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Chairman: Mr. S. Amjad ALI (Pakistan).

Human rights: Recommendations concerning international respect for the self-determination of peoples (E/2256, annex V, A/2165, A/2172, chapter V, section I, A/C.3/L.293/Rev.1, A/C.3/L.299) (*continued*)

[Item 30]*

CONSIDERATION OF DRAFT RESOLUTION A (E/2256, annex V) AND AMENDMENTS THERETO (*continued*)

1. Mrs. EMMET (United Kingdom) explained briefly her delegation's reasons for presenting its draft resolution (A/C.3/L.299).

2. In accordance with the wish expressed by several representatives during the general debate, her delegation had endeavoured to put forward a constructive proposal. Her Government was still not convinced that a resolution on the self-determination of peoples should be adopted. As the representative of Norway had pointed out, to adopt a resolution was not necessarily a step forward. Some representatives had stressed the need for reaffirming the principle as laid down in the Charter of the United Nations. It might be argued in reply that to reaffirm part of the Charter would tend to weaken rather than strengthen it. However, there was no doubt that a resolution which misinterpreted the Charter would be dangerous to the United Nations. Her delegation therefore felt most strongly that any resolution adopted by the Committee should be strictly in accordance with the terms of the Charter. Some delegations appeared to feel that the provisions of the Charter were deficient; but it was not the function of the Third Committee to alter a text which laid down the conditions on which all the Member States had joined the Organization.

3. In her speech in the general debate (444th meeting) she had maintained that the principle of self-

determination had certain characteristics which must be taken into account in any resolution on the subject. Moreover, the United States representative had wisely pointed out that self-determination was a process. The United Kingdom draft resolution was based on those considerations. She stressed again that self-determination was a principle, not a right, and that it was highly dangerous to try to transform a general principle into a right, particularly into one entailing no corresponding duties or obligations.

4. She had raised a number of questions in connexion with the so-called "right" of self-determination of peoples. Most of the Committee appeared to agree that it would be of little value to attempt to answer those questions in the abstract, since the problem could be solved without difficulty in each particular case. Indeed, certain representatives had said that there were no complete answers to those questions. That reaction confirmed the view of the United Kingdom delegation that it was not possible to reach general agreement on a definition of self-determination as a right, since it was essentially a principle. The United Kingdom draft resolution reproduced the words of the Charter of the United Nations. The remarks of the representatives of Bolivia, Venezuela, Chile and Uruguay concerning economic implications of the so-called "right" of self-determination indicated clearly the danger of abandoning the wording used in the Charter.

5. Secondly, it should be noted that self-determination was a universal principle. That fact was perhaps embarrassing to the USSR delegation. She cited, as an example, the situation of the Baltic States. The third paragraph of the preamble to the United Kingdom draft resolution recognized that, in addition to those territories whose peoples had not yet attained sufficient political maturity to govern themselves, other peoples did not enjoy a full measure of self-government, whether they had previously enjoyed it or not. The fourth paragraph of the preamble mentioned the obligation of "every Member of the United Nations" to

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

respect the principle "everywhere". Paragraph 2 of the operative part, which was based on the wording of the United States amendment (A/C.3/L.294, point 4), restated that obligation in relation not only to the peoples of dependent territories but also to the peoples of metropolitan territories and of some other nations which, like certain countries of central Europe, were theoretically independent but in fact controlled by another State.

6. Self-determination, moreover, was a political principle, and the United Kingdom delegation had taken care not to deal with it as a solely economic, social or humanitarian one.

7. The United Kingdom draft resolution was a realistic proposal. By retaining the words of the Charter of the United Nations and introducing flexibility in the application of the principle, the draft resolution preserved the value and universality of the principle. The United Kingdom delegation had chosen to put forward a separate draft resolution rather than an amendment in order to give the Committee a clearer view of its position and objectives.

8. Mrs. Emmet then turned to the amendments submitted by other delegations.

9. Her delegation could not accept the five-Power amendment (A/C.3/L.295). First, it tended to take away from the administering Powers their responsibility for Non-Self-Governing and Trust Territories; and secondly, it implied that the holding of a plebiscite was the best method of ascertaining the wishes of the peoples.

10. The sentiment contained in the Saudi Arabian amendment (A/C.3/L.296) was manifestly untrue.

11. She would also vote against point 2 of the Indian amendment (A/C.3/L.297), because it did not respect the universality of the principle of self-determination.

