

GENERAL ASSEMBLY

THIRTEENTH SESSION

Official Records


**THIRD COMMITTEE 890th
MEETING**

 Monday, 24 November 1958,
at 10.45 a.m.

NEW YORK

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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) (continued)**

1. Mrs. MURAVYEVA (Union of Soviet Socialist Republics) emphasized the importance and current interest of the right of self-determination. Since the end of the Second World War, many nations had attained independence and, within the last three years alone, five new States had become Members of the United Nations. The USSR, which was a champion of peace and freedom like all progressive countries, warmly welcomed that development and firmly believed that colonialism would soon be a memory of the past, as the struggle for independence typical of modern times could not be halted until it had reached its conclusion.

2. Unfortunately, there were many countries still living under colonial domination and the supporters of that mediaeval system used a variety of arguments to justify its continuation. They claimed, for instance, that the countries asking for their independence were not ready for self-government because of their economic backwardness; some supporters of the system even contended that colonialism had been beneficial rather than harmful to those countries, whereas in point of fact the system had been responsible for impeding their economic development, keeping the peoples of countries with substantial natural resources in a state of impoverishment.

3. The USSR had always defended the right of self-determination. As soon as the Soviet Government had come to power, Lenin in his Declaration on the Rights of Nations had condemned the czarist policy of domination over other nationalities and of incitement to hatred, and had proclaimed the equality and sovereignty of all the peoples of Russia. It had been possible for those peoples to become separate States, while continuing to benefit from the practical help of the Soviet Union. Many backward areas had thus been enabled to overcome the delay in their development. The USSR had displayed the same respect for sovereignty on the international level. It had always supported all proposals designed to further that principle in United Nations bodies, and had itself submitted several such proposals; for example, at the sixth session of the General Assembly, it had been one of the sponsors of

the proposal to include an article on that question in the draft Covenants.

4. It was now time for the General Assembly to take a firm stand in favour of the right of self-determination and to state unequivocally that Trust and Non-Self-Governing Territories must be given political independence as a prerequisite of their economic independence and of their social and cultural development. The adoption of practical measures to that end would strengthen friendly relations among States and contribute to human progress.

5. She regretted that the General Assembly's consideration of the draft resolutions of the Commission on Human Rights, which had been transmitted by the Economic and Social Council (resolution 586 D (XX), para. 1), had been so long deferred. Those proposals dated back to 1954, but the Economic and Social Council had delayed considering them. When they had finally come before the Third Committee, it had twice had to postpone their examination for lack of time. It was incumbent upon it to take a decision on at least one of the proposals at the current session. In that connexion, she supported those delegations which had suggested that a start should be made with draft resolution I submitted by the Commission. That draft resolution dealt with permanent sovereignty over natural resources. The adoption of article 1 of the draft International Covenants on Human Rights (A/3077, para. 77), paragraph 2 of which dealt with the same question, showed that the United Nations recognized that right, without which political independence was an illusion and which had been seriously infringed by foreign monopolies for many years. The peoples of colonial and under-developed countries could obviously not countenance a situation in which foreign monopolies earned superprofits while the real owners of vast natural resources and wealth could not even satisfy their most elementary needs. They were learning from their own experience that, in order really to embark upon the course of progress and to ensure the well-being of the wide masses of the population, they must have an advanced national economy, free from the domination of foreign monopoly capital. The peoples of those countries counted on the United Nations to take practical steps to realize the high purposes enunciated in the United Nations Charter, particularly with regard to co-operation in achieving the economic development and well-being of all the peoples of the world. Her delegation would accordingly vote for draft resolution I. It had also no objection to draft resolution II.

6. The draft resolution submitted by the Economic and Social Council (resolution 586 D (XX), para. 2) conflicted not only with the Commission's two draft resolutions, but also with all the earlier General Assembly decisions on the question. The General Assembly should not undertake theoretical studies of such simple ideas as "self-determination", "people"

and "nation", but, in accordance with the expressed wishes of the peoples, should prepare concrete recommendations aimed at fulfilling the legitimate right of the peoples and nations to self-determination, a right which was enshrined in the United Nations Charter. Her delegation could not, therefore, vote for that proposal.

