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COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Sixth Session

SUMMARY RECORD OF THE HUNDRED AND TWENTY-SEVENTH MEETING

Held at Headquarters, New York,
on Wednesday, 11 May 1955, at 11.20 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. SCOTT	New Zealand
<u>Rapporteur:</u>	Mr. JAIPAL	(India)
<u>Members:</u>	Mr. LOOMES	Australia
	Mr. FRAZAO	Brazil
	U HLA AUNG	Burma
	Mr. LIU YU-WAN	China
	Mr. BARGUES	France
	Mr. ARENALES	Guatemala
	Mr. SHIVA RAO	India
	Mr. KHALIDY	Iraq
	Mr. VIXEBOXSE	Netherlands
	Mr. CALLE y CALLE	Peru
	Mr. GIDDEN	United Kingdom of Great Britain and Northern Ireland
	Mr. SEARS	United States of America

Representatives of specialized agencies:

Mr. GAVIN	International Labour Organisation
Mr. ARNALDO	United Nations Educational, Scientific and Cultural Organization

Secretariat:

Mr. COHEN	Under-Secretary
Mr. BENSON	Secretary of the Committee.

SOCIAL CONDITIONS IN NON-SELF-GOVERNING TERRITORIES (A/AC.35/L.210 and L.214)

Consideration of the draft report of the Sub-Committee (A/AC.35/L.210)

Mr. ARENALES (Guatemala), speaking as Chairman of the Sub-Committee, presented the draft report on social conditions in Non-Self-Governing Territories.

Although differences of opinion had led some representatives to express reservations on certain questions, the draft report had been approved unanimously by the eight members of the Sub-Committee. The greatest spirit of conciliation and understanding had reigned throughout the Sub-Committee's meetings. The Sub-Committee had considered the Standard Form in relation to the question of community development, but had felt that the matter was not within its competence and that the question should be studied by the Committee in connexion with item 13 of the agenda.

Speaking as the representative of Guatemala, he submitted a draft resolution (A/AC.3/L.214), sponsored jointly by the Guatemalan and Australian delegations.

Mr. LOOMES (Australia) said that his delegation was happy to co-sponsor the joint draft resolution, which followed the usual pattern. He associated himself with the Guatemalan representative in paying a tribute to the Sub-Committee's work and hoped that its report would be approved by the Committee on Information and by the Fourth Committee.

The CHAIRMAN, Mr. BARGUES (France), Mr. FRAZAO (Brazil) and Mr. KHALIDY (Iraq) commended the spirit of co-operation and conciliation shown by the members of the Sub-Committee and congratulated them on their work.

Mr. BENSON (Secretary of the Committee) drew attention to a number of mistakes in the English text of the report. Firstly, the Rapporteur's name should not appear on the cover page. The last sub-paragraph of paragraph 26 should be preceded by the letter (k) and not the letter (h). The end of

(Mr. Benson, Secretary of the Committee)

paragraph 96 should read "to promote more satisfactory race relations". Lastly, in paragraph 127 the words "local government employees, trade unions officers, industrial welfare workers" should be added between the words "teachers" and "agriculturalists".

Mr. BARGUES (France) thought that it would be pointless to consider the draft report line by line. He therefore proposed that the members of the Sub-Committee should be thanked and that the Committee should express its satisfaction with the report and approve it without more ado.

Mr. FRAZAO (Brazil) supported the French representative's proposal.

Mr. KHALIDY (Iraq) regretted that the questions studied in Chapter XI had not been stated more frankly and that the draft report did not give more information on the Committee's work. He would not oppose the adoption of the report however, and he hoped that the Committee would continue to fulfil its functions.

U HLA AUNG (Burma) proposed that the words "westernization" and "western" in the first sentence in paragraph 124 should be replaced by the words "modernization" and "modern".

Mr. GIDDEN (United Kingdom) agreed that the word "westernization" was not perhaps a very happy one but he was afraid that the word "modernization" might introduce a different idea.

