

NON-SELF-GOVERNING TERRITORIES
SPECIAL COMMITTEE ON INFORMATION TRANSMITTED
UNDER ARTICLE 73 e OF THE CHARTER.

Summary Record of the Thirteenth Meeting, held at
Geneva on Friday, 10 September 1948 at 3 p.m.

Present :

Chairman	Mr. Cheng Paonan (China)
Rapporteur:	Mr. H. Lannung (Denmark)
Members:	Mr. D. W. Forsyth (Australia) Mr. P. Ryckmans (Belgium) Mr. L. Valdes Roig (Cuba) Taha Bey el Sayed Nasr (Egypt) Mr. R. Garreau (France) Mr. B. Shiva Rao (India) Mr. J. W. de Stoppelaar (Netherlands) Mr. J. S. Reid (New Zealand) Mr. I. D. Litschitz (Nicaragua) Mr. S. J. Söderblom (Sweden) Mr. A. G. Kulagenkov (Union of Soviet Socialist Republics) Mr. J. Fletcher-Cooke (United Kingdom) Mr. B. Gerig (United States of America)
Specialised Agencies:	Mr. de Briey (I.L.O.) Mr. Cortasao (UNESCO) Dr. Forrest (W.H.O.)
Secretariat:	Mr. Victor Hoo, Assistant Secretary-General Mr. Benson, Committee Secretary

N. B. Will delegates who wish to have corrections made to the Summary Record, please submit such corrections, in writing, to the Secretariat, Room A.511, not later than 24 hours after the distribution of the Summary Record.

Mr. GARREAU (France) supported the representative of the United Kingdom and Belgium on their interpretation of the responsibility assumed by the administering authorities under Article 73 (e) of the Charter. Chapter XI of the Charter, he continued, did not define which members of the United Nations should transmit information nor on which territories. There were eight administering authorities present at the meeting and that was because they had recognized voluntarily that they were responsible for Non-Self-Governing Territories. There were, however, other sovereign states that had Non-Self-Governing peoples within their frontiers, but which did not transmit information.

He traced the origin of the Special Committee from the terms of Article 73 e, and the Resolutions of the General Assembly in 1946 and 1947 and stressed that the sole function of the Special Committee was to examine the summaries and analyses of information transmitted and to make recommendations to the General Assembly on procedures to be followed for expediting the work of the Secretary-General in summarizing and analysing information transmitted. He recalled the fact that at the ad hoc Committee last year a proposal for transmitting political information by the Philippines representative was rejected.

Mr. Garreau considered as a violation of the Charter the proposal of the representative of the Soviet Union, asking for changes in the constitution of the Special Committee; recognition of information from private sources; acceptance of petitions regarding Non-Self-Governing Territories; the sending of investigating commissions to these Territories; and the compulsory transmission of political information.

France was always ready to transmit political information voluntarily and to give the maximum of other information. Any foreigner was free to enter French territory and study conditions. These territories had their own representative assemblies and they sent elected members to the French Chambers. Political parties, including Communist parties, were allowed freely to organize in French territories, and political liberty was entire.

Referring to the remarks of the Soviet representative on the number of midwives he stated that there were hundreds of trained midwives in French Equatorial Africa and the figure of fifteen midwives given in the analyses referred to European midwives with diplomas.

He agreed with the representative of India that the Secretary-General should utilize reports from the Specialized Agencies and other supplementary information officially notified in the preparation of the summary and analyses.

He agreed with the view of the representative of Belgium that the Special Committee could not legally have a permanent character.

Mr. FLETCHER-COOK (United Kingdom) again repeated the acceptance by his government of Article 73 (c) of the Charter as a specific and limited obligation with which it would do everything to comply. Referring to the view of the representative of the Soviet Union that the future of the Special Committee was of great political importance, he emphasized that this Committee had nothing to do with politics. The United Kingdom government could not allow acceptance of non-official information from private individuals or groups; receipt of petitions; and United Nations visiting missions to Non-Self-Governing Territories. The Soviet

representative on the Human Rights Commission had refused the receipt of petitions from private individuals in sovereign states. Similarly, the United Nations had no right to receive petitions from private individuals regarding United Kingdom Non-Self-Governing Territories.

He supported the representative of New Zealand in his analysis of the distinction between Chapters XI and XII of the Charter and he agreed with the representative of Australia that both administering and non-administering authorities had the duty to accept and guarantee both the obligations and limitations of Chapter XI of the Charter. The justification for the Special Committee was to set up machinery to provide the General Assembly with the information in an easily digestible form.

