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President: Mr. Muhammad ZAFRULLA KHAN (Pakistan).

AGENDA ITEM 25

The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples: report of the Special Committee established under General Assembly resolution 1654 (XVI) (concluded)*

1. The PRESIDENT: I understand that the representative of South Africa wishes to make a statement. I recognize the representative of South Africa.

2. Mr. BOTHA (South Africa): My delegation was not present yesterday when the vote was taken on the resolution under agenda item 25. If we had been present, we would have voted against it. We reject the charge contained in penultimate preambular paragraph that it is "the declared intention of the Government of the Republic of South Africa to annex these territories"—that is, the territories of Basutoland, Bechuanaland and Swaziland.

3. The report of the Special Committee, on which the resolution is based, also contradicts this assertion. In that report, it is stated that provision was made in the South Africa Act of 1909: "... for procedures to be brought into use if at some future date agreement should be reached for the three High Commission Territories ..." [A/5328, chapter V, para. 6]. The word, "agreement", should be noted.

4. I made it clear, from this rostrum on 29 November 1962, that negotiations over a long period with the United Kingdom for the transfer of the territories had led to no agreement and that, subsequently, the Prime Minister, Mr. Verwoerd, had on several occasions publicly declared that the territories in question would

*Resumed from the 1196th meeting.

never be incorporated into the Republic of South Africa. This statement is reflected in my statement on 29 November 1962 [1181st meeting].

5. The inclusion of the penultimate paragraph of the preamble in this resolution is a serious matter because, firstly, it contains an allegation which has no basis in fact. My Government has never made any such declaration as it is alleged to have made; secondly, it disregards the denial of this charge on more than one occasion by both the South African Government and the Administering Power; and thirdly, it consequently seeks to convey the impression, especially by using the word "annex", that the Government of the Republic of South Africa intends to take unilateral action in incorporating the territories.

6. My delegation would like to register its regret that a resolution, containing a completely false charge, should become part of the records of this Organization.

AGENDA ITEM 46

Draft Declaration on the Right of Asylum

REPORT OF THE THIRD COMMITTEE
(A/5359 AND CORR.1)

AGENDA ITEMS 45 AND 47

Draft Convention on Freedom of Information

Draft Declaration on Freedom of Information

REPORT OF THE THIRD COMMITTEE (A/5363)

AGENDA ITEM 81

Implementation of the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices similar to Slavery

REPORT OF THE THIRD COMMITTEE (A/5346)

AGENDA ITEM 83

Measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples

REPORT OF THE THIRD COMMITTEE
(A/5364 AND CORR.1)

AGENDA ITEM 43

Draft International Covenants on Human Rights

REPORT OF THE THIRD COMMITTEE (A/5365)

In accordance with rule 68 of the rules of procedure, it was decided not to discuss the reports of the Third Committee.

7. Mrs. SIVOMEY (Togo), Rapporteur of the Third Committee (translated from French): I have the honour to present to the General Assembly the five reports of the Third Committee, which deal respectively with agenda items 46, 45 and 47, 81, 83 and 43.

8. The first report [A/5359 and Corr.1] relates to agenda item 46. This year, the Third Committee began its consideration of the draft Declaration on the Right of Asylum. The draft Declaration, which was prepared by the Commission on Human Rights, had already been on the agenda of the fifteenth and sixteenth sessions of the General Assembly. However, the Third Committee, to which it was allocated, was obliged because of lack of time to confine itself on each occasion to a brief procedural discussion on the action to be taken on

the question. The Committee is pleased that it has been able to give some time to the consideration of this very serious and difficult question during this session and that it has adopted the preamble and article 1 of the draft. Since the draft Declaration, as transmitted by the Commission on Human Rights [A/5359 and Corr.1, para. 6], is a fairly short document, it is to be hoped that the Third Committee will be able to complete consideration of it at the next session of the Assembly. Accordingly, I have the honour to draw the Assembly's attention to the draft resolution adopted by the Third Committee, in which the Assembly is requested to give priority to this agenda item at its next session so that the discussion of it can be completed.

9. The second report [A/5363] relates to agenda items 45 and 47. The draft Convention has been before the Third Committee since the fourteenth session, while the draft Declaration has been on its agenda since the fifteenth session. The Committee made progress in the preparation of the draft Convention at the fourteenth and fifteenth sessions by adopting the preamble and articles 2, 3 and 4. As regards the draft Declaration, the Economic and Social Council had drawn up a text which was transmitted to the General Assembly for its consideration [A/5146]. The Third Committee was unable at this session to consider the draft Declaration and draft Convention or the draft resolution submitted to it [A/5363, para. 4] regarding the future organization of work on the draft Convention. It therefore unanimously recommended in its draft resolution that the General Assembly should decide to give priority to these two agenda items and to devote as many meetings as necessary to them at its eighteenth session.

10. The third report [A/5346] relates to agenda item 81. At its thirty-fourth session, the Economic and Social Council had reviewed the list of ratifications and accessions to the International Slavery Convention of 1926 and the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices similar to Slavery. The members of the Council had been unanimous in deploring the continued existence of slavery in the twentieth century and in supporting a new appeal to Governments to ratify these two conventions. The Council had recommended in its resolution 890 (XXXIV) that the General Assembly should consider and adopt a draft resolution calling on those States Members of the United Nations or members of the specialized agencies which had not yet become parties to these conventions to do so and urging all States parties to the conventions to cooperate fully in carrying out their terms. The Third Committee unanimously adopted a draft resolution submitted by fifty-three Powers [A/5346, para. 5] which is identical with that adopted by the Council.

11. The fourth report [A/5364 and Corr.1] relates to agenda item 83. The Third Committee had before it a draft declaration [A/5364 and Corr.1, para. 6] submitted to it by a delegation. However, it was unable to consider this agenda item and recommended unanimously in its draft resolution that the General Assembly should decide to give priority to the consideration of the item and to devote as many meetings as possible to it at its eighteenth session.