Mr. BARGUES (France) agreed with the United Kingdom representative and pointed out that it would be dangerous to distort the ideas set out by the authors of the report. Moreover, the Administering Members themselves were aware that westernization introduced too fast and carried too far was a regrettable aspect of their action in the Non-Self-Governing Territories.

After a statement by the CHAIRMAN, Mr. KHALIDY (Iraq) said that in his opinion the present text was entirely satisfactory: the important thing was to avoid westernization, not to eschew modernization. Moreover, the crux of the matter was expressed in the words "which may alienate".

Mr. FRAZAO (Brazil) preferred the existing wording and thought that it would satisfy all the members of the Committee if the representative of Iraq's explanation was included in the summary record.

U HLA AUNG (Burma) endorsed the Brazilian representative's statement.

The CHAIRMAN asked the Committee to come to a decision on the French representative's proposal.

The French representative's proposal was adopted.

Consideration of the draft resolution (A/AC.35/L.214)

Mr. GIDDEN (United Kingdom) said that he would vote in favour of the draft resolution, while reserving his delegation's right to comment on the substance of the report when it was considered in the Fourth Committee. The report had only just been circulated and his Government would have to consider it carefully. It was a pity that the authors of the report had been unduly prone to particularize territories by names or groups; he would revert to that question later.

Mr. LOOMES (Australia), Mr. ARENALES (Guatemala), Mr. BARGUES (France), Mr. KHALIDY (Iraq), Mr. JAIPAL (India), Mr. FRAZAO (Brazil) and U HLA AUNG (Burma) also reserved their delegations' right to comment on the report in the Fourth Committee.

The draft resolution was adopted unanimously.

QUESTION OF THE RENEWAL OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES (A/AC.35/L.199, L.209 and L.211) (continued)

Mr. GIDDEN (United Kingdom) explained that at the beginning of the session his delegation had refrained from making its customary reservations with regard to its participation in the Committee's work, for it had felt that those reservations would be more in place when the question of the Committee's renewal was discussed.

His Government was opposed as a matter of principle, to the existence of a Committee for which it saw no justification under Article 73 of the Charter.

(Mr. Gidden, United Kingdom)

Moreover, despite his and other delegations' contributions to the Committee's work since its establishment, the Committee's discussions had not convinced him that it could make any effective contribution in the functional fields with which it dealt. His delegation was grateful to the delegations of Burma India and Iraq for their draft resolution (A/AC.35/L.209), which clearly indicated the problems involved. He also congratulated the Brazilian representative on his interesting working paper (A/AC.35/L.211) and appreciated the reasons which had prompted him to submit it.

He went on to comment in detail on some of the operative paragraphs of the joint draft resolution. With regard to paragraph 1, he recalled that at the seventh session of the General Assembly the United Kingdom representative had informed the Assembly that Her Majesty's Government was not prepared to participate in the Committee's work unless the Committee was renewed on the same temporary basis, for a further period of three years. He noted that the Brazilian representative's working paper provided for the Committee's renewal for a period of three years.

Paragraph 5 would authorize the Committee, with the consent of an Administering Member, to admit as observers persons appointed by the Governments of Non-Self-Governing Territories. That idea was not new and his delegation remained firmly opposed to it. The Committee's assumed function was to examine the information transmitted under Article 73 e of the Charter; it should restrict itself to examining, and to a certain extent appraising such information. The authors of the draft resolution were mistaken in drawing a parallel between the Committee on Information and the specialized agencies and contending that if certain Non-Self-Governing Territories were represented as such in the specialized agencies they could equally well be represented in the Committee.