Mr. VALDES-ROIG (Cuba) declared that his government favoured the continuation of the Special Committee as an advisory, and not as a judicial body, to deal with information transmitted from Non-Self-Governing Territories. The Special Committee should consider information transmitted but not in a political spirit, as that would be contrary to the Charter. International opinion also wanted this Committee to continue to exist, and goodwill was required from all sides.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) noted with satisfaction the points of view expressed regarding the obligations assumed by members under Article 73 of the Charter. The Soviet Union did not want to change the Charter or amend the Resolutions of the General Assembly as had been charged by other speakers. The aim was rather to implement the Charter and the Resolutions of the General Assembly. He deplored the example cited by the representative of France as though information might be received from the

Soviet Union; the Committee was dealing with Non-Self-Governing Territories not Sovereign States. He asked the Chairman to safeguard the Soviet Union from such an attack as that made by the representative of Australia in his analysis of the provisions of Article 73 (e).

Mr. GARREAU (France) pointed out that he did not ask for information on the Soviet Union. He only said that if it was desired to send an investigating mission inside the boundaries of sovereign French Territory, then similar missions should also be sent to the Soviet Union.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) replied that the Committee was not dealing with sovereign states but with Non-Self-Governing Territories, that is to say with territories which were not governed by the native inhabitants themselves.

Mr. HOO (Assistant Secretary-General) referring to the Working Paper submitted by the representative of India, considered that if the bulk of information transmitted arrived by 31 May, summaries and analyses could be ready by 15 July, or at the latest 31 July; that if the administering authorities kept to the dates promised the scheme of the Secretariat for preparing the summaries and analyses; that, although the question of having two meetings a year was one for the Committee to decide, experience had proved that meetings of a Committee such as this lightened the work of the Fourth Committee and facilitated the deliberations of the General Assembly; (he reminded members that all the recommendations of the ad hoc Committee had been accepted by the General Assembly), that permission to use a wider range of supplementary information would increase the scope of the

analyses; and that the request for the use of statistical information regarding the two preceding years had been noted. Other points raised in the Working Paper were beyond the scope of remarks which he would be entitled to make.

Regarding the United States Working Paper, Mr. Hoo observed that the Committee could decide on what parts of the Standard Form should be stressed in future summaries and analyses instead of revising the Standard Form, their experience of which was still limited to so short a period of time; that the Secretary-General would make every effort to circulate summaries to members not later than one to two months before the meeting of the Special Committee if the information transmitted was received in good time; that if administering authorities supplied the information transmitted in many copies the Secretariat would distribute them to members and to Specialized Agencies; that, from the point of view of the Secretariat, alternative A requesting transmission of full information on the basis of the Standard Form every three or five years was the most convenient.

Mr. GERIG (United States of America) believed that with regard to the time when the information should be transmitted by the administering authorities, the real problem was one of giving the Specialized Agencies enough time to deal with the material effectively, and to enable them to give the Committee the technical assistance it required. The position had to be envisaged where it might be necessary to consult their Governing Bodies.

Mr. GARREAU (France) recommended that administering authorities transmit the information to reach the Secretariat

by 31 May, in order to allow the Secretariat and the Specialized Agencies to consider adequately the information transmitted. His government would furnish twenty-five copies of the information transmitted on each of these which would permit a copy for each Committee member and for the Specialized Agencies. Delays this year in the transmission of information were caused by introduction of the Standard Form. It would be possible to meet the dead-line next year and so give the Secretariat and the Specialized Agencies about two months for their work.

Mr. FLETCHER-COOKE (United Kingdom) drew attention to the scattered nature of the forty or more United Kingdom territories on which information had to be transmitted and declared that 30 June was the earliest date on which any information could be transmitted by his government; it was scarcely possible to guarantee the date for certain remote territories.

Mr. VALDES-ROIG (Cuba) asked for the opinion of the Specialized Agencies on the subject of the date of receipt of information transmitted.

Mr. CORTASAO (UNESCO) elaborated on the many different and complicated considerations involved in the examination of educational information and pointed out that more than one copy of the information transmitted would be required by UNESCO, probably five copies at least, the appropriate staff would have to be assembled, Committees of experts might have to be called to consider certain problems, and both questions of finance and adequate time would arise. Any requests to UNESCO should be made in precise terms to enable effective assistance to be given to the Committee.

Dr. FORREST (WHO) referred briefly to the Resolution of the World Health Assembly on relationship between the Special Committee and the W.H.O. W.H.O. believed that it was preferable for the Secretariat to collect, analyze and classify information transmitted and that W.H.O. should play the role of expert consultants on special problems.

