

# GENERAL ASSEMBLY

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**Chairman: Mrs. Lina P. TSALDARIS (Greece).**

### AGENDA ITEM 33

#### Recommendations concerning international respect for the right of peoples and nations to self-determination (A/3829, A/3775)

1. The CHAIRMAN briefly recounted the history of the item regarding recommendations concerning international respect for the right of peoples and nations to self-determination and outlined the existing situation.

2. Mr. BARODY (Saudi Arabia) said that the three draft resolutions submitted to the General Assembly by the Economic and Social Council in its resolution 586 D (XX) had far-reaching implications which should be explained to the Committee by representatives who had attended the relevant meetings of the Commission on Human Rights and of the Council. It should be borne in mind that article 1 was securely lodged in both of the draft International Covenants on Human Rights (A/3077, para. 77), and that various doubts—on such matters as the possibility of confiscation of foreign assets, the definition of the word "peoples" and the question whether self-determination should be regarded merely as a principle, and not as a right—had for most delegations been effectively dispelled. Moreover, the basic decision on the subject, set forth in General Assembly resolution 1188 (XII), was serving its purpose: some improvement could be observed in the application of operative paragraph 1 (a), and certain metropolitan Powers were complying with the provisions of paragraph 1 (b). It was to be hoped that that progress would continue, for the international community must pay heed to the growing insistence of the peoples of the world on the exercise of their right to self-determination.

3. Under operative paragraph 2 of General Assembly resolution 1188 (XII), the Committee would be called upon to consider the two draft resolutions on the right of self-determination proposed by the Commission on Human Rights, and the draft resolution proposed by the Economic and Social Council on the same subject, all of which were set forth in Council resolution 586 D (XX). The Commission's draft resolutions deserved attention, for they contained some useful points. The same could not, however, be said of the Council's draft resolution; it must be presumed that the sponsors had not realized the dangers inherent in their text. The problem of self-determination had been discussed in the Third Committee since 1949, and article 1 had

been more hotly and exhaustively debated than any other in the draft Covenants. Many controversial points had been raised, but the arguments against including in the Covenants an article proclaiming the right of self-determination had been rejected by overwhelming majorities, in the light of the facts and of the evidence everywhere that there was a dynamic force now moving all dependent peoples to assert their claims to independence. Over the years, countries which had been reluctant to admit the right of self-determination and had tended to agree with the argument that the inclusion of article 1 would jeopardize the adoption of the Covenants, and that the right of self-determination should be embodied in a separate Covenant, had changed their views in the face of the facts.

4. Accordingly, there was no need for the thorough study of the concept of self-determination proposed in the Council's draft resolution. That proposal, which had been due to the initiative of a delegation which was committed to propitiating the metropolitan Powers, was ostensibly a compromise solution. But its implications were dangerous. He fully realized that the economies of the metropolitan Powers were closely linked with those of the territories under their control, and that those Powers were, in most cases, trying to bring the interests of the dependent peoples into line with their own. The Committee, too, might prefer such a policy; but that policy clearly did not meet with the approval of the dependent peoples, who wanted immediate self-determination. The economic interests of metropolitan Powers and the desire of the dependent peoples for independence could not be reconciled by a resolution recommending thorough study. Moreover, experience had shown that studies by bodies of experts could be used as pretexts for inaction, as in the case of the report of the Rapporteur on Freedom of Information. The study proposed in Council resolution 586 D (XX) would result in delay and would offer an opportunity for spurious argument against the whole concept of self-determination and, perhaps, even against the inclusion of article 1 in the draft Covenants. That could have the most serious consequences.

5. Mr. SHALIZI (Afghanistan) said he was largely in agreement with the preceding speaker's remarks. It would be useful if those who held opposite views on self-determination would present them so that the Committee could hear both sides of the question.

6. Mr. ROSSIDES (Greece) said that the General Assembly, considering that steps should be taken to give effect to the right of self-determination set forth in the Charter of the United Nations, had at its seventh session adopted resolution 637 (VII), in which it had explicitly stated that, where the peoples of Non-Self-Governing and Trust Territories were concerned, self-determination was not merely a principle but a right, and had requested the States administering such

Territories to promote the realization and facilitate the exercise of that right. Furthermore, the General Assembly had requested the Economic and Social Council in the same resolution to ask the Commission on Human Rights to prepare recommendations relating to the further implementation of the right. As the Committee was aware, the Council had not adopted the two recommendations on the subject prepared by the Commission, but had transmitted them to the General Assembly with an alternative recommendation of its own (Council resolution 586 D (XX)). The Third Committee had begun to discuss the matter at the twelfth session, and now had to consider all of the three recommendations in question.

7. In his view, the recommendations of the Commission on Human Rights offered adequate means of promoting the realization of the right of self-determination. The adoption of those recommendations would enable the United Nations to deal effectively with any violations of the right that might occur; and it was surely the duty of Member States—wherever their own interests might lie—to seek to render the United Nations as effective as possible. Certainly, the Committee would be unwise to disregard the Commission's recommendations without providing other means of implementing the right of self-determination.

8. The administering Powers should realize that it was in their own interest to help the peoples under their administration to achieve self-determination

peacefully, rather than force them to win it by bloody strife, with resultant bitterness on both sides. It was in that spirit—the spirit of the times—that the Committee should approach the subject, and not in one of conflict between colonial and anti-colonial Powers. The Committee would then have no difficulty in solving the problem before it in the interests of peace and of all concerned.

9. The Economic and Social Council's draft resolution on the matter was far less useful than the Commission's recommendations. The proposed study of the concept of self-determination would be purely academic. There could be no reasonable doubt about the meaning of the right of self-determination as referred to both in General Assembly resolution 637 (VII) and in the Commission's recommendations. The General Assembly resolution, in particular, clearly applied to the exercise of the right of self-determination by dependent peoples in Non-Self-Governing and Trust Territories, and not to separatist claims by sections of the population of independent States, which by virtue of Article 2, paragraph 7, of the Charter, could not be the concern of the United Nations. The concept of self-determination related to national rather than political freedom, and it was clear enough for the Committee to be able to carry it into effect without further inquiry into its meaning.

The meeting rose at 12.5 p.m.