12. The same was true of the Syrian amendment (A/C.3/L.298). Moreover, in her opinion a proposal concerning the participation of the indigenous populations in the administration of Non-Self-Governing Territories should properly be made in the Fourth Committee. The Third Committee should examine self-determination as a universal problem, not as one affecting only the Non-Self-Governing and Trust Territories.

13. She would speak later on draft resolution B.

14. Her country had fought heroically for liberty and the United Nations owed its very existence partly to the sacrifices of a country which was today being accused of practising oppression, exploitation and slavery by the representatives of countries under the domination of dictatorships or totalitarian régimes. Having made those sacrifices, the United Kingdom was not prepared to jeopardize the lives and future of peoples for whom it was responsible. She hoped that those representatives who were allowing their emotions to cloud their vision would think well before presenting impractical resolutions which might disrupt the United Nations, instead of proposing practical measures in which all peace-loving nations of the world would gladly co-operate.

15. Mrs. ROOSEVELT (United States of America) noted with concern that certain States earnestly desired

the principle of self-determination to be applied in territories administered by others but were much less anxious to apply it in territories under their own administration. Her delegation regarded the principle as universal.

16. She was happy to note that a considerable number of delegations were prepared to accept point 1 of the United States amendment. Some objections had been raised, however, to points 3 and 4. Their purpose was the important one of securing universal application of the principle of self-determination, in conformity with the Charter of the United Nations.

17. Nevertheless, as the representatives of Norway and India had pointed out, it was essential to arrive at a text which could command the widest possible support. Her delegation had therefore given careful consideration to the other amendments proposed.

18. She could accept point 1 of the Indian amendment (A/C.3/L.297). Point 2 would be acceptable when the Indian representative had made the change he had announced orally, which would enlarge the scope of the text and affirm the universality of the principle.

19. She regretted that the five-Power amendment (A/C.3/L.295) advocated the holding of plebiscites under the auspices of the United Nations in preference to any other method. Her delegation felt that the particular circumstances had to be taken into account in each instance and so could not support the amendment.

20. The Saudi Arabian amendment (A/C.3/L.296) did not correctly reflect the relationship between the right of self-determination of peoples and the other fundamental human rights. Moreover, her delegation would regard as completely unwarranted any suggestion that the peoples of Alaska, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands did not enjoy any fundamental human rights.

21. The Syrian amendment (A/C.3/L.298) was directed too specifically to ensuring participation by indigenous populations in the administration of dependent territories; it had no appropriate place in a general resolution on self-determination. That amendment introduced a new element which might diminish the value and the scope of the resolution, and her delegation could not support it.

22. The United Kingdom draft resolution (A/C.3/L.299) embodied a number of the concepts which her delegation had supported. It might, therefore, be a satisfactory alternative to draft resolution A. However, her delegation considered it extremely important that there should be as wide agreement as possible; and felt that as between those alternatives the one which would command the wider support should be preferred.

23. Mrs. RÖSSEL (Sweden) recalled that at the sixth session of the General Assembly the Swedish delegation had accepted the principle of self-determination as set forth in the Charter of the United Nations. As the question had been dealt with in connexion with the proposal to include in the covenants on human rights an article on the right of peoples to self-determination, the Swedish delegation had, however, abstained from voting since it had strong doubts whether the drafting of such an article fell within the

general scope of the draft covenants. Sweden had not changed its position.

24. She approved in principle of the recommendations which were under consideration as a separate question, but she agreed with the representatives of Norway and India that it was important to avoid the use of controversial terms. She therefore supported the United States amendment (A/C.3/L.294, point 1) proposing the deletion of the first two paragraphs of the preamble to the draft resolution A.

25. She would welcome the Indian modification to the United States amendment, since the Indian representative had made it clear that it applied to all nations.

26. Her delegation could not vote in favour of the Syrian amendment, but could accept draft resolution A if amended in accordance with the United States and Indian proposals.

27. Mr. MANI (India) said that, as he had already announced, he would make the necessary changes in point 2 of his amendment (A/C.3/L.297) in order to satisfy the wishes of the United States delegation.