Dr. Forrest referred to the W.H.O. grouping of territories, its belief in the use of local personnel in health work and its preference that the Standard Form be assimilated to a single set of departmental reports on health and other conditions in the various territories, though the moment had not yet arrived for changing it.

Mr. de BRIEY (I.L.O.) considered that 30 June as a date for the receipt of information transmitted would not give the I.L.O. adequate time in which to study the information, especially if the Governing Body would have to be consulted.

MR. RYCKMANS (Belgium), in reply to the remarks of the Assistant Secretary-General on the value of the Special Committee in reducing the work load of the General Assembly, felt that a Sub-Committee of the Fourth Committee sitting at the same time as the latter Committee, which should set to work at the beginning of the General Assembly would be a substitute for the Special Committee. As for the date this would be early enough if the information were received by 30 June but the essential was that a definite date be fixed. He was not decided whether the Secretariat or the Specialized Agencies should do all the analyses.

The CHAIRMAN proposed that the Committee might ask the Rapporteur, the Chairman and the Secretary to draft a report or it might appoint a small drafting Committee.

There were, however, a number of decisions to be taken, including whether the Special Committee should or should not be continued; if the Committee should be continued, then for how long; whether there should be a radical change in the composition of the Committee; to what extent the Standard Form should be modified and certain sections of the optional category transferred to the obligatory sections; the date of submission of information; the use of supplemental information received from the Specialized Agencies and private individuals; how far government publications could be used; whether petitions should be received; and whether visiting missions of the United Nations should be sent to Non-Self-Governing Territories.

Mr. FLETCHER-COOKE (United Kingdom) would prefer resolutions to one comprehensive report. The Rapporteur might produce a factual report giving due weight to majority and minority views while a separate document might give conclusions and decisions in the form of specific resolutions, for instance with special reference to (a) the future of the Special Committee; (b) the technique of collecting and transmitting information and (c) relations with the Specialized Agencies.

Mr. GARREAU (France) announced that the French delegation would take no part in the discussion of the question of receiving petitions and of sending visiting missions to Non-Self-Governing Territories, as these topics were clearly outside the scope of the work of the Committee.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) suggested taking the Working Paper of the representative of India as the basis of the work of the Committee in producing its report, using the proposals of the representative of the

United States as amendments to the Indian proposals.

The CHAIRMAN suggested using both the Indian and the United States proposals as well as other points brought out in the Committee, in formulating a report and arriving at compromise solutions to matters on which there had been divergent views. He suggested that a drafting Committee might be appointed on which the Rapporteur would help *ex officio*.

Mr. LANNUNG (Rapporteur) requested that the Drafting Committee be given as much freedom as possible. An effort must be made to find a common basis.

Mr. RYCKMANS (Belgium) pointed out that there were several questions such as the future of this Committee on which one could not compromise between 'yes' and 'no,' and asked that the points at issue be put to a vote, to give the Drafting Committee an indication of the decision of the Committee.

Mr. FLETCHER-COOKE (United Kingdom), as a result of the insistence of the representative of the Soviet Union to make the Indian proposal the basis of discussion by the Drafting Committee, stated categorically that if it was possible to exclude from the Indian proposal any question of the continuation of the Special Committee, he would have no formal objections to working on the other portions of the Indian proposal that did not refer to the future of the Committee.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) suggested arriving at the views of the Committee by taking decisions point by point on the Indian proposal.

Mr. LANNUNG (Denmark) pointed out that since all relevant discussions had already taken place on the matters at issue, a Sub-Committee should be asked to formulate two or three resolutions embodying the sense of the majority of the Committee.

The CHAIRMAN, speaking as the representative of China, and Mr. SODERBLOM (Sweden) supported the representative of Denmark.

Mr. KULAGENKOV (Union of Soviet Socialist Republics) insisted on a vote being taken on his proposal that the Working Paper submitted by the representative of India be accepted as a Working Paper by the Drafting Committee.

Decision

The motion was lost by eleven votes to one, with two abstentions.

The CHAIRMAN suggested a drafting sub-committee consisting of the representatives of the United States, France, India, New Zealand, Cuba and the Soviet Union, with the Rapporteur in attendance without vote. This was agreed.

The Chairman also invited other interested members to attend the sub-committee meeting without vote.

The Chairman asked the Sub-Committee to report to the Full Committee at 10.30 a.m. on Tuesday, 14 September, when discussion of social welfare (item 5) and items 7 and 8 on the agenda would take place.

The meeting adjourned at 5.30. p.m.