7. Miss ADDISON (Ghana) said that a country like her own, which had only recently attained its independence, could not be indifferent to the question under consideration. Her delegation could not accept any view which implied that Ghana had fought for anything less than a right; all countries engaging in such a struggle did so in the firm belief that they were upholding their rights. All the nations represented in the General Assembly had held that same belief at some stage in their history; if self-determination had been a right for them then, she saw no reason why it should not be so regarded at the current time.

8. Her delegation's position on the three draft resolutions was based, first, on the firm conviction that self-determination was a right and, secondly, on the fact that the General Assembly had already recognized that right. Referring to operative paragraph 1 of General Assembly resolution 545 (VI), she pointed out that it would be difficult to proclaim the right to self-determination of all peoples, whether sovereign or still dependent, in more categorical terms. All differences of opinion on the matter could, moreover, be settled by the commission to be established under draft resolution II of the Commission on Human Rights, which her country supported.

9. On the contrary, now that the General Assembly had recognized the right of self-determination as a universal right, it would be superfluous, dilatory and even illogical to adopt the Council's draft resolution, which appeared to reopen the whole issue, including the principle involved, and made the application of the right contingent upon the conclusions of five individuals. That draft resolution no longer served any useful purpose and she was unable to support it.

10. Her delegation was in sympathy with draft resolution I submitted by the Commission and noted that the last part of operative paragraph 1 removed all doubts regarding international co-operation in the economic development of under-developed countries.

11. The adoption of the Commission's two draft resolutions would certainly not settle all the problems presented by the implementation of the right of self-determination, but it was a definite step in the right direction.

12. Mrs. LEFLEROVA (Czechoslovakia) considered that self-determination was an essential condition for the realization of all the fundamental human rights. The struggle of countries for liberation was one of the main trends of modern history. Since the Second World War, 80 per cent of the peoples formerly under foreign domination had attained independence, but with the increasingly rapid emancipation of the Asian and African countries the colonial Powers were redoubling their efforts to maintain an anachronistic system.

13. All peoples were equal and had an equal right freely to determine their economic, political and cultural system. The United Nations had the duty to support any recommendation that would promote self-determination, which included permanent sovereignty

over natural wealth and resources, the very foundation of harmonious economic development. That aspect of the right of self-determination had rightly been recognized in article 1 of the two draft Covenants and in General Assembly resolution 626 (VII). It had, therefore, appropriately been stressed in draft resolution I submitted by the Commission. The last sentence of operative paragraph 1 offered all the necessary guarantees with regard to international co-operation and her delegation accordingly supported that proposal as well as draft resolution II of the Commission, which provided for the establishment of a good offices commission.

14. On the other hand, it was unable to support the Council's draft resolution, which would jeopardize the efforts made over a period of many years to ensure respect for the right of peoples to self-determination. That inalienable and universal right had been recognized in many international declarations. She cited as examples the Atlantic Charter of 1941, the Washington Declaration of 1942 and the Moscow and Cairo Declarations of 1943, Articles 1, 55, 73 and 76 of the United Nations Charter and General Assembly resolution 421 (V). Moreover, in some countries action to secure respect for that right had taken the concrete form of a struggle for independence. The time for theoretical studies was therefore over.

15. The General Assembly should oppose any attempt to prevent practical steps in that field. The efforts of the peoples struggling for independence had the sympathy of all progressive men and women and should receive the support of the United Nations. The Administering Authorities for Trust Territories and the Powers administering Non-Self-Governing Territories should therefore prepare and submit to the Trusteeship Council and the General Assembly plans for the attainment of independence by those Territories within a specific time limit so that they could take their place in the community of nations at the earliest possible date.

16. Mr. SAMY (United Arab Republic) considered that, as the right of peoples to self-determination was recognized in Articles 1 and 55 of the Charter, it was clearly an indisputable and fundamental right.

17. Since the Second World War, more than 600 million persons had regained their independence and their countries were now taking part in international life. The twentieth century was the century of the liberation of peoples who had been subject to foreign domination for two hundred years. The United Nations had witnessed many instances of such progress and the Charter had been signed by States which a few months previously had still been only colonies or protectorates. All the Members of the United Nations had, moreover, proclaimed their faith in the right of peoples to self-determination. He referred in that connexion to the preamble to the new French Constitution and to the resolution adopted by the United States Congress on 14 July 1955.

