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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]*

VOTE ON THE DRAFT RESOLUTION ON EDUCATIONAL, ECONOMIC AND SOCIAL POLICIES IN NON-SELF-GOVERNING TERRITORIES (A/C.4/208, A/C.4/L.220)

1. Mr. BAZHAN (Ukrainian Soviet Socialist Republic) recalled that his delegation had proposed (A/C.4/L.220) the deletion of the third paragraph of the preamble of the joint draft resolution (A/C.4/208) because the text of that paragraph was not in line with the facts. The members of the Fourth Committee had expressed very divergent points of view regarding the reports prepared by the Committee on Information from Non-Self-Governing Territories. He emphasized that his country was in no way opposed to the actual principle that all Powers should collaborate in the observance of the Charter.

2. The CHAIRMAN put the joint draft resolution (A/C.4/208) to the vote paragraph by paragraph.

The first paragraph of the preamble was adopted by 44 votes to none, with 5 abstentions.

The second paragraph of the preamble was adopted by 44 votes to none, with 5 abstentions.

The amendment submitted by the Ukrainian SSR (A/C.4/L.220) was rejected by 34 votes to 5, with 7 abstentions.

3. Mr. DE MARCHENA (Dominican Republic) noted certain discrepancies between the Spanish, English and French texts of the third paragraph of the preamble.

4. Mr. PONCE YEPEZ (Ecuador) considered that the Spanish text was satisfactory.

5. Mr. RYCKMANS (Belgium) said that in order to bring the French text into line with the English and Spanish texts the phrase "*quand il s'agit de déterminer la politique à suivre*" should be replaced by the words "*en formulant une politique*".

6. Mr. PIGNON (France) and Mr. DORSINVILLE (Haiti) agreed with the Belgian representative.

7. The CHAIRMAN considered that, in rejecting the Ukrainian amendment, the Committee had adopted the third paragraph of the preamble.

8. Mr. MENDOZA (Guatemala) thought, on the contrary, that the paragraph should be put to the vote.

9. The CHAIRMAN asked the members of the Committee to decide that question of procedure.

The Committee decided, by 23 votes to 6, to vote on the third paragraph of the preamble.

10. Mr. KHALIDY (Iraq) explained that he had voted against the proposal to put the paragraph to the vote because he agreed with the Chairman that the rejection of the Ukrainian amendment meant that the third paragraph of the preamble had been adopted. If that amendment had dealt with only part of the third paragraph a new vote would have been justified, but that was not the case.

11. The CHAIRMAN put to the vote the third paragraph of the preamble, on the understanding that the Spanish and English texts of document A/C.4/208 would remain unchanged and that the French text would be amended in accordance with the Belgian proposal.

The third paragraph of the preamble was adopted by 36 votes to 5, with 7 abstentions.

Paragraph 1 of the operative part was adopted by 40 votes to 7, with 2 abstentions.

Paragraph 2 of the operative part was adopted by 38 votes to none, with 13 abstentions.

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

12. Mr. Shiva RAO (India) requested a roll-call vote on the draft resolution as a whole (A/C.4/208).

A vote was taken by roll-call.

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

In favour: Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, New Zealand, Pakistan, Philippines, Saudi Arabia, Sweden, Thailand, United States of America, Venezuela, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Canada, Chile, China, Colombia, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India.

Against: Belgium, France.

Abstaining: Luxembourg, Netherlands, Norway, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Australia, Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark.

The draft resolution as a whole was adopted by 34 votes to 2, with 12 abstentions.

13. Mr. PONCE YEPEZ (Ecuador) explained that he had voted in favour of the draft resolution because he considered that the measures contemplated in the text were in conformity with the purposes of Chapter XI of the Charter.

14. Mr. RYCKMANS (Belgium) said he had voted against paragraph 1 of the operative part and against the draft resolution as a whole because he could interpret the provisions of paragraph 1 in only two ways: either the Belgian Government was supposed to inform the Secretary-General that it had communicated the reports of the Committee on Information to the Governor-General of the Belgian Congo, in which case the resolution was merely trivial; or else the paragraph meant that the Belgian Government was to inform the Secretary-General of the actual substance of the instructions it had given to the Governor-General regarding the Committee's recommendations, in which case the resolution was totally unacceptable to the Belgian Government, as it would be to the government of any sovereign State.

