

GENERAL ASSEMBLY

SEVENTH SESSION

Official Records



FOURTH COMMITTEE, 263rd

MEETING

Tuesday, 4 November 1952, at 10.30 a.m.

Headquarters, New York

CONTENTS

	Page
Requests for oral hearings	99
Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter (<i>continued</i>)	103

Chairman: Mr. Rodolfo MUNOZ (Argentina).

Requests for oral hearings

1. Mr. BENSON (Secretariat) announced that the Secretariat had received two further requests for oral hearings from organizations in the Cameroons under French administration, one from the Cameroons Socialist Party¹ and the second from the Moslem Groups in the Cameroons.²

2. A number of comments had also been received on the Fourth Committee's action (252nd meeting) in granting a hearing to a certain group in the Cameroons. They would be brought to the Committee's attention when it considered the chapter on the Cameroons under French administration in the Trusteeship Council's report to the Assembly (A/2150).

3. Mr. TAJIBNAPIS (Indonesia) proposed that the two additional requests for oral hearings should be circulated as official documents.

It was so decided.

REQUEST FROM THE SOMALI YOUTH LEAGUE (A/C.4/210)

4. The CHAIRMAN invited the Committee to consider the request for an oral hearing made by the Somali Youth League (A/C.4/210).

5. Mr. TAJIBNAPIS (Indonesia) proposed that the request for a hearing should be granted and that an invitation should be transmitted to the President of the Somali Youth League as soon as possible. The Somali Youth League was the largest political party in Somaliland under Italian administration, and Somaliland's status as a Trust Territory was somewhat different from that of the other Trust Territories, since the Trusteeship Agreement stipulated that Somaliland would attain independence in ten years.

6. Mr. RYCKMANS (Belgium) recalled that a draft resolution had been submitted to the Committee on In-

formation from Non-Self-Governing Territories, the operative part of which authorized the Committee to accept, on the proposal of the Administering Member concerned, the participation in its work of representatives of governments of Non-Self-Governing Territories where the inhabitants had attained a wide measure of responsibility for economic, social and educational policies (A/2219 and Corr. 1, part one, para. 90). That draft resolution had been rejected by the Committee on Information but it would be re-submitted to the Fourth Committee. In effect, the request from the Somali Youth League was a request that their representative should be allowed to participate in the work of the Fourth Committee during the discussion of the Trusteeship Council's report on Somaliland under Italian administration. It concerned the participation of a representative not of the Government of the Territory but of a political party, on the proposal not of the Government but of that political party. If such a request were granted, it would open the door to unlimited participation in the work of the Fourth Committee. Such action would be particularly unwise while the Committee had taken no decision on the draft resolution regarding the participation of government representatives in the work of the Committee on Information. He urged the Committee to vote against the Indonesian proposal.

7. Mr. JESSUP (United States of America) recalled that his delegation had already made it clear that it firmly believed in the right of petition; no statement or vote on its part could be interpreted as indicating any desire to restrict that right. The practical difficulties raised by such requests, however, could not be over-emphasized. Document A/C.4/210 contained no information which might help the Committee to come to a decision; it did not even indicate the subject on which the Somali Youth League wished to be heard. The Committee had not sufficient information on the Territories from which the petitioners came to be sure that in granting requests for oral hearings it would not become involved in difficulties such as those apparently created by its favourable action on the request from a certain group in the Cameroons under French administration.

¹ Subsequently circulated as document A/C.4/215.

² Subsequently circulated as document A/C.4/216.

8. His delegation had already emphasized that, in the interests of orderly procedure, the petitioners should first be heard by the Trusteeship Council; only if they were dissatisfied with the outcome of the hearing in the Council should they apply to the Fourth Committee. The Trusteeship Council had considered a number of petitions and might well have adopted recommendations on the matters on which a hearing in the Fourth Committee was requested. The Committee would undoubtedly want to take the Trusteeship Council's views into account before deciding on whether or not to grant the hearing.

9. In view of that consideration and in the absence of fuller information, his delegation would be unable to vote in favour of granting the Somali Youth League's request for an oral hearing.

10. The time had come for the Fourth Committee to consider the best procedure to be followed with regard to all such requests. As a Committee of the General Assembly, the Fourth Committee could not possibly deal with a large number of petitioners without exercising some selectivity. In 1952, the Trusteeship Council had received nearly 400 petitions and the Standing Committee on Petitions had spent several weeks considering them. If the Fourth Committee approved all the requests for hearings submitted to it, that fact would become generally known and it, too, might receive not six but 400 requests the following year. It had already been found that several days were needed for each hearing. Some members of the Committee argued that the Committee should be prepared to devote as much time as necessary to its work. He reminded them that the Fourth Committee alone could not control the procedures of the General Assembly or determine the closing date of the session. It would therefore either devote so much time to oral hearings that too little time was left for the other items on the agenda, or bring the petitioners all the way to New York only to find that it had no time to devote adequate attention to them.