12. The fifth report [A/5365] relates to agenda item 43. As the Assembly will recall, the two draft Covenants, covering civil and political rights in one case and economic, social and cultural rights in the other, and containing provisions relating to their implementation, have been on the agenda since the ninth session. The preamble and article 1, together with part III (sub-

stantive articles), of the two draft Covenants were adopted by the Third Committee at previous sessions. At the present session, the Committee first of all considered proposals to add additional substantive articles to the draft Covenant on Civil and Political Rights.

13. The first proposal was for the inclusion in this draft Covenant of a new article on the rights of the child. The Committee, after considering this proposal at several meetings, adopted draft resolution A, in which the Assembly is requested to refer the proposal to the Commission on Human Rights with a request that the Commission should report at the Assembly's next session.

14. The second proposal was for the insertion of an article on the right of asylum in the draft Covenant on Civil and Political Rights. After discussing this proposal at two meetings, the Committee decided to defer consideration of the matter until the draft Declaration on the Right of Asylum had been considered. Later, the Committee decided to postpone consideration of the proposed new article until the eighteenth session of the General Assembly [A/5365, para. 35].

15. The Third Committee then examined part II (articles 2-5) of the draft Covenant on Economic, Social and Cultural Rights and part II (articles 3 and 5) of the draft Covenant on Civil and Political Rights. The text of those articles as adopted by the Committee appears in the annex to the present report.

16. The Committee also adopted draft resolution B concerning the consideration of measures of implementation (part IV of the draft Covenants).

17. Finally, the Committee adopted draft resolution C, under which the Assembly would decide to give priority to the consideration of the draft International Covenants on Human Rights at its eighteenth session.

18. The Committee recommends that the General Assembly adopt the seven draft resolutions which I have had the honour to introduce.

19. The PRESIDENT: Unless there is any objection, interventions will be limited to explanations of vote on all these items. Does any Member wish to speak in explanation of vote on any of these five items?

20. The first report of the Third Committee relates to agenda item 46 [A/5359 and Corr.1]. The draft resolution recommended by the Committee was unanimously adopted. I take it that the General Assembly also wishes to adopt it unanimously.

The draft resolution was adopted unanimously.

21. The PRESIDENT: The next report of the Third Committee concerns items 45 and 47 of the agenda. The recommendation of the Committee appears in paragraph 8 of the report [A/5363]. In view of the fact that the draft resolution was unanimously adopted by the Committee, I take it that the General Assembly also wishes to adopt it unanimously.

The draft resolution was adopted unanimously.

22. The PRESIDENT: The next item relates to agenda item 81. The draft resolution contained in the report of the Third Committee [A/5346] was unanimously adopted by the Committee. I take it that the Assembly also wishes to adopt it unanimously.

The draft resolution was adopted unanimously.

23. The PRESIDENT: The next item refers to agenda item 83. The Third Committee has unanimously recom-

mended the draft resolution which appears in its report [A/5364 and Corr.1]. I take it that the Assembly also wishes to adopt the draft resolution unanimously.

The draft resolution was adopted unanimously.

24. The PRESIDENT: The last report of the Third Committee [A/5365] relates to agenda item 43. Does any Member wish to speak in explanation of vote?

25. I shall put to the vote draft resolution A.

26. I recognize the representative of Mexico.

27. Mr. DE SANTIAGO LOPEZ (Mexico) (translated from Spanish): I am taking the floor solely in order to state that my delegation will not be able to vote until it has the Spanish text of this report, since the Spanish differs to some extent from the French and English versions and some clarification is necessary.

28. The PRESIDENT: Consideration of this item will be deferred until the Spanish text of the report [A/5365] has been circulated.

AGENDA ITEM 23

Organization of peace

29. The PRESIDENT: The Assembly has before it a letter from the representative of Honduras [A/5379], which refers to agenda item 23 and to a draft resolution [A/L.403] submitted by Honduras. The delegation of Honduras has requested that the discussion of the draft resolution be postponed until the eighteenth session of the General Assembly. If there is no objection, it will be so decided.

It was so decided.

AGENDA ITEM 24

United Nations Year for International Co-operation

30. Mr. CHAKRAVARTY (India): On behalf of the delegations of Afghanistan, Australia, Burma, Canada, Ceylon, Cyprus, Ethiopia, Federation of Malaya, Finland, Ghana, India, Indonesia, Liberia, Nepal, New Zealand, Nigeria, Sudan, Trinidad and Tobago, Tunisia, Venezuela and Yugoslavia, which have sponsored the draft resolution [A/L.419 and Add.1], I have the honour very briefly to introduce this draft resolution and explain its objects and purposes.

31. In the Charter of the United Nations the peoples of the world have proclaimed their determination to save succeeding generations from the scourge of war. For this purpose the Charter enjoins upon us all to practise tolerance and to live together in peace with one another as good neighbours. Although mankind has succeeded over the last seventeen years in avoiding world-wide conflict, the period since the end of the last World War has enjoyed what one might describe at best as troubled peace. Local wars could not altogether be avoided. As Mr. Jawaharlal Nehru, the Prime Minister of India, said in this Assembly on 10 November 1961:

"We live in this world of conflicts and yet the world goes on, undoubtedly because of the co-operation of nations and individuals.

"The essential thing about this world of co-operation, and even today, between countries which are opposed to each other in the political or other fields, there is a vast amount of co-operation. Little is known, or little is said, about this co-operation that is going on, but a great deal is said about every point

of conflict, and so the world is full of this idea that the conflicts go on and we live on the verge of disaster. Perhaps it would be a truer picture if the co-operating elements in the world today were put forward and we were made to think that the world depends on co-operation and not on conflict." [1051st meeting, paras. 36 and 37.]