15. The CHAIRMAN announced that the vote on the draft resolution would be recorded in the Committee's report to the General Assembly dealing with the first item of its agenda.

16. In reply to Mr. MENDOZA (Guatemala), the CHAIRMAN said that the Rapporteur's report would be submitted for the Committee's approval before it was sent to the General Assembly.

17. In reply to Mr. PEON DEL VALLE (Mexico), Mr. SCOTT (New Zealand), Rapporteur, said that he would refer in his report to all of the draft resolutions and written and verbal amendments which had been submitted.

18. Mr. KHALIDY (Iraq) said that the decision to make the Committee on Information from Non-Self-Governing Territories a permanent organ should not cause the administering Powers any anxiety. The permanent Committee would have the same spirit of understanding and co-operation as its predecessor and would

judge each case objectively and impartially. All that the new permanent Committee would have to do would be to continue the work started by the old Committee on Information.

19. He wondered whether the administering Powers appreciated the efforts which the other Powers were making to conciliate the divergent points of view. The fact that the administering Powers themselves had not all voted in the same way regarding the re-establishment of the Committee on a permanent basis should encourage them to adopt an equally conciliatory attitude.

20. He hoped that the administering Powers would continue to offer their sincere collaboration to the new permanent Committee and would participate actively in its work.

Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories (A/2219 and Corr. 1, A/C.4/L.221, A/C.4/L.224, A/C.4/L.227, A/C.4/L.228)

[Item 35]*

21. Mr. Shiva RAO (India) said that the draft resolution which his delegation was submitting jointly with the delegations of Burma, Indonesia and Pakistan (A/C.4/L.221) was quite clear in itself and did not require any special introduction. The Committee on Information had already discussed the subject but had not reached any definite conclusion for the reasons given in paragraphs 87 to 109 of its report (A/2219 and Corr. 1, part one). However the members of that Committee would agree that the discussion had been useful and had served to clarify the problem. They had shown that it would be possible for the Non-Self-Governing Territories to participate in the Committee's work and they had provided the Secretariat with a basis for further study of the question. In the opinion of his delegation, the Secretary-General's memorandum (A/AC.35/L.83 and Corr. 1 and Add. 1), which was mentioned in paragraph 88 of the Committee's report, was very interesting and useful in that it gave an outline of the possible forms of association and of the constitutional provisions of certain international bodies which would permit the Non-Self-Governing Territories to participate in their work.

22. The joint draft resolution was intended chiefly to prevent the subject from being dropped. The preamble contained various points which had appeared in the two draft resolutions submitted to the Committee on Information (A/2219 and Corr.1, part one, paras. 90 and 97). Paragraph 1 of the operative part dealt with the possibility of extending the practice of associating suitably qualified persons from the Non-Self-Governing Territories in the Committee's work, but it left the right of deciding on that point exclusively to the administering Powers. In his view, such association would be particularly useful when the Committee discussed technical questions, for it could then count on the direct participation of the actual representatives of the Non-Self-Governing Territories. With regard to paragraph 2 of the operative part, he recalled that his delegation had already made a similar suggestion to the Committee on Information and to the Fourth Committee. It had inserted the idea in the draft reso-

lution because it considered it essential for the United Nations to know the reactions and the opinions of the populations concerned. He hoped that the administering Powers would interpret that proposal in the spirit in which it had been made. He had already expressed his delegation's view on paragraph 3 of the operative part during the general debate (251st meeting) and he hoped that the Secretariat would study the implications of that proposal.

23. He pointed out that the number of Non-Self-Governing Territories, a list of which had been supplied by the administering Powers in 1946, had dropped in the space of three years from seventy-four to fifty-eight. Out of the sixteen territories for which the administering Powers had ceased to transmit information, only one, Indonesia, had become a Member of the United Nations. The fifteen other territories were not yet fully self-governing and could not therefore apply for membership of the Organization. Those territories should therefore have a large measure of self-government in economic, social and educational matters in order that they might be associated in the work of international bodies to an extent compatible with their degree of development.

