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SPECIAL COMMITTEE OF SIX ON THE TRANSMISSION OF INFORMATION  
(NON-SELF-GOVERNING TERRITORIES)

First Session

SUMMARY RECORD OF THE EIGHTH MEETING

Held at Headquarters, New York,  
on Wednesday, 14 September 1960, 3.30 p.m.

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Study of the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations (A/AC.100/1 and Add.1; A/AC.100/2 and Add.1 and 2) (continued)

PRESENT:

Chairman:

Mr. JHA India

Members:

Mr. CUEVAS CANCINO Mexico

Mr. SKALLI Morocco

Mr. GOEDHART Netherlands

Mr. CASTON United Kingdom of Great Britain  
and Northern Ireland

Mr. SPALDING United States of America

Secretariat:

Mr. PROTITCH Under-Secretary for Trusteeship  
and Information from Non-Self-  
Governing Territories

Mr. VAN BEUSEKOM Secretary of the Committee

STUDY OF THE PRINCIPLES WHICH SHOULD GUIDE MEMBERS IN DETERMINING WHETHER OR NOT AN OBLIGATION EXISTS TO TRANSMIT THE INFORMATION CALLED FOR IN ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (A/AC.100/1 and Add.1; A/AC.100/2 and Add.1 and 2) (continued)

The CHAIRMAN invited the Committee to consider paragraph by paragraph an informal working paper submitted by the Indian delegation consisting of a set of draft principles and to make such changes as it might see fit.

After some discussion, paragraphs 1 to 5 of the Indian working paper were amended to read as follows:

1. The authors of the Charter had in mind that Chapter XI should be applicable to territories which were then known as (typical)<sup>1/</sup> colonial or dependent territories. An obligation exists to transmit information under Article 73 e of the Charter in respect of such territories whose peoples have not yet attained a full measure of self-government.
2. Chapter XI embodies the concept of Non-Self-Governing Territories in a dynamic state of evolution and progress towards a "full measure of self-government". As soon as a territory and its peoples attain a full measure of self-government, the obligations cease. Until this comes about, the obligation for furnishing information under Article 73 e subsists.
3. Prima facie there is an obligation to transmit information in respect of a territory which is geographically separated and is distinct ethnically and/or culturally from the country administering it.
4. Once it has been established that such a prima facie case of geographical and ethnical or cultural distinctness of the territory exists, other elements may then be brought into consideration. These additional elements may be, inter alia, of an administrative, (juridical),<sup>1/</sup> (political),<sup>1/</sup> economical or historical nature. If they affect the relationship between the metropolitan State and the territory concerned in a manner which arbitrarily places the latter in a position or status of subordination, they support the presumption that there is an obligation to transmit information under Article 73 e.

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<sup>1/</sup> Inclusion or deletion of words in parentheses to be decided at a later meeting.

(The Chairman)

5. A Non-Self-Governing Territory can be said to have reached a full measure of self-government by (a) emergence as a sovereign independent State; (b) free association with another independent State; and (c) integration with another independent State.

The CHAIRMAN suggested that the Committee should approve the paragraphs as amended.

It was so agreed.

The meeting rose at 6.20 p.m.