The United Kingdom representatives in the Committee took part in a general survey of the progress achieved in United Kingdom Territories in the fields mentioned in Article 73 e of the Charter; the United Kingdom Government was naturally in a position to assess development trends in its Territories and to present considered views to the Committee. Certain Non-Self-Governing Territories took part in the work of the specialized agencies and the functional commissions for the purpose of helping those bodies to achieve strictly technical objectives

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within a limited field. The object of the sponsors of the joint draft resolution appeared to be to obtain dual representation, an idea which was completely unacceptable to the United Kingdom delegation. If observers representing the Non-Self-Governing Territories were admitted to the Committee, they would be able to challenge any statement made by the Administering Member concerning those Territories. The Brazilian amendment at least left the initiative to the Administering Member concerned, but it did not eliminate the question of principle raised by the original text.

The phrase "...recommendations ... in a single regional group..." in paragraph 7 was doubtless designed to follow up the instructions given in General Assembly resolution 847 (IX). The members of the Committee would realize, however, that that phrase radically altered the Committee's terms of reference and deprived the last phrase in the same paragraph - "but not with respect to individual Territories" - of any meaning. The Brazilian representative had tried in his working paper to avoid altering the Committee's terms of reference, but had added a paragraph which in the opinion of the United Kingdom delegation did, in fact have that effect.

The attitude of the United Kingdom delegation on the question was so well known that it was unnecessary for him to comment further on the joint draft resolution.

Mr. LIU YU-WAN (China) recapitulated the arguments which have been put forward for and against the renewal of the Committee's terms of reference.

The first argument propounded against the renewal of the Committee was the differences between Chapter XI on the one hand and Chapters XII and XIII on the other. The Non-Self-Governing Territories were placed under the sovereignty of the Administering Powers, whereas the Trust Territories were merely entrusted to their guardianship. The Administering Powers submitted "reports" on the Trust Territories but only "information" on the Non-Self-Governing Territories. The "reports" were based on a questionnaire which the Trusteeship Council, a body set up for that purpose by the Charter, submitted to the General Assembly and they included information on political questions, whereas the "information" on Non-Self-Governing Territories was submitted to the Secretary-General "for information

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purposes". The Charter did not provide for any particular body to study them; they were not based on a questionnaire and information on political subjects was specifically excluded. Thus a distinction had been made deliberately in the Charter between Trust Territories and Non-Self-Governing Territories, although certain non-administering Members were determined to whittle away some of those differences each year, in defiance of the letter and spirit of the Charter.

The second argument put forward against the renewal of the Committee was that, while its work of analysis and appraisal was not entirely useless, it would be much better done by the specialized agencies.

The third argument, which gave a very wide interpretation to Article 73 was, two-edged. On the one hand, some of the Administering Members used it to support the contention that that Article should be applicable to every territory in which there were non-self-governing peoples, including certain sovereign States. On the other hand, some of the non-administering Members claimed that under the terms of Article 73 the Administering Members should supply political information and that that information should be discussed publicly.

Yet others cited resolution 447 (V), which restricted the comparisons which the Secretariat could make. Such comparisons were valuable, however, particularly when they related to independent territories which were geographically and ethnically similar to Non-Self-Governing Territories.

He next reviewed the arguments that had been advanced in favour of the renewal of the Committee.

The first series of arguments was based on the Charter. To begin with, the Committee's existence was justified by the letter and spirit of the Charter. Since the interests of the inhabitants of the Non-Self-Governing Territories were paramount, the Administering Members were under an obligation to promote the general advancement of those peoples towards self-government. It was the duty of the United Nations to judge, on the basis of the information supplied in accordance with Article 73 e, to what extent the Administering Members were fulfilling their obligations. Obviously Article 73 e could not be separated from the rest of Article 73.

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Secondly, under Article 10 of the Charter the General Assembly could discuss any questions or any matters relating to the application of Chapter XI.

Thirdly, the Committee was a subsidiary organ which had been found necessary, in accordance with the terms of Article 7.

Lastly, Article 22 empowered the General Assembly to establish such subsidiary organs as it deemed necessary for the implementation of Chapter XI.