24. He did not think there was much difference between the amendment submitted by the USSR (A/C.4/L.224) and the original text of the joint draft resolution. Actually, the two texts served the same purpose, and in his opinion it would be better to retain the text of the joint draft resolution.

25. Mr. CALERO RODRIGUES (Brazil) recalled that Brazil was a member of the Committee on Information from Non-Self-Governing Territories; the position of his delegation was therefore well known. Together with the delegations of Cuba, Ecuador, Egypt, India and Pakistan, the Brazilian delegation had submitted to the Committee a draft resolution the text of which was reproduced in paragraph 90 of the Committee's report. In that draft resolution, the question had been approached in a reasonable way, and its provisions made possible the effective association of the Non-Self-Governing Territories in the Committee's work. The rights of the Administering Members had been fully respected, and the authors of the draft resolution had never dreamed of proposing that the Non-Self-Governing Territories should participate in the work of the Committee on a fully independent basis while the Administering Members were ignored.

26. The draft resolution had recognized in particular that the direct participation of the Non-Self-Governing Territories might help to promote the progress of those territories towards the goals set forth in Chapter XI of the Charter. It had authorized the Committee to accept, on the proposal of the Administering Members concerned, the participation in its work of representatives of governments of Non-Self-Governing Territories; it had invited the Administering Members to avail themselves of the opportunity thus created for still more effective co-operation regarding the study of economic, social and educational conditions in the Territories; and, lastly, it had invited the Committee to report to the General Assembly.

27. Now that the matter had been brought before the General Assembly itself, it must first be decided whether the participation of the Non-Self-Governing

Territories would be of advantage, and that was a decision which must be taken by a majority of the members of the Fourth Committee. The Brazilian delegation had frequently displayed its desire to ensure a good understanding between the Administering Members and the other Members of the United Nations. Some matters, however, must be settled by a majority decision without any attempt to attach special importance to the opinions which might be expressed by a particular country or group of countries. Brazil was the first to admit that the Administering Members were entitled to permit, or refuse to permit, the territories they administered to take part in the work of international bodies, but there was no reason why they should enjoy special privileges when a question of principle had to be decided. If a majority of the members of the Fourth Committee were convinced that the participation of the Non-Self-Governing Territories in the work of the Committee on Information would help those territories to draw nearer to the goals set forth in Chapter XI of the Charter, they should say so in a resolution even if they knew that a similar proposal had already been rejected by all the Administering Members in the Committee on Information.

28. In the third paragraph of the preamble to the draft resolution before the Fourth Committee (A/C.4/L.221), the question of principle was presented in a slightly different way, for that paragraph spoke only of a "closer association" of the Non-Self-Governing Territories in the Committee's discussions. The Brazilian delegation was of the opinion that the General Assembly should give its sanction to the idea of the direct participation of the Non-Self-Governing Territories in the Committee's work. The Brazilian delegation would even be prepared to go further and to settle the matter in accordance with the principles put forward in the Committee on Information. While it would not be opposed to that Committee's continuing to study the matter, as proposed in paragraph 3 of the operative part of the draft resolution, it did not think that such a study would yield positive results unless the General Assembly previously gave its sanction to the principle of direct participation. In other words, the Committee should be requested to give its particular attention to a matter that had become the subject of a decision by the General Assembly.

29. The Brazilian delegation therefore submitted the following amendments (A/C.4/L.227):

"1. In the third paragraph of the preamble, replace the words 'the closer association' by 'direct participation'.

"2. In paragraph 3 of the operative part, replace the words 'to study the further question of the direct association' by 'further to study the question of direct participation'."

30. He hoped the authors of the draft resolution and the other members of the Fourth Committee would be able to accept those amendments.