28. The beginning of the text proposed as a substitution for paragraph 2 of the operative part would then read as follows:

"2. The States Members of the United Nations shall recognize and promote the realization of the right of self-determination of the peoples, of all territories, including those of the Non-Self-Governing and Trust Territories which are under their administration . . ."

29. He asked the sponsors of the five-Power amendment (A/C.3/L.295) for clarification of one point. The English text called for replacement of the word "grant" by the words "acquiesce in". It seemed to him that the word "acquiesce" implied a more or less forced acceptance, an idea which he considered dangerous. He could accept the amendment subject to reassurances on that point.

30. Mr. PAZHWAK (Afghanistan) drew the attention of the Committee to the United Kingdom representative's statement that self-determination was not a right but a principle. The General Assembly had already endorsed the right of self-determination of peoples and had adopted a resolution (545 (VI)) calling for the inclusion in the draft international covenants on human rights of an article affirming that right. Accordingly the Committee should not reopen the question. If Mrs. Emmet's statement had not been made in a speech, he would have moved for a declaration that it was inadmissible, but in the circumstances such a motion would not be in order. He hoped the Committee would take note, however, that any denial of the existence of the "right" of self-determination of peoples was contrary to a decision of the General Assembly.

31. The representative of Afghanistan then went on to consider the various amendments proposed.

32. His delegation supported the amendment submitted by Saudi Arabia (A/C.3/L.296) and felt that the objections of the United States representative could be met by adding the word "full" before "enjoyment". The text would then read: ". . . is a prerequisite to the full enjoyment . . .". He drew the attention of the

United States delegation to that suggestion, which he thought would meet Mrs. Roosevelt's objections.

33. His delegation approved the five-Power amendment (A/C.3/L.295), but regretted the conditional element introduced by the word "if". It was in fact always necessary to ascertain the wishes of the population. The sponsors of the proposal might be able to explain that point satisfactorily.

34. The Indian sub-amendment differed but little from the text of the United States amendment, which the delegation of Afghanistan had already stated that it could not accept in its existing form. He criticized in particular the passage relating to "the particular circumstances of each territory". That might be the wording used in the Charter of the United Nations, but the Charter, as everyone knew, lent itself to varying interpretations. He wished to be sure that the passage would be interpreted in a manner favourable to the peoples, not to the interests of the administering Powers. Until he had received assurances to that effect he could not accept the texts submitted by the United States and India.

35. The Syrian amendment (A/C.3/L.298), on the other hand, seemed to him excellent; it was in conformity with the Charter of the United Nations and it proposed practical measures which would lead to real progress. His delegation would vote in its favour.

36. Mr. LOPEZ VILLAMIL (Honduras) considered that the statements made during the general debate clearly showed the goodwill of all members of the Committee and their sincere desire to achieve some result on the question of the right of self-determination of peoples. The delegation of Honduras, itself actuated by a spirit of goodwill, wished to throw some light on a few points in order to assist the Committee in reaching a satisfactory result.

37. He wished first to make it clear that he fully supported the statements made by the United States representative concerning the universal character of the right of self-determination. All peoples, including the non-self-governing, had that right.

38. It should be noted, secondly, that the right of self-determination was not only an aspiration on the part of some populations, as had been claimed, but a recognized principle. That was proved by the fact that, in the questionnaire on human rights sent by UNESCO in March 1947 to the States members of that organization, points 21, 22, 23 and 24 were related to the right of self-determination. Moreover, that right was specifically mentioned in point 21.

39. He was sure that all members of the Committee were fully aware of the real scope of the problem in all its legal, political, sociological, moral, religious and cultural aspects. The proposed amendments should therefore be considered in the light of those complex aspects.

40. The delegation of Honduras considered the Saudi Arabian amendment (A/C.3/L.296) to be fully justified and acceptable.

41. With regard to the United States amendments (A/C.3/L.294), he approved of the deletion of the two first paragraphs of the preamble in draft resolution A. The word "slavery" seemed indeed to be undesirable. On the one hand, slavery proper presupposed the *capita*

diminutio of Roman law, which did not exist in the case of peoples; on the other hand, the term lent itself to dangerous political and even demagogic interpretations which had no place in a text formally expressing the opinion of the United Nations.