11. In conclusion, he urged the Committee to give serious attention to the problem of requests for oral hearings, which would undoubtedly become more acute and might seriously disrupt the Committee's work if all requests were granted indiscriminately.

12. In reply to a question by Mr. FORSYTH (Australia), the CHAIRMAN explained that, if the request for a hearing were granted, that hearing would undoubtedly take place in connexion with the consideration of the Trusteeship Council's report.

13. Mr. DE MARCHENA (Dominican Republic) felt that the Fourth Committee should not consider the Somali Youth League's request without the participation of a representative of the Administering Authority—Italy, in the case in point—who should be invited to participate in the discussion. He recalled that the Italian Government was represented on the Trusteeship Council, though without a vote. He proposed that the debate on document A/C.4/210 should be adjourned until a representative of the Italian Government was present and that an invitation to that effect should be sent to the Italian Government.

14. Mr. WINIEWICZ (Poland) was against adjourning the debate, particularly since the request was similar to others with which the Committee had dealt favour-

ably during the present session. He therefore supported the Indonesian proposal that the Somali Youth League's request should be granted. The Fourth Committee should do its best to ascertain the wishes of the peoples of the Trust Territory and should allow oral hearings as often as advisable. Such hearings were permitted under Article 87 of the Charter, though no procedure was laid down. If discussion of the Somali Youth League's request were postponed until the Trusteeship Council's report was discussed, the League would not have time to send a representative to New York. There was no cause for the Italian representative to be present when the request was discussed. A favourable reply should therefore be given immediately.

15. Mr. INGLES (Philippines) said that his delegation was opposed to the motion for adjournment since it felt that such a motion could not be adopted until a definite decision had been reached on whether or not to invite the Italian Government to participate in the discussion. He would not object to such an invitation.

16. Mr. FORSYTH (Australia) supported the proposal for adjournment in view of the Chairman's answer to his earlier question. He stressed however that his action was without prejudice to the question of inviting the representative of the Italian Government to participate in the discussion. That question could be considered when the Committee came to deal with the relevant section of the Trusteeship Council's report. He added that document A/C.4/210 was not, properly speaking, a petition.

17. Mr. KHALIDY (Iraq) suggested, in a spirit of compromise, that discussion of the Somali Youth League's request should be adjourned and taken up within two days in the presence of the Italian representative. While the Italian Government had no actual right to attend, there was no reason why it should not be allowed to do so as a matter of courtesy.

18. Mr. HOPKINSON (United Kingdom) said that he would have been prepared to support the proposal of the representative of the Dominican Republic; he was quite ready, however, to accept the Iraqi compromise. He stressed, however, that Article 87 of the Charter was quite clear. The words "in consultation with the Administering Authority" in paragraph b referred not only to the examination of petitions but also to their acceptance. The Italian Government, therefore had a right to be present when the question of granting the petition, if petition it was, was considered.

19. Mr. YURANS (Union of Soviet Socialist Republics) did not understand the contention that the acceptance or rejection of requests for oral hearings could be discussed only in the presence of the Administering Authorities. In effect, that would mean that a third party would decide whether the Committee was to hear the Somali Youth League. The Committee should reach an immediate decision on the request for a hearing and only after that should it consider the question of inviting the Italian representative to participate.

20. In reply to a question by Mr. KHATTAK (Pakistan), Mr. BENSON (Secretariat) said that in 1950 the Somali Youth League had been granted a hearing in connexion with the consideration of the draft Trusteeship Agreement for Somaliland in the

Fourth Committee.³ The Italian representative had been present.

21. In reply to a question by Mr. PEREZ CISNEROS (Cuba), Mr. BENSON (Secretariat) stated that a representative of the Italian Government had been informed of the communication from the Somali Youth League.

22. The CHAIRMAN put the Iraqi proposal to the vote.

The proposal was adopted by 36 votes to 4, with 8 abstentions.