32. My Prime Minister then went on to suggest that in order to emphasize this aspect of co-operation, which is admittedly a larger element of our lives than that of conflict, this Assembly might resolve to call upon countries of the world to devote a year to the furtherance of co-operative activities in numerous fields, which is in fact now taking place. As the problem requires calm and careful consideration, he suggested that perhaps the Assembly might like to appoint a committee to consider the matter further and to make suggestions as to how this objective might be achieved. He thought that we should undertake the vast task of encouraging this new thinking, this new approach—the approach of co-operation, not on a mere ideological basis, but on a practical basis of sheer survival in this world.

33. These ideas, which have been stressed also by other eminent leaders from all over the world, prompted my delegation at the sixteenth session to propose the inclusion in the agenda of the Assembly of an item entitled "The United Nations Year for International Co-operation". We were further emboldened in this endeavour by the clear and unequivocal manner in which the very first Article of our Charter has laid down the purposes of the United Nations. Paragraph 4 of this Article lays down that one of the purposes of this Organization is "To be a centre for harmonizing the actions of nations in the attainment of these common ends"; and by these common ends it means those specified in the preceding three paragraphs of that Article. It is therefore entirely fitting that this Organization should focus the attention of the entire world on the living fact of wide-spread international co-operation.

34. The exploratory memorandum of 16 November 1961^{1/} explains in some detail the object and purpose we had in view. The main proposal related to the designation by this Assembly of one specific year as the United Nations Year for International Co-operation, so that the co-operation daily practised in a thousand different fields by the peoples and nations of the world could be focused upon and emphasis shifted from conflict to co-operation. Under agenda item 95 of the sixteenth session, a draft resolution was submitted by the delegations of Afghanistan, Ghana, India and Nepal.^{2/} The item was to have been discussed and debated in the plenary session, but as there was not much time left before the adjournment of the session, the Assembly decided to postpone this item for consideration at the seventeenth session.

35. This postponement has enabled the sponsors of that draft resolution to have consultations, not only with other delegations, but also with personalities and organizations even outside the United Nations. This exchange of views has resulted in a clearer understanding of the problem before us. The different views that have emerged out of these discussions have now been crystallized and a larger number of delegations representing various regions of the world have now come

together in presenting a draft resolution in an amended form. My delegation, on its own behalf, and also on behalf of the sponsors, would like to express its special appreciation to all those who were good enough to make the valuable suggestions which have now been incorporated in the present draft.

36. The main change that has been incorporated in relation to the draft resolution submitted at the last session is the one pertaining to the designation of a specific year as the International Co-operation Year. It was agreed by the sponsors that the designation of any specific year without enabling the preparatory committee, that we hope the Assembly will agree to establish, to consider the matter in greater detail would be prejudging the issue and would deprive us of the valuable advice which such a preparatory committee would undoubtedly render after a detailed examination of the question. While the year 1965, the twentieth year of the United Nations, might be an excellent choice, as we could then combine with this concept the celebration of an important anniversary of our Organization, the sponsors were of the view that the preparatory committee should be entrusted with the making of a recommendation.

37. Primarily, our intention is to call upon Member States and on the specialized agencies and the International Atomic Energy to organize measures and activities to celebrate the International Co-operation Year. On reconsideration of the proposal made last year, we also came to the conclusion that a decision not to invite non-governmental organizations concerned would deprive us of some of the extremely valuable assistance these organizations may render by way of suggestions, ideas and organizational capacities.

38. Thus, while last year's proposal attempted to cover this category of specialized international organizations under the phrase "international organizations", we have considered it advisable in the present draft resolution to make a specific invitation to non-governmental organizations in consultative status with the Economic and Social Council, the specialized agencies or the International Atomic Energy Agency. This does not mean that other international organizations that may be interested in this matter would be altogether excluded. Operative paragraph 4 provides for a definite invitation to "other organizations in Member States which are concerned", for we realize that without the widest possible co-operation this venture cannot hope to be a complete success.

39. It is also clear that, even though the main burden of the celebration is to fall on Member States, the United Nations must inevitably be involved in some expenditure, even though that may be small. Accordingly, the preparatory committee has been requested to report to the eighteenth session of the General Assembly on the financial implications of the proposal. Our draft resolution recommends a preparatory committee of up to twelve members. That phrase has been advisedly chosen so that the President of the Assembly should feel free to appoint a smaller committee should that size, in his opinion, be able to provide a satisfactory basis for an efficient and representative committee.

40. In requesting the Committee to meet at United Nations Headquarters, our object is primarily to enable the Secretary-General to provide headquarters facilities that are readily available so that no additional appropriations would be involved in the functioning of the preparatory committee.

^{1/} Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 95, document A/4972.

^{2/} Ibid., document A/L.382 and Add.1-3.

41. The phraseology of our draft resolution has been drawn up after careful thought and effort and we hope the meaning is clear beyond doubt. I shall not, therefore, attempt any more to explain the object and purposes of our draft resolution, which we hope will receive the widest possible support of this Assembly.

42. Mr. TREMBLAY (Canada): Our Secretary-General has many times stressed that the political activities of the Organization, which are so frequently headlined in the world's Press, represent but a small part of the work of the United Nations. Often the more constructive activities of the Organization have been carried on without international notice and without international acclaim. My delegation believes that the proposal to designate a year for international co-operation provides us with an opportunity to focus world attention on these activities and to stimulate and encourage the search, by peoples throughout the world, for ways of increasing international understanding.