42. The word "independence" in paragraph 1 of the operative part of draft resolution A had also given rise to discussion and its deletion had been proposed by the Indian delegation (A/C.3/L.297, point 1). It should be borne in mind that political independence had been proclaimed by legislators in every Latin-American country. From the economic and social point of view, however, it would be more proper to speak of interdependence than of complete independence. It should therefore be made clear that independence should not be confused with economic self-sufficiency, although the reference to independence should not be eliminated completely. Reference was made in point 2 of the amendment proposed by India to "other recognized democratic means", a somewhat dangerous wording. The concept of democracy varied in different countries and some means might be "recognized" in one country and rejected in another. The wording used was therefore too vague and abstract for it not to be dangerous. For the reasons given, the delegation of Honduras would be unable to vote in favour of the Indian amendment.

43. On the other hand, it supported the amendment proposed by Syria (A/C.3/L.298). One point appeared nevertheless to be debatable. Under the amendment, steps would be taken to ensure the participation of the indigenous population "in the legislative organs and the government of those territories". The word "government" might give rise to confusion and should therefore be replaced by the term "executive power", which would be more logical since reference was also made to "legislative organs".

44. Turning to the amendments which he had submitted together with several other delegations (A/C.3/L.295), he said that he intended to reply to the questions and comments of some of the representatives. However, he would speak only on behalf of his own delegation and his replies would not be binding upon the other delegations which had co-sponsored that amendment.

45. He would first reply to the question put by the Indian representative who had inquired as to the exact meaning of the words "acquiesce in" in the English text and the reasons for which that term had been substituted for the word "grant". Unfortunately he was unable to make a comparative study of the English terms and would therefore confine his explanation to the corresponding Spanish words. In Spanish, the word *concedan*, which had been translated into English by the word "grant", could be taken to mean that the right of self-determination might be granted to a people in the same way that a favour was granted to an individual making a request. It was clear, however, that peoples and individuals had rights at all times. Those rights could therefore not be other than "recognized" either through force of circumstances—where those concerned rebelled against those refusing to grant them those rights—or by unanimous consent. For that reason, the sponsors of the amendment preferred to use the word *acepten*, or "acquiesce in" in the

English translation, since it specifically expressed that concept of recognition.

46. The delegation of Honduras had listened with interest to the remarks made by the Saudi Arabian representative at the preceding meeting and to those just made by the representative of Afghanistan; it considered those remarks to be relevant and was therefore prepared to widen the scope of the amendment in question. Taking into account the interesting suggestions made in that connexion, the delegation of Honduras, together with the other sponsors of the draft, would endeavour to submit a revised text.

47. He agreed with those representatives who felt that the Committee should examine the problem under consideration in its historical, geographical and social aspects and that it should, in that connexion, bear in mind the fact that a plebiscite was neither the only nor always the best method of enabling a people fully to exercise their right of self-determination and to decide as to their own future in the light of their best interests. Indeed, historical, geographic and social factors caused some countries to effect a *rapprochement* or union. That was the case with Egypt and the Sudan, or the Guianas on the one hand and Venezuela and Brazil on the other. That was also the case with Guatemala and the Territory of Belize which the United Kingdom was attempting to maintain under its jurisdiction for purely selfish motives and to which Guatemala had laid a claim which all the peoples of Latin America considered rightful. It would obviously be contrary to the interests of the population of that Territory to allow it to be set up as an independent State, following a cleverly organized plebiscite, when the territory was legally, historically and geographically an integral part of Guatemala. It was common knowledge that a sovereign State could easily influence a plebiscite organized on its own territory. There had been more than one example in history of a dictator making use of factions which betrayed the national interest in order to persuade the population to express, in a plebiscite, a wish contrary to its own interests. What was true for a sovereign State was even more true in the case of dependent territories in which some elements of the population were linked to the metropolitan country by material interests. He therefore agreed with those representatives who had stated that a plebiscite should not be viewed as the only method by which a people could exercise their right of self-determination. He himself would go so far as to say that, in some cases, a plebiscite might result in the denial of that right.

48. He wished next to comment briefly on the remark made by the representative of the United Kingdom to the effect that, had it not been for the heroic struggle recently waged by the British people in defence of the freedoms of man and of peoples, the United Nations would not then be met together to discuss the principle of self-determination. While no one could fail to appreciate the huge sacrifices made by the United Kingdom or the significance of its contribution to the cause of freedom, it should nevertheless be remembered that many other countries had also sacrificed millions of human lives to that cause not only in the Second World War but also in the past centuries. It was because of the struggle of all peoples throughout the world that

the United Nations was in a position to consider that important problem.

