible effects of the major economic operation being undertaken by the six countries concerned on the economic conditions of at least one Trust Territory in the immediate future. As the Japanese representative had pointed out, it was not premature to study the probability of adverse effects in advance of the event. To do so was a mere act of prudence and his delegation would therefore support the draft resolution.

19. Mr. CLAEYS BOUUAERT (Belgium) said he would reply to some of the apprehensions that had been expressed by various delegations.

20. The Indian representative had asked what obligations would be assumed by the territories associated with the Rome Treaty. The answer was that there were none: the only obligations under the Treaty were those incurred by the signatories. The associated territories were not integrated with the European Economic Community and the Treaty included nothing which could be construed as an obligation on the part of those territories towards the Community.

21. According to the Indian representative, the Treaty might infringe the principle of the equality of all Member States. That, however, was not the case; if

other Member States wished to benefit by the production of the associated territories on the same basis as the States members of the Community, it would be enough for them also to lower their customs barriers. The Treaty contained no clause giving favourable treatment to products imported from the six States members of the Community. As far as Ruanda-Urundi was concerned, such a clause was prohibited by the stipulations of the Convention on the Revision of the General Act of Berlin signed at St-Germain-en-Laye in September 1919.

22. The representative of Costa Rica had said that statistical data should be supplied. The Belgian delegation had no intention of suppressing any statistical information; it was confident that when such information was forthcoming it would show that the association with the European Economic Community in fact promoted the economic development of the Territories in question. It could not, however, give statistical data until the measures taken had borne fruit. The first statistical results would not be available until after 31 December 1959 and would be reflected in the annual report for that year, which would be circulated in 1960.

23. The Indian representative had accused the Administering Authorities of infringing the Trusteeship Agreements by not submitting the Rome Treaty to the General Assembly before signing it. There were, however, over a hundred international treaties signed by the Administering Authorities which concerned the Trust Territories and which had never been discussed by the Fourth Committee. The Administering Authorities had full power to administer and legislate for the Trust Territories for which they were responsible. The treaties in question were published, they were listed in the annexes to the annual reports and the Secretariat had copies of them.

24. Mr. OSMAN (Morocco) said that his delegation would vote in favour of the draft resolution. He could see in it no discourtesy towards the Administering Authorities. The General Assembly was undoubtedly entitled to the information for which it asked. The association of Trust Territories with the European Economic Community would certainly have an impact on their development towards independence or self-government and he did not think the General Assembly should be expected to wait to receive information on that subject until after the Treaty had become operative.

25. Mr. WOLF (Austria) observed that the Rome Treaty had apparently had no adverse effect on the attainment of independence by Togoland under French administration, the Cameroons under British administration, the Cameroons under French administration and Somaliland under Italian administration. In fact the only one that remained of the "certain Trust Territories" referred to in General Assembly resolution 1210 (XII) was Ruanda-Urundi. The Belgian representative had assured the Committee that the relevant facts would be given after the Treaty had come into force and after its effects on that Trust Territory had become known.

26. His delegation therefore felt that it was at least premature to show concern that an Administering Authority had thus far submitted no information on the subject. The wording of the second paragraph of the

preamble of the draft resolution appeared to him contradictory, for he did not see how an Administering Authority could be censured for not submitting information on the possible effects of something which had not yet taken place.

27. For those reasons he would be compelled to vote against the draft resolution.

✓ 28. Mr. KANAKARATNE (Ceylon) said that the principal argument used against the draft resolution was that it was premature. The previous year's resolution had been opposed on the grounds that the Treaty had not been ratified; now the contention was that all its provisions had not yet come into force and that its effects were not known. He would like to ask those representatives who maintained that the draft resolution was premature how it was that the possible effects of the European Economic Community on Latin America had been the subject of discussion in a report which was an official document of the United Nations.

29. He was unable to see any grounds for the accusation of discourtesy; in fact it might be maintained that the Administering Authorities had been guilty of discourtesy towards the other Members of the United Nations in failing to supply the information asked for by the General Assembly. He did not see what else the General Assembly could do but again invite the Administering Authorities to furnish that information. The previous year, and even earlier, GATT had studied the technical clauses of the Rome Treaty. Article 229 of the Treaty establishing the European Economic Community read:

"The Commission shall be responsible for ensuring all suitable contacts with the organs of the United Nations, of their specialized agencies and of the General Agreement on Tariffs and Trade.