31. Mr. DJERDA (Yugoslavia) said he would like to emphasize that, in the opinion of his delegation, Chapter XI of the Charter gave expression to the fundamental principle in virtue of which the United Nations should assist the Non-Self-Governing Territories in attaining self-government and independence,

and for that purpose constantly strive to improve the conditions of the inhabitants of those territories.

32. The discussions which had taken place at the sixth session had shown that the General Assembly had clearly desired that the indigenous inhabitants should be given the opportunity to participate directly in the work of the organs of the United Nations. At the close of those discussions, the General Assembly had adopted its resolution 566 (VI) in which it expressed the view that the direct association of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies was an effective means of promoting the progress of the peoples of those territories towards a position of equality with Member States, and invited the Committee on Information from Non-Self-Governing Territories to examine the question and report the results of its examination to the Assembly.

33. The Committee had submitted no positive recommendation, but the Yugoslav delegation still thought there was at present nothing to prevent a satisfactory solution of the problem. It was almost unnecessary to stress the importance of participation by the inhabitants of the Non-Self-Governing Territories in the work of the Committee and other organs of the United Nations. Such participation was not incompatible with the letter and spirit of the Charter; on the contrary, it was one of the duties which the Charter placed upon the Organization. Moreover, by participating actively in the work of the United Nations, the indigenous inhabitants would no doubt acquire the experience and ability which would enable them to administer the affairs of their territories.

34. Hence the Yugoslav delegation was prepared to support any proposal for resolving that question. It would therefore vote for the joint draft resolution. He would like, however, to make some special observations on that resolution.

35. First of all, he was sorry the text of the draft diverged considerably from that of General Assembly resolution 566 (VI). While the draft resolution spoke of the closer association of the Non-Self-Governing Territories in the discussions of the Committee on Information, the General Assembly resolution spoke of the direct association of those territories in the work of the United Nations. That divergence constituted an unjustifiable retrogression. Furthermore, paragraph 1 of the operative part of the joint draft resolution referred to 'suitably qualified persons' from the Non-Self-Governing Territories. He wondered whether the persons concerned were to be indigenous inhabitants, who to a certain extent would represent the local population and might speak on their behalf; or persons who, while residing in the Non-Self-Governing Territories, might be officials of the administering Power. There was obviously a great difference between those two classes of persons, and the interpretation to be placed on the phrase was therefore not unimportant. The Yugoslav delegation would prefer it if the paragraph could be so amended as clearly to indicate that the General Assembly hoped the Administering Members would find the means of enabling representatives of the representative organs in the territories to participate directly in the Committee's work, without of course having the right to vote.

Hence, he would support the draft resolution more warmly if the authors took account of the observation he had just made.

36. Mr. TAJIBNAPIS (Indonesia) considered that the amendments proposed by the Brazilian representative appreciably improved the text of the draft resolution. He accepted them willingly and hoped the other authors of the draft resolution would do the same.

37. Mr. RYCKMANS (Belgium) said he would like to point out that the draft resolution which the Committee had just adopted (A/C.4/L.208) "expressed the hope" that the Members concerned would communicate certain information and referred to the "authorities responsible in the territories", while in the draft resolution under consideration the "Administering Members" were "invited" to communicate certain texts, and reference was made to the "authorities of such territories as have legislatures". He wondered whether the wording of the two texts might not be made uniform, since they dealt with the same question.

38. Mr. FORSYTH (Australia) said he would like to ask a number of questions about the draft resolution. He would like to know how many Non-Self-Governing Territories had already been associated in the work of the technical organs of the United Nations. He would also like to know how the association of those territories in such work could help to promote the progress of the territories towards the goals set forth in Chapter XI of the Charter.

39. Proceeding to paragraph 1 of the operative part of the draft resolution, he wondered who should decide which manner of bringing such association into effect was desirable.

40. With regard to paragraph 2 of the operative part, he remarked that the subject was already dealt with in the draft resolution set forth in document A/C.4/L.208. If the intention was to establish direct relations between the Fourth Committee and the local legislatures, that would be going much too far, and a provision such as that in the last part of that paragraph would amount to a usurpation of the authority of the administering Government.