43. I consider it particularly fitting that the draft resolution [A/L.419 and Add.1] suggests that the year 1965, the twentieth anniversary of the United Nations, be designated as the International Co-operation Year. It is true that twenty years is not a long time in the history of man; but within less than twenty years of the founding of the League of Nations, Europe was again at war. Our Organization has already fared better than the League. Major war has been avoided, and we are all very much aware of how the existence of the Organization facilitated, only a few months ago, the settlement of a crisis which threatened to lead to nuclear war. The United Nations has also helped on a number of occasions to prevent the outbreak, or to limit the spread, of lesser wars. It is appropriate that on the twentieth anniversary, special efforts of a positive character be made within and through the United Nations to stimulate international co-operation so to reduce those tensions which have, on a number of occasions, brought the world close to war. I believe that in the process we shall also contribute to the strengthening of the United Nations itself.

44. It is appropriate that the International Co-operation Year should take place at the half-way mark in the Development Decade. This noteworthy programme represents the most far-reaching organized effort by the international community of nations to overcome poverty, hunger and disease. As U Thant has many times wisely observed, progress towards a solution of these persisting problems may be the most effective way of preventing war.

45. My delegation considers it important that the preparatory committee established by this draft resolution should attempt, in its own work, to set an example for the Organization and the world community of nations. The committee will include member states representing all the main geographic regions and ideological viewpoints. It will therefore represent, in microcosm, the General Assembly itself.

46. It would not be auspicious for the International Co-operation Year if the committee should become a centre for controversy. To avoid this, and to ensure that the committee becomes a centre for constructive discussion, my delegation hopes that the committee will decide to conduct its work on a basis of consensus. This involves the recognition that only proposals supported and approved by the vast majority of members can contribute to international co-operation.

47. I should also like to suggest that the preparatory committee might prepare a preliminary report which might be circulated to all Members for comment. If such a report could be given to Members by mid-April, 1963, the Committee would have time to prepare its final report in the light of comments by Member States. This procedure should ensure that the preparatory committee's report to the eighteenth session of the General Assembly includes only proposals which had general support.

48. It will be apparent that my delegation believes that the committee should adopt working procedures which ensure that the views of all Members are considered and that only widely accepted proposals are recommended in the committee's final report.

49. The happy proposal for an International Co-operation Year, first advanced in this Assembly by the Prime Minister of India, Mr. Nehru [1051st meeting], has aroused widespread interest among important sections of the world public. It is against this background that the preparatory committee will be working. In the hustle of our daily activities we may sometimes overlook the basic fact that the aim of the United Nations is to promote international understanding and co-operation. In this sense there is nothing new about the proposal in the draft resolution [A/L.419 and Add.1] which we are now considering. But precisely because our time is occupied with so many problems requiring immediate attention or decision, many of us may not have the opportunity to re-examine our activities and to consider in what degree they promote the United Nations aim of increasing understanding and co-operation.

50. In my view, the importance of the International Co-operation Year is that, on the twentieth anniversary of the United Nations, it will cause us to reassess the effectiveness of our Organization and to ask ourselves in what way its aims might better be achieved. My delegation commends the draft resolution to Members of the Assembly and urges all delegations to support it.

51. The PRESIDENT: We shall now proceed to vote on the draft resolution [A/L.419 and Add.1].

The draft resolution was adopted by 87 votes to none.

AGENDA ITEM 86

improvement of the methods of work of the General Assembly
(concluded)*

52. Mr. Taieb SLIM (Tunisia), Rapporteur of the Ad Hoc Committee (translated from French): I have the honour to present the report of the Ad Hoc Committee on the Improvement of the Methods of Work of the General Assembly [A/5370].

53. The Ad Hoc Committee held several meetings and was very much encouraged in its work by the various opinions and recommendations received from many delegations. The Committee asked all delegations to give their views on the suggestions contained in memorandum [A/5123] submitted in May 1962 by the President of the sixteenth session of the General Assembly together with any other suggestions they wished to make on this subject. The Committee received comments and numerous suggestions from thirty delegations and from certain of the Chairmen of the Main Committees of the sixteenth and seventeenth sessions.

* Resumption of the debate at the 1162nd meeting.

The Committee also heard statements by Mr. Kasliwal, Chairman of the Third Committee and Mr. Bannier, Chairman of the Fifth Committee at the seventeenth session, Miss Angle Brooks, Chairman of the Fourth Committee and Mr. Lannung, Chairman of the Fifth Committee at the sixteenth session.

54. The Committee felt that it could not make recommendations without having first had time to study all the proposals concerning the organization of the Assembly's work. It therefore wishes to propose that the Assembly authorize it to continue its work, with its present membership, after the close of the present session. The members of the Committee are agreed on resuming, towards the beginning of February 1963, their consideration of the suggestions made by the different delegations and the points contained in the memorandum from the President of the sixteenth session.

55. The Committee expects to close its debate and make recommendations towards the end of May 1963. The final report will be circulated to Member States through the Secretariat in either June or July 1963, which in our opinion will leave all delegations sufficient time to study the report and prepare to discuss it at the beginning of the eighteenth session.

56. Before concluding, I should like to thank all those delegations which have been good enough to assist the Ad Hoc Committee in its work both with their suggestions and comments and with their encouragement. I should also like to express our appreciation to the Secretariat for the help it has given us.

57. I have the honour to present to the General Assembly the draft resolution contained in the Ad Hoc Committee's report; I hope that it will be unanimously adopted.

58. The PRESIDENT: The Ad Hoc Committee recommends the adoption of the draft resolution which appears in its report [A/5370]. A statement by the Secretary-General on the financial implications of this draft resolution has been circulated [A/L.421]. If I hear no objections I shall take it that the Assembly adopts the draft resolution in the report of the Ad Hoc Committee [A/5370].

The draft resolution was adopted.