18. In any consideration of the right of peoples to self-determination, Africa and Asia called for special attention. The whole world was aware of the war of independence that was going on in Algeria and of the existence of other nationalist movements whose aim was unification with the mother country.

19. The representatives of the Soviet Union had quoted on several occasions the articles relating to self-

determination in the Constitution of their country and they had given extracts from the speeches and the writings of Soviet leaders on the subject. The countries of Latin America, too, had published declarations concerning the right of self-determination, for example those made at Bogotá in 1948 and at Caracas in 1954. Whatever differences of opinion might exist on the interpretation of those declarations, the peoples of Latin America were unanimous in affirming that they were as devoted to the freedom and independence of others as they were to their own. The question currently before the Committee had, moreover, been brought to the General Assembly's attention in one of the most remarkable speeches ever made in the United Nations, the closing statement by Mr. Padilla Nervo, President of the sixth session of the General Assembly,^{1/} from which he read out an extract.

20. The United Arab Republic had clearly stated its position at the Bandung Conference. That Conference had given unqualified support to the fundamental principles of human rights and self-determination laid down in the Charter and it had taken note of the United Nations resolutions concerning the right of peoples to self-determination. It had deplored the policy of segregation and racial discrimination practised by certain Governments in defiance of human rights and the essential values of civilization. It had affirmed that colonialism in all its forms was an evil which must be eliminated as soon as possible and that the subjugation, domination and exploitation of peoples were a denial of fundamental human rights, were contrary to the United Nations Charter and constituted an obstacle to peace and international co-operation. Those principles had been reaffirmed in the resolutions adopted by the conference held in Ghana in 1958.

21. When the two draft resolutions of the Commission had been criticized as incomplete and referred back to that body for fuller study (Council resolution 545 G (XVIII)), his delegation had objected to that procedure. In connexion with those draft resolutions, it would now like to make it clear that the United Arab Republic recognized the importance of international co-operation for the economic development of the under-developed countries and that its own policy was to encourage foreign participation, in the form of capital investment, in the Government's economic development programme.

22. The delegation of the United Arab Republic would vote for draft resolution I submitted by the Commission. It would also support draft resolution II, which might do much to ease international tension. It would vote against the Council's draft resolution, as the time had passed for a study of the right of self-determination, which had already been adequately defined. It could not, moreover, agree to self-determination being described as a concept; in its view, it was a right. Lastly, it endorsed the Moroccan delegation's view that the adoption of that proposal would be a retrograde step, having regard to the progress already made in the matter by the United Nations.

23. Miss FUJITA (Japan) thought that the three resolutions were complementary and very much hoped that those who supported the Commission's two draft

resolutions on the one hand, and those who preferred the Council's draft resolution on the other, could come to some agreement. In almost all parts of the world, and especially in Asia and Africa, peoples were asking for independence and new nations were emerging. That was a fact which could not be disregarded. In her delegation's view, there could be no genuine independence without economic sovereignty. It therefore considered it desirable to conduct the full survey proposed in draft resolution I of the Commission, provided that due regard was paid to the principles both of international co-operation and of international law. It was, however, not yet sure whether it could accept the existing wording of that draft resolution. She asked whether it would not, for instance, be better to replace the quotation in the first preambular paragraph by the wording adopted by the Third Committee for article 1, paragraph 2, of the draft Covenants (A/3077, para. 77). In view of the importance of the matter, a decision should perhaps be taken by a two-thirds majority. She therefore hoped that the three draft resolutions would be appropriately amended in order to ensure that they should receive the support of a large majority.

24. Mrs. PODTICHENKO (Ukrainian Soviet Socialist Republic) recalled that at the General Assembly's twelfth session a majority of the Third Committee had voted (827th meeting) in favour of the recommendations of the Commission on Human Rights, which the Ukrainian delegation had supported in the Commission. The right of peoples to self-determination was a particularly urgent problem. A glance at a political map of Asia or Africa provided sufficient evidence of the futility of any discussion on the existence of that right. Since the end of the Second World War, 80 per cent of the colonial territories had attained their independence; others would soon do so, and nothing could prevent them. The United Nations, which had long recognized the right to self-determination—in Articles 1 and 55 of the Charter, General Assembly resolutions 545 (VI) and 1188 (XII), and article 1 of the draft Covenants (A/3077, para. 77)—was in duty bound to assist that development by every means in its power instead of undertaking pointless studies.