There was another series of arguments put forward by the defenders of the Committee, the gist of which was that ever since its establishment the Committee had proved its usefulness and that it was still making progress. Furthermore, there was no point in submitting information if it was not to be examined. Moreover, the documentation collated by the Secretariat and the specialized agencies had proved of great value, not only for the Fourth Committee but also for the general public.

The third argument was that the Committee's debates were of benefit to the Administering Powers themselves. They were able to compare the progress made and each Territory benefited from the experience gained by others. Technical information was freely exchanged and even criticism, when it was constructive, helped to improve the methods employed and to speed up progress.

Lastly, the members of the Committee should bear in mind the psychological effect of a decision to put an end to the Committee's activities. The entire world was deeply interested in colonial problems. More and more the dependent peoples were turning towards the United Nations in the hope that it would help them to improve their position and they followed the Committee's debates with close attention. If the Committee were not renewed they would feel that they had been abandoned and would think that the United Nations was losing ground.

There were grounds for all those arguments and they were all put forward in good faith. Nevertheless, he declined to accept them, for two reasons. Firstly, they were nearly all based on the Charter and were not new. Secondly, the interests of the peoples of the Non-Self-Governing Territories were too important to be placed at the mercy of a dialectical victory or defeat. If the Administering Powers were willing to be helped not to relapse into the former

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errors of the laissez-faire colonial policy, they should be given credit. Nineteenth-century colonialism was dead, although a few of its underlying ideas survived, but the Bandung Conference had shown that it could take, and indeed had already taken, a different form.

His country was one of the under-developed countries, like most of the non-Administering Members and like nearly all the Non-Self-Governing Territories with which the Committee was concerned. All those countries held similar points of view. The Administering Members and the Non-Self-Governing Territories were inevitably linked by common interests: the Administering Member was frequently the chief customer and the chief source of supply of the Territory. It therefore had an important part to play in promoting progress and could in fact be said to be a necessary evil.

He quoted from the statement he had made in the Committee the previous year, when he had pointed out that the Charter must evolve; it was true that Chapter XI did not provide for United Nations supervision of the administration of the Non-Self-Governing Territories, but if the Member States had the interests of the Non-Self-Governing Territories at heart and believed in the equality of peoples, Article 73 would evolve and would become the means of ensuring the exchange of knowledge and information and thus of abolishing the line of demarcation between administering and administered peoples.

Lastly, he expressed the view that the Committee was useful, that it had done good work and that it still had a role to play in the years to come. He was therefore in favour of approving a resolution in which the General Assembly would decide to prolong the existence of the Committee on Information on the same basis for a further three-year period.

Mr. LOOMES (Australia) observed that, as an Administering Member, his country was included among those that were subjected from time to time to anti-colonialist criticism. Australia did not feel that the fact of administering a Non-Self-Governing Territory was reprehensible. Long before Chapter XI of the Charter had been drafted, Australia had undertaken the task of helping a dependent people to achieve self-government. Notwithstanding the sacrifices which the work entailed and notwithstanding any impugning of its motives, it would pursue that task. Australia had fully co-operated with the Committee and had expected the same co-operation from other Members of the United Nations. That expectation had not, however, been entirely fulfilled. There had been suggestions that Australia had in effect relinquished its sovereignty in its Territories and that the Australian Government had acknowledged supervisory rights in the United Nations. Under the pretext that technical and statistical information could not be adequately studied without political information, some representatives had contended that the transmission of the former implied an obligation to transmit the latter. His delegation of course rejected those contentions.

Several years previously, the General Assembly had suggested that the Committee's work would be more valuable if experts were attached to delegations. Could it be said that the Administering Members, in reference to that request, had co-operated to a lesser extent than their non-administering colleagues? He raised that point mainly because, in his opinion, there was too great a tendency to emphasize the political side of the Committee's work, at the expense of the technical.

Australia's membership of the Committee was without prejudice to the sovereignty which it exercised over its Territories. His Government had consistently held that there were strong constitutional reasons for opposing the General Assembly's right to discuss questions relating to Non-Self-Governing Territories. That was why Australia had explicitly maintained reservations on the Committee's legality.