AGENDA ITEMS 49, 50, 51, 52, 53 AND 55

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:

- (a) Political and constitutional information on Non-Self-Governing Territories;
- (b) Information on educational, economic and social advancement;
- (c) General questions relating to the transmission and examination of information

Dissemination of information on the United Nations in the Non-Self-Governing Territories: report of the Secretary-General

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General

Preparation and training of indigenous civil and technical cadres in Non-Self-Governing Territories: report of the Secretary-General

Racial discrimination in Non-Self-Governing Territories: report of the Secretary-General

Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories

REPORT OF THE FOURTH COMMITTEE (A/5371 AND CORR.1 AND 2)

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Fourth Committee.

59. Mr. IBE (Nigeria), Rapporteur of the Fourth Committee: I have the honour to introduce the report of the Fourth Committee on the six items of the agenda concerning Non-Self-Governing Territories [A/5371 and Corr.1 and 2].

60. By a decision taken at its 1406th meeting the Fourth Committee considered these items jointly, but draft resolutions on some individual items were nevertheless submitted and approved. For the sake of orderliness and brevity the present report records the Committee's deliberations under the headings of individual items.

61. Since the Fourth Committee also decided, at its 1426th meeting, that the Committee should forgo consideration of the report and that the latter should be presented directly to the Assembly, I wish to state that it is my privilege to present the report now for the first time. This being so, Members may discover some errors in the document, and I wish to state that the Rapporteur will be happy to be notified of any such errors.

62. Representatives will also note that, in accordance with paragraph 34 of the report, the Fourth Committee, acting on behalf of the General Assembly, at its 1425th meeting elected Honduras to serve as a member of the Committee on Information from Non-Self-Governing Territories. I trust that, according to precedent, the President will request the General Assembly to take note of this election.

63. With this brief introduction, the report of the Fourth Committee is presented to the General Assembly in the hope that the five draft resolutions which it contains will be adopted without objection.

64. The PRESIDENT: I shall now call upon those speakers who wish to explain their votes, the first of whom is the representative of Gabon.

65. Mr. AUBAME (Gabon) (translated from French): I shall briefly set forth my delegation's views on the question of the Non-Self-Governing Territories. In 1918 and 1945, the victorious democracies proclaimed that the right of peoples to self-determination was a sacred right, for if certain States had respected that principle two world wars would have been avoided and millions of human lives spared. On 26 June 1945, the United Nations Charter was signed at San Francisco; with its pronouncements on the promotion and encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and on faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and

women and of nations large and small, it gave the colonized peoples new hope and new zeal in their fight for liberation.

66. Today we find that millions of human beings have been liberated from the colonial yoke and that the list of free nations represented among us grows longer every year. However, there are still territories over which a foreign flag flies, where economic and political domination is enforced by a foreign army and where the voice of the people yearning for independence is stifled by the occupying Power. We heard at many meetings of the Fourth Committee the heart-rending appeals of petitioners from the African Non-Self-Governing Territories, and it is the duty of the Assembly to find a humane and effective solution to this fundamental problem.

67. The General Assembly has adopted resolution 1514 (XV), which recognizes "the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence" and recognizes further "that the peoples of the world ardently desire the end of colonialism in all its manifestations" and "that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory". The resolution "solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations".

68. We must, in so far as our present means permit give these peoples the assurance that they will be promptly liberated, so that our vote will not prove merely the expression of a wish with no practical significance. We cannot allow ourselves to be delayed by the eternal cavilling of nations which believe that the colonial system can last for ever. The contention that the peoples of the Non-Self-Governing Territories are inadequately prepared politically, economically, culturally or socially is a pretext for denying those peoples the right to express their will freely. Moreover, the moral and intellectual standing of the petitioners who have come to speak on behalf of their oppressed brothers clearly shows that there is an "elite" in these African countries which understands the aspirations of the masses and is capable of guiding those nations' destinies.

69. The United Nations can act right now to broaden the education of young people in the territories under foreign administration by inviting Member States to provide more scholarships for cultural and technical study and for accelerated training.

70. This first step may well seem very inadequate, for on the day of their liberation the Non-Self-Governing Territories will have to request technical assistance from the specialized agencies and the industrialized nations to supplement the unilateral aid which will unquestionably be granted by the Governments that formerly administered them. Agriculture will have to be modernized, roads and communication systems established, health conditions improved in vast areas, hospitals and schools built, and industries set up and equipped to exploit those countries' natural resources; finally, engineers, teachers and doctors will have to aid in the training of national cadres.

71. A great deal has been said, both in the Fourth Committee and in the General Assembly, about the situation of the peoples in territories under Portuguese administration, but less has been said about the African territories administered by Spain. Although tanks and

flame-throwers are not used to stifle the national liberation movement in Spanish Guinea, other reprehensible methods are still widely used. Gabon, now an independent State, fervently hopes that it will soon be able to salute the attainment of sovereignty by this neighbouring territory inhabited by peoples with which it is united by bands of kinship.

72. In order to sway world opinion in its favour, the Madrid Government, by a decree of 21 August 1956, extended its national legislation to this territory, thus in theory transforming a colony into a province. The ordinance of 30 July 1959 provided that the provinces of Fernando Póo and Rio Muni should be placed under the direct authority of the Executive Office of the Government. These provinces are divided into municipal councils, under which come rural communities. An all-powerful Governor-General administers the two provinces with the aid of a Secretary-General, who is in direct charge of all services except the judiciary and the administration, the latter falling directly under the military authorities. Article 2 of the ordinance of 30 July 1959 specifies that in each province an assembly is to be established and made responsible for social welfare work and that this assembly is to be a representative body.