25. Despite the provisions of the Charter and article 1 of the draft Covenants, some countries did not respect the right of other peoples to self-determination and were threatening their economic sovereignty. All countries had the right to determine their political status and were free to constitute themselves independent States or to federate with other countries. Whatever choice they might make, however, they must always remain in control of their natural resources. Respect for such economic sovereignty was essential to the development of friendly relations between nations, and could serve only to increase the material and spiritual well-being of all peoples and to foster the progress of mankind. Once a people was in a position to exercise its right to economic sovereignty, it progressed infinitely faster in that direction than when it was under the domination of another Power. The Ukraine knew that from its own experience. At the beginning of the century, 70 per cent of the coal mines and 90 per cent of the iron ore mines had been in the possession of foreign monopolies, which had hampered the development of the country's productive powers. Forty-one years after the revolution, the Ukraine had become a great industrialized country

^{1/} See Official Records of the General Assembly, Sixth Session, Plenary Meetings, 375th meeting.

which ranked fourth among the world's producers of coal. Between 1913 and 1957 total industrial output had increased twentyfold, while the output of heavy industry and of the metal-working industry had multiplied 150 times over. That example showed what countries at present dependent could achieve if their right to self-determination was respected to the full.

26. The Ukrainian delegation unreservedly supported draft resolution I of the Commission on Human Rights, for the value of the measures proposed was beyond question. It would also vote in favour of draft resolution II, which could help to establish better relations among all peoples. On the other hand, it would vote against the Council's draft resolution, which flagrantly conflicted both with the other two proposals and with every decision the General Assembly had taken on the question of self-determination. Its adoption would impair the authority of the United Nations among those peoples for whom the right to self-determination was no academic problem but a vital question in every sense of the term.

27. Miss HORNSBY-SMITH (United Kingdom) felt that there was no need to go into detail regarding her Government's position on the important question of self-determination. Its practical attitude to the question, no less than its views on the subject generally, were well known, and the very presence of some representatives in the Committee adequately demonstrated that the United Kingdom Government championed the application of that principle. Through the efforts it had made in conjunction with the peoples concerned, the Federation of Malaya and Ghana, to mention only two recent examples, were today fully independent. Other peoples under its care would soon become so, for it would continue to comply with its obligations under Article 73 of the Charter.

28. However, self-determination did not affect the Non-Self-Governing Territories alone. It was absurd to claim that the populations of those Territories were further removed from the enjoyment of self-determination than other peoples which, albeit represented by a sovereign Government, had no control over their destinies. The fact that some were reticent about the problems of such peoples did not make them any less real. The principle of the right of peoples to self-determination was universal and, consequently, much more complex and difficult to define. All the peoples of the world were entitled to enjoy self-determination, and all States Members of the United Nations were equally bound to respect it.

29. The United Kingdom delegation had never thought that the recommendations of the Commission on Human Rights served the interests of those whom the United Nations sought to aid. Furthermore it could not accept without further examination the premise on which the Commission's draft resolution I was based, namely that the right of peoples and nations to self-determination should include the somewhat ill-defined right to "permanent sovereignty over their natural wealth and resources". It acknowledged that that form of sovereignty was an integral part of a country's total sovereignty, but felt that it was illogical to assert—unless self-determination meant no more than the exercise of sovereignty—that the right of peoples to exploit their natural resources was inherent in their sovereignty while maintaining that that right was one of the component parts of self-determination. More-

over, there were practical disadvantages attendant on a full survey of that subject. It might imperil the expansion of international co-operation in the field of economic development. In response to the appeal of the United Nations, the advanced countries were assisting the under-developed countries. Where they were prepared to provide, for example, capital and experts they had to protect themselves against certain risks. To adopt a text which singled out the right to economic sovereignty and separated it from the right to sovereignty as a whole would eventually make it possible to deprive those generous countries of the resources they had devoted to the assistance of less fortunate nations.