49. In concluding, he stated again that, in view of the goodwill and sincere desire to achieve results which appeared to actuate the Committee, it should be possible to draft a text acceptable to the majority.

50. Mr. MANI (India) thanked the representative of Honduras for his explanations but still felt that the text of the draft resolution would be unduly vague if point 1 of the five-Power amendment (A/C.3/L.295) was adopted. In any case, he would be compelled to vote against the whole amendment.

51. Replying to a question put to him by the representative of Afghanistan, he explained that the term "according to the particular circumstances" in his amendment (A/C.3/L.297) had indeed been taken from the Charter of the United Nations, but that it had a broader meaning in the context of the amendment than it had in the Charter. Retention of that term was even more essential since, to satisfy the United States representative, he had revised the text of his amendment so that it might apply not only to the Non-Self-Governing and Trust Territories for which the United Nations was immediately responsible but also to all States, including sovereign States. The latter, however, were bound by their constitutions and by the Articles of the Charter relating to national sovereignty. For instance, if a State which belonged to a federation decided to break away from the other States members of that federation, the United Nations, if it had adopted a text which did not stipulate that account should be taken of the particular circumstances in each case, would be required to intervene and the relevant constitutional provisions would therefore conflict with the text upon which the United Nations was basing its action. That was an obvious danger which should be removed. On the other hand, there was no validity to the argument that the administering Powers might avail themselves of the terms of the text in order to refuse to recognize the right of self-determination of the peoples under their administration, for the state of mind of the population, in other words any aspirations to self-government or independence that it might have, duly expressed by recognized democratic means, would be one of the particular circumstances of each territory.

52. Turning to the other amendments before the Committee, he said that his delegation understood and approved of the reasons which had moved the Saudi Arabian delegation to propose its amendment (A/C.3/L.296). That amendment had the advantage of introducing, in the preamble of a resolution which tended to view the problem from a purely juridical point of view, a wording which would strengthen the whole text. However, he was not sure that the principle of self-determination was a prerequisite to the enjoyment of all fundamental human rights. He felt that freedom of opinion and of expression were more properly prerequisites to that enjoyment. Thus, while the Indian delegation would be glad to vote in favour of the Saudi Arabian amendment, it could not do so unless it was revised.

53. He would vote against the United Kingdom draft resolution (A/C.3/L.299) because it was inconsistent with his delegation's position.

54. He understood the reasons which had moved the Syrian delegation to propose its amendment (A/C.3/L.298) and the Indian delegation, which had taken an active part in the work of the Fourth Committee on the application of the principle of self-determination to the peoples of Non-Self-Governing and Trust Territories, would have been glad to support it. He felt however that such a text would be out of place in a resolution designed to guarantee the observance of that right for all peoples without exception and which mentioned dependent territories merely because the question would arise in their case in the immediate future. The amendment introduced a controversial element and he was therefore unable to vote for it.

55. Mr. VILLAMAR CONTRERAS (Guatemala) thanked the representative of Honduras for his reference to Guatemala's claim to the Territory of Belize and to the motives upon which that claim was based.

56. With regard to the five-Power amendment (A/C.3/L.295), he associated himself with the remarks made by the representative of Honduras concerning point 1 of that amendment. The right of self-determination was certainly an inalienable right and, as such, could not be "granted" but could only be "recognized", any considerations of an emotional nature being irrelevant.

57. There was no validity to the argument that the words "if it is necessary to ascertain the popular wish" (A/C.3/L.295, point 2) might inject an element of restriction in the text of the draft resolution. He agreed with some other representatives that, in some cases, a population might rebel against an oppressor and thus express its will without its wishes having to be ascertained. In that connexion, the peoples of Latin America, who had gained their independence by force of arms, offered a striking example. Moreover, by stating that where it was necessary to ascertain the popular wish, that should "preferably" be done through a plebiscite, the five-Power amendment met the objection that a plebiscite was not the only available method to ascertain a people's wishes.

58. The representative of Honduras had pointed out that the five Powers which had sponsored the amendment sincerely hoped that the Committee could agree on a text acceptable to a large majority and were therefore prepared to revise their amendment in the light of the suggestions made or to support any other amendment which would meet that requirement.

