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Agenda item 96

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED
UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

Report of the Fourth Committee

Rapporteur: Mr. Victor G. GARCIA (Philippines)

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-seventh session the item entitled:

"Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations:

"(a) Report of the Secretary-General;

"(b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples."

At the same meeting, the General Assembly decided to allocate the item to the Fourth Committee.

2. At its 2nd meeting, on 11 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 96, 97, 99 and 12, 100 and 101, on the understanding that individual draft proposals on matters covered by those items would be considered separately. The Committee held the general debate on these items at its 9th to 11th, 13th to 15th and 17th to 23rd meetings, between 26 October and 15 November.

3. The Fourth Committee considered item 96 at its 9th to 11th, 13th to 15th and 17th to 23rd meetings, between 26 October and 15 November (see A/C.4/37/SR.9-11, 13-15 and 17-23).

4. At the 9th meeting, on 26 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 1982 and drew attention to chapter VII of the report containing, *inter alia*, the related draft resolution submitted by that Committee for consideration by the Fourth Committee (A/37/23 (Part III) and Add.1). 1/
5. The Fourth Committee also had before it the report of the Secretary-General relating to the item (A/37/501).
6. In addition, the Fourth Committee had before it a note verbale dated 26 February 1982 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (A/37/113).
7. At its 23rd meeting, on 15 November, the Fourth Committee adopted the draft resolution contained in paragraph 9 of chapter VII of the report of the Special Committee (A/37/23 (Part III)/Add.1) by a recorded vote of 144 to none, with 5 abstentions (see para. 8). 2/ The voting was as follows: 3/

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines,

1/ To be incorporated in Official Records of the General Assembly, Thirty-seventh session, Supplement No. 23 (A/37/23).

2/ The representative of the United Kingdom of Great Britain and Northern Ireland made a statement in explanation of vote.

3/ Subsequently, the representative of Malawi stated that his delegation had intended to vote in favour of the draft resolution.

Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: France, Malawi, Nepal, United Kingdom of Great Britain and Northern Ireland, United States of America.

RECOMMENDATION OF THE FOURTH COMMITTEE

8. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations 4/ and the action taken by the Committee in respect of that information,

Having also examined the report of the Secretary-General on the question, 5/

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration,

4/ A/37/23 (Part III) and Add.1, chap. VII.

5/ A/37/501.

Recalling also its resolution 36/49 of 24 November 1982, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Deploing the fact that some Member States having responsibilities for the administration of Non-Self-Governing Territories have ceased to transmit information under Article 73 e of the Charter,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations;

2. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

3. Requests the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. Requests the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its thirty-eighth session.