30. Draft resolution II was not satisfactory either. In the first place, it was in direct contravention of the provisions of Article 2, paragraph 7, of the Charter, for it would lead the United Nations to deal with matters which were essentially within the domestic jurisdiction of Member States. Since the principle of self-determination was universal, delegations which appeared to favour that proposal should consider whether it was desirable that the domestic affairs of their countries should come under investigation at the request of ten States Members of the United Nations. She wondered whether the principle of self-determination was really respected in countries where only one party could stand for election, where there was no elected assembly or, again, where women had no vote. Moreover it was totally unrealistic to expect a problem involving self-determination to be peacefully settled in six months. Such problems were particularly complex and difficult, and could be solved only gradually. There was little likelihood that the good offices commission, with no knowledge of local conditions, could be of any assistance to the Governments concerned or contribute to peace among nations. The United Kingdom Government, for its part, could not accept such intervention, and she would vote against draft resolution II.

31. Opinions in the Committee differed considerably regarding the proper role of the United Nations in the matter of self-determination. It might perhaps be desirable for it to pause to draw breath. Great progress had been made on the practical plane at last and would undoubtedly continue to be made. If, however, it was felt that the United Nations should continue its efforts, the United Kingdom delegation would have no objection if the commission called for in the Council's draft resolution undertook a study of the concept of self-determination in the broadest sense. Such a study would certainly make it possible to clarify the issues and to narrow the gulf between delegations on that issue. Accordingly, if the Council's draft resolution was acceptable to others, the United Kingdom delegation would be prepared to support it.

32. Mr. AGOLLI (Albania) said that the exercise of all other rights depended on the exercise of the right of peoples to self-determination. He referred to Articles 1, 55 and 76 of the Charter, and article 1 of the draft Covenants as adopted by the Third Committee (A/3077, para. 77), and said that the right of peoples to self-determination was essentially the right of the majority within each nation to settle all matters relating to its internal organization and its relations with other countries. It was also appropriate to refer to General Assembly resolution 637 (VII), which

required administering Powers to facilitate the exercise of the right of self-determination of the peoples of Non-Self-Governing and Trust Territories.

33. One of the basic principles of present-day international law was that it was not the exclusive right of the colonial Powers to determine when and how the peoples under their administration should become independent. That was now a question for the international community. The awakening of the colonized peoples was one of the fundamental features of the current era. The conferences at Bandung in 1955, at Cairo in 1957 and at Accra in April 1958 had proclaimed the end of the age of colonialism and had declared their unreserved support for the peoples that were still striving for their freedom.

34. It was always possible to determine whether a people wished to exercise its right of self-determination; there were a number of ways of doing so, notably the organization of a plebiscite under United Nations control. If for any reason an attempt was made to prevent the liberation of peoples, an armed struggle then became a legitimate expression of their will, since it might be said that they were thus exercising their right of self-defence against the illegal manoeuvres of the colonial Powers. The Albanian people, which had recently attained national sovereignty after a long and bloody struggle, was in sympathy with the liberation movements in various parts of the world. It was regrettable to see that colonialism had not yet disappeared, but he was convinced that its supporters would be powerless to arrest the inevitable course of history.

35. It was self-evident that the United Nations had the right to intervene when colonial Powers persisted in opposing the peoples' will to freedom; it even had a duty to do so, in order to put an end to situations that might threaten international peace. On the strength of those considerations the Albanian delegation would warmly support draft resolution I of the Commission on Human Rights. His delegation attached the greatest importance to the permanent sovereignty of nations over their natural resources. It was well known that foreign monopolies always attempted to take possession of those resources, thus depriving subject peoples of the opportunity of raising their standard of living and achieving economic independence. It was therefore right that peoples who were struggling, or who recently had still been struggling, to achieve independence, should have raised that question. Draft resolution I submitted by the Commission on Human Rights recognized the right of all peoples to enjoy economic as well as political independence; it recognized their right to organize their economies as they wished, and, if necessary, to nationalize essential undertakings, and denounce any international agreements that might interfere with their development. In that sense the draft resolution was in accordance with article 1, paragraph 2, of the draft Covenants.

36. The Albanian delegation would also support draft resolution II of the Commission on Human Rights.

37. The draft resolution submitted by the Economic and Social Council reopened the whole question of self-determination by dealing with the exact scope of the concept of peoples and nations. To adopt that draft resolution would be to admit that the right of peoples to self-determination was incapable of

practical application. In fact the principle of equal rights and self-determination of peoples was valid not only for Member States but also for peoples that had not yet attained self-government. It was on behalf of those peoples alone that the General Assembly could and should intervene, since Member States were governed by other provisions of the Charter. He would therefore vote against the Council's draft resolution. He hoped that at its current session the Assembly would adopt at least the first draft resolution of the Commission on Human Rights, in view of its fundamental importance.