73. While these changes in the Spanish administrative system seem at first sight to be democratic in character and to mark some progress over the old system, the facts give the lie to these so-called reforms, which have been described more than once as a "legal fiction". I am certain that this legal fiction does not satisfy the deeply felt aspirations of the people of Spanish Guinea. Reforms on points of detail, enacted by decree, cannot deflect a people's desire for independence. Moreover, if these reforms did answer the people's hopes the problem of Spanish Guinea would be solved. The inhabitants have attempted several times, in the most peaceful manner, to induce the Spanish Government to ease the rigour of a régime which was intolerable to them. Thus, in 1951 a group of chiefs representing the various ethnic groups in Spanish Guinea addressed a protest to the head of the Spanish Government against the methods employed in the administration of these territories.

74. As a Guinean petitioner told the members of the Fourth Committee [1412th meeting], the immediate response was the arrest of Chief Uganda, who was imprisoned and kept under house arrest until his death in 1960. Other chiefs were able to find refuge in neighbouring territories, and still others were shipwrecked off our coasts while trying to escape. The petitioners stated that seven Guineans were hung in 1947 for taking part in a traditional dance and that many students were expelled from the University and others imprisoned for demanding freedom for their country in a letter addressed to the Madrid Government, the President of the "Cortes" and the Governor-General.

75. The Guinean refugees, who are given as much moral and material assistance as possible by Cameroon and Gabon, have formed national committees, and the Fourth Committee has obtained enlightening information from their leaders. I should like to draw the Assembly's attention to the moderate tone of the Guinean patriots' claims. These nationalists have never considered resorting to violence. They wish to obtain their independence by legal and peaceful means, to restore the identity of their native land by the immediate exercise of the right of self-determination.

76. This faith of the Guinean refugees in independence was expressed anew on 10 September 1962 at the Conference of Heads of African and Malagasy States at Libreville.^{3/} A large group of Guineans from very different parts of the continent marched past the leaders of the African and Malagasy Union, carrying large banners which bore, beneath the name "Spanish Guinea", the words "African and Malagasy Union, help your African brothers to gain their freedom".

77. No African can remain indifferent to this moving appeal, which answered in advance the following statement made by Admiral Luis Carrero Blanco, Under-Secretary of State in the Executive Office of the Spanish Government, during his recent visit to Spanish Guinea:

"We shall never raise any obstacles if, later, they wish to decide their own future, for we respect self-determination when it is genuine; however, it is genuine only if those who vote know why they are voting and if they are not the tools of others."

78. This way of respecting self-determination "later" is curious, to say the least. Thus, according to Admiral Carrero Blanco, those who vote have to know why they are doing so. But if the peoples of Spanish Guinea are, in fact, incapable of knowing why they are voting, it is because their education has been neglected by the Administering Power; we do not doubt that it has been neglected, for we have heard that from an authorized source. However, one does not have to have completed years of study in order to express a desire for independence. This desire of the Guinean peoples for freedom, this determination of all colonized peoples to decide their own destiny, is expressed spontaneously even among the most ignorant inhabitants of the territories still held in subjection. No pretext can be employed to delay the expression of the national will. Spanish Guinea, which lies between two free nations, the Republic of Cameroon and the Gabon Republic, wishes to become part of independent Africa.

79. Although General Franco's régime has been suppressing the Guineans' demonstrations for independence with increasing severity—in contrast to the more liberal policy adopted under the monarchy and, in particular, under the Republic—we can look forward to the day when the peoples of these territories will be able to decide for themselves what sort of institutions they wish to have.

80. The statement made by Mr. Lequerica, the Spanish representative, in the General Assembly on 27 November 1962 [1177th meeting] was I am certain, received with satisfaction by the peoples of Spanish Guinea. The permanent representative of Spain said:

"My delegation now has pleasure in stating that the Spanish Government is prepared to comply with the provisions of General Assembly resolution 1466 (XIV) and of resolution 24 (III) of the Economic Commission for Africa.

"The Spanish Government has collaborated and is resolved to continue collaborating with all organs of the United Nations, strictly respecting the letter and the spirit of the Charter." [1177th meeting, para. 68.]

Further on in the same statement, Mr. Lequerica said:

"If because of the remoteness of the area in which their inhabitants live or because of their particular human characteristics they should one day wish to

change their present status and the majority decided in favour of such a course, Spain would place no obstacle in the way of working out the future of these provinces with them." [Ibid., para. 71.]

81. The wise words of the distinguished representative of Spain were noted with genuine satisfaction in all free countries, and particularly in the countries of Africa. The independent nations therefore ask Spain to allow the majority of the Guinean people to express its will, and it is to guarantee the free expression of that popular will that elections should be supervised by a United Nations commission. I am convinced that in that way Spain will retain the friendship of the inhabitants of Spanish Guinea and that co-operation can be established, for the greater benefit of the countries concerned, between Spanish Guinea on the one hand and the specialized agencies, the independent countries of Africa and the great Powers on the other hand, which will give the Guineans disinterested assistance in building up their country and developing their economy and their culture.

82. I should now like to speak directly to the representatives of those countries which still administer territories beyond their national frontiers. All those countries must know that the hour of independence has struck throughout the world and that it is they who should spontaneously offer that independence. In that way, the present conflicts would be brought to an end, the possibility of still greater calamities in the future would be removed, and the former metropolitan territories and former colonies would be united in sincere brotherhood.

83. I earnestly want to believe that Spain will heed the appeal of the Guinean peoples and that a new independent nation will be able to negotiate with the Madrid Government as so many former French and British colonies have had the wisdom to do with the Governments of France and the United Kingdom.

84. There is no member of this Assembly who is not fully aware that in the second half of the twentieth century no African people wishes to go on being administered by proxy.

85. The PRESIDENT: I wish to remind speakers that we are now at the stage of the explanation of vote and also that, under rule 90, the President has the discretionary power to limit the time allowed for such explanations and further, that we have arrived at a stage in our programme when I may be obliged to exercise that discretion.