REQUEST FROM THE CHAIRMAN OF THE TOGOLAND CONGRESS (A/C.4/211)

23. Mr. HOPKINSON (United Kingdom) strongly supported the views expressed by the United States representative with regard to the general question of petitions. For the sake of orderly procedure in the future, the Committee should decide how petitions should be dealt with. As he had already made clear, the United Kingdom delegation fully recognized and was determined to maintain the right of petition of the inhabitants of the Trust Territories, but felt some concern about the possible consequences of the present arrangements, or rather lack of arrangements.

24. The Chairman of the Togoland Congress had not specified in his communication (A/C.4/211) the subject on which he wanted to address the Fourth Committee, and he might reasonably be asked to do so, in accordance with rule 80 of the rules of procedure of the Trusteeship Council. Assuming that he wished to be heard in connexion with the Ewe question, he might also reasonably be told that he should first ask for permission to make an oral presentation to the Trusteeship Council when the Council took up the special report on the subject of the United Nations Visiting Mission to Trust Territories in West Africa, 1952 (T/1034).

25. Mr. HOPKINSON submitted to the Committee the following proposal (A/C.4/L.222):

"The Fourth Committee

"Decides to instruct the Secretary-General to reply to the communication from the Chairman of the Togoland Congress (A/C.4/211) to the effect that in the first instance he should address himself to the Trusteeship Council in accordance with rule 80 of that Council's rules of procedure and, if he fails to find satisfaction from the decisions of the Council, renew his request to the Fourth Committee specifying with precision the matters on which he wishes to address the Committee."

26. Unless some such procedure were adopted, the Committee might find itself granting requests for oral hearings from anyone who chose to ask—a position which would be unworthy of the General Assembly's dignity and prestige.

27. If his proposal were not adopted, the United Kingdom delegation would be obliged to vote against the granting of an oral hearing to the Togoland Congress.

28. Furthermore, he formally proposed that the question raised by the United States delegation should be made the subject of study by a small *ad hoc* committee or working party, which could report to the Fourth Committee and recommend some form of procedure for dealing with requests for oral hearings.

29. Mr. McINNIS (Canada) agreed with the United Kingdom representative and welcomed the proposals he had made. When the Committee was considering the first few petitions received, it had been said that if there were to be a large number of such requests, machinery to deal with them could be devised. That necessity had arisen earlier than had been anticipated and it was obvious that some means would have to be found of assuring the Committee before it devoted time to such a request that it referred to an exceptional situation that could not be dealt with satisfactorily by some other competent body. If adequate safeguards were not provided the Committee might be imposed on by claimants who were moved by nothing more than self-seeking and the desire to build up a local political reputation in their own country. The Committee's competence was not in question, but it did not possess the facilities for acting as a court of first instance.

30. With reference to the request from the Togoland Congress, his delegation did not possess enough information to enable it to come to a decision; it would have to depend on information brought forward in the course of the debate.

31. Mr. RYCKMANS (Belgium) understood that the Togoland Congress had submitted its views to the Visiting Mission to Trust Territories in West Africa and it would be out of order for the Fourth Committee to grant a hearing to the Togoland Congress before it had studied the Visiting Mission's report. He would therefore vote against granting a hearing.

32. Mr. CARPIO (Philippines) felt that the manner in which petitions were dealt with left much to be desired. Petitions were reaching the Trusteeship Council in such numbers that a great deal of the Council's attention during recent sessions had been directed to the formulation of a procedure for dealing with them according to their importance. The Standing Committee on Petitions, set up for the purpose, treated them rapidly and summarily. Moreover, it classified them; and petitions of a general nature were simply referred back to the Trusteeship Council, which usually decided that, as it had considered similar petitions in the past, no action was required. The chief reason why requests for oral hearings were being addressed to the Fourth Committee was the dissatisfaction of petitioners at the manner in which the Trusteeship Council dealt with petitions; they felt the General Assembly should know what was happening.

33. The Philippine delegation, faithful to its consistent policy of championing the rights of the voiceless millions, would oppose any attempt to postpone the granting of a hearing. Two similar requests had already been granted without any discussion. The Somali Youth League was the most important political party in Somaliland; it had already addressed about a hundred petitions to the Trusteeship Council. In justice to the peoples in whose interest Chapters XI, XII and XIII had been included in the Charter, they should be heard by the General Assembly.

³ See *Official Records of the General Assembly, Fifth Session, Fourth Committee, 174th meeting.*

34. It had been suggested that the petitioners should be directed to the Trusteeship Council, but the Council was dominated by the Administering Authorities. If the Trusteeship Council did not perform the functions vested in it by the Charter, the General Assembly should exercise some of those functions itself.