38. Mr. BAROODY (Saudi Arabia) regretted that the Committee seemed to be embarking on a general debate. There had earlier been a tendency to leave the floor to States that had recently become Members of the United Nations and which therefore had never had the opportunity of expressing their views on the right of peoples to self-determination; it was to be regretted that that consideration had been lost sight of, and the Committee's work might be affected thereby.

39. With reference to one of the earlier statements, he said that assistance given by one country to another was never entirely disinterested. The basic reason for giving such assistance was to enable the donor country's economy to continue to function; it was moreover a question of investment rather than unqualified assistance, inasmuch as such help generally constituted a source of profit. In addition, such help also had a political aim, when the object was to ensure the allegiance of those whom the donor wished to prevent from joining with other groups of Powers. It was therefore necessary to beware of confusing the issues when dealing with two entirely different questions and of allowing the concept of assistance to be used to undermine the concept of self-determination.

40. It had also been implied that certain members of the Committee represented countries in which the right of self-determination was not exercised, in so far as their form of government did not allow the people free expression of opinion. No one could deny delegations the right to speak in the name of the sovereign States they represented in accordance with the Charter. Furthermore, democracy was not necessarily characterized by voting papers, ballot boxes and all the paraphernalia of parliamentary government. In Saudi Arabia there was a tribal democracy, and it was certain that no chief could be appointed or remain in power without the consent of the men and women of the tribe. It had sometimes been held as a reproach to Saudi Arabia that it had no constitution, but the place of a constitution was taken by the Koran; it should be remembered too that one major democracy had no written constitution. Similarly, much could be said on the subject of the workings of the parliamentary system in the countries where it existed. It was therefore entirely useless to bring up questions of that nature in an attempt to prevent the General Assembly from taking a decision in a particularly important sphere.

41. With regard to the three draft resolutions, the two texts submitted by the Commission on Human Rights, on the one hand, and the text submitted by the Economic and Social Council, on the other, must be considered mutually exclusive. If the concepts on which the right of self-determination depended were so vague and inexact that it was necessary to examine

them further, it was difficult to see how the Assembly could take practical steps to ensure that that right should be applied in practice. He was convinced that the Committee would be wise enough to reject the Council's proposal, which apparently had no other aim than to shelve the question. It was undeniable that in the past thirteen years many nations had regained their independence; nevertheless, it might be wondered if that was not the result of the war, since the sacrifices it had imposed on the great Powers had obliged them to adopt a more flexible attitude on colonial questions. However that might be, it was the duty of the United Nations to intervene in order to hasten the achievement of independence by the peoples still under foreign rule, and to help to put an end to murderous disputes that threatened international peace, by adopting the procedure provided in paragraph 1 (b) of draft resolution II submitted by the Commission on Human Rights. Draft resolution I was also very important, and was drafted in a way that should dispel the apprehensions voiced by various representatives. By adopting those two texts and rejecting the Council's text, the Committee would show that it was not prepared, at a time when blood was flowing, to embark on a trivial study.

42. Mr. MEZINCESCU (Romania) said that in his view the representative of the United Kingdom, in using certain rather questionable expressions in his statement, had departed from the rules that had until then governed the Committee's discussions, and the mutual respect that Members of the Organization owed one another. The fact that the debate dealt with a rather delicate subject was no justification for such a course of action, which was prejudicial to the orderly conduct of the Committee's business.

43. The CHAIRMAN said that she hoped that she would always be able to count on the co-operation of all representatives in facilitating the Committee's work.

44. Following an exchange of views in which Mr. YAPOU (Israel), Mr. CALDERON PUIG (Mexico), Mr. BARODY (Saudi Arabia), Mr. MEZINCESCU (Romania), Mr. ASIROGLU (Turkey), Mr. VAKIL (Secretary of the Committee) and Miss BERNARDINO (Dominican Republic) took part, Mr. ROWELL (United States of America) said that his delegation would submit an amendment to the draft resolution prepared by the Economic and Social Council.

The meeting rose at 1.25 p.m.