59. He was unable to agree with those representatives—particularly the United States representative—who, in referring to the United States amendment (A/C.3/L.294), had objected to the word "slavery" in the original text of draft resolution A. The word should obviously not be interpreted in its classical meaning because slavery, as defined in Roman law, had certainly ceased to exist. Yet slavery still prevailed in some parts of the world in the form of economic and also social, political and cultural servitude. Although slavery had been officially abolished in Guatemala in 1824, it was only recently that a land reform had abolished what could be called agricultural slavery or the servitude of the peasant. The Guatemalan delegation was nevertheless prepared to support point 1 of the United States amendment. It

might possibly agree to point 2, and to point 3, which broadened the scope of the original resolution. As for point 4 of the amendment, he admitted that it was necessary to emphasize the universal character of the principle of self-determination but felt that it would weaken the text of the original resolution and he was therefore unable to support the amendment.

60. His delegation was prepared to accept point 1 of the Indian amendment (A/C.3/L.297) which was couched in more general terms than the text of point 3 of the United States amendment. Point 2 of that amendment, on the other hand, weakened the original text of the draft resolution, although it was an improvement on the text proposed in point 4 of the United States amendment. He was therefore unable to support it.

61. With regard to the Saudi Arabian amendment (A/C.3/L.296), he agreed with the representatives of India and the United States that the right of self-determination of peoples was not actually a prerequisite to the enjoyment of all fundamental human rights. However, a people which was not free and independent could not actually enjoy all fundamental human rights; he would therefore vote in favour of that amendment.

62. He could also agree to the Syrian amendment (A/C.3/L.298) though it might be out of place in a general resolution such as the Third Committee wished to adopt.

63. Finally, the Guatemalan delegation felt that the United Kingdom draft resolution (A/C.3/L.299) was quite unacceptable since its third paragraph reflected an unfortunate attempt on the part of the colonial Powers to confuse the position of the colonies with that of the minorities existing in many parts of the world, particularly in Latin America. He would therefore vote against the draft resolution.

64. Ato Haddis ALEMAYEHOU (Ethiopia) wondered whether the objections to the Indian amendment could not be met without sacrificing its principles. Speakers had objected, on the one hand, that the words "according to the particular circumstances of each territory" might leave it to the administering Powers to determine in the light of their own interests whether circumstances permitted or did not permit the principle of self-determination to be applied to a territory. The colonial Powers, on the other hand, had argued that the United Nations could not adopt a resolution which would make it possible to emancipate peoples before they had acquired the ability to administer themselves and which would therefore serve as a pretext for agitation likely to cause serious trouble.

65. To bring together the two positions, he suggested that the text given in point 2 of the Indian amendment should be changed to read as follows:

"The States Members of the United Nations shall recognize... according to the freely expressed wishes of the people concerned, the wishes of the people and their ability to exercise said right being ascertained by the United Nations through recognized and established procedures."

66. He invited the views of delegations on that suggestion, which, if it appeared acceptable to the majority, he would submit formally as an amendment.

67. Mr. CORDOVA (El Salvador) shared the general feeling with regard to the first three United States amendments (A/C.3/L.294) and would support them. He would not comment on the fourth amendment, because the United States had accepted, in principle, the Indian sub-amendment (A/C.3/L.297, point 2).

68. With regard to the Indian amendment, he would like the representative of India to explain what he meant by "other recognized democratic means". He was satisfied with the explanation Mr. Mani had given of the phrase "according to the particular circumstances". He noted, however, that the Spanish text of Article 73 referred to *circunstancias especiales* (special circumstances). Even though all such expressions apparently lent themselves to misinterpretation, the word "special" seemed to him clearer than "particular".

69. In dealing with the five-Power amendment (A/C.3/L.295) the United Kingdom representative had apparently been concerned lest the verb "acquiesce in" in the English text might make it possible to force the hand of States administering Non-Self-Governing Territories. The verb *aceptar*, which appeared in the Spanish text of the amendment, was the word used in Article 73 of the Charter, under which Members of the United Nations administering Non-Self-Governing Territories accepted the obligation to promote their well-being. In his view it was necessary to go further than the Charter and use in the Spanish text neither *conceder* nor *aceptar* but *garantizar*, as no other word adequately covered the situation.