"The Commission shall also ensure appropriate contacts with all international organizations".

In the light of that article he could not see why the members of the Community were so unwilling to provide the information for which the Committee was asking. The phrase "Noting with concern" had been used because the sponsors of the draft resolution regarded the economic advancement of Trust Territories and their indigenous inhabitants as one of the duties specifically laid on the General Assembly by the Charter. The sponsors were not prejudging the effects of the European Common Market; all they wanted was such information as was at present available on its possible effects on the Trust Territories in order to decide whether the matter was one that should be discussed in view of the stated objectives of Article 76 of the Charter.

30. The CHAIRMAN said that if there were no further speakers the Committee would proceed to vote on the draft resolution (A/C.4/L.543 and Add.1).

31. Mr. NOGUEIRA (Portugal) requested a separate vote on the words "with concern" in the second paragraph of the preamble.

At the request of the representative of India, a vote was taken by roll call on the words "with concern".

Iceland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: India, Indonesia, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Panama, Philippines, Poland, Romania, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Colombia, Costa Rica, Cuba, Czechoslovakia, Ethiopia, Ghana, Greece, Guatemala, Haiti, Hungary.

Against: Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Denmark, Finland, France.

Abstaining: Iran, Israel, Pakistan, Paraguay, Peru, Thailand, Argentina, Brazil, Chile, China, Dominican Republic, Ecuador, Federation of Malaya.

The words "with concern" were retained by 39 votes to 20, with 13 abstentions.

At the request of the representative of Costa Rica, a vote was taken by roll call on the draft resolution as a whole.

Lebanon, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Lebanon, Liberia, Libya, Mexico, Morocco, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Sudan, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan.

Against: Luxembourg, Netherlands, New Zealand, Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Italy.

Abstaining: Portugal, Spain, China, Ireland, Israel.

The draft resolution as a whole (A/C.4/L.543 and Add.1) was approved by 50 votes to 17, with 5 abstentions.

Draft resolution on the dissemination of information on the United Nations and on the International Trusteeship System in Trust Territories (A/C.4/L.545/Rev.1)

32. The CHAIRMAN invited the Committee to consider the revised draft resolution in document (A/C.4/L.545/Rev.1 and the amendments thereto submitted by the United Kingdom (A/C.4/L.551).

33. Mr. GEBRE-EGZY (Ethiopia) said that, in revising their original text, the sponsors of the draft resolution had been unable to accept the United Kingdom representative's proposal (A/C.4/L.551, para. 2) to add the words "or in the regions of the Trust Territories" at the end of paragraph 1, because the primary purpose of the draft resolution was to bring about the establishment of information centres within the Trust

Territories themselves. Similarly they had been unable to delete the reference to the indigenous inhabitants in paragraph 2 because they felt that representatives of the indigenous inhabitants would be in a better position than anyone else to undertake the dissemination in the Trust Territories of information about the United Nations, which was generally acknowledged to be inadequate. The existing requirement that directors of information centres must be persons with previous United Nations experience was discriminatory in its effect on persons who might be amply qualified but had not been employed in the past by any United Nations body. Indeed, if carried to its logical conclusion, it would bar the United Nations from taking on new personnel in any of its services, for if a person was to acquire experience he must make a beginning somewhere. It might be argued that the reference in Article 76 of the Charter to inhabitants of Trust Territories did not specify "indigenous" inhabitants; it was obvious, however, that it was the indigenous inhabitants to whom the reference was intended to apply.