86. Mr. AGUIDE (Central African Republic) (translated from French): It is unthinkable that in the second half of this century of scientific progress and economic, social and moral expansion, mankind should still have to endure racial discrimination. My delegation cannot remain indifferent to this state of affairs, and it is to assist in combating it that we wish to make a brief statement.

87. For ten years, the Committee on Information from Non-Self-Governing Territories has been dealing with problems of racial discrimination in those territories, and racial prejudice and discrimination have been repeatedly condemned as contrary to human dignity and the principles of the United Nations Charter. There have also been repeated demands for the elimination of various kinds of inequality and the establishment of political equality for all members of mixed communities, as well as for swifter progress towards the es-

^{3/} The Conference was held on 10-13 September 1962.

establishment, in every field, of good relations based on mutual respect and the recognition of equality.

88. The General Assembly, for its part, has unceasingly called on the Administering Powers to take the necessary measures in the field of education; it has, in particular, unceasingly recommended the abolition of discriminatory laws and practices, which are contrary to the principles of the United Nations Charter and the Universal Declaration of Human Rights, and the frequent review of laws providing for protective measures. The General Assembly has reaffirmed the principles and recommendations which it formulated in resolution 644 (VII) and has urged that particular attention should be given to their implementation and that all members of the population should be granted full enjoyment of their basic rights, particularly the right to vote.

89. It is, then, in the light of these considerations that the Secretary-General has presented his report [A/5249]. My delegation has studied this report, and we thank the Secretary-General for his invaluable assistance and hope that it will bring about a notable improvement in our work. This important document has most assuredly afforded us a great deal of clear, specific information on racial discrimination in Non-Self-Governing Territories, and especially on manifestations of racial prejudice and discrimination in the territories under Portuguese administration, where the population is divided into the leaders and the led—the former being Europeans and the latter, for the most part, indigenous inhabitants, so that the result is discrimination on the basis of origin, colour and religion.

90. My delegation has listened with satisfaction to the statements of the representatives of the colonial Powers—the United Kingdom, the United States, Portugal, Spain, Australia and others—that efforts are being made by their respective Governments to prohibit discriminatory laws and regulations. However, it seems to us that progress in this direction is still too slow to bring about an improvement in the living conditions of the peoples concerned.

91. In the light of the statements of the Committee on Information from Non-Self-Governing Territories, the results of the resolution's implementation seem to be satisfactory in the colonial countries of Asia, the Caribbean and the Pacific, with the exception of the State of Sarawak, where the main racial and cultural problem is due to the existence of a large community of Chinese immigrants and the absence of a common language. Race relations do not seem to present any particular social problem in the other States of Asia, the Pacific and the Caribbean.

92. On the other hand, my delegation has noted with indignation Portugal's intransigent and arrogant attitude towards the resolutions and recommendations calling on it to carry out its duties as a Member of the United Nations. The statements of numerous petitioners sent by the oppressed peoples of Portugal's colonies supplement and confirm the evidence provided by United Nations bodies. We note that despite all the efforts of the United Nations—the supreme world organization to which the colonial Governments, too, belong—the situation is becoming increasingly serious and poses a threat to international peace and security.

93. It is, indeed, in Africa that the balance-sheet for the implementation of General Assembly resolutions 1514 (XV) and 1698 (XVI) is the least satisfactory. In

Angola, Mozambique, South Africa, South West Africa, Basutoland, Bechuanaland, Swaziland and Spanish Guinea, the mutual adjustment and integration of the white and non-white populations raises serious problems which are the subject of world attention. In the eyes of Portugal and the South African Government, the blacks have no right to the resources of their own country. This is the philosophy that guides these pirates in their policy of domination, in their refusal to acknowledge their duties and obligations towards the countries for which they have voluntarily made themselves responsible. The colonists knowingly commit the gravest misdeeds; the privileged minority exploits the working people, who are doomed to perform labour which brings them little or no benefit.

94. South Africa and Portugal, in particular, continue to flout the recommendations contained in United Nations resolutions; these colonial countries—in which the classical type of racism characterized by the division of societies into unequal classes has been replaced by the modern type known as colonialism—must swiftly alter their present stand and heed the voice of reason. Does not the treatment of men in the colonial countries recall the practice of slavery in the past? There is no difference between slavery and the policy of apartheid in South Africa, with its native reserves and its mine and plantation workers, or the domination of the black inhabitants of Mozambique, Angola and other territories by a handful of Portuguese.

95. The peoples still groaning under the colonial yoke are subjected to all manner of misery and suffering. The colonialists arrogate all rights to themselves and subject the coloured people to the most monstrous and immoral treatment. This has been confirmed by many petitioners from these countries. Let the colonialists remember that the good old days when might was right and they could with impunity commit every conceivable crime are gone now. The people whom they subject to daily ill-treatment now form a united segment of mankind which will not tolerate these shameful practices for ever. As Barthelémy Boganda, the former President of the Central African Republic, has said:

"Colonization is a necessary manifestation of economic, intellectual and moral expansion, and in that sense it is a laudable and necessary human activity. *Bonum est diffusio sui*; that which is good tends to spread. That is a principle of metaphysics. Did not God send us, in order to colonize us and bring us closer to Him, His best and dearest possession: His own Son? Thus, it is not against colonization in that sense that we protest, but against humiliating colonial subjection and the discrimination which is its direct outgrowth."

96. If the emancipation of these countries cannot take place peacefully, as in the case of the former French colonies, it will take place nevertheless, but by force and in an atmosphere of hatred. France and its former colonies retain very strong bonds of friendship, which are being strengthened further by co-operation. That example should be instructive to others. Nothing can prevent a people from triumphing when it is fighting for its legitimate rights, however weak it may be and even though patriotism may be its only weapon and nationalism its only source of strength. When liberation is achieved amid cries of anguish, tears and blood, it does not leave pleasant memories behind it. Hatred and distrust become the dominant emotions, so that reconciliation, much less co-operation, becomes impossible.