70. As for the United Kingdom draft resolution (A/C.2/L.299), the first two paragraphs of the preamble were merely a restatement of the Charter of the United Nations. The third paragraph, however, introduced a new element of great importance, to which he gave his full approval. Paragraph 1 of the operative part, as it appeared in Spanish, dealt with a principle and not a right, and he was grateful to the representative of Afghanistan for drawing attention to the fact that the General Assembly had referred to a right and not a principle. Paragraph 2 of the operative part, which was a perfect description of the policy pursued by the United Kingdom, contained the most controversial material, and he would not comment on it.

71. With regard to the amendment submitted by Saudi Arabia (A/C.3/L.296) he wondered whether its sponsor might not find a way to meet the United States view that the paragraph might well have unforeseeable implications, and also the views of those who felt, like the representative of India, that the right of peoples to self-determination was not the sole prerequisite to the enjoyment of fundamental human rights.

72. He agreed with the delegations which felt that the Syrian amendment (A/C.3/L.298) fell within the competence of the Fourth Committee rather than the Third.

73. Mr. MANI (India), in reply to the question from the representative of El Salvador, reiterated his remark at the 455th meeting that a plebiscite was not a universally recognized method. On the other hand, it was common knowledge that British public opinion expressed itself by means of elections to legislative bodies; in other countries where there was no parliament, there

might at least be an autonomous body elected by the people and speaking on its behalf.

74. "Recognized" democratic means must therefore have a more or less electoral character and must have generally demonstrated their validity. There were, it was true, other methods of gauging public opinion, the "Gallup Poll" for example, but they did not enjoy general recognition.

75. Mr. BAROODY (Saudi Arabia), in reply to the objections raised to his amendment (A/C.3/L.296), said that its only purpose was to take note of a fact, and that he would retain the existing wording.

76. Some representatives had observed that the right of peoples to self-determination was not the sole prerequisite to the enjoyment of all fundamental human rights, but his amendment referred to "a" prerequisite, which implied that there were others.

77. Some had argued, for example, that freedom of religion existed in the colonies without restriction on the part of the Administration, and that therefore the right of peoples to self-determination was not a prerequisite to freedom of religion. He would reply that the exercise of the right to self-determination would promote the exercise of freedom of religion. Similarly, dependent people, even those to whom the Administering Authority endeavoured to ensure the progressive exercise of the right to education, would gain a greater advantage from education if they were enabled through the right to self-determination not only to study a foreign language but also to absorb the very essence of their own culture.

78. Others had claimed that non-self-governing peoples would be prepared to give up their right to self-determination in favour of union with their metropolitan countries. He pointed out that, even so, such peoples would in that way be exercising the right to self-determination and deciding their own future.

79. Taking up the United Kingdom draft resolution (A/C.3/L.299), he regretted that—at least, as far as could be seen from the English text—it referred to the "principle" of self-determination as if the right of peoples to self-determination did not exist. The respect for a principle referred to in the fourth paragraph of the preamble meant nothing without its application. The administering Powers, to be sure, were not opposed to the welfare of dependent peoples but did not spare them when their own interests were at stake. The operative part borrowed some expressions from the Charter of the United Nations. He deplored the common practice of introducing into a draft resolution or amendment passages from the Charter which were not in harmony with its spirit and did not improve it but were as a rule merely grafted on to give it a better chance of adoption, whereas they often led to its rejection. He considered the United Kingdom draft resolution unacceptable and regretted that the United Kingdom delegation had felt bound—after the draft resolution adopted by the Commission on Human Rights, of which it had been a member—to submit a proposal that was so weak as to be not even worth amending.

80. In connexion with the Indian amendment (A/C.3/L.297), which its sponsor had just modified, he recalled his previous words on the danger of introducing the idea of a State into a discussion of the right

of peoples to self-determination. The representative of India had then agreed with him. If the idea put forward by the Netherlands representative (447th meeting) in his learned statement had been introduced into draft resolution A, it would only have made difficulty for Non-Self-Governing Territories, which were the real object of that draft resolution and which must not be confused with States in general. Besides, the adoption of a resolution covering all States would give some States a chance to intervene in the affairs of others. The machinery of government was so complicated that even a democratic government was not a perfect reflection of public opinion and its legitimacy might be challenged. The expression "according to the particular circumstances", taken from the Charter, did not fit happily into the draft resolution.