35. It had been under the leadership of the great Powers, including some of the colonial Powers, that the salutary provisions of Chapters XI, XII and XIII had been included in the Charter. That had been done in part as a recognition of the invaluable aid the colonial territories had given the great Powers during the war. The system so created was not, however, working as had been intended. He would have welcomed the continuing leadership of the great Powers in humanitarian endeavour, but if that leadership was not forthcoming, the majority of the nations represented in the General Assembly, who had an equal voice with those Powers, would know what course to pursue.

36. Mr. TAJIBNAPIS (Indonesia) felt that it could be safely assumed that the petitioners requesting oral hearings had serious reasons for wishing to attend the Fourth Committee, in view of the sacrifices involved in undertaking so long a journey. Article 87 of the Charter did not require petitions to be examined first by the Trusteeship Council. The Indonesian delegation could not support the United Kingdom proposal for it would, in effect, place the General Assembly in a position of inferiority to the Trusteeship Council.

37. His delegation was also not in favour of the suggestion that an *ad hoc* committee should be appointed to consider appropriate machinery for dealing with petitions addressed to the Fourth Committee. If the Fourth Committee were in fact overwhelmed with petitions, the Indonesian delegation would support such a proposal; but since that was not the case, it felt that the procedure was unnecessary.

38. In conclusion, he made a formal proposal that the request for an oral hearing contained in document A/C.4/211 should be granted.

39. Mr. PIGNON (France) did not think that the Trusteeship Council and its Standing Committee on Petitions deserved the criticism directed against them by the Philippine representative. He suggested that the President of the Trusteeship Council should be asked to call upon the Standing Committee to meet to consider the requests for hearings received by the Fourth Committee and to report its findings to that Committee.

40. Mr. BAZHAN (Ukrainian Soviet Socialist Republic) said that he would vote against the United Kingdom proposal on the grounds that the Fourth Committee was under no obligation to refer requests for oral hearings to any other agency. He would vote in favour of the Indonesian proposal, particularly since the current session of the General Assembly was devoting special attention to the Ewe problem.

41. Mr. WINIEWICZ (Poland) said that accepting the United Kingdom proposal would mean discriminating against the Togoland Congress as the Committee had decided a few days previously (252nd meeting)

to invite other representatives of the Ewe people. The same procedure should be adopted as in the case of the requests for oral hearings already granted.

42. Mr. SHEIKIN (Byelorussian Soviet Socialist Republic) requested a roll-call vote on the United Kingdom proposal (A/C.4/L.222).

A vote was taken by roll-call.

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

In favour: Canada, Denmark, Dominican Republic, France, Luxembourg, Netherlands, New Zealand, Norway, Peru, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium.

Against: Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Egypt, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil.

Abstaining: Burma, Chile, Colombia, Costa Rica, El Salvador, Greece, Thailand.

The proposal was rejected by 15 votes to 30, with 8 abstentions.

43. Mr. SHEIKIN (Byelorussian Soviet Socialist Republic) requested a roll-call vote on the Indonesian proposal.

A vote was taken by roll-call.

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

In favour: India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, Ethiopia, Greece, Guatemala, Haiti, Honduras.

Against: Luxembourg, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Canada, France.

Abstaining: Peru, Sweden, Costa Rica, Dominican Republic, Ecuador, El Salvador.

The proposal was adopted by 39 votes to 9, with 6 abstentions.

44. Mr. HOPKINSON (United Kingdom) said that he had voted against Indonesian proposal not because his delegation was in any way opposed to the right of petition, but because he felt that unless the question was regulated, the Committee would eventually encounter great difficulties. He reserved the right to put forward a formal proposal on procedures for dealing with petitions addressed to the Fourth Committee.

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

[Item 33]*

45. The CHAIRMAN invited the Committee to vote on the joint draft resolution on educational, economic and social policies in Non-Self-Governing Territories in document A/C.4/208 and the Ukrainian amendment to that resolution in document A/C.4/L.220. He drew the Committee's attention to the fact that the adoption of the draft resolution would be a tacit agreement to renew the Committee on Information from Non-Self-

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

Governing Territories, although the manner and machinery of its renewal would remain to be determined under the second item on the Committee's agenda.

46. Mr. RYCKMANS (Belgium) felt that it was improper to vote on a draft resolution implying the continuation of the Committee on Information until the principle of its continuation had been formally accepted. He therefore proposed that the vote on documents A/C.4/L.220 and A/C.4/208 should be postponed until the Committee had taken a decision on item 2 of its agenda.

The proposal was adopted by 25 votes to 20, with 8 abstentions.

The meeting rose at 1.10 p.m.