97. The Central African Republic, itself once the victim of colonial oppression, feels the warmest sympathy for all oppressed peoples still fighting valiantly for freedom and peace and earnestly hopes that their sufferings and misery will soon be brought to an end.

98. Is not, for example, the fact that Portugal keeps the people of its colonies in almost complete ignorance of their rights a violation of the fundamental right of peoples to determine their future and to dispose freely of their property, which is inalienable? The United Nations should not remain passive in the face of such a conspiracy of silence on the part of administering Powers, for this daily repression of the indigenous inhabitants is a threat to international peace and security.

99. It is these considerations which prompted my delegation to vote enthusiastically for the draft resolution on racial discrimination in Non-Self-Governing Territories.

100. The PRESIDENT: I recognize the representative of Spain who wishes to exercise his right of reply.

101. Mr. LEQUERICA (Spain) (translated from Spanish): Mr. President, you will not have to apply any strict rules to ensure that my statement is brief, for it will be extremely brief. I should merely like to note, as a matter of courtesy and without comment, the statement made by the representative of Gabon on problems with which we are all familiar and which we have often discussed.

102. His statement was characterized by the acrimony and recrimination to which our debates naturally lend themselves, and that was entirely human and understandable. There was much misinformation concerning the Spanish peoples of Africa, the indigenous peoples now under Spanish sovereignty.

103. Why should we become involved in these matters of detail? Eminent writers on world affairs like Sumner Welles have visited those peoples, and any delegate in this Assembly can do the same. The Spanish people may sometimes be given to violence, but they have never been known for cruelty or harshness. On the contrary, they are open-hearted and cordial. The Spanish people evolved out of the great historic minglings of different populations, and they have practised brotherhood not only with noble words and sound policy, but also through intermarriage, which has produced new races; they will always remain faithful to that heritage.

104. But that is not the question at issue, nor is any question really at issue. I shall simply remind the representative of Gabon that he was good enough today to read out a statement I had made. That statement, like the one made by the head of the Executive Office of the Spanish Council of Ministers, accurately reflects an idea and lays down a line of conduct, and nobody—as the representative of Gabon will himself concede—has any right to question the firmness, honesty and integrity with which we have stated our policy and the scrupulousness with which we shall carry it out in accordance with our laws.

105. Let me recall a key paragraph in our statement concerning those African peoples, in which we stated categorically:

"...because of the remoteness of the area in which their inhabitants live or because of their particular

human characteristics they should one day wish to change their present status and the majority decided in favour of such a course, Spain would place no obstacle in the way of working out the future of these provinces with them." [1177th meeting, para. 71.]

106. The idea is, I think, clearly stated. And now I should like to conclude with the words: *quod scripsi, scripsi*; what I have said, I have said, and the Spanish Government and its representatives will faithfully live up to it.

107. Mr. VOEUNSAI (Cambodia) (translated from French): The General Assembly has before it a draft resolution in which Administering Members are invited to continue to transmit the fullest possible information on political and constitutional developments. In the Fourth Committee, my delegation submitted an amendment [A/5371 and Corr.1 and 2, para. 17] to this draft resolution in which we asked for the transmission of such information to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, but we later withdrew the amendment [*ibid.*, para. 18] because we were confident that the Committee on Information from Non-Self-Governing Territories would co-operate fully with the Special Committee.

108. I should like to point out, however, that information concerning recent events in territories which have not yet attained full independence should, if possible, be transmitted to the Special Committee when it takes up the situation in the territory in question, so that its work can be speeded up and made more effective.

109. Having made this clarifying observation, my delegation will vote for draft resolution I, as it appears in the report of the Fourth Committee [A/5371 and Corr.1 and 2] just submitted to the Assembly.

110. The PRESIDENT: The General Assembly will now proceed to the vote. The draft resolutions, which will be voted on one by one, are to be found in the report of the Fourth Committee [A/5371 and Corr.1 and 2].

Draft resolution I was adopted by 97 votes to none, with 3 abstentions.

Draft resolution II was adopted by 96 votes to none, with 5 abstentions.

Draft resolution III was adopted by 101 votes to 1, with 1 abstention.

111. The PRESIDENT: The Fourth Committee unanimously recommends the adoption of draft resolution IV. I take it that the Assembly also wishes to adopt it unanimously.

Draft resolution IV was adopted unanimously.

112. The PRESIDENT: If I hear no objections, may I consider that the General Assembly adopts draft resolution V without objection?

Draft resolution V was adopted.

113. The PRESIDENT: I now ask the General Assembly to turn to paragraph 32, which concerns agenda item 52. The Assembly has only to take note of the action taken by the Fourth Committee on this item. If I hear no objection, it will be so decided.

It was so decided.

114. The PRESIDENT: The last item covered by the report of the Fourth Committee relates to agenda item 55. The Fourth Committee elected Honduras to serve as a member of the Committee on Information from Non-Self-Governing Territories. If I hear no objection, I shall consider that the Assembly approves this election of the Fourth Committee.

It was so decided.

115. The PRESIDENT: This completes the consideration of the report of the Fourth Committee concerning Non-Self-Governing Territories. I would now request the Fourth Committee to resume its consideration of the item that is before it.

AGENDA ITEM 43

Draft International Covenant on Human Rights

REPORT OF THE THIRD COMMITTEE (A/5365) (concluded)

116. The PRESIDENT: I understand that the Spanish text of the draft resolutions in the report of the Third Committee on agenda item 43 [A/5365] has now been circulated. I shall now put these draft resolutions to the vote.

Draft resolution A was adopted by 95 votes to none.

Draft resolution B was adopted by 99 votes to none.

Draft resolution C was adopted unanimously.

The meeting rose at 12.35 p.m.