41. Mr. NAJAR (Israel) remarked that there was a difference between the English and French texts of paragraph 1 of the operative part: while the English text said 'in any manner that may be deemed desirable', the French version was "*selon les modalités qu'ils estimeront souhaitables*". The French text made it quite clear that only Administering Members were referred to.

42. Mr. DORSINVILLE (Haiti) pointed out that the French text of the Brazilian amendment did not correspond exactly with the English and Spanish texts.

43. The CHAIRMAN stated that the Secretariat would take into account the observations that had been made regarding the concordance of the texts.

44. Sir Alan BURNS (United Kingdom) pointed out that his delegation's comments on the joint draft resolution would be made entirely without prejudice

to its position on the question of the future of the Committee on Information.

45. The United Kingdom delegation could not accept the assertion in the third paragraph of the preamble that "the closer association of the Non-Self-Governing Territories in the discussions of the Committee on Information from Non-Self-Governing Territories can be of further assistance in promoting the progress of those territories and their peoples towards the goals set forth in Chapter XI of the Charter". That Chapter contained a declaration of the objectives adopted by those Members of the United Nations who had responsibility for promoting the progress of the Non-Self-Governing Territories. He doubted if the task of those Members would be facilitated by the adoption of procedures such as those suggested in that paragraph.

46. With respect to paragraph 1 of the operative part of the joint draft resolution, the United Kingdom delegation had no objection in principle to the inclusion of representatives of Non-Self-Governing Territories in the delegations of the administering Powers; the Government of the United Kingdom had frequently followed that practice and would continue to do so whenever it found it appropriate.

47. With respect to paragraph 2 of the operative part, the United Kingdom representative had pointed out, during the discussion of draft resolution C, concerning the renewal of the Committee (A/2219 and Corr.1, part one, annex II), that his Government could not accept any extension by Assembly resolution of the obligations defined in Article 73 e of the Charter. Paragraph 2 of the operative part would have the effect of extending those obligations and the United Kingdom delegation could not therefore accept it. Moreover, implementation of that paragraph would imply readiness on the part of Administering Members to oblige the legislatures of their dependent territories to consider the reports of the Committee and the relevant resolutions of the General Assembly. It was not the practice of the United Kingdom Government to prescribe the subjects to be discussed in the legislatures of its Non-Self-Governing Territories. Indeed, such a proposition, as the Belgian representative had observed in another connexion, would be a constitutional monstrosity.

48. With respect to paragraph 3 of the operative part, the United Kingdom delegation was not convinced of the need for further study of that question. It appeared clear to that delegation that the General Assembly and its committees must remain associations of sovereign governments; no ingenuity could circumvent that essential requirement.

49. In conclusion he observed that his delegation's vote on the joint draft resolution would be conditioned by the views he had just expounded.

50. Mr. JESSUP (United States of America) pointed out that the question had been discussed for several years in the General Assembly, the Trusteeship Council and the Committee on Information from Non-Self-Governing Territories; the issues had been somewhat clarified but the differences in the points of view had not been appreciably narrowed.

51. Some of the problems which had been brought out were basic and concerned such matters as consti-

tutional powers, Charter obligations and limitations, the rights of governments with respect to the choice of their delegations, and other legal aspects. Other considerations of a more practical nature had been brought out concerning such matters as the method of representation for sixty-five or seventy Non-Self-Governing Territories, the selection of competent and authorized representatives, double representation, and in case of conflict of views the weight that should be given to the different opinions.

52. The atmosphere in which the discussions had taken place in the Fourth Committee, the Trusteeship Council and the Committee on Information was also a factor to be taken into account. Many different opinions had been expressed concerning the role of the administering Powers; some had voiced unfounded criticism, others had expressed suspicion and mistrust; only infrequently had the efforts of those Powers to improve the conditions of the inhabitants been justly assessed. It was in that atmosphere that wider participation by the inhabitants of Non-Self-Governing Territories in the work of the United Nations was being proposed. Consequently, it could hardly be surprising if the administering Powers showed a certain scepticism in the matter.