(Mr. Loomes, Australia)

Turning to the draft resolution (A/AC.35/L.209), he expressed his appreciation of the goodwill Brazil had shown in submitting its working paper (A/AC.35/L.211). The second paragraph of the preamble to the draft resolution implied that the advancement of the Non-Self-Governing Territories was directly and legally related to the Committee's work. The Australian delegation did not hold that view; hence, it also disagreed with the corresponding Brazilian proposal.

He could not accept paragraph 1 of the operative part, under which the Committee would be continued permanently, or for an indefinite period. His delegation would acquiesce in the Committee's establishment and co-operate in it only if it functioned in a manner acceptable to the Australian Government. But there was no evidence to date that that condition would be met. Moreover, the remaining paragraphs of the draft resolution indicated that at least three members wished to cause the Committee to function in a manner unacceptable to the Australian Government. He was glad to see that the Brazilian working paper removed the objectionable feature from the paragraph.

The Australian Government was not opposed to the principle that indigenous persons should be attached to delegations, as proposed in paragraph 4 of the draft resolution, but insisted that it had the absolute right to decide who should represent it. The question of the composition of a delegation was within the exclusive jurisdiction of the Government concerned.

He could not see any reason for the observers mentioned in paragraph 5. The Committee's work was essentially technical in nature, and, unless the observers were qualified in technical questions, their attendance in the Committee as observers would not benefit anyone. If however they were so qualified, their position was fully met by paragraph 4. Paragraph 5 thus served no useful purpose. It also conflicted with the principle of unity of representation. He could not, therefore, support it or the amendment to it proposed in the Brazilian working paper.

He could not accept the proposal in paragraph 7 that the Committee should submit recommendations relating to fields common to Territories in a single regional group. Such a provision reflected either confusion of thought or served as a contrivance to enable the Committee to express its views on individual Territories.

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It had always been understood that the Committee should not refer specifically to Territories administered by a single Power. The word "region" was not defined in the draft resolution for reasons which were apparent. In some cases, those regions might very well be entirely composed of Territories administered by a single State; hence a recommendation on those regions would constitute intervention in that State's affairs. The amendment proposed in the Brazilian paper would not really change the Committee's present procedure unless specific reference were subsequently to be made to the Territories in one group or category. The Australian delegation would oppose any such specific reference.

He did not see how the proposed regional approach could improve the practical value of the Committee's work. He wondered what technical problems were common to only one region; in his opinion, some element of most problems was to be found in a wide variety of Territories. It would therefore be useless to proceed on the basis of groups of Territories.

It was the technical utility of the Committee's work and not its political authority which was important. If the Committee's work was technically sound, then the application of its observations would be so obvious to the Administrations concerned as to make reference to individual Territories or groups of Territories quite unnecessary.

The Committee had often studied problems which it expressly declared did not concern all the Non-Self-Governing Territories. That procedure did not give rise to any technical difficulties and had certain clear advantages, amongst which was the fact that it avoided specific reference to an individual Territory. It had been said that the regional approach would enable the Committee to be of greater service to the administering Powers. If, however, that approach were adopted, it was no secret that some of the administering Powers would no longer be able to serve on the Committee. That being so, he failed to see that the adoption of the procedure would enable the Committee to be of greater service to them; in fact the proposition was being pressed not for technical but for political reasons.

(Mr. Loomes, Australia)

Finally, the adoption of the method envisaged in the draft resolution would change the Committee's terms of reference, and that would be contrary to paragraph 1 of the operative part, as proposed in the Brazilian working paper (A/AC.35/L.211).

He reserved the right to speak again on the question.

Mr. SEARS (United States of America) completely shared the Chinese delegation's opinion. If the Committee was to continue, as he hoped it would, it would be better to go straight to the point by repeating the terms of the previous resolutions on the subject.

The meeting rose at 1 p.m.