34. Mr. KANAKARATNE (Ceylon) thanked the United Kingdom representative for the co-operative spirit he had shown and said that the sponsors of the draft resolution had been glad to accept a number of his suggestions, which had considerably improved the text. It would be noted that they had entirely recast paragraph 2. They had expanded it to include a reference to the report of the Committee of Experts on United Nations Information (A/3928) and to any decision which might be taken on that report by the Assembly at its current session; they had agreed that the Secretary-General should address his report to the Trusteeship Council rather than to the General Assembly; and they had deleted the reference to the year 1960 and to practical arrangements for the establishment of information centres. Moreover, they had accepted the first of the United Kingdom delegation's amendments (A/C.4/L.551, para.1) in its entirety, thereby eliminating all reference to the inadequacy of the dissemination of information. It had been at a considerable sacrifice with regard to views held by all the sponsors on matters of principle that they had been able to go as far as they had in meeting the United Kingdom representative's suggestions and they could go no farther. In particular they regarded it as a cardinal principle that the directors of information centres in Trust Territories should be indigenous inhabitants of those Territories and they could not alter their stand in that regard. He therefore hoped that the Committee would vote unanimously to approve the revised draft resolution.

35. Sir Andrew COHEN (United Kingdom) expressed appreciation of the spirit in which the sponsors of the draft resolution had met his proposals. There were two important points, however, on which he had not been able to persuade them to change their stand.

36. Firstly, he did not think it would be appropriate to restrict the Secretary-General in his choice of the personnel to staff the information centres in question. At the same time he considered it appropriate that such information centres should be staffed to the fullest possible extent with indigenous inhabitants, a principle which would be in accordance with the practices applied by the United Kingdom in Trust Territories under its administration. For that reason he proposed that the sponsors should accept the suggestion made at the 793rd meeting by the Iranian representative

that the words "to be directed by representatives of the indigenous populations", in paragraph 2 of the original text of the draft resolution, should be amended to read "the staff of which should as far as possible consist of indigenous inhabitants". Although the sponsors had not agreed to that amendment, he would now propose it formally (A/C.4/L.555, para. 2) to replace the words "in which the responsible positions would be occupied by indigenous inhabitants", in the revised text. He must point out, however, that his willingness to accept a reference to the indigenous inhabitants did not mean that he agreed with the Ethiopian representative that the word "inhabitants" as used in the Charter was to be interpreted as referring only to the indigenous inhabitants. While it was true that the great majority of the inhabitants of the Trust Territories were indigenous, the wording of the Charter was clearly intended to apply to all the inhabitants. He could not accept an interpretation which implied that the United Nations would be discriminating against the indigenous inhabitants if it failed to discriminate in favour of them at the expense of other inhabitants.

37. His delegation also attached importance to its proposal to add the words "or in the regions of the Trust Territories" at the end of paragraph 1 (A/C.4/L.551, para. 2), for it felt that, having regard to all United Nations information services, the dissemination of information might be better ensured by the setting up of information centres in the surrounding areas. He would therefore propose (A/C.4/L.555, para. 1) that the words "or near" should be added after the words "information centres of the United Nations" in paragraph 1.

38. If the two amendments he had just put forward were accepted, he would vote in favour of the draft resolution. If not, he would be obliged to vote against it.

39. Miss BROOKS (Liberia) said that her delegation had joined in sponsoring the draft resolution because, firstly, information centres established within the Trust Territories would be more accessible to the masses of the inhabitants; and, secondly, the appointment of indigenous inhabitants to responsible posts on the staffs of such centres would stimulate the people's interest and encourage them to make better use of the services offered than otherwise would be the case. The most important consideration by which her delegation had been guided in taking that stand had been the need to make the indigenous inhabitants aware to the fullest possible extent of the interest taken by the United Nations in the protection of their rights, as demonstrated by its day-to-day discussions of their affairs. The requirement that directors of information centres should have previous United Nations experience could be met by arranging for qualified indigenous inhabitants to be sent to Headquarters for brief periods of training.

40. She hoped that the Committee would not adopt the amendments just proposed by the United Kingdom representative.

41. Mr. MUFTI (United Arab Republic) said that he had been under the impression that an agreed draft resolution had been arrived at. As it was now clear that the United Kingdom representative still had reservations with regard to it, he would point out that his delegation, too, found it unsatisfactory, for the decision to request the Secretary-General to report to the Trusteeship Council rather than to the General Assembly might well have the effect of making the whole draft resolution meaningless. He hoped that the United Kingdom representative would withdraw the two amendments he had just proposed; otherwise his delegation would be obliged to request a separate vote on the words "for the twenty-fourth session of the Trusteeship Council" in paragraph 2.

The meeting rose at 12.55 p.m.