53. On that question, as on others, some agreed premise should be sought to open the way toward a constructive solution. For several years, the United States delegation had endeavoured to find some common ground, but it regretted that certain uncompromising attitudes had prevented the success of that effort. The joint draft resolution gave evidence of an effort to work out a practical solution of the problem.

54. Chapter XI of the Charter should be the starting point in the search for common ground; the responsibilities of the Administering Members were therein recognized by all Members of the United Nations. In that connexion he regretted that during a previous meeting a representative had declared that the non-self-governing peoples were not represented at the United Nations at all—a point of view which he could not accept. Under the constitutional system of the United States the five million inhabitants of Alaska, Hawaii, Puerto Rico and other territories were represented at the United Nations by the United States delegation just as were the inhabitants of Montana, Oklahoma or New York.

55. With respect to the actual text of the joint draft resolution, the United States delegation was prepared to accept the preamble and paragraph 1 of the operative part, subject to slight changes in the wording.

56. With respect to paragraph 2 of the operative part, however, the United States delegation would find some difficulty in undertaking to transmit to the Secretary-General information in regard to the views held by territorial legislatures on the reports and resolutions of certain United Nations bodies. Such information would represent a departure from the type of information provided for in Article 73 e of the Charter. In that connexion, Mr. Jessup observed that the United States Government had always furnished much more information than was actually called for by Article 73 e and would continue to do so as long as the territories concerned had not become self-governing. As to operative paragraph 3, the United States

delegation recalled that the question had been carefully studied for two years, but that study had provided nothing that would enable it to accept the idea that had been propounded. It did not believe that two authorities could represent the same territories at the same time; that procedure could only lead to confusion.

57. Consequently, the United States delegation wished to submit the following amendments (A/C.4/L.228) to the draft resolution:

"1. In operative paragraph 2:

"(a) Delete all words after the phrase 'to the authorities of such territories'.

"(b) Delete the word 'authorities' and replace with 'executive and legislative branches'.

"2. Delete operative paragraph 3."

58. The United States Government was anxious that all inhabitants of Non-Self-Governing Territories should widen their experience in government and that they should have the opportunity as members of delegations to participate in the work of such governmental and inter-governmental agencies as were concerned with their problems. In fact, inhabitants of the Non-Self-Governing Territories had at various times been included in the United States delegation. In the view of that delegation that was the best way to put into practice the principle of participation to further the work of the United Nations and to frustrate the efforts of those who wished to create obstacles.

59. Mr. PIGNON (France) praised the conciliatory attitude shown by the authors of the joint draft resolution. There was every justification for desiring that the inhabitants of Non-Self-Governing Territories might participate in the work of the Committee on Information and, for its part, the French delegation had already had occasion to point to the advantage of the presence of representatives of indigenous popu-

lations in the delegations. Those representatives could exercise a considerable amount of influence in the French delegation, particularly since the members of that delegation were encouraged to express their opinions freely on all matters.

60. In paragraph 1 of the operative part of the draft resolution, the phrase "suitably qualified persons" was somewhat disturbing. It might well be asked what criteria would be used to determine the qualifications of such persons and by what authority. Apparently, the draft could only refer to the Administering Members. Moreover, the phrase "*selon les modalités qu'ils estimeront souhaitables*" appeared to confirm that point of view.

61. The basic idea of paragraph 2 of the operative part was unacceptable since it would amount to a new control over measures taken by the administering Powers; not only would that control be contrary to the principles of public law, but the division of responsibility would reduce the efficiency of any administration.

62. The French delegation was convinced that the study proposed in operative paragraph 3 would serve no useful purpose; furthermore that paragraph clearly indicated the direction that such study would take. The final goal envisaged was unacceptable to any Power that had responsibility for the administration of Non-Self-Governing Territories; that goal was none other than dual representation, which would render government impossible.

63. The Committee on Information could not be placed on the same footing as technical bodies; moreover, those who felt that the Committee could consider all questions, including political questions, themselves furnished the arguments against such a status.

The meeting rose at 1 p.m.