81. He would expect the sponsors of the five-Power amendment (A/C.3/L.295) to reconsider the words "If it is necessary to ascertain the popular wish". He agreed with the principle of the amendment and would be happy to see other delegations join with its sponsors in working out a joint text.

82. He was convinced that draft resolution A would be adopted. Those who defended the right of peoples to self-determination had done everything they could to reach a compromise so as to induce the metropolitan Powers to adopt draft resolution A, which would promote both their interests and those of the peoples they administered. But there were some issues on which there could be no compromise, the lives of millions of people for example, and if the administering Powers refused to see conditions as they really were and became bogged down in legal quibbling while those who defended their right to self-determination, the citizens of the metropolitan countries and the soldiers in their armies, died by the thousand, blood would continue to flow.

83. The countries that were trying to bring about the adoption of draft resolution A sought no material advantage. Their commercial relations with Morocco and Tunisia, to cite only two cases on the agenda of the General Assembly, would not be improved thereby. Their only desire was to bring home to the administering Powers, in their own interest and in the interest of world peace, that they had moral obligations towards such peoples.

84. The administering Powers themselves feared invasion. Some of them had actually experienced the invasion of the Nazis, when they had almost lost their right to self-determination and had appealed to the United States of America and the entire world. At the current time, when all that had to be done was to give moral support to the peoples who were fighting for their right to self-determination, it was they who were invoking the Charter of the United Nations and the principle of non-intervention in the internal affairs of a State.

85. He made a final appeal to the administering Powers to open their eyes at last and to look the situation in the face. In any case, whether or not they supported the draft resolution, there was no doubt that the struggle of peoples for the right to self-determination would go on.

86. Mr. MANI (India) noted that some parts of his amendment had given rise to objections and jeopardized its adoption by a satisfactory majority. On the one hand, he believed in the necessity, emphasized by the United States representative, of ensuring the universality of the principle of the right of peoples to self-determination; on the other, he considered it no less important to stress the special responsibility of the United Nations with regard to Non-Self-Governing and Trust Territories, for there the prestige of the Organization itself was at stake.

87. He therefore proposed to make the beginning of the text contained in point 2 of his amendment read as follows:

“The States Members of the United Nations shall recognize and promote the realization of the right of self-determination of all the peoples, including those of Non-Self-Governing and Trust Territories which are under their administration and shall grant . . .”¹

88. Mrs. AFNAN (Iraq) said that her delegation, along with those of Pakistan and Lebanon, had been about to submit an amendment to the Indian amendment, but in view of the new wording proposed by the Indian representative the three delegations would have to reconsider their position and might not have the time to do so before the meeting on the following morning. They would therefore like to have that meeting cancelled.

89. Mr. REYES (Philippines) supported the representative of Iraq. As the Indian representative had altered the scope of his amendment, he would like to consult the Philippine delegation on the matter.

¹ The revised amendment was subsequently issued under the symbol A/C.3/L.297/Rev.1.

90. Mr. AZKOUL (Lebanon) felt that the Members of the Committee needed a breathing-spell to consider the proposals before them in the proper perspective. The proposals were of supreme importance because they dealt with the first decision on principle that the United Nations would be taking on the subject. Besides, the following day was a holiday in the United States of America and it would be odd if the United Nations, situated as it was in the United States, failed to observe it.

91. Mr. BAROODY (Saudi Arabia) proposed that the meeting scheduled for the following morning should be cancelled.

92. The CHAIRMAN observed that he had arranged for the afternoon meeting to be shifted to the morning. He pointed out to the representative of Lebanon that there was still no time limit for introducing amendments and that the Committee would be in the same position every time new amendments were submitted. He thought that a time limit should be set for the submission of amendments.

93. Mr. LAMBROS (Greece) agreed with the representatives of the Philippines and Lebanon. He would rely on the Chairman's good judgment with regard to a time limit.

94. Mr. SHAHI (Pakistan), supported by Mr. PAZHWAK (Afghanistan), remarked that the debate on the amendments already submitted might give rise to further amendments.

95. The CHAIRMAN put to the vote the Saudi Arabian proposal.

The proposal was adopted by 25 votes to 4, with 18 abstentions.

The meeting rose at